



Shire of
Perenjori
Embrace Opportunity

ATTACHMENT
Item 16.3(a)

*Advertised Shire of Perenjori Local
Planning Scheme No. 3*

ORDINARY COUNCIL MEETING 18 FEBRUARY 2021



DRAFT

SHIRE OF PERENJORI

Local Planning Scheme No.3

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

**SHIRE OF PERENJORI LOCAL PLANNING SCHEME No.3 -
AMENDMENTS**

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	

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PART 1 - PRELIMINARY

1. CITATION

This local planning scheme is the Shire of Perenjori Local Planning Scheme No.3.

2. COMMENCEMENT

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

3. SCHEME REVOKED

The following local planning scheme is revoked -

Name	Gazettal Date
Shire of Perenjori Local Planning Scheme No.2	28 July 2011

4. NOTES DO NOT FORM PART OF SCHEME

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

5. RESPONSIBILITY FOR SCHEME

The Shire of Perenjori is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

6. SCHEME AREA

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

7. CONTENTS OF SCHEME

- (1) In addition to the provisions set out in this document, this Scheme includes the following —
- (a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2);
 - (b) the supplemental provisions to the deemed provisions contained in Schedule A; and
 - (c) the Scheme Map (sheets 1-12)
- (2) This Scheme is to be read in conjunction with any local planning strategy for the Scheme area.

8. PURPOSES OF SCHEME

The purposes of this Scheme are to —

- (a) set out the local government's planning aims and intentions for the Scheme area; and
- (b) set aside land as local reserves for public purposes; and
- (c) zone land within the Scheme area for the purposes defined in this Scheme; and
- (d) control and guide development including processes for the preparation of structure plans, precinct plans and local development plans; and

- (e) set out procedures for the assessment and determination of development applications; and
- (f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
- (g) make provision for the administration and enforcement of this Scheme; and
- (h) address other matters referred to in Schedule 7 of the Act.

9. AIMS OF SCHEME

The aims of this Scheme are —

- (a) to assist the effective implementation of regional plans and policies including the State Planning Strategy; and
- (b) to ensure there is a sufficient supply of serviced and suitable land for housing, employment, commercial activities, community facilities, recreation and open space; and
- (c) to assist employment and economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment and tourist developments, as well as providing opportunities for home-based employment; and
- (d) to facilitate a diverse and integrated network of open space catering for both active and passive recreation, consistent with the needs of the community; and
- (e) to promote the sustainable use of rural land for agricultural purposes whilst accommodating other rural activities; and
- (f) to protect and enhance the environmental values and natural resources of the local government area and to promote ecologically sustainable land use and development; and
- (g) to safeguard and enhance the character and amenity of the built and natural environment of the Scheme area.

10. RELATIONSHIP WITH LOCAL LAWS

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

11. RELATIONSHIP WITH OTHER LOCAL PLANNING SCHEMES

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

12. RELATIONSHIP WITH REGION PLANNING SCHEME

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

PART 2 – RESERVES

13. REGIONAL RESERVES

There are no regional reserves in the Scheme area.

14. LOCAL RESERVES

(1) In this clause –

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 -

(a) Public Open Space

(i) To set aside areas for public open space, particularly those established under the *Planning and Development Act 2005* s.152.

(ii) To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.

(b) Environmental Conservation

(i) To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision.

(ii) To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.

(c) Civic and Community

(i) To provide for a range of community facilities which are compatible with surrounding development.

(ii) 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.

(d) Public Purposes

(i) To provide for a range of essential physical and community infrastructure

(e) Infrastructure Services

(i) Public Purposes which specifically provide for a range of essential infrastructure services.

(f) Education

- (i) Public Purposes which specifically provide for a range of essential education facilities.
- (g) Government Services
 - (i) Public Purposes which specifically provide for a range of government services.
- (h) Cemetery
 - (i) To set aside land required for a cemetery.
- (i) Strategic infrastructure
 - (i) To set aside land required for airport facilities.
- (j) Railways
 - (i) To set aside land required for passenger rail and rail freight services.
- (k) Primary Distributor Road
 - (i) 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.
- (l) Local Distributor Road
 - (i) To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
- (m) Local Road
 - (i) To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.

15. **ADDITIONAL USES FOR LOCAL RESERVES**

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 -

(a) **Residential**

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

(b) **Rural**

- To provide for the maintenance or enhancement of specific local rural character.
- 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.
- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.
- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.
- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.

(c) **Rural Residential**

- To provide for lot sizes in the range of 1 ha to 4 ha.
- To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.
- To set aside areas for the retention of vegetation and landform or other features which distinguish the land.

(d) **Rural Townsite**

- To provide for a range of land uses that would typically be found in a small country town.
- To provide for the variety of predominantly commercial, service, social and administrative uses required to service the needs of local residents and visitors alike.

(e) **Light Industry**

- To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in the Commercial zone.
- 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.

(f) **General Industry**

- To provide a location for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.
- To accommodate industry that would not otherwise comply with the performance standards of light industry.
- Seek to manage impacts such as noise, dust and odour within the zone.

(g) **Commercial**

- To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites.
- To ensure that development is not detrimental to the streetscape and amenity of adjoining owners and residential properties in the locality.

(h) **Tourism**

- To promote and provide for tourism opportunities.
- To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.
- To allow limited residential uses where appropriate.
- To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.

(i) **Special Use**

- To facilitate special categories of land uses which do not sit comfortably within any other zone.
- To enable the imposition of specific development conditions associated with the special use.

17. ZONING TABLE

The zoning table for this Scheme is as follows –

TABLE 1 – ZONING TABLE

Use and development class	Residential	Rural townsite	Rural residential	Rural	Commercial	Tourism	Light Industry	General Industry
Abattoir	X	X	X	A	X	X	X	X
Agriculture - extensive	X	X	X	P	X	X	X	X
Agriculture - intensive	X	X	X	D	X	X	A	D
Amusement parlour	X	A	X	X	D	D	X	X
Ancillary dwelling	P	P	D	D	D	X	X	X

Use and development class	Residential	Rural townsite	Rural residential	Rural	Commercial	Tourism	Light Industry	General Industry
Animal establishment	X	X	X	A	X	X	A	A
Animal husbandry - intensive	X	X	X	A	X	X	X	A
Bed and breakfast	A	A	D	D	D	P	X	X
Betting agency	X	A	X	X	P	X	X	X
Bulky goods showroom	X	A	X	X	P	X	P	A
Caravan park	X	A	X	X	X	P	X	X
Caretaker's dwelling	X	X	X	X	X	X	I	I
Car park	D	P	X	D	P	D	D	P
Child care premises	A	A	A	X	D	X	X	X
Cinema/Theatre	X	D	X	X	P	D	X	X
Civic use	D	D	D	D	D	D	A	X
Club premises	X	A	X	X	D	X	X	X
Commercial vehicle parking	X	X	X	A	P	X	P	P
Community purpose	A	A	X	X	P	X	X	X
Consulting rooms	X	A	X	X	D	X	D	X
Convenience store	A	A	X	X	P	X	X	X
Educational establishment	X	A	X	A	D	X	I	X
Exhibition centre	X	A	X	A	D	A	A	X
Family day care	A	A	A	X	D	X	X	X
Fast food outlet	X	A	X	X	D	D	X	X
Fuel depot	X	X	X	A	X	X	D	D
Funeral parlour	X	A	X	X	A	X	D	D
Garden centre	X	A	A	A	P	X	D	D
Grouped dwelling	D	D	X	D	D	X	X	X
Holiday accommodation	A	A	A	A	A	P	X	X

Use and development class	Residential	Rural townsite	Rural residential	Rural	Commercial	Tourism	Light Industry	General Industry
Holiday house	A	A	A	A	A	P	X	X
Home business	D	D	D	D	D	D	X	X
Home occupation	D	P	D	D	D	D	X	X
Home office	P	P	P	P	P	P	X	X
Home store	A	A	A	A	D	D	X	X
Hospital	X	A	X	X	X	X	X	X
Hotel	X	A	X	X	A	P	X	X
Industry	X	X	X	X	X	X	D	P
Industry - cottage	X	A	A	D	D	X	X	X
Industry - extractive	X	X	X	A	X	X	X	X
Industry - light	X	A	X	X	X	X	P	D
Industry - rural	X	X	A	P	X	X	A	P
Liquor store - small	X	A	X	X	P	I	X	X
Lunch bar	X	A	X	X	D	D	X	X
Market	X	A	A	X	D	A	A	X
Medical centre	A	A	X	X	D	X	X	X
Mining operations	X	X	X	D	X	X	X	X
Motel	X	A	X	X	D	P	X	X
Motor vehicle, boat or caravan sales	X	A	X	X	D	X	D	X
Motor vehicle repair	X	A	X	X	D	X	P	P
Motor vehicle wash	X	A	X	X	D	X	P	P
Multiple dwelling	D	D	X	X	D	D	X	X
Nature based park	X	X	X	A	X	A	X	X
Office	X	A	X	X	P	X	I	I
Park home park	X	A	X	X	A	A	X	X
Place of worship	A	A	X	X	A	X	X	X

Use and development class	Residential	Rural townsite	Rural residential	Rural	Commercial	Tourism	Light Industry	General Industry
Reception centre	X	A	X	A	P	X	X	X
Recreation - private	X	A	X	A	A	X	A	X
Renewable energy facility	X	X	X	A	X	X	A	A
Repurposed dwelling	A	A	A	D	A	A	X	X
Residential building	A	A	X	X	D	A	X	X
Residential aged care facility	D	D	X	X	X	X	X	X
Restaurant/cafe	X	A	X	D	P	D	X	X
Retirement village	D	D	X	X	X	X	X	X
Road house	X	A	X	A	D	A	A	A
Rural home business	X	A	A	D	D	X	X	X
Rural pursuit/hobby farm	X	X	A	D	X	X	X	X
Second-hand dwelling	A	A	A	A	A	A	X	X
Service station	X	A	X	X	D	X	D	D
Shop	X	A	X	I	P	D	A	X
Single house	P	P	P	P	A	A	X	X
Tavern	X	A	X	X	A	A	X	X
Telecommunications infrastructure	A	A	A	A	D	A	D	D
Tourist development	X	A	X	A	D	P	X	X
Trade display	X	A	X	A	P	X	P	P
Trade supplies	X	A	X	A	P	X	P	P
Transport depot	X	A	X	D	X	X	P	P
Tree farm	X	X	A	D	X	X	X	X
Veterinary centre	X	A	X	A	A	X	D	X
Warehouse/storage	X	A	X	A	D	X	P	P
Waste disposal facility	X	X	X	A	X	X	X	A
Waste storage facility	X	X	X	A	X	X	X	A

Use and development class	Residential	Rural townsite	Rural residential	Rural	Commercial	Tourism	Light Industry	General Industry
Winery	X	A	A	A	D	D	D	D
Workforce Accommodation	A	A	X	A	X	A	X	X
Wayside Stall	X	D	X	D	X	X	X	X

18. INTERPRETING ZONING TABLE

- (1) The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.
- (2) The symbols used in the zoning table have the following meanings –
 - P means that the use is permitted if it complies with all relevant development standards and requirements of this Scheme as it relates to the use of the land;
 - I means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with all relevant development standards and requirements of this Scheme as it relates to the use of the land;
 - D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;
 - A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions;
 - X means that use is not permitted by this Scheme.

Note:

 1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land. For development on land that does not require development approval see clause 61 of the deemed provisions and Schedule A.
 2. In considering an application for development approval, the local government will have regard to clause 67 of the deemed provisions.
 3. If a proposed development is identified as a class P use but the proposed development does not comply with all of the development standards and requirements of this Scheme, then it is to be treated as a class D use.
- (3) A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.
- (4) The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –
 - (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or

- (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before consideration 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 use or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.
- (6) If a use of land is identified in a zone as being a class X use, the local government must refuse an application for development approval for that use in the zone unless-
- (a) the development approval application relates to land that is being used for a non-conforming use; and
 - (b) the local government considers that the proposed use of the land would be less detrimental than the non-conforming use.
- (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 the objectives of the zone and any of the following plans that apply to the land –
- (a) a structure plan;
 - (b) a precinct plan;
 - (c) a local development plan.

19. ADDITIONAL USES

- (1) Table 2 sets out –
- (a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and
 - (b) the conditions that apply to that additional use.

TABLE 2 – SPECIFIED ADDITIONAL USES FOR ZONED LAND IN SCHEME AREA

No	Description of land	Additional use	Conditions
A1	Lot 74 Russell Street, Perenjori	medical centre	Development is not permitted unless the local government has exercised its discretion by granting development approval.
A2	Lots 1, 2, 95, 96 and 97 Farrell Street, Perenjori	transport depot; office	Development is not permitted unless the local government has exercised its discretion by granting development approval and the land use(s) must - <ul style="list-style-type: none"> • be carried out in association with the continuation of the predominant use of the lot(s); and • be located to the rear of the lot(s).

- (2) Despite anything contained in the zoning table, land that is specified in Table 2 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

There are no restricted uses which apply to this Scheme.

21. SPECIAL USE ZONES

- (1) Table 3 sets out -
- (a) special use zones for specified land that are in addition to the zones in the zoning table; and
 - (b) the classes of special use that are permissible in that zone; and
 - (c) the conditions that apply in respect of the special uses.

TABLE 3 - SPECIAL USE ZONES IN SCHEME AREA

No	Description of land	Special use	Conditions
SU1	Lot 202 Oversby Road, Perenjori	place of worship; club premises; community purpose	Development is not permitted unless the local government has exercised its discretion by granting development approval.

- (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.

22. NON-CONFORMING USES

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

23. CHANGES TO NON-CONFORMING USE

- (1) A person must not, without development approval –

- (a) alter or extend a non-conforming use of land; or
 - (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
 - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
 - (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.
- (2) An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- (3) A local government may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the local government, the proposed use –
- (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
 - (b) is closer to the intended objectives of the zone in which the land is situated.

24. REGISTER OF NON-CONFORMING USE

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

PART 4 - GENERAL DEVELOPMENT REQUIREMENTS

25. RESIDENTIAL DESIGN CODES (R-CODES)

- (1) The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.
- (2) The local government –
 - (a) must make a copy of the R-Codes available for public inspection during the business hours at the offices of the local government; and
 - (b) may publish a copy of the R-Codes on the website of the local government.
- (3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
- (4) The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (3) or in a provision of this Scheme that applies the R-Codes.

26. MODIFICATION OF R-CODES

There are no modifications to the R-Codes.

27. APPLICATION OF R-CODES TO COMMERCIAL ZONED AND RURAL TOWNSITE ZONED LAND

- (1) The R-Code for land zoned Commercial shall be R10/30 unless otherwise indicated on the Scheme Map.
- (2) The R-Code for land zoned Rural Townsite shall be R10 unless otherwise indicated on the Scheme Map.

28. OTHER STATE PLANNING POLICIES TO BE READ AS PART OF SCHEME

- (1) The State planning policies set out in clause 28 are to be read as part of this Scheme:

State Planning Policy 2.5 - Rural Planning
State Planning Policy 3.6 – Development Contributions for Infrastructure
State Planning Policy 3.7 - Planning in Bushfire Prone Areas
State Planning Policy 5.2 - Telecommunications Infrastructure
- (2) The local government –
 - (a) must make a copy of each State planning policy referred to in subclause (1) available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of each of those State planning policies on the website of the local government.

29. MODIFICATION OF STATE PLANNING POLICIES

There are no modifications to a State planning policy that, under Clause 28 is to be read as part of the Scheme.

30. ENVIRONMENTAL CONDITIONS

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

31. RESTRICTIVE COVENANTS

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

32. GENERAL DEVELOPMENT STANDARDS AND REQUIREMENTS

- (1) Where a dual R-Code is indicated on the Scheme Map or in a provision of this Scheme that applies the R-Codes, residential development exceeding the lower code is subject to the granting of development approval and the local government shall not grant development approval unless it is satisfied that an alternative sewerage disposal system can be installed and managed to its satisfaction.
- (2) Except where otherwise provided in this Scheme, site and development requirements shall be in accordance with Table 4 - Development Table.

TABLE 4 – DEVELOPMENT TABLE

USE CLASS	MINIMUM BOUNDARY SETBACK (metres)			MAXIMUM PLOT RATIO	MINIMUM LANDSCAPED AREA + (percentage)	MINIMUM NUMBER OF CAR PARKING BAYS
	FRONT	REAR (average)	SIDES			
club premises	*	*	*	0.5	*	1 for every 45m ² of gross floor area.
consulting rooms	*	*	*	0.4 in Residential zone 0.5 in all other zones	30 in Residential zone	1 for every 30m ² of gross floor area, plus 1 for each employee.
child care premises	7.5	7.5	*	*	*	1 for each employee.
community purpose	*	*	*	*	10	1 for every 4 persons whom the building is designed to accommodate.
educational establishment	9.0	7.5	5.0	*	30	1 per full time employee, plus additional bays for students as determined by the local government.
funeral parlour	*	*	*	*	10	As determined by the local government otherwise a minimum of 6.
hotel/tavern	*	*	*	*	10	1 for every bedroom plus per 2m ² of bar and lounge area.
industry – light	7.5	7.5	*	*	10	1 per 2 employees.
industry	7.5	7.5	*	*	15	1 per 2 employees.
motel	11.0	7.5	3.0 per storey	1.0	30	1 per unit, plus 1 per 25m ² of service area.
motor vehicle, boat or caravan sales	*	*	*	*	5	1 for every 250m ² of sales area, plus 1 for each employee on site.
office	*	*	*	*	*	1 for every 30m ² plot ratio area.
restaurant/cafe	*	*	*	*	*	1 for every 10m ² of gross floor area or 1 for every 4 seats provided, whichever is the greater.
service station	11.0	7.5	5	*	5	1 for every working bay, plus 1 for each employee on site.

shop	*	*	*	*	*	1 for every 15m ² of gross floor area.
bulky goods showroom	*	*	*	*	10	1 for every 100m ² of gross floor area.

- Notes: i) * means to be determined by the local government in each particular case.
ii) + means landscaping to be generally at the street frontage.

(3) Industrial development

Unsewered industrial development is restricted to 'dry industry' type - industries that are predicted to generate wastewater for disposal on-site of a daily rate of less than 540 litres per 1000m².

33. VARIATIONS TO GENERAL DEVELOPMENT STANDARDS AND REQUIREMENTS

(1) In this clause general development standards and requirements means requirements set out in clause 32.

(2) The local government may approve an application for a development approval that does not comply with the general development standards and requirements.

(3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.

(4) If the local government is of the opinion that the non-compliance with a general development standard and requirement will mean the development is likely to adversely affect any owners or occupiers in the locality or in an area adjoining the site of the development the local government must –

- (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and
- (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.

(5) The local government may only approve an application for development approval under this clause if the local government is satisfied that –

- (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions;
- (b) the non-compliance with the general development standards and requirements 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.

(6) Combined uses

Where two or more uses are combined in a single development, the development shall conform to the general development standards and requirements for each use respectively, or where such general development standards and requirements are deemed by the local government to be inappropriate in the particular circumstances, to such general development standards and requirements as the local government shall determine, subject to the provisions of subclauses (4) and (5).

(7) Residential development in the Rural zone

- (a) In the Rural zone a residential dwelling shall conform to the setbacks prescribed in this subclause, unless determined otherwise by the local government in each particular case.

Minimum Setbacks (metres)		
Primary Street	Secondary Street	Other/rear
20	10	10

- (b) Development of more than one dwelling or for short-term accommodation purposes upon a lot in the Rural zone shall only be permitted where it is incidental to the agricultural use of the land, or the predominant use of the land as determined by the local government provided that use complies with the relevant objectives, development standards and requirements of this Scheme.

34. CARETAKER'S DWELLINGS

- (1) The provisions of this clause apply to caretaker's dwellings in the Light Industry zone and the General Industry zone.
- (2) A caretaker's dwelling is to be located on the same lot as a building, operation or plant used for industry and occupied by a supervisor of that building, operation or plant used for industry;
- (3) A caretaker's dwelling is to be incidental to the predominant industrial use of the lot;
- (4) Only one caretaker's dwelling is permitted on a lot;
- (5) A caretaker's dwelling shall not exceed a total floor area of 100m² measured from the external face of walls;
- (6) Open verandas may be permitted but must not be enclosed by any means unless the floor area remains within the 100m² total floor area;
- (7) A caravan is not permitted as a caretaker's dwelling for either permanent or temporary occupation;
- (8) A caretaker's dwelling shall be located at the rear of the lot containing the industrial use;
- (9) A caretaker's dwelling shall contain only 1 bedroom;
- (10) A caretaker's dwelling may constitute a building or structure not previously used as a dwelling which has been repurposed for use as a caretaker's dwelling, or as a dwelling that has been in a different location and has been dismantled and transported to the lot for use as a caretaker's dwelling.

35. RURAL RESIDENTIAL ZONE

- (1) All dwellings shall be developed in accordance with the provisions of the R-Codes R2 density code, with the exception of lot area.
- (2) All dwellings shall be connected to a reticulated potable water supply provided by a licensed service provider or have appropriate provision for alternative potable water supply to the satisfaction of the local government.
- (3) All dwellings shall be connected to an appropriate effluent disposal or domestic waste water system(s) of a type that is, and which is installed, to the satisfaction of the local government and the Department of Health.

36. MINING OPERATIONS

Whilst mining operations are exempt from the need for development approval under the *Mining Act 1978*, local government may exercise its discretion to inform the Minister for Mines and Petroleum and the Minister for Planning in writing that the granting of a mining lease or general purpose lease is contrary to the provisions of the Scheme and the Local Planning Strategy. In providing advice to the Minister for Mines and Petroleum on the suitability of mining operations, the local government will be guided by the permissibility of this use in the zoning table.

PART 5 - SPECIAL CONTROL AREAS

37. SPECIAL CONTROL AREAS

- (1) Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.
- (2) The purpose, objectives and additional provisions that apply to each special control area is set out in Table 5.
- (3) The provisions contained in Table 5 apply in addition to the provisions that apply to the underlying zone and/or local reserve.

TABLE 5 – SPECIAL CONTROL AREAS IN SCHEME AREA

Name of area	Purpose	Objectives	Additional provisions
Perenjori Waste Disposal Facility Special Control Area 1 (SCA 1).	<p>To identify land which may be affected by the Perenjori Waste Disposal Facility.</p> <p>To guide land use and development within the special control area.</p>	<p>To protect the facility from incompatible/sensitive land use and development.</p> <p>To ensure that decision making regarding land use and development applications for land within the SCA 1 provides for outcomes that will -</p> <p>(a) either avoid, minimise or manage the potential conflict with and from the facility; and</p> <p>(b) ensure that use and development of land is compatible with the effective and efficient operations of the facility.</p> <p>For the purposes of these objectives 'sensitive land use' has the same meaning as it has in State Planning Policy 2.5 Rural Planning.</p>	<p>Despite any other provision of this Scheme, development approval is required for the use and development of land, including a single house.</p> <p>In addition to the other provisions of this Scheme, all development applications shall be referred to the environmental protection agency for advice and the local government shall have due regard to the advice received when determining development applications.</p>

PART 6 – TERMS REFERRED TO IN SCHEME

38. TERMS USED

- (1) A word or expression in this Scheme -
- (a) has the same meaning it has in the *Planning and Development Act 2005*; or
 - (b) if not defined in that Act - has the same meaning as it has in the R-Codes; or
 - (c) has the same meaning as it has in the *Planning and Development (Local Planning Schemes) Regulations 2015* (as amended); or
 - (d) has the meaning as listed below.

industry - cottage means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which -

- (a) does not cause injury to or adversely affect the amenity of the neighbourhood;
- (b) where operated in a residential zone, does not employ any person other than a member of the occupier's household;
- (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;
- (d) does not occupy an area in excess of 50 square metres; and
- (e) does not display a sign exceeding 0.2 square metres in area;

industry - rural means –

- (a) supports and/or is associated with primary production; or
- (b) services plant or equipment used in primary production;

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

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

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

residential aged care facility means a residential facility providing personal and/or nursing care primarily to aged or dependent persons which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. This may consist of multiple components that include residential respite (short-term) care, aged or dependent persons' dwellings and a retirement village, but does not include a hospital, rehabilitation or psychiatric facility;

retirement village means a development with self-contained, independent dwellings for aged or dependent persons together with communal amenities and land uses 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;

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

wayside stall means a stall located adjacent to a street in which only fruit, vegetables and artefacts grown, produced or made on the land are sold or offered for sale.

SCHEDULE A — SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS

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

61. Development for which development approval not required

- 61(1)(k)** the erection of, or alterations and/or additions to, a single house on a lot if a single house is a class P use in the Rural zone in which the lot is located and where the development standards and requirements set out in this Scheme for the Rural zone are satisfied, unless the development is located in a place that is:
- (i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or
 - (ii) the subject of an order under the *Heritage Act 2018* Part 4; or
 - (iii) included on a heritage list prepared in accordance with this Scheme; or
 - (iv) within an area designated under this Scheme as a heritage area; or
 - (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90; or
 - (vi) on a lot or in a location on the lot which is not provided with access to a dedicated and constructed Crown road reserve or does not have, in the opinion of the local government, appropriate access to a dedicated and constructed Crown road reserve;
- 61(1)(l)** the erection of, or alterations and/or additions to, an outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a class P use in the Rural zone and where the development standards and requirements set out in the scheme for the Rural zone are satisfied, unless the development is located in a place that is:
- (i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or
 - (ii) the subject of an order under the *Heritage Act 2018* Part 4; or
 - (iii) included on a heritage list prepared in accordance with this Scheme; or
 - (iv) within an area designated under the Scheme as a heritage area; or
 - (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90;
- 61(1)(m)** the erection of, or alterations and/or additions to, a single house on a lot if a single house is a class P use in the Rural Townsite zone in which the lot is located and where the development standards and requirements set out in the scheme for the Rural Townsite zone and the deemed-to-comply requirements of the R-Codes (R10) are satisfied, unless the development is located in a place that is:
- (i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or
 - (ii) the subject of an order under the *Heritage Act 2018* Part 4; or
 - (iii) included on a heritage list prepared in accordance with this Scheme; or
 - (iv) within an area designated under the Scheme as a heritage area; or
 - (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90;
- 61(1)(n)** the erection of, or alterations and/or additions to, an outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a class P use in the Rural Townsite zone and where the development standards and requirements set out in the Scheme for the Rural Townsite zone and the deemed-to-comply requirements of the R-Codes (R10) are satisfied, unless the development is located in a place that is:
- (i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or
 - (ii) the subject of an order under the *Heritage Act 2018* Part 4; or
 - (iii) included on a heritage list prepared in accordance with this Scheme; or
 - (iv) within an area designated under the Scheme as a heritage area; or

- (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90;
- 61(1)(o)** the erection or installation of a sign or advertisement of a class listed in Schedule 1 unless the sign or advertisement is to be erected or installed in a place that is:
- (i) included on a heritage list prepared in accordance with this Scheme; or
 - (ii) within an area designated under this Scheme as a heritage area;
- 61(1)(p)** the carrying out of any works on, in, over or under a street or road by a local government or public authority acting in pursuant of its statutory obligations;
- 61(1)(q)** the carrying out of any works urgently required for public safety or for the safety or security of plant or equipment or for the maintenance of essential services;
- 61(1)(r)** shade sails made from pervious cloth, with the pole height being no more than 3.5 metres in height from the natural ground level, and the aggregate sail area not exceeding 20m²;
- 61(2)(g)** the use of land in a reserve, where such land is owned or vested in the local government or owned or vested in a public authority –
- (i) for the purpose for which the land is reserved under this Scheme; or
 - (ii) in the case of land owned or vested in the local government or a public authority, for any purpose for which such land may be lawfully used by the local government or the public authority.

SCHEDULE 1 — EXEMPTED ADVERTISEMENTS FOR WHICH DEVELOPMENT APPROVAL IS NOT REQUIRED

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

	<p>department, a public authority or the local government.</p> <p>c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any act, statute, regulation or similar instrument, provided that any such advertisement sign is constructed and/or exhibited strictly in accordance with the requirements, if any, specified in the applicable act, statute, regulation or instrument.</p>	No maximum size/area
railway property and reserves	Advertisement signs exhibited on such land provided that the advertisement sign relates to the railway functions of the property or reserve.	No advertisement sign shall exceed 2m ² in area
advertisements within buildings	All advertisement signs placed or displayed within a building and not visible to a person outside of the building.	No maximum size/area
all classes of buildings other than a single house	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²
<u>building construction sites</u> advertisement signs displayed only for the duration of construction as follows –		
a) dwellings	One advertisement sign per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
b) shops, commercial and industrial properties	One advertisement sign as for a) above.	5m ²
c) large development or redevelopment projects involving shopping centres, offices or other buildings exceeding 3 storeys in height	One advertisement sign as for a) above. One additional advertisement sign showing the name of the project builder.	10m ² 5m ²
<u>property transactions</u> advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows -		
a) dwellings	One advertisement sign per street frontage for each property relating to the sale, leasing or impending	Each advertisement sign shall not exceed an area of 2m ²

<p>b) shops, commercial and industrial properties</p> <p>c) large development or redevelopment projects involving shopping centres, offices or other buildings exceeding 4 storeys in height and rural properties in excess of 5 hectares</p>	<p>auction of the property at or upon which the advertisement sign is, or the advertisement signs are displayed.</p> <p>One advertisement sign as for a) above.</p> <p>One advertisement sign as for a) above.</p>	<p>Each advertisement sign shall not exceed an area of 5m²</p> <p>Each advertisement sign shall not exceed an area of 10m²</p>
<p><u>display homes</u> advertisement signs displayed for the period over which homes are on display for public inspection</p>	<p>a) one advertisement sign for each dwelling on display.</p> <p>b) In addition to a) above one advertisement sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.</p>	<p>2m²</p> <p>5m²</p>
<p>sale of goods or livestock</p>	<p>One advertisement sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the advertisement sign is exhibited provided that the land is not normally used for that purpose.</p>	<p>2m²</p>

COUNCIL ADOPTION FOR ADVERTISING

Adopted for advertising by resolution of the Council of the Shire of Perenjori at the Ordinary Meeting of the Council held on the 16 April 2020.

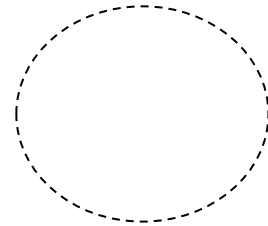
.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL ADOPTION FOR APPROVAL

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

.....
SHIRE PRESIDENT



.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDATION/SUBMITTED FOR APPROVAL

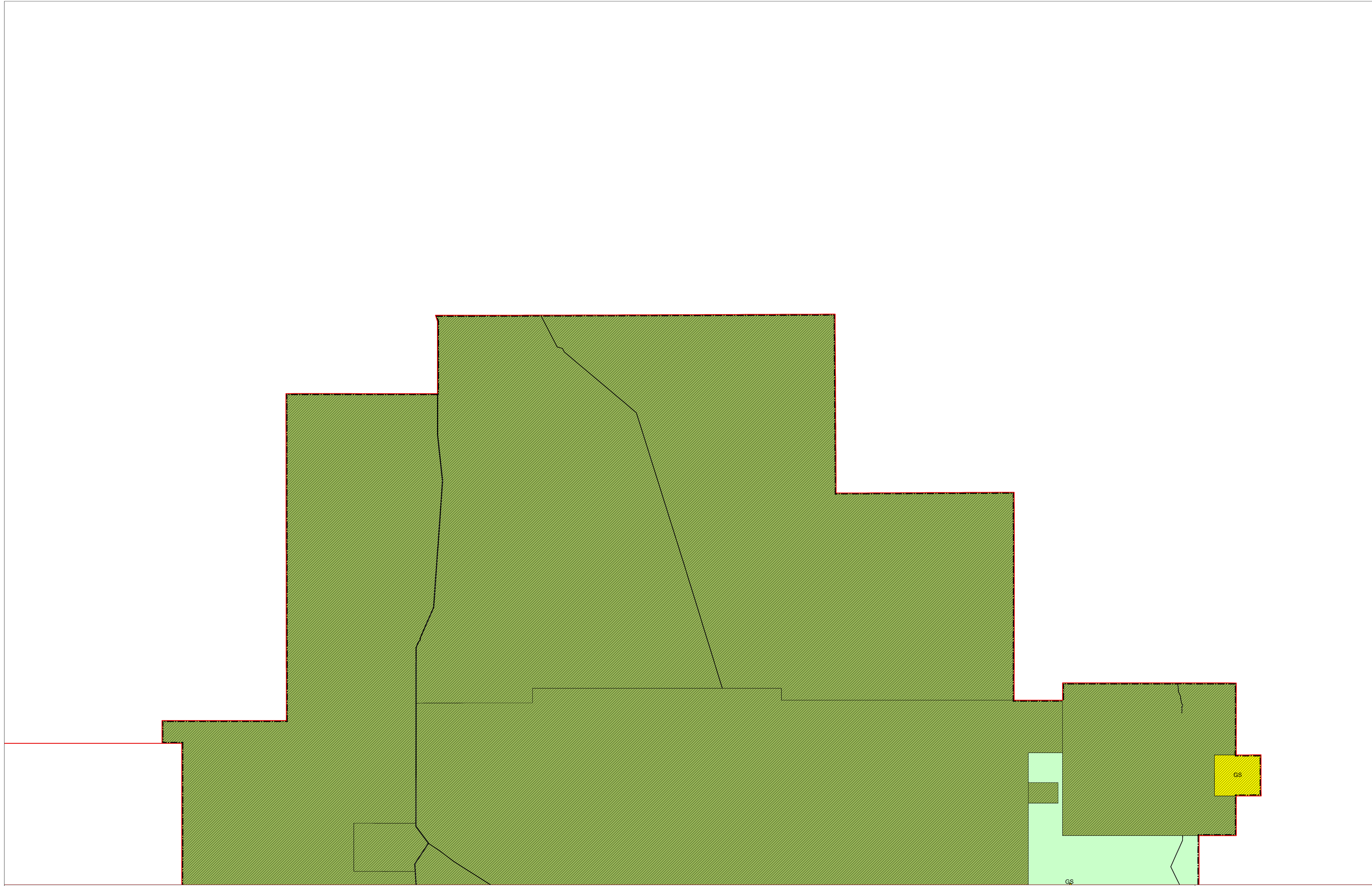
.....
DELEGATED UNDER S.16 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....



LEGEND

LOCAL RESERVES

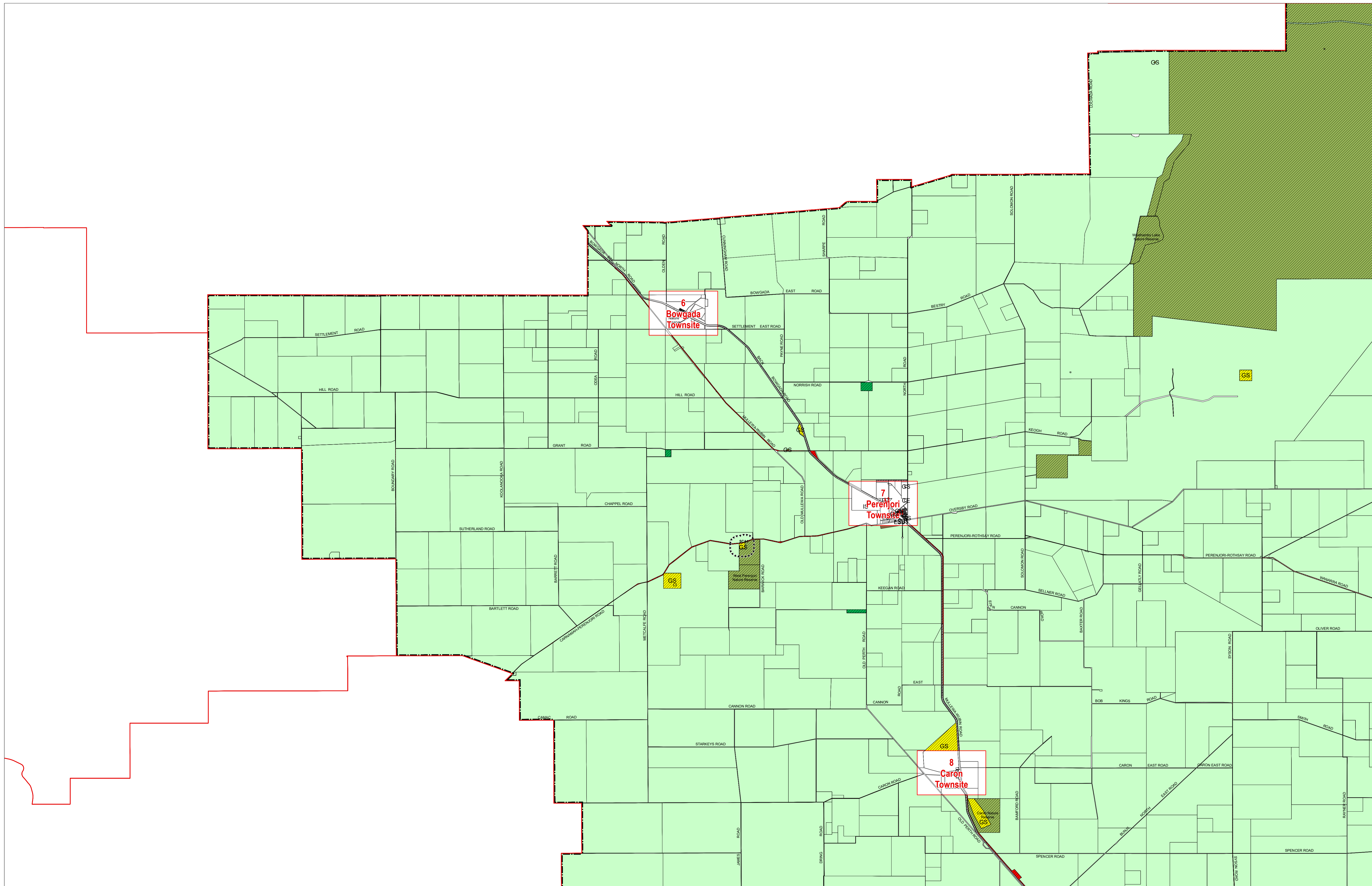
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	Environmental Conservation		Education
	Local Distributor Road		Government Services
	Local Road		Infrastructure Services
	Primary Distributor Road		Railways
	Public Open Space		Strategic Infrastructure
	Public Purposes		

ZONES

	Commercial		Rural Townsite
	General Industry		Rural Residential
	Light Industry		Special Use
	Residential		Tourism
	Rural		

OTHER CATEGORIES

	Scheme Area Boundary
	Local Government Boundary
	R20 R Codes
	A1 Additional uses
	SU1 Special Use Area
	SCA1 Special Control Area - Infrastructure



LEGEND

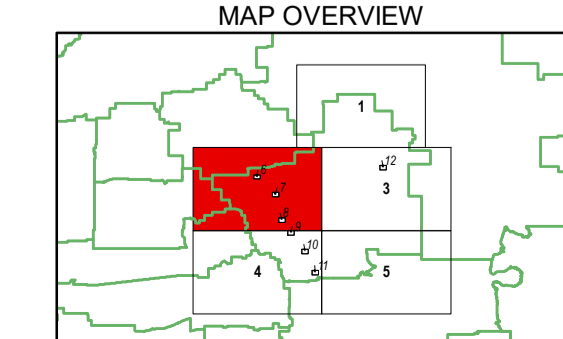
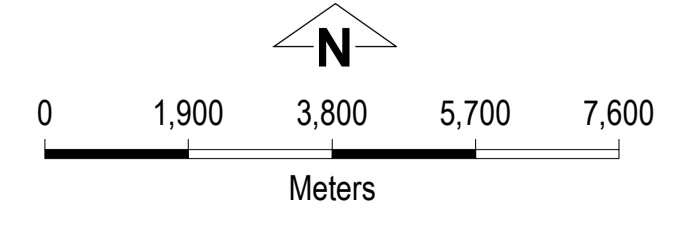
LOCAL RESERVES	
Civic and Community	Cemetery
Environmental Conservation	Education
Local Distributor Road	Government Services
Local Road	Infrastructure Services
Primary Distributor Road	Railways
Public Open Space	Strategic Infrastructure
Public Purposes	

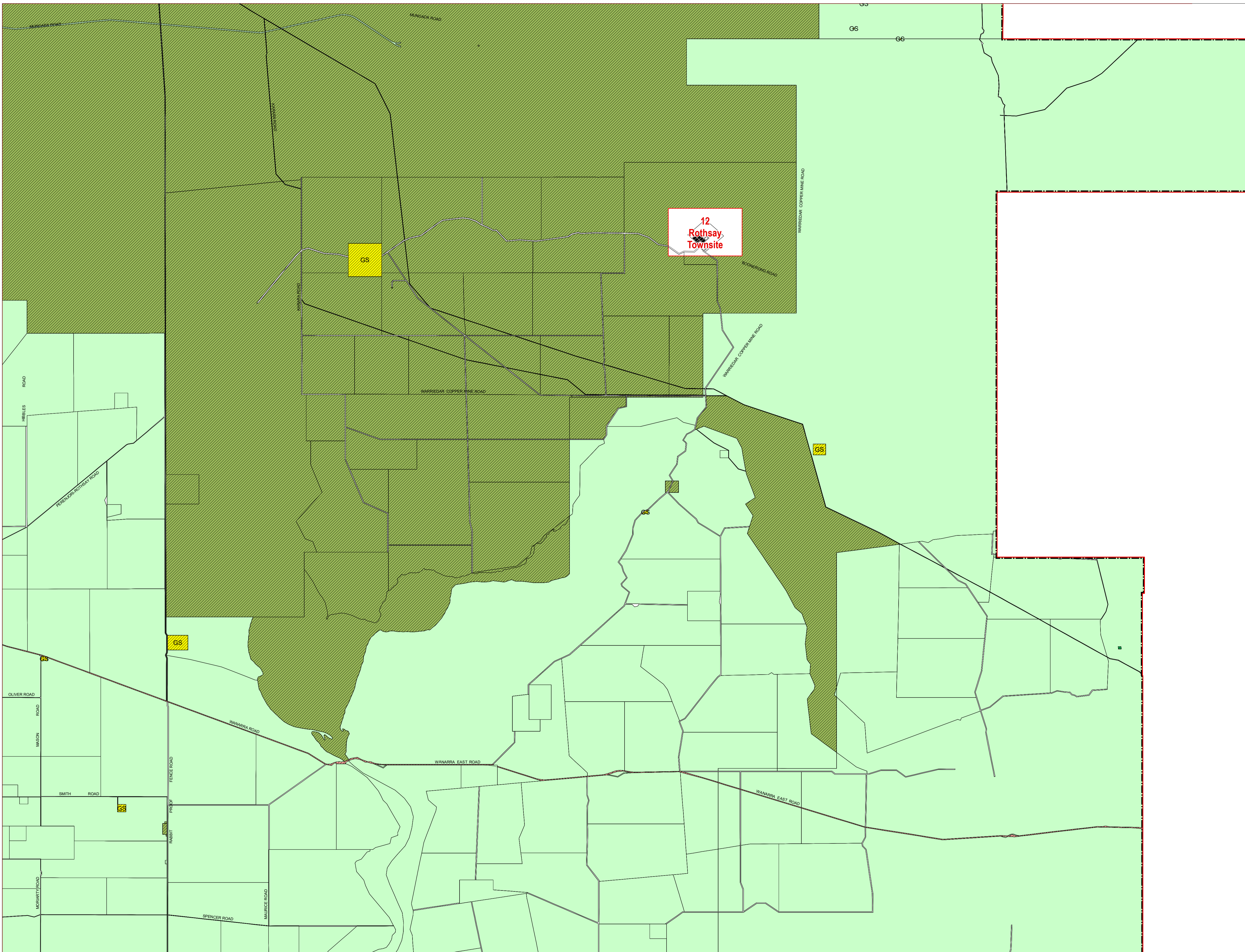
ZONES

Commercial	Rural Townsite
General Industry	Rural Residential
Light Industry	Special Use
Residential	Tourism
Rural	

OTHER CATEGORIES

Scheme Area Boundary
Local Government Boundary
R20 R Codes
A1 Additional uses
SU1 Special Use Area
SCA1 Special Control Area - Infrastructure





LEGEND

LOCAL RESERVES

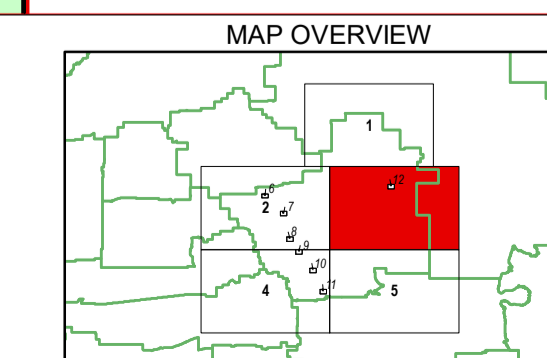
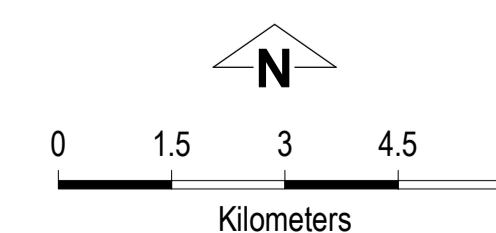
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|----------------------------|--------------------------|
| Civic and Community | Cemetery |
| Environmental Conservation | Education |
| Local Distributor Road | Government Services |
| Local Road | Infrastructure Services |
| Primary Distributor Road | Railways |
| Public Open Space | Strategic Infrastructure |
| Public Purposes | |

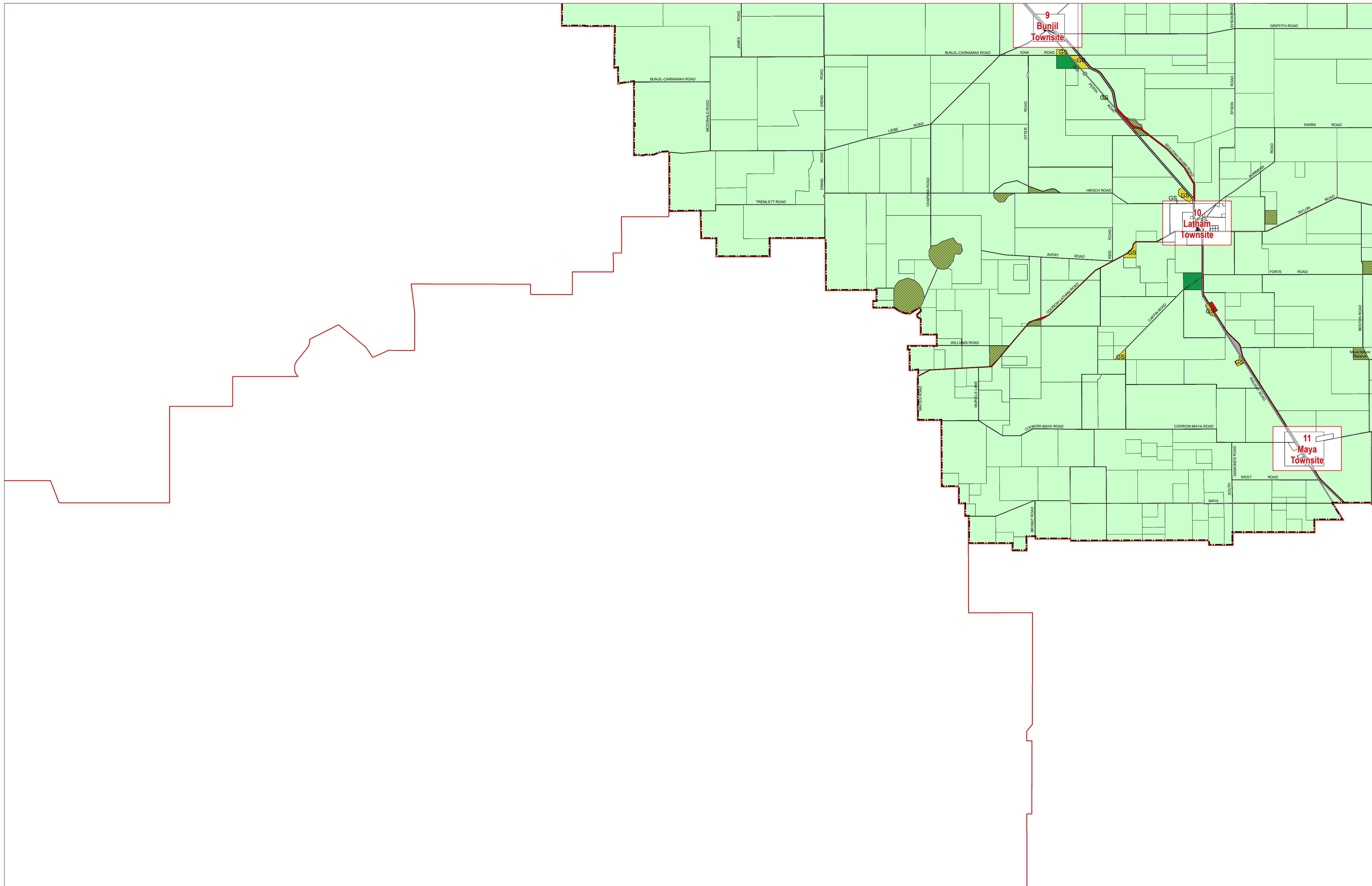
ZONES

- | | |
|------------------|-------------------|
| Commercial | Rural Townsite |
| General Industry | Rural Residential |
| Light Industry | Special Use |
| Residential | Tourism |
| Rural | |

OTHER CATEGORIES

- Scheme Area Boundary
- Local Government Boundary
- R20 R Codes
- A1 Additional uses
- SU1 Special Use Area
- SCA1 Special Control Area - Infrastructure





LEGEND

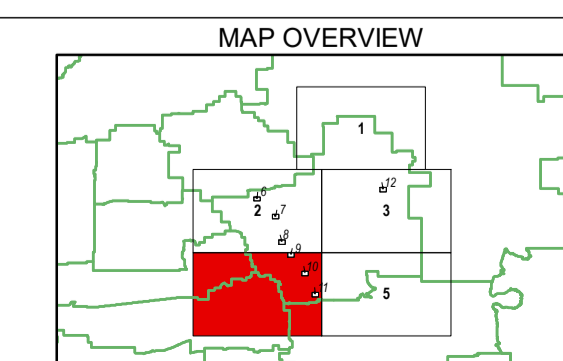
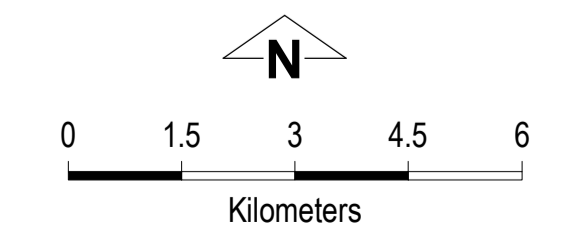
LOCAL RESERVES	
Civic and Community	Cemetery
Environmental Conservation	Education
Local Distributor Road	Government Services
Local Road	Infrastructure Services
Primary Distributor Road	Railways
Public Open Space	Strategic Infrastructure
Public Purposes	

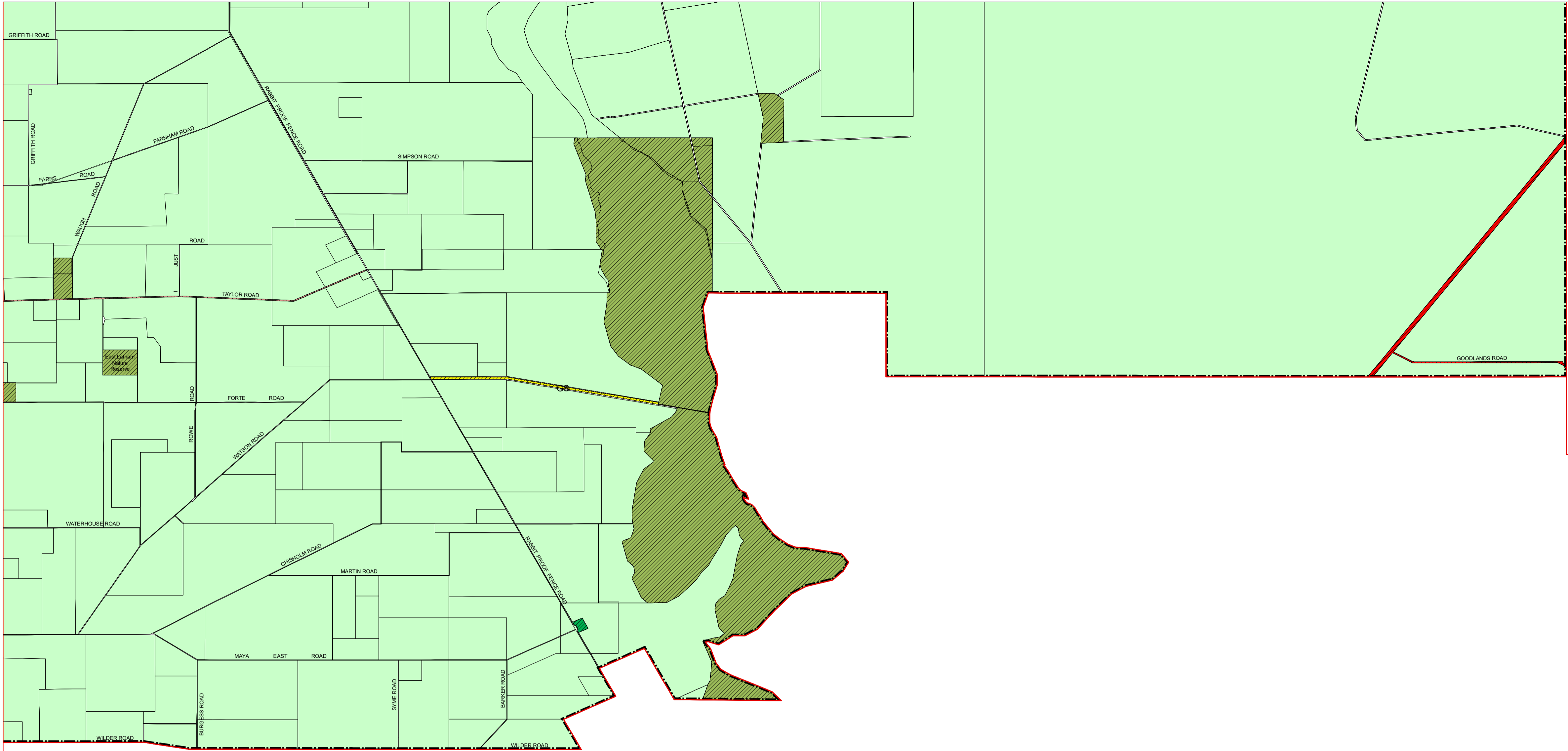
ZONES

Commercial	Rural Township
General Industry	Rural Residential
Light Industry	Special Use
Residential	Tourism
Rural	

OTHER CATEGORIES

Scheme Area Boundary	
Local Government Boundary	
R20 R Codes	
A1 Additional uses	
SU1 Special Use Area	
SCA1 Special Control Area - Infrastructure	





LEGEND

LOCAL RESERVES

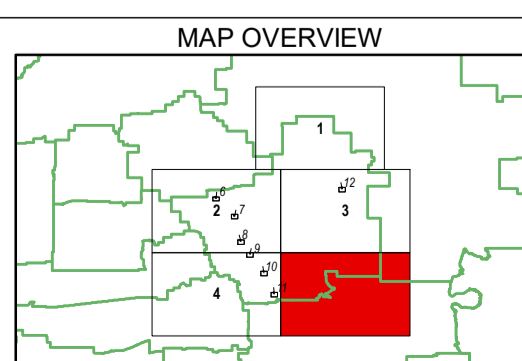
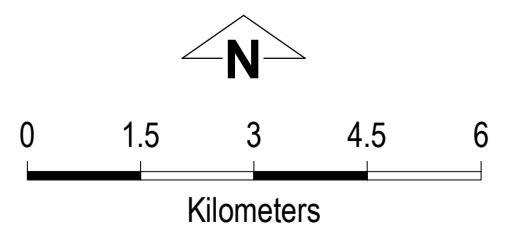
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| | Civic and Community | | Cemetery |
| | Environmental Conservation | | Education |
| | Local Distributor Road | | Government Services |
| | Local Road | | Infrastructure Services |
| | Primary Distributor Road | | Railways |
| | Public Open Space | | Strategic Infrastructure |
| | Public Purposes | | |

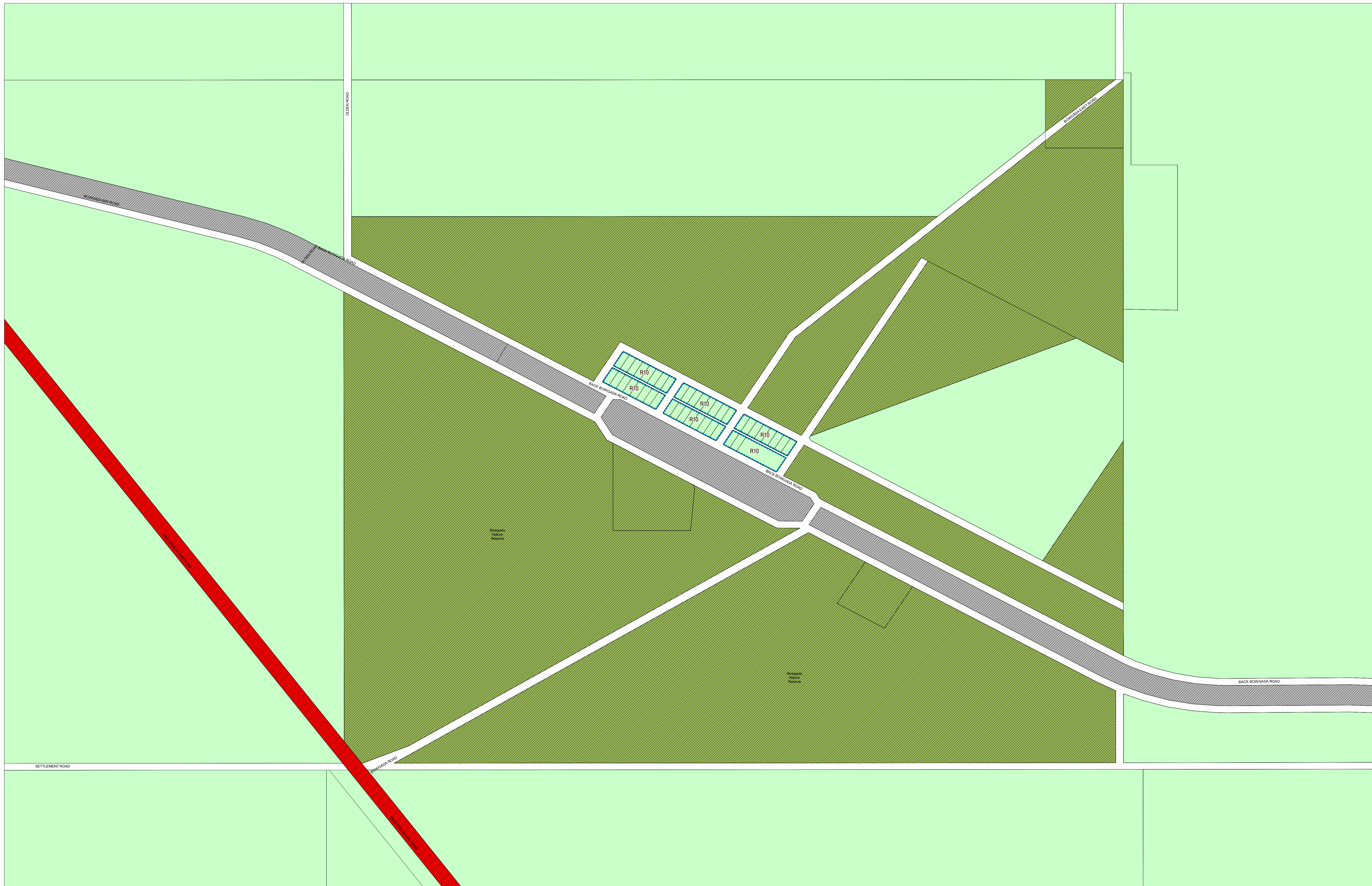
ZONES

- | | | | |
|--|------------------|--|-------------------|
| | Commercial | | Rural Townsite |
| | General Industry | | Rural Residential |
| | Light Industry | | Special Use |
| | Residential | | Tourism |
| | Rural | | |

OTHER CATEGORIES

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| | Scheme Area Boundary |
| | Local Government Boundary |
| | R20 R Codes |
| | A1 Additional uses |
| | SU1 Special Use Area |
| | SCA1 Special Control Area - Infrastructure |





LEGEND

LOCAL RESERVES

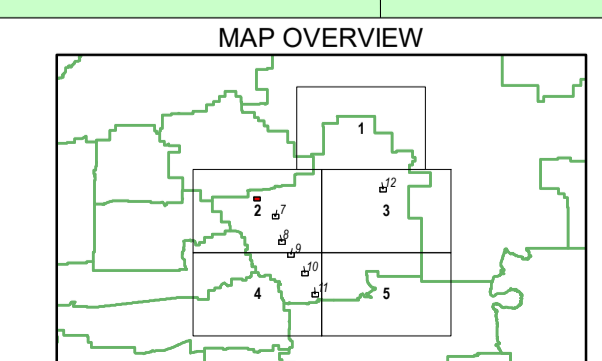
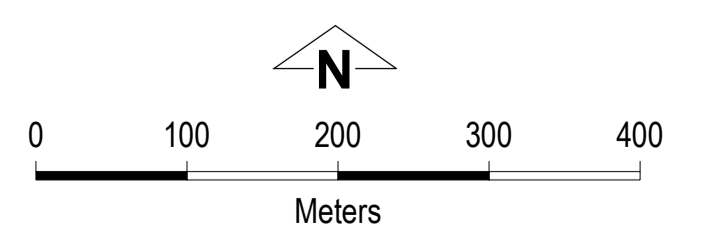
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	Environmental Conservation		Education
	Local Distributor Road		Government Services
	Local Road		Infrastructure Services
	Primary Distributor Road		Railways
	Public Open Space		Strategic Infrastructure
	Public Purposes		

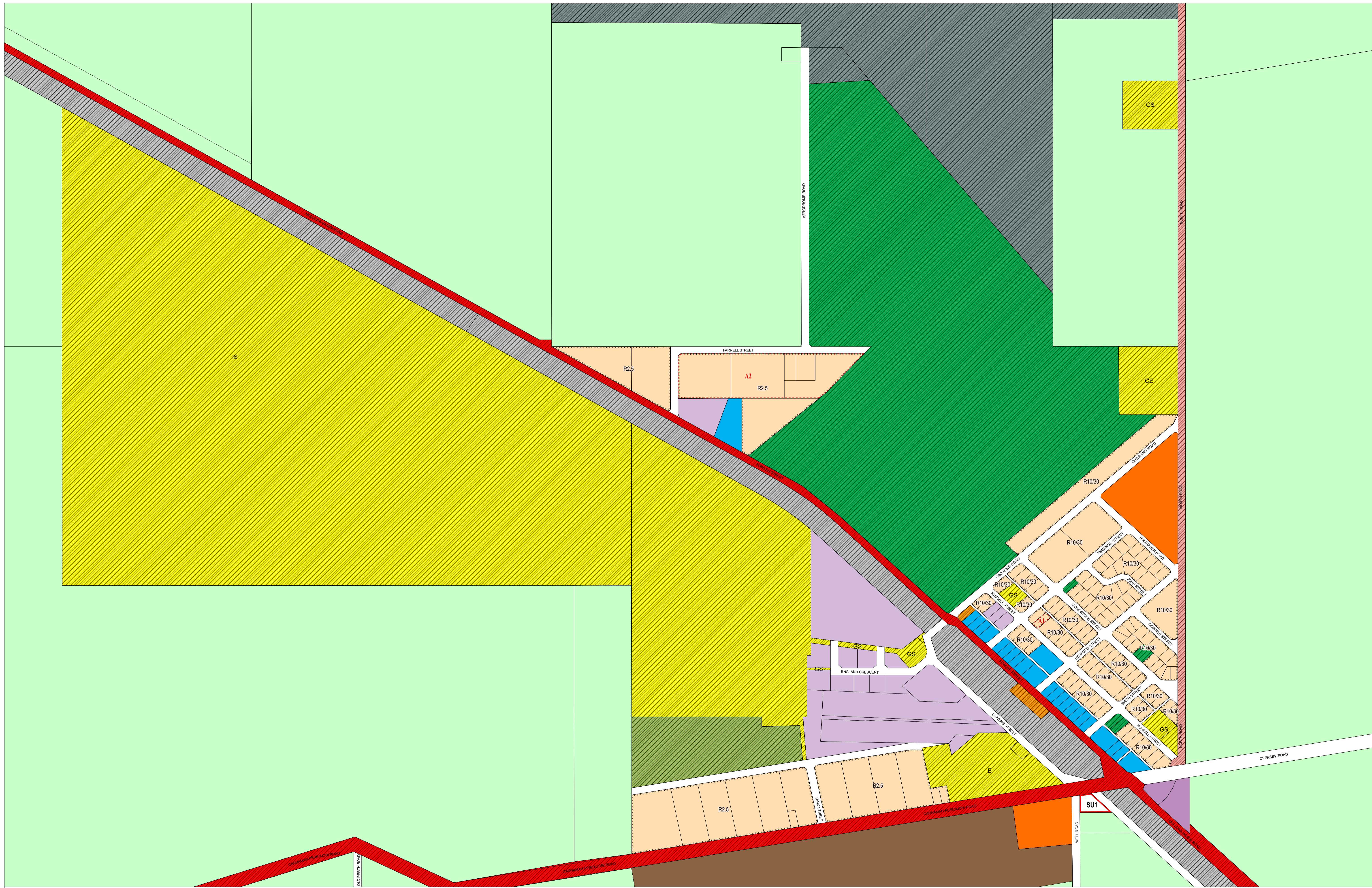
ZONES

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	General Industry		Rural Residential
	Light Industry		Special Use
	Residential		Tourism
	Rural		

OTHER CATEGORIES

	Scheme Area Boundary
	Local Government Boundary
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LEGEND

LOCAL RESERVES

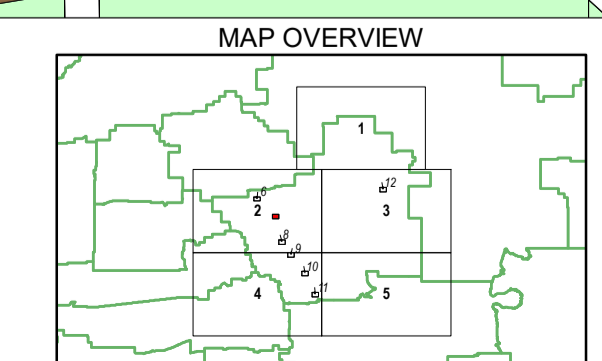
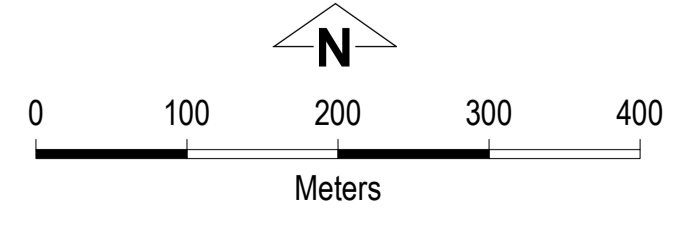
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| Civic and Community | Cemetery |
| Environmental Conservation | Education |
| Local Distributor Road | Government Services |
| Local Road | Infrastructure Services |
| Primary Distributor Road | Railways |
| Public Open Space | Strategic Infrastructure |
| Public Purposes | |

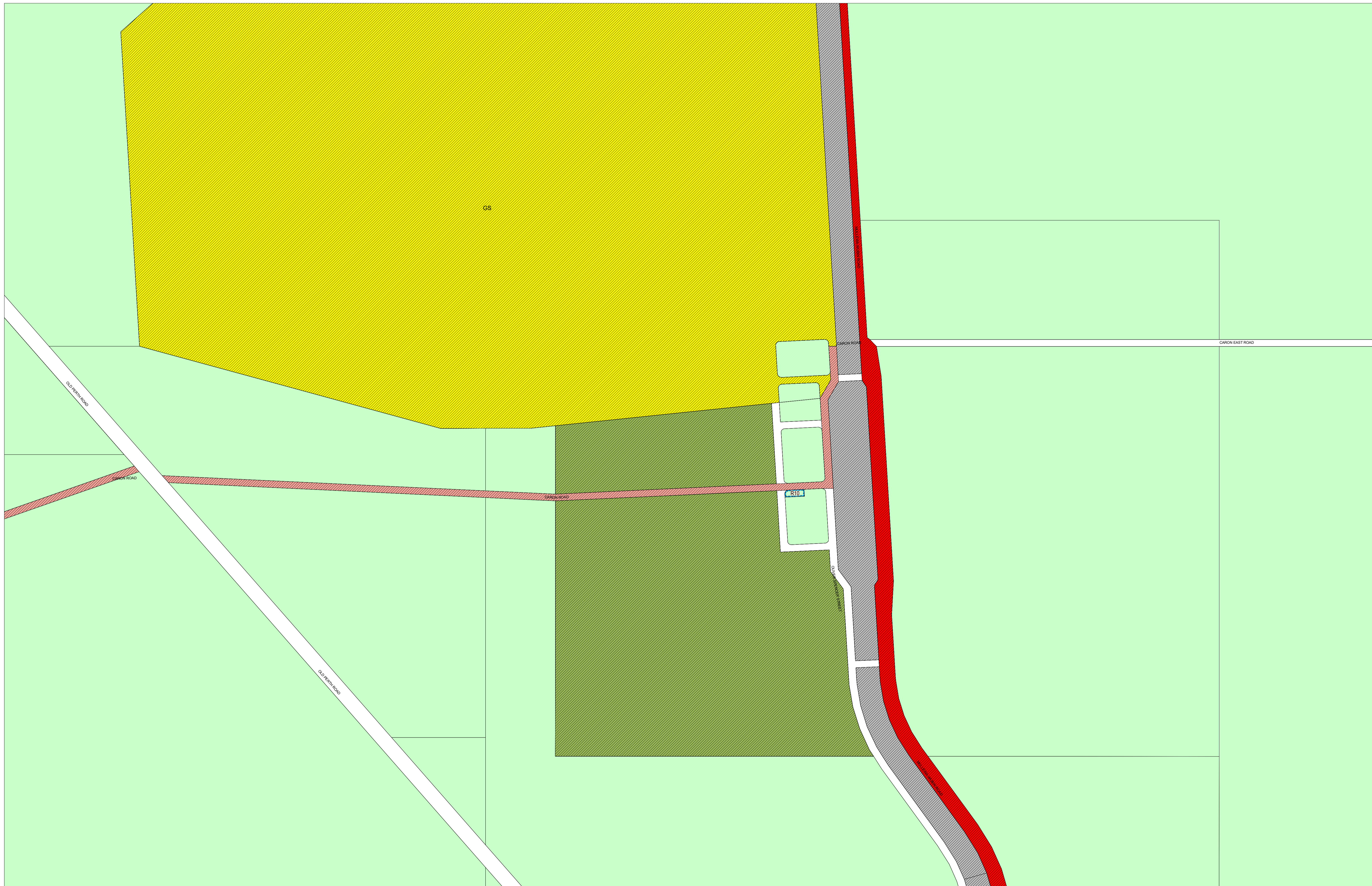
ZONES

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|------------------|-------------------|
| Commercial | Rural Townsite |
| General Industry | Rural Residential |
| Light Industry | Special Use |
| Residential | Tourism |
| Rural | |

OTHER CATEGORIES

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- Local Government Boundary
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LEGEND

LOCAL RESERVES

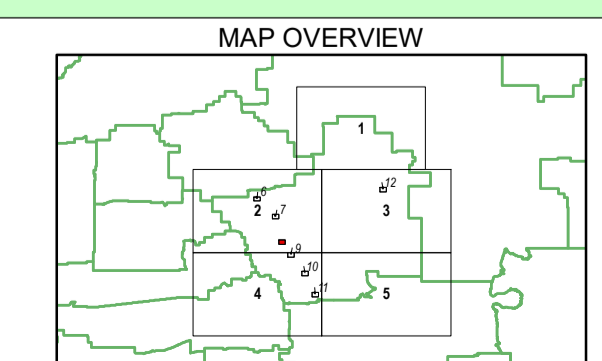
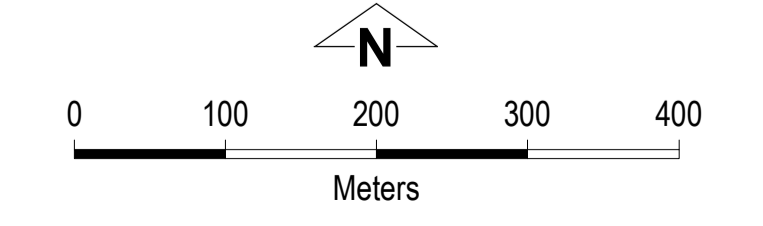
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	Environmental Conservation		Education
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	Primary Distributor Road		Railways
	Public Open Space		Strategic Infrastructure
	Public Purposes		

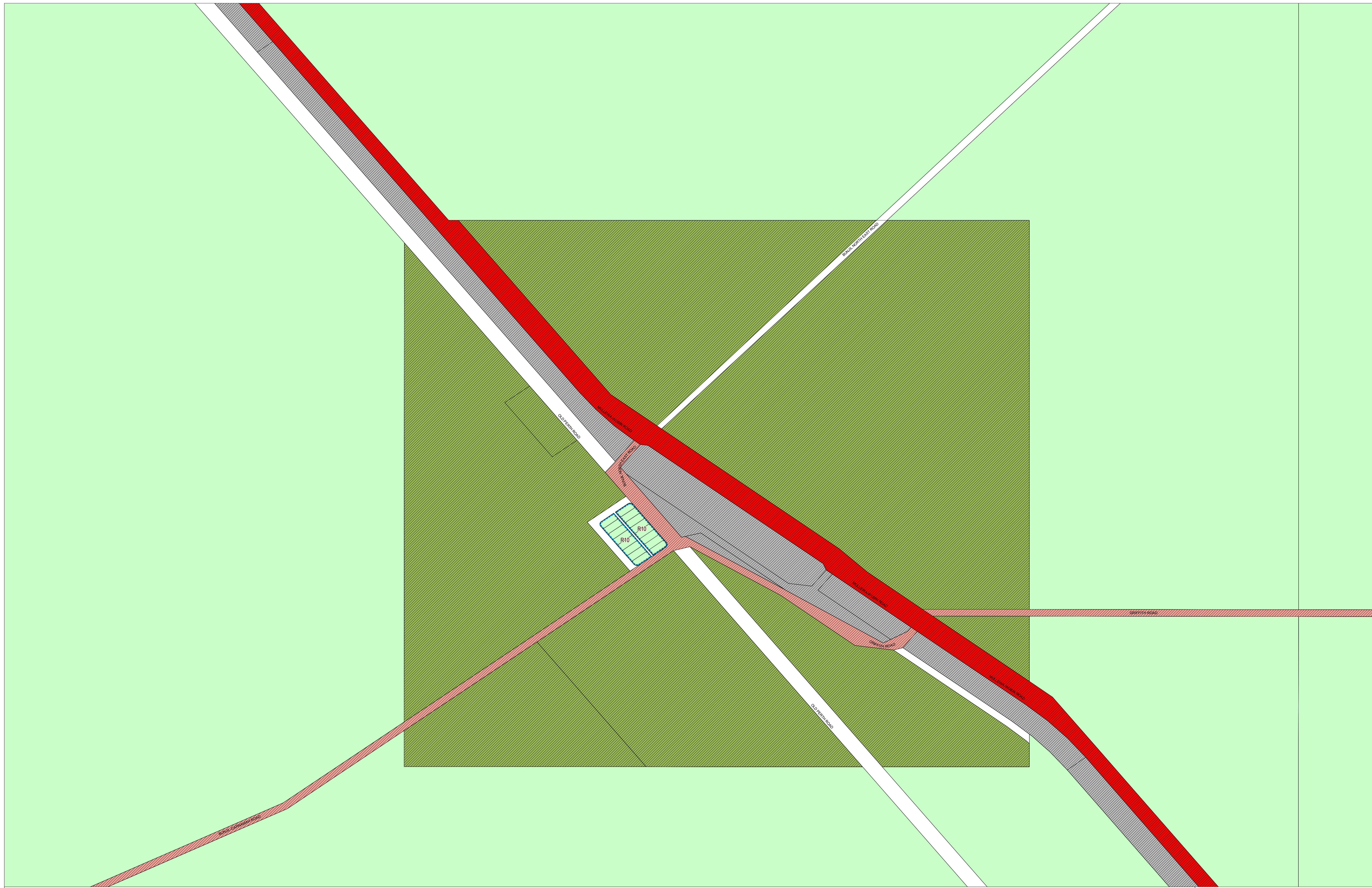
ZONES

	Commercial		Rural Townsite
	General Industry		Rural Residential
	Light Industry		Special Use
	Residential		Tourism
	Rural		

OTHER CATEGORIES

	Scheme Area Boundary
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LEGEND

LOCAL RESERVES

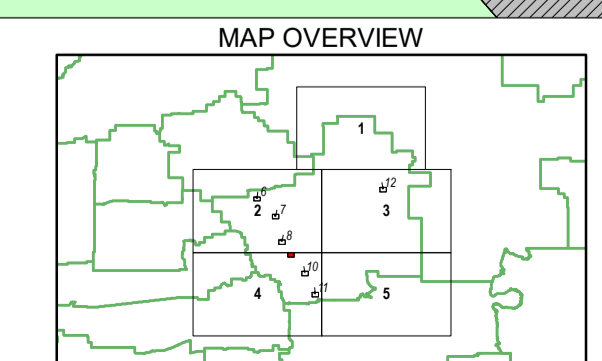
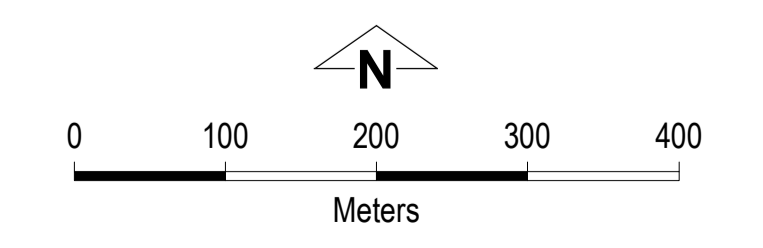
Civic and Community	Cemetery
Environmental Conservation	Education
Local Distributor Road	Government Services
Local Road	Infrastructure Services
Primary Distributor Road	Railways
Public Open Space	Strategic Infrastructure
Public Purposes	

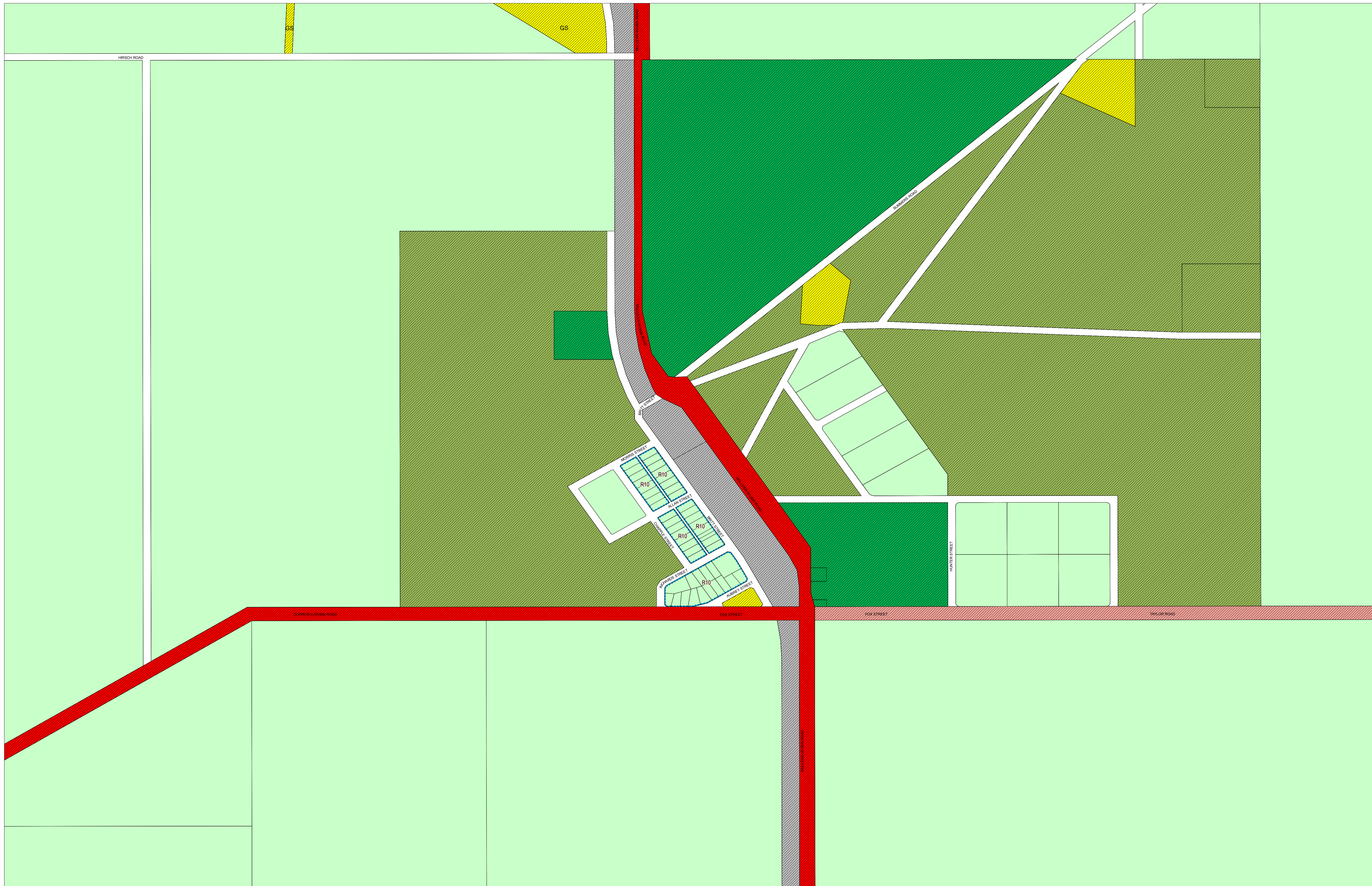
ZONES

Commercial	Rural Townsite
General Industry	Rural Residential
Light Industry	Special Use
Residential	Tourism
Rural	

OTHER CATEGORIES

Scheme Area Boundary	
Local Government Boundary	
R20 R Codes	
A1 Additional uses	
SU1 Special Use Area	
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LEGEND

LOCAL RESERVES

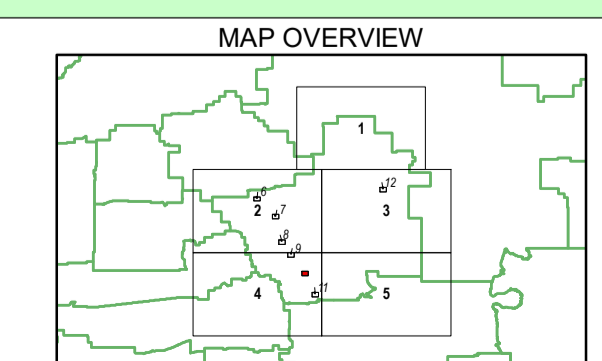
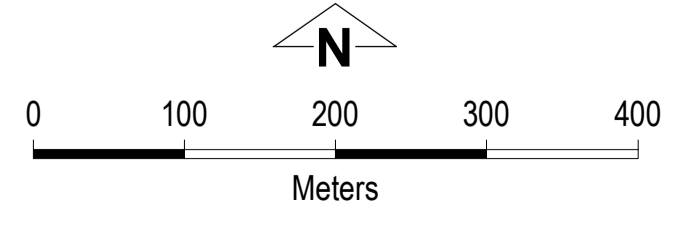
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	Public Purposes		

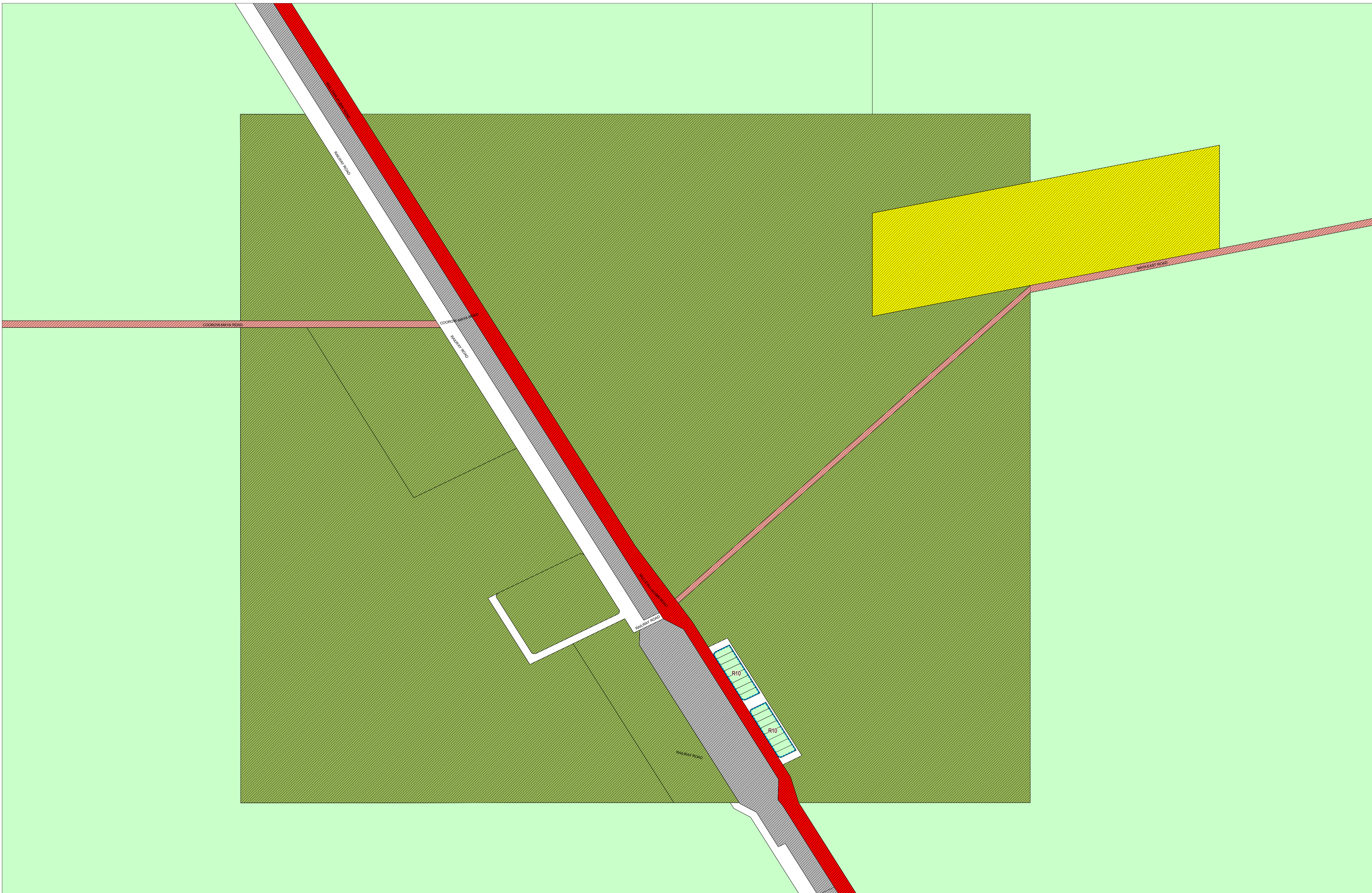
ZONES

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	Light Industry		Special Use
	Residential		Tourism
	Rural		

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LEGEND

LOCAL RESERVES

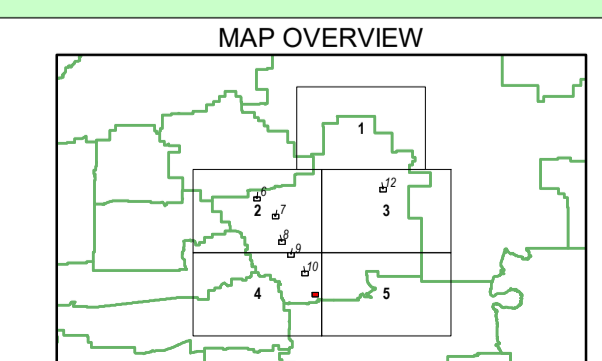
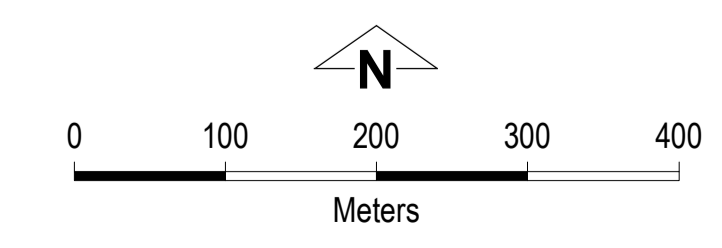
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| | Civic and Community | | Cemetery |
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| | Local Distributor Road | | Government Services |
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| | Primary Distributor Road | | Railways |
| | Public Open Space | | Strategic Infrastructure |
| | Public Purposes | | |

ZONES

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|--|------------------|--|-------------------|
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LEGEND

LOCAL RESERVES

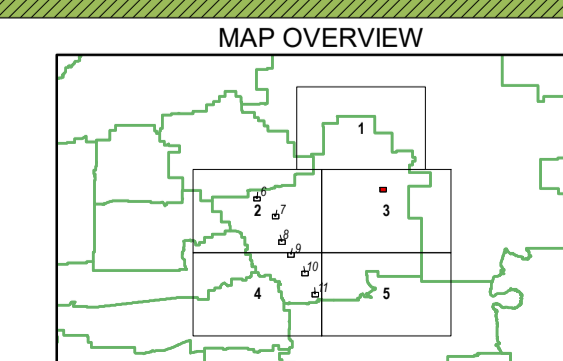
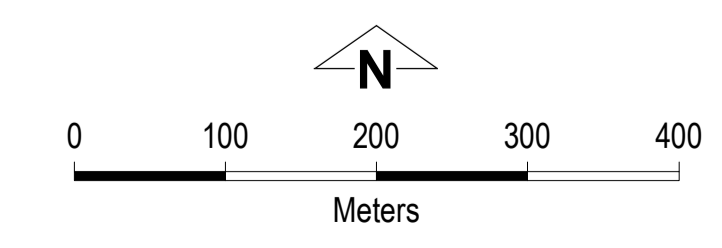
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ZONES

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OTHER CATEGORIES

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| R20 R Codes |
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Shire of
Perenjori
Embrace Opportunity

ATTACHMENT
Item 16.3(b)

Schedule of Submissions

ORDINARY COUNCIL MEETING 18 FEBRUARY 2021

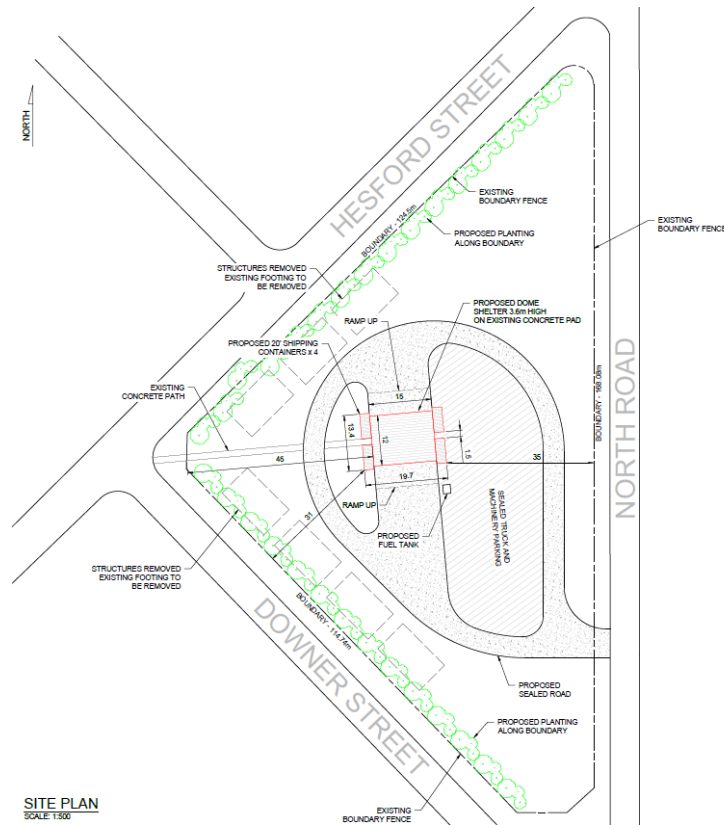
Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
1 (15/09/20)	ATCO Gas	<i>No objection</i> ATCO does not own nor operate gas mains or infrastructure within the Shire. The closest infrastructure connects into the Dampier to Bunbury Natural Gas Pipeline approximately 70km from its closest point to the Shire's western boundary.	No additional comment	Note submission
2 (27/10/20)	Department of Mines, Industry Regulation and Safety	<i>No objection</i> DMIRS has determined that draft LPS3 raises no significant issues with the respect to mineral and petroleum resources, geothermal energy and basic raw materials.	No additional comment	Note submission
3 (13/11/20)	Shire of Carnamah	<i>General comment provided</i> As the Shire of Perenjori shares a common boundary with the Shire of Carnamah it is requested the proposed new Scheme ensures: i. the continued use of rural landholdings abutting or traversing the common boundary for broadacre agricultural purposes; ii. all existing Crown reserves and State roads traversing the common boundary are assigned a suitable and consistent 'Local Reserve' classification that reflects their designated purposes; iii. the integrity of any natural environmental features of significance traversing the common boundary including remnant vegetation and drainage systems is not adversely affected by any land use and/or development permitted under any provisions proposed to be incorporated in the Shire's new Local Planning Scheme.	LPS3 provides for the continued use of rural landholdings abutting or traversing the Shire of Carnamah boundary through the application of the 'Rural' zone. Local Reserve classifications have been applied to Primary Distributor Roads, Local Distributor Roads, Local Roads and for Environmental Conservation where applicable. A key aim of LPS3 is to protect and enhance the environmental values and natural resource of the local government area and to promote ecologically sustainable land use and development. This underpins the operational parts of the Scheme in terms of land use permissibility and development requirements.	Note submission
4 (12/10/20)	P King Lot 150 Downer Street, Perenjori	<i>Objection</i> The landowner is seeking to rezone Lot 150 Downer Street, Perenjori from 'Residential' to 'Special Use' for the purposes of accommodating the existing Kings Civil and Earthmoving business that operates upon the property. The property sits on the edge of the townsite. Vehicle access is onto North Road which is RAV7 rated and used by mining and farming road trains. The property was previously used as a mining accommodation camp and concrete footings, electricity and plumbing remain. Property already has a fence around it.	Lot 150 is a triangular 1.0158ha property, bordered on all sides by road. Lot 150 borders North Road on its 168m eastern frontage, Hesford Street on its 134m north-western boundary and Downer Street on its 114m south-western boundary. LPS3 identifies Lot 150 as being zoned 'Residential R10/30'. A civil engineering business operates upon Lot 150 and this land use cannot be considered to accord with the LPS3 zone objectives or permitted land uses.	Modify the LPS3 Scheme Map (Map No.7) to identify Lot 150 Downer Street, Perenjori as 'Special Use (SU2)' instead of 'Residential'. Modify Table 3 of the LPS3 Scheme Text to insert Lot 150 Downer Street,

Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
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Accessible by vehicles from North Road which eliminates traffic through Perenjori town.
 We employ 5 local people and buy a lot of our supplies from local businesses and use local mechanics.
 Our submission aligns with the Shire’s Strategic Community Plan 2017-2027
 No other properties are available I Perenjori to accommodate a transport depot.
 Support should be given to a local business working to make their business and the town grow.



It is noted that there are several factors peculiar to this property and the requested rezoning warrants consideration on this basis.

Lot 150 has previously been used for activities not in keeping with a 'Residential' zoning including a workforce accommodation camp as illustrated in the below aerial photograph from 2014, and the associated services remained upon Lot 150 and it was used for purposes including truck parking and civil earthmoving business since the removal of the camp buildings.

Perenjori as 'SU2' and list the following special uses in the table for this property:


- Transport Depot;
- Commercial Vehicle parking;
- Office; &
- Caretaker's Dwelling.

Insert the following in the conditions section (Table 3) for 'SU2':

- 1 Development is not permitted unless the local government has exercised its discretion by granting development approval.
- 2 The local government may require the applicant as a condition of approval to prepare, and meet the requirements of, a management plan."

Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
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			 <p>The landowner of Lot 150 is seeking rezoning of the property from 'Residential' to 'Special Use' with specific allowance for the following land uses:</p> <ul style="list-style-type: none"> • Transport Depot; • Commercial Vehicle parking; • Office; & • Caretaker's Dwelling. <p>A 'Special Use' zoning is supported as it provides for a more specific list of land uses (and accompanying conditions) that can be conducted upon the property rather than the broader range of land uses under a 'Light Industry' zoning.</p> <p>The application of 'Special Use' zoning (with its associated conditions) will also provide clearer understanding in relation to assessment, monitoring and compliance for the local government, and a greater level of certainty to the current landowner, surrounding landowners and any future landowners than the application of non-conforming use provisions which might otherwise be required if the zoning is unchanged</p>	
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Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
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			<p>Council upon receipt of this submission (and an accompanying development application lodged by the landowner to formalise the current land uses on-site) resolved at its 16/12/20 meeting to invite comment upon this matter to assist it in its assessment of the received LPS3 submission. The development application was advertised for comment from 22/12/20 until 1/2/21 and included the following consultation actions:</p> <ul style="list-style-type: none"> • display of application at the Shire office; • display of application on the Shire website; • display of signs at 2 locations on-site inviting comment; • notice inviting comment being published in the West Australian; • notice inviting comment being sent to the landowner of the 19 surrounding properties; • notice inviting comment being sent to all relevant government and service agencies. <p>At the conclusion of the advertising period, 2 submissions had been received. One being from DWER offering technical comment in relation to ongoing management of stormwater and the other from MRWA offering no objection. No objections were received from surrounding landowners indicating a level of acceptance to the earthmoving business operating upon Lot 150.</p> <p>The submission to zone Lot 150 to 'Special Use' to reflect the on-ground operations is therefore supported based upon the following:</p> <ul style="list-style-type: none"> • the property is over 1ha in area affording it the ability to site development towards the centre of the property and establish landscaping /buffer areas; • the property has been previously used for activities not listed as permitted within the 'Residential' zone namely a mining workforce accommodation camp and truck parking and is currently used to operate a civil earthmoving business (the property is used for the parking of the civil earthmoving equipment and 	
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Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
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			<p>the business' activities are conducted off-site);</p> <ul style="list-style-type: none"> • the property is on the eastern edge of the townsite and traffic from the development would not need to travel through residential streets to reach the wider road network; • the longest property frontage abuts 'Rural' zoned land to the east that would be expected to not present land use conflict/interface issues; • all vehicular movement associated with the development access North Road to the east which is a heavy vehicle transport route, and not onto Downer Street and Hesford Street to the west which are more residential in nature; • the applicant wishes to establish landscaping along the Downer and Hesford Street frontages to assist in screening and serving as a buffer in addition to the existing 1.8m high boundary fencing; • there is a shortage of suitably sized industrial land within the townsite, and the business, being a local employer and supporter of other local businesses, contributes toward the local community and some allowance may be warranted for assisting local businesses; • the intended future development of a caretaker's residence upon the property would assist in 'self-policing' activities; • there is not a shortage of residential zoned land in the townsite and the use of this property for non-residential activity would not therefore diminish the growth potential for the Perenjori townsite population; • surrounding landowners and relevant government and service agencies were invited to comment upon the proposal and no objections were received indicating a level of acceptance. <p>The landowner is seeking to work with the local government to formalise the existing activities upon Lot 150 and has lodged a development application but outlines the civil earthmoving business' operations and this would provide the local government with further</p>	
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Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
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			<p>ability to apply conditions of approval to give regard for amenity issues including restrictions on hours of vehicle movement or activities causing disturbance (e.g. operation of repair/maintenance equipment or washdown activity) and painting/cladding of structures in matching colours to the local government’s satisfaction.</p> <p>In the event that Lot 150 is zoned to ‘Special Use’ then the local government can consider the lodged development application and apply development approval conditions (as identified below):</p> <ol style="list-style-type: none"> 1 Development shall be in accordance with the approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition. 3 The applicant is to prepare, submit and adhere to a Management Plan. 4 The proponent is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to the Management Plan. 5 The vehicle access shall be onto North Road only and the location, design and construction/upgrading of the access point shall be to the requirements of the local government, with all costs met by the applicant. 6 The installation of any signage in the vicinity of the vehicle access point, and relating to the development, shall be to the requirements of the local government, with all costs met by the applicant. 	
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Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review


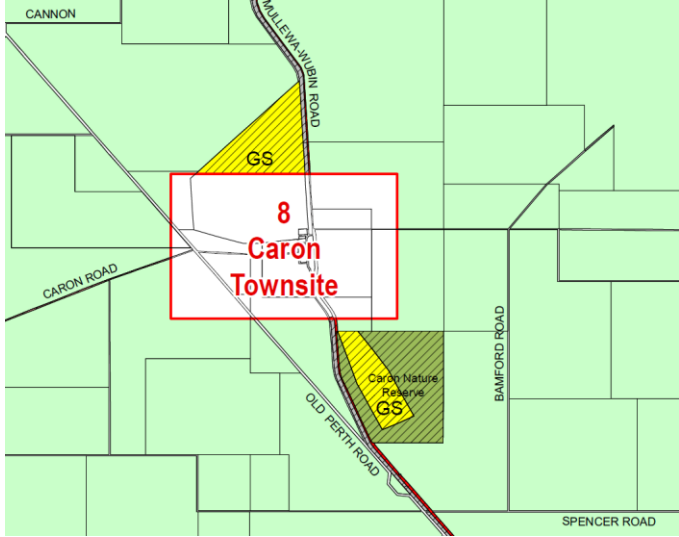
Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
			<p>7 All parking of vehicles associated with the development shall be provided for within the property boundary, and the road verge area shall be kept free of such vehicles.</p> <p>8 Repairing of any damage to the road network is required by reason of use of the road(s) in connection with the development and associated operations to the requirements of the local government, with all costs met by the applicant.</p> <p>9 All lighting devices must be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring landowners to the approval of the local government.</p> <p>10 The internal vehicle manoeuvring and parking areas shall be constructed and maintained to the approval of the local government with all costs met by the applicant.</p> <p>11 The installation and maintenance of landscaping and fencing along the Downer Street and Hesford Street frontage for the purpose of screening the development and reducing its visual impact to the approval of the local government with all costs met by the applicant.</p> <p>12 Structures upon the property shall comply with the Building Code of Australia.</p> <p>Advice Notes for Applicant relating to Conditions: In relation to condition 4 the Management Plan is to include sections relating to:</p> <ul style="list-style-type: none"> • Stormwater Management - that has regard for the Water Quality Protection Notes as prepared by the Department of Water & Environmental Regulation and ensures that stormwater is retained upon the development site and washdown facilities have a sump for the collection and separation of washdown fluids, such as hydrocarbons, degreasers and cleaning detergent. • Fire & Hazard Management - that has regard for the requirements/guidelines of the Department of Fire and Emergency Services. • Fuel Storage - that has regard for the 	

Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
			<p>requirements/guidelines of the Department of Mines, Industry Regulation & Safety, and also the issue raised by the Department of Water & Environmental Regulation requiring the concrete base to be of suitable size for the fuel tank(s) and with sufficient capacity for bunding.</p> <ul style="list-style-type: none"> Noise, Dust and Vibration Management – that has regard for the requirements/guidelines of the Department of Water & Environmental Regulation and the Department of Health. Complaints Register and Emergency Contacts List – to be established and maintained by the operator of the facility. 	
<p>5 (23/11/20)</p>	<p>Department of Planning, Lands and Heritage</p>	<p><i>Technical comments provided</i></p> <p>It is noted that the Shire of Perenjori prepared a Municipal Inventory of Heritage Places in 1998/1999 that included 40 places of State and/or Local heritage significance. Since that time, new State legislation and statutory requirements have been gazetted in relation to the conservation and management of heritage places.</p> <p>The Local Planning Scheme Regulations require the Shire of Perenjori to create a heritage list. The heritage list is a statutory instrument which allows the Shire to consider the heritage of a place as part of its decision making process for proposed development.</p> <p>Recommend the Shire of Perenjori begins planning to create a heritage list which meet the requirements as part of its review of its planning framework.</p> <p>Further the Aims of the Local Planning Scheme should include reference to the conservation of the community's heritage for example:</p> <p>'To promote and safeguard the cultural heritage of the Shire of Perenjori by –</p> <ul style="list-style-type: none"> Identifying, conserving and enhancing those places which are of significance to Perenjori's cultural heritage; Encouraging development that is in harmony with the 	<p>Current LPS2 contains provisions that are not in alignment with the provisions as contained in the subsequent <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>The Shire's Scheme Review has been undertaken with the primary aim of ensuring its Local Planning Scheme accords with the Regulations to provide consistency and to ensure it remains contemporary and is also more robust to challenge.</p> <p>The preparation of a heritage list is noted, and upon gazettal of LPS3 the Shire would be in position to create a heritage list as outlined in Schedule 2 Part 3 Clause 8 of the Regulations.</p> <p>Included within the clause 9 of LPS3 are a comprehensive list of aims including: <i>"(g) to safeguard and enhance the character and amenity of the built and natural environment of the Scheme area."</i></p> <p>This aim is considered to address the matter of conservation of the community's heritage but also accord with the intent of the LPS Regulations for aims to be of a general nature. However, if there are concerns about wording a modification could amend this clause to read:</p>	<p>Modify Part 1 Clause 9 (g) of the Scheme No.3 text by amending the aim to include places of heritage value as follows:</p> <p><i>"to safeguard and enhance the character and amenity of the built and natural environment including places of heritage value."</i></p>

Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
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		<p>cultural heritage value of an area; and</p> <ul style="list-style-type: none"> Promoting public awareness of cultural heritage generally. 	<p>“(g) to safeguard and enhance the character and amenity of the built and natural environment including places of heritage value.”</p>	
<p>6 (23/11/20)</p>	<p>Department of Biodiversity, Conservation and Attractions</p>	<p><i>Technical comment provided</i> DBCA notes that land within the Shire of Perenjori that is managed for conservation has been included within ‘Conservation’ scheme reserves. During the review of LPS3 it has been identified that part of Caron Nature Reserve has been zoned as ‘Government Services’. DBCA recommends that the Shire of Perenjori amend this zoning to include all of Caron Nature Reserve as ‘Environmental Conservation’ (Lot 10683 and Lot 5675 on Plan 226736).</p> 	<p>Reserve 26798 (Caron Nature Reserve) is under the management of DBCA for the purpose of ‘Conservation of Flora’. The reserve comprises 2 lots (Lots 5675 & 10683).</p> <p>Lot 5675 is identified as ‘Environmental Conservation’ upon the LPS3 Map, however Lot 10683 is identified as ‘Public Purposes-Government Services’ (this being a carry-over from the current LPS2 Map).</p>  <p>DBCA are requesting that Lot 10683 be zoned ‘Environmental Conservation’. The Shire considers that this is a more appropriate zoning and should be supported.</p>	<p>Modify Scheme No.3 Map (Map Page 2) to identify Lot 10683 as ‘Environmental Conservation’ zone (instead of ‘Public Purposes – Government Services’ zone) to ensure that all of Reserve 226736 (comprising Lots 5675 & 10683 reflect the reserve purpose and DBCA management order).</p>
<p>7 (27/11/20)</p>	<p>Main Roads WA</p>	<p><i>Technical comment provided</i> MRWA provides the following recommendations.</p>	<p>MRWA’s submission confirms that it supports the overall identified road alignment hierarchy as shown upon the LPS3 Maps.</p>	<p>Modify the Scheme No.3 Maps as identified in</p>

Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
		<p><i>Road Reservation</i> MRWA support the inclusion of 'Primary Distributor Road' as a Local Scheme Reserve and the protection afforded by that designation for Mullewa Wubin Road.</p> <p>However, Carnamah-Perenjori Road and Coorow-Latham Road are not 'Primary Distributor Roads' and classification should be revised.</p> <p>The Wubin Mullewa Road Reserve varies in width. There are some sections which are as narrow as 20m (i.e. SLK 106 to 108) that may likely require further widening in the future. For developed agricultural areas where the road is likely to remain single carriageway, an ultimate road reserve between 50m- 60m is generally required, with a minimum roadside (verge) width of 20m (as per DC Policy No. 1.7 – General Road Planning, MRWA Operational Guideline 82 – Selection of Rural Road Reserve Widths).</p> <p><i>Part 4 – General Development Requirements</i> Any rezoning, structure planning, subdivision or development of land, which may have an impact on a primary distributor road should be referred to MRWA and include a Traffic Statement or Assessment, as appropriate, in accordance with the WAPC's Transport Assessment Guidelines and MRWA Driveway Policy. MRWA suggests including information in the Local Planning Strategy to inform future development of the requirement.</p>	<p>MRWA's submission identifies some minor instances where the road hierarchy zoning boundaries require modification to ensure they correlate with the assigned and on-ground management responsibilities (e.g. around intersections or road realignments and widths).</p> <p>The Shire is in agreeance with these raised modifications as they will ensure that the Scheme Maps reflect the existing MRWA and local government road reserve management responsibilities and are all considered minor in nature.</p> <p>These modifications are detailed in Attachment 1 at the conclusion of the Schedule of Submissions Table.</p> <p>The LPS3 Maps do not zone land outside of the Wubin Mullewa Road Reserve for road purposes. Such an action would trigger the ability for landowners to lodge a claim for compensation with the Shire given that the subject area had been zoned for an exclusively public purpose. The Scheme should only be updated to identify future MRWA road widening actions in the event that MRWA has completed the road widening land acquisition process from private landowners, or provided written legal undertaking to underwrite any incurred Shire compensation expenses.</p> <p>MRWA has suggested including information in LPS3 to inform future development of local network access requirements but have not provided specific Scheme Text provisions. The introduction of these additional provisions are required to be in a format that meets with the standardised requirements of the WAPC (e.g. reference to the MRWA website or requirement for separate approval are unlikely to be deemed appropriate by the WAPC, and overly restrictive and unrealistic provisions relating to lot access onto already speed-reduced roads within townsites are unlikely to be supported by the Shire).</p>	<p>Attachment 1 at the conclusion of the Schedule of Submissions.</p> <p>Dismiss this part of the submission given that MRWA has not undertaken road widening acquisition or provided written legal undertaking to underwrite any incurred Shire compensation expenses or exposure.</p> <p>Modify Part 4 of the Scheme No. 3 text by including an additional clause:</p> <p><i>"37 Access onto local, district and primary distributor roads</i></p>

Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
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		<p>MRWA suggests including information in the Local Planning Scheme to inform future development of local network access requirements (DC Policy 5.1 Regional Road, Vehicular Access).</p> <p>Where secondary networks constructed within a development can provide access to the MRWA Network via local roads or an existing crossover, MRWA is unlikely to support future connections to primary distributor roads. This position is reflected within the DC Policy 5.1 Regional Road (vehicular access). It is formally requested the Local Government consider implementing a statutory clause in the Scheme to require lots fronting a primary distributor road to be accessed via a laneway, easement, PAW or the like. Where no such access exists then provision is to be made to enable access to be achieved through the development of adjacent land.</p>	<p>Although reference is made to Local Planning Strategy, it is noted that what is being considered is a review of LPS3.</p> <p>Consideration may be given to the inclusion of an additional clause under Part 4 – General Development Requirements that would enable consideration of potential impacts of a proposed development on a primary distributor road.</p> <p>LPS3 could be modified to include either of the following to address this issue (although the former is recommended as it is less prescriptive and therefore deemed better suited to addressing unforeseen issues):</p> <p><i>“37 Access onto local, district and primary distributor roads</i></p> <p><i>Where developments, the subject of an application for development approval under this Scheme, propose a new or modified vehicular access to a local, district or primary distributor road, a transport assessment and access plan may be required.”</i></p> <p><i>“37 Access onto Primary Distributor Roads</i></p> <p><i>Where development is proposed adjacent a Primary Distributor Road, the local government may seek to exercise its discretion to prevent or limit development on a site, following consideration of advice from the responsible agency, unless:</i></p> <ul style="list-style-type: none"> <i>a) access and egress is in accordance with State policy; and</i> <i>b) development on the site would not intensify traffic movements to a degree which would limit the ability of a highway or main road to operate for its purpose; and</i> <i>c) the type of vehicles accessing a highway or main</i> 	<p><i>Where developments, the subject of an application for development approval under this Scheme, propose a new or modified vehicular access to a local, district or primary distributor road, a transport assessment and access plan may be required.”</i></p>
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Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
		<p>Consideration should be given to include in the scheme contributions to the costs of providing infrastructure in connection with development i.e. upgrades to existing intersections between State and Local Government roads as a result of generated traffic from developments (as per SPP 3.6 – Infrastructure Contributions).</p>	<p><i>road from the site would be consistent with the intended use of that highway or road.”</i></p> <p>Cl. 28(1) of LPS3 refers to State planning policies that are to be read as part of the Scheme, including SPP3.6 - Development Contributions for Infrastructure. The upgrading, construction and widening of existing roads/intersections to accommodate additional traffic generated by a development are listed as a standard development contribution requirement under the SPP. Introducing specific text provisions to the LPS3 is not supported in the event they become redundant/superseded by evolution of SPP3.6, instead LPS3 should refer to SPP3.6 only.</p>	
<p align="center">8 (1/12/20)</p>	<p>Department of Primary Industries & Regional Development</p>	<p><i>No objection</i> Agricultural production from the Shire remains an important contributor to the State’s economy and DPIRD continues to monitor and research land and water resources of the Perenjori Shire and town site.</p> <p>DPIRD supports the Shire’s objectives for the Rural Zone, outlined in Section 2b. These objectives reflect the policy measures outlined in SPP2.5 – Rural Planning. DPIRD also supports planning mechanisms such as buffers or separation distance to prevent land use conflict or encroachment from sensitive land uses onto land used for agriculture.</p>	<p>No additional comment.</p>	<p>Submission noted.</p>
<p align="center">9 (04/12/20)</p>	<p>Department of Water and Environment Regulation</p>	<p><i>Technical comment provided</i> Considered the Scheme to be sufficient in addressing the following environmental/water resource objectives based on the following statements in the document:</p> <p>Environmental (including water) resource values protection</p> <ul style="list-style-type: none"> ○ ‘Part 1 – Preliminary’ Clause 9. (f) “to protect and enhance the environmental values and natural resources of the local government area and to promote ecologically sustainable land use and development;” (p5) ○ ‘Part 3 - Zones and Use of Land’ Clause 16. (b) Rural “To maintain and enhance the environmental qualities of the 	<p>No additional comment.</p>	<p>Submission noted.</p>

Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
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		<p>landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.” (p8)</p> <p>Potable water</p> <ul style="list-style-type: none"> ○ ‘Part 4 - General development requirements’ Clause 35. (2) Rural Residential Zone “All dwellings shall be connected to a reticulated potable water supply provided by a licensed service provider or have appropriate provision for alternative potable water supply to the satisfaction of the local government.” (p20) <p>Effluent disposal</p> <ul style="list-style-type: none"> ○ ‘Part 4 - General development requirements’ Clause 35. (3) “All dwellings shall be connected to an appropriate effluent disposal or domestic waste water system(s) of a type that is, and which is installed, to the satisfaction of the local government and the Department of Health.” <p>Special Control Areas (Potential risks for landuse conflict is covered for SCA1)</p> <ul style="list-style-type: none"> ○ ‘Part 5 – Special Control Areas’ – ‘Perenjori Waste Disposal Facility Special Control Area 1 (SCA 1)’ – “Despite any other provision of this Scheme, development approval is required for the use and development of land, including a single house. In addition to the other provisions of this Scheme, all development applications shall be referred to the environmental protection agency for advice and the local government shall have due regard to the advice received when determining development applications.” <p>Administrative amendment P18, Clause 32 Part 4 – General Development Requirements Add as Clause 32(4) to address fit for purpose water:</p> <p><i>“A structure plan shall identify a secure fit-for-purpose water supply that conserves potable water, minimise wastewater and re-use all forms of water, including stormwater.”</i></p>	<p>The deemed provisions of the Regulations and supporting Planning Bulletins, Manuals and Guidelines address structure plans and introducing specific text provisions to the LPS3 is not supported in the event they become redundant/superseded by evolution of the Regulations.</p>	
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Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
10 (4/12/20)	Department of Education	<p><i>Technical comments provided</i></p> <p><u>Impact on Enrolment Capacity at Existing Schools</u> The Department is satisfied that the projected impact on enrolment numbers at the existing public primary and secondary schools within the area will be negligible and therefore has no in principle objections to potential residential lot yield as proposed within LPS3.</p> <p><u>Incompatible Land Uses</u> DC Policy 2.4 - School Sites and draft Operational Policy 2.4 – Planning for School Sites advises that land uses such as service stations, restricted premises, licensed premises, consulting rooms and industrial uses are considered undesirable next to school sites. The Perenjori Primary School site adjoins a lot approximately 2ha which is proposed to be zoned ‘Tourism’ under LPS3. Whilst there are no in-principle objections to the ‘Tourism’ zoning, the Department holds concerns that it may allow for an incompatible land use to be approved adjacent to the school site.</p> <p>The zoning table contained within LPS3 would allow for the consideration of ‘Liquor store-small’, ‘Tavern’ and ‘Winery’ uses on the lot, which are all considered to be incompatible with the primary school. The Department therefore requests that such uses be designated as ‘X; uses for the site to ensure that health and safety of students of the primary school is not compromised in the future.</p>	<p>No additional comment.</p> <p>Draft Operational Policy 2.4 states: 3.6.2 <i>Land uses such as service stations, restricted premises, <u>licensed premises such as taverns, small bars and liquor stores</u>, consulting rooms and industrial uses are considered undesirable next to school sites and have real and perceived impacts on health, amenity and safety. Careful consideration needs to be given during the design stage to ensure that school sites are located amongst or adjacent to compatible land uses.</i></p> <p>A principal objective of the ‘Tourism’ zone is:</p> <ul style="list-style-type: none"> <i>To provide for a variety of holiday accommodation styles and associated uses, <u>including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.</u></i> <p>It is not the intention of the ‘Tourism’ zone to include only a licensed premise but for these facilities to be incorporated within a broader tourism development which includes accommodation facilities. Development should therefore be of a scale where it will not impact detrimentally on the surrounding area, including the local primary school.</p> <p>It is also noted the land use permissibility of ‘Liquor store small’ is listed as ‘1’ which means that the use is permitted if it is consequent on, or naturally attaching,</p>	<p>Modify Table 1- Zoning Table of the Scheme No.3 text to list ‘Winery’ as an ‘A’ (i.e. use requiring advertising) instead of a ‘D’ (i.e. discretionary use) in the ‘Tourism’ zone.</p>

Shire of Perenjori Local Planning Scheme No. 3 – Scheme Review

Submission No & date received	Respondent	Nature of Submission	Shire Comment	Shire Recommendation
			<p>appertaining or relating to the predominant use of the land and it complies with all relevant development standards and requirements of this Scheme as it relates to the use of the land;</p> <p>A 'Liquor Store' would therefore not be approved in isolation of other tourism related development.</p> <p>It is considered if there were concerns regarding the incompatibility of land uses adjacent to the primary school then uses such as 'Winery' could be modified to an 'A' use to ensure that public advertising of the proposal is undertaken. It is noted that the use 'Tavern' is already listed as an 'A' use within the 'Tourism' zone.</p>	
11 (9/11/20)	Department of Jobs, Tourism, Science and Innovation	<i>No objection</i>	No additional comment.	Note submission.

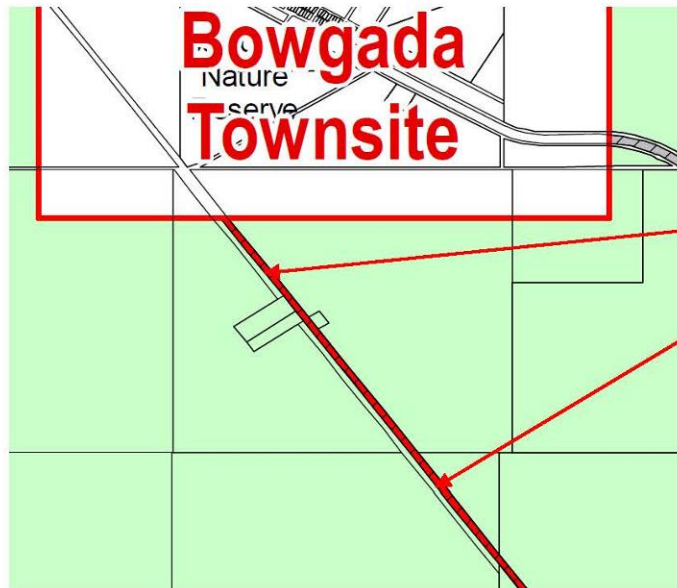
Attachment 1 (relevant to Submission 7)

Shire Recommendation:

Modify the area under State ownership (Lot 5 upon DP77049) as shown upon below Figure 1 from 'Rural' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.2.

Identification of affected Lots/boundaries to be included as Primary Distributor Road (PDR) Reserve to reflect Main Roads WA current management responsibility within the Shire of Perenjori.

Figure 1: Local Planning Scheme Map No. 2 of 12 – Perenjori Central West



Mullewa Wubin Road – DP77049, Lot 5, Vested interest Commissioner of Main Roads - to be included as PDR as defined in RED in Aerial image.

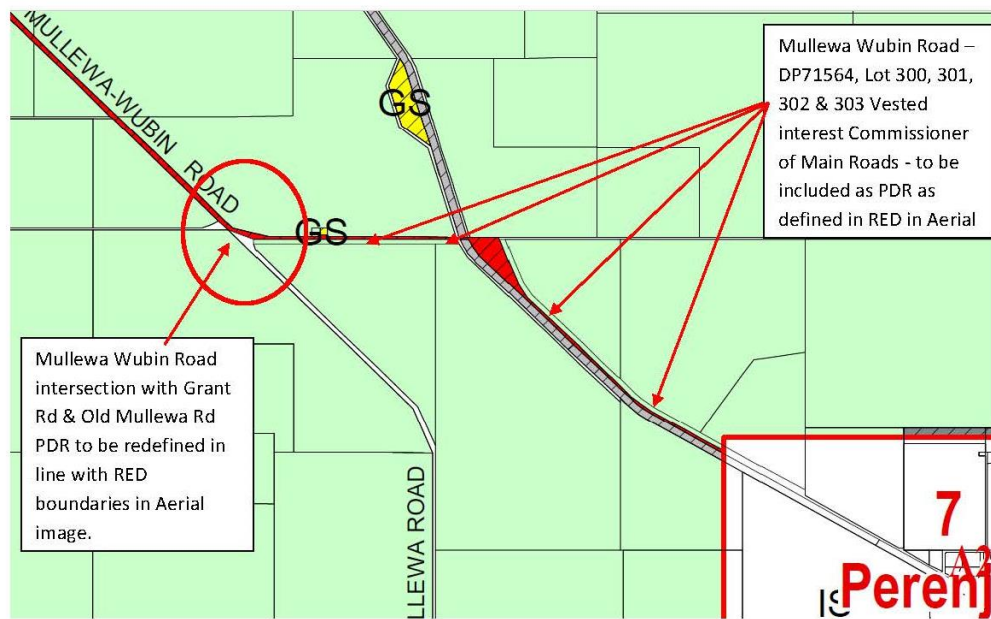
Aerial Image Markup – Mullewa Wubin Rd 98.00 – 101.60 SLK



Shire Recommendation:

Modify the area under State ownership (Lots 300, 301, 302 & 303 upon DP's 71564 & 71565) as shown upon below Figure 2 from 'Rural' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.2.

Figure 2: Local Planning Scheme Map No. 2 of 12 – Perenjori Central West



Aerial Image Markup – Mullewa Wubin Road 87.00 - 92.60 SLK



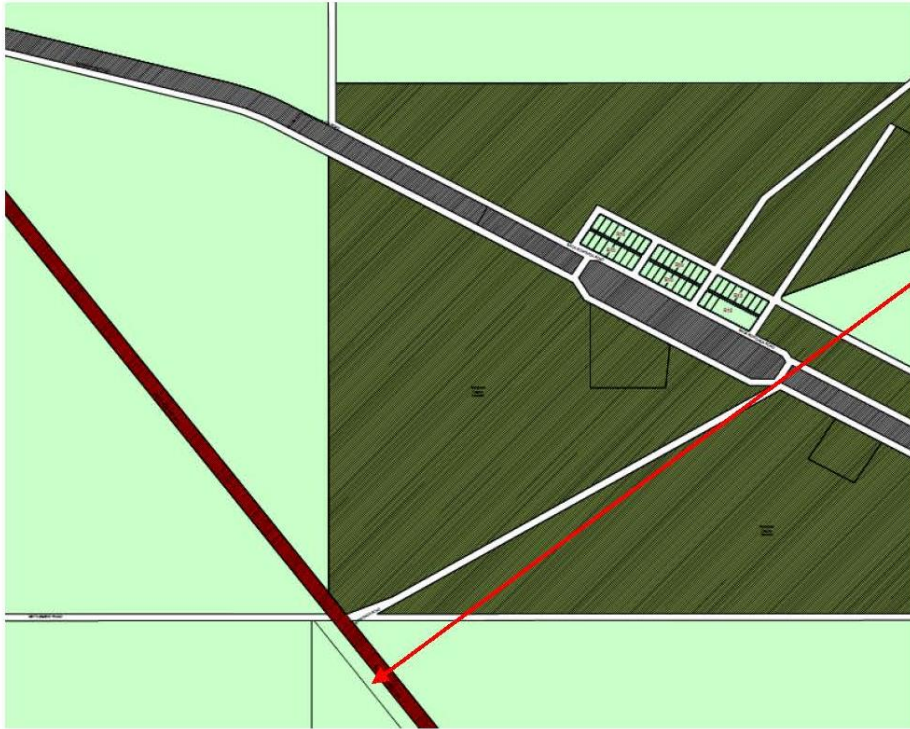
Aerial Image Markup – Mullewa Wubin Road 87.00 - 92.60 SLK cont.



Shire Recommendation:

Modify the area under State ownership (Lot 5 upon DP77049) as shown upon below Figure 3 from 'Rural' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.6.

Figure 3: Local Planning Scheme Map No. 6 of 12 – Bowgada Townsite



Mullewa Wubin Road – DP77049, Lot 5, Vested interest Commissioner of Main Roads - to be included as PDR as defined in RED in Aerial image.

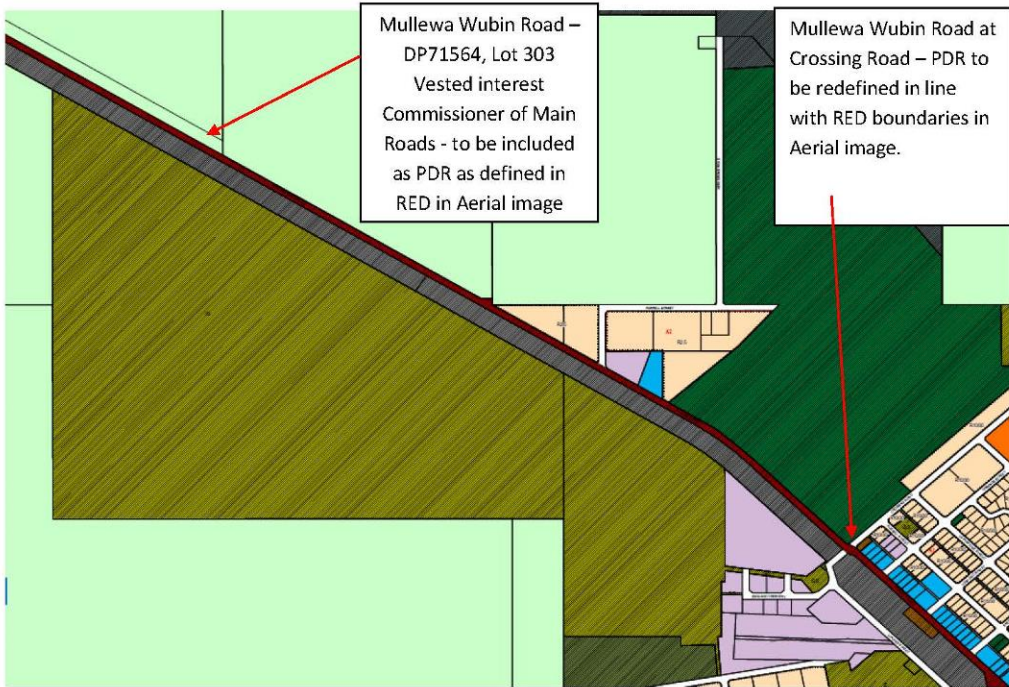
Aerial Image Markup – Mullewa Wubin Rd 98.00 – 101.60 SLK



Shire Recommendation:

Modify the area under State ownership (Lot 303 upon DP71564) as shown upon below Figure 4 from 'Rural' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.7.
Modify the Mullewa Wubin & Crossing Road intersection as shown upon below Figure 4 from 'Local Road' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.7.

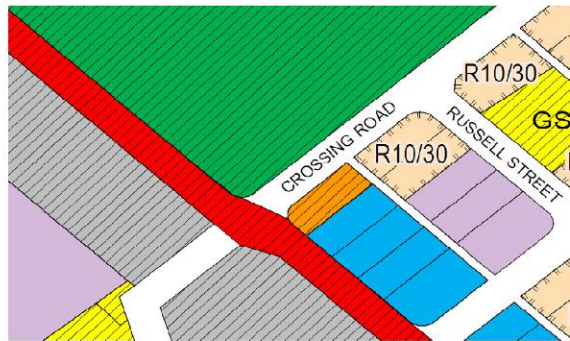
Figure 4: Local Planning Scheme Map No. 7 of 12 – Perenjori Townsite



Aerial Image Markup – Mullewa Wubin Road 87.00 - 92.60 SLK cont.



Aerial Image Markup – Mullewa Wubin Road & Crossing Road Intersection 84.75 SLK.





Shire of
Perenjori
Embrace Opportunity

ATTACHMENT
Item 16.3(c)

Copies of Received Submissions

ORDINARY COUNCIL MEETING 18 FEBRUARY 2021

Submission 1

From: Snellin, Fiona <Fiona.Snellin@atco.com>

Sent: Tuesday, 15 September 2020 2:15 PM

To: Caroline Dahlberg <reception@perenjori.wa.gov.au>

Subject: LM20401_Shire of Perenjori Draft Local Planning Scheme No. 3_ADM0826/ OCR204330

For the attention of the Chief Executive Officer/Acting Chief Executive Officer_Mario Romeo

Good afternoon Mario

Once again thank you for your recent correspondence dated 2nd September, 2020, inviting ATCO Gas Australia Pty Ltd (ATCO) to consider and provide a response to the prepared Local Planning Scheme (LPS) No.3 for the Shire of Perenjori (the Shire).

I have reviewed the Draft document available on the Shire's website and as previously confirmed for the Shire, ATCO still doesn't own nor operate gas mains or infrastructure within the Shire. At this time the ATCO gas distribution network still doesn't extend to the Shire and our closest infrastructure connects into the Dampier to Bunbury Natural Gas Pipeline (DBNGP) approximately 70kilometres from its closest point to the Shire's western boundary.

ATCO once again appreciates being notified and thank you for including ATCO Gas in your Local Planning Scheme consultation process. On behalf of ATCO, I wish you, the Shire and the greater community all the best during these unusual times, and also with the finalisation of your LPS No.3.

Kind regards

Fiona Snellin
Land Management and Project Coordinator
Gas, Australia

E. Fiona.Snellin@atco.com

Mobile 0476 831 540

A. 81 Prinsep Road, Jandakot WA 6164

P. Locked Bag 2, Bibra Lake DC, WA, 6965

W. atcogas.com.au



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Submission 2



Government of Western Australia
Department of Mines, Industry Regulation and Safety
Resource and Environmental Regulation

Your ref ADM0826/OCR204330

Our ref A0469/202001

Enquiries Steven Batty

9222 3104

Steven.BATTY@dmirs.wa.gov.au

Mario Romeo
Chief Executive Officer
Shire of Perenjori
Sent by Email - reception@perenjori.wa.gov.au
PERENJORI, WA 6620

Dear Mr Romero

SHIRE OF PERENJORI - LOCAL PLANNING SCHEME 3 - AVAILABLE FOR INSPECTION

Thank you for your letter dated 02 September 2020 inviting comment on Local Planning Scheme 3 - Shire of Perenjori.

The Department of Mines, Industry Regulation and Safety has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials. For previous information and comments we refer to our letter dated 23 April 2020.

Yours sincerely

Samantha Carter

Samantha Carter
Acting General Manager Land Use Planning
Minerals and Petroleum Resources Directorate
27 October 2020

SHIRE OF CARNAMAH



33-37 Macpherson Street, CARNAMAH
PO Box 80, CARNAMAH WA 6517
Ph: (08) 9951 7000 Fax: (08) 9951 1377
Email: shire@carnamah.wa.gov.au
Web: www.carnamah.wa.gov.au

Submission 3

Your Ref: ADM0826 / OCR204330
Our Ref: ADM0118

Shire of Perenjori
PO Box 22
PERENJORI WA 6620

13 November 2020

Attention: Mr Mario Romeo – Chief Executive Officer

Dear Mario,

PROPOSED SHIRE OF PERENJORI LOCAL PLANNING SCHEME NO.3

I refer to your correspondence to this office dated 2 September 2020 in which you invited comment on the Shire of Perenjori's proposed new Local Planning Scheme No.3.

As the Shire of Perenjori shares a common municipal boundary with the Shire of Carnamah it is requested the proposed new Scheme ensures:

- i. the continued use of rural landholdings abutting or traversing the common boundary for broadacre agricultural purposes;
- ii. all existing Crown reserves and State roads traversing the common boundary are assigned a suitable and consistent 'Local Reserve' classification that reflects their designated purpose/s; and
- iii. the integrity of any natural environmental features of significance traversing the common boundary including remnant vegetation and drainage systems is not adversely affected by any land use and/or development permitted under any provisions proposed to be incorporated in the Shire's new Local Planning Scheme.

I trust the above advice proves to be of some assistance. Should you have any queries regarding this submission please do not hesitate to contact the undersigned on 9951 7000 or at ceo@carnamah.wa.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Vin Fordham Lamont". The signature is stylized and includes a large loop at the end.

Vin Fordham Lamont
Chief Executive Officer

Submission 4



Planning and Development Act 2005

TO: Chief Executive Officer or reception@perenjori.wa.gov.au
Shire of Perenjori
PO Box 22 PERENJORI WA 6620

SUBMISSION ON SHIRE OF PERENJORI LOCAL PLANNING SCHEME

Name: PENELOPE KING

Postal Address: 15B STANLEY ST YALGOO

Phone Number: 0408020355

SUBJECT OF SUBMISSION

(state how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property)

RE ZONING 2 (LOT 150) DOWNER STREET FROM
RESIDENTIAL TO INDUSTRIAL. "SPECIAL USE"

ADDRESS OF PROPERTY AFFECTED

(if applicable - include lot number and nearest street intersection)

2 (LOT 150) DOWNER ST PERENJORI

SUBMISSION:

(provide your comments in full and any arguments to support them - attach additional sheets if necessary)

AS THIS PROPERTY HAS BEEN USED BY A
MINING COMPANY FOR A NUMBER OF
YEARS WITHOUT MY KNOWLEDGE I SEE NO
PROBLEM IN IT BEING USED BY KINGS
CIVIL AND EARTHMOVING. THIS LOT IS NOT NEEDED
AS A RESIDENTIAL BLOCK AND SHOULD BE
USED TO ACCOMMODATE A LOCAL BUSINESS. ANY
LOCAL BUSINESS SHOULD BE SUPPORTED AS MUCH AS
POSSIBLE.

P.T.O.

Signature: *P. King* Date: 12.10.2020

Submissions Close: 4 December 2020

THIS PROPERTY IS FULLY FENCED, HAS ACCESS FROM NORTH ROAD SO VEHICLES DON'T HAVE TO TRAVEL THROUGH TOWN.

THERE ARE ALREADY PARTIALLY SEALED ROADS AND THE REST WILL BE SEALED BY KINGS WA. ELECTRICITY AND WATER ARE ALREADY CONNECTED TO THE BLOCK.

THIS BUSINESS HAS ~~USE~~ USED A SMALLER YARD IN TOWN WITHOUT ANY COMPLAINTS BEING PUT FORWARD BY LOCAL RESIDENTS. THERE IS NO OTHER SUITABLE LAND AVAILABLE AT THE MOMENT.

KINGS CIVIL AND EARTHMOVING HAVE ALREADY CLEARED AWAY A LARGE AMOUNT OF RUBBISH LEFT BEHIND BY THE MINING COMPANY.

A BUSINESS SUCH AS THIS SHOULD BE ENCOURAGED AS IT CREATES EMPLOYMENT AND BRINGS REVENUE TO PERENJORI.

19th November 2020

Mr. Mario Romeo
Shire of Perenjori
PO Box 22
PERENJORI WA 6620

Dear Mr. Romeo

RE: SUBMISSION ON THE SHIRE OF PERENJORI LOCAL PLANNING SCHEME NO.3

We are hereby putting in a submission to rezone 2 (Lot 150) Downer Street, PERENJORI, Deposited Plan 185170, from 'Residential' to a 'Special Use' zone. As listed in draft Scheme No.3 we would like to make an application to use the property for the following purposes:

- Transport Depot;
- Commercial Vehicle Parking;
- Office; and
- Caretaker's Dwelling.

Enclosed with this submission to the Shire of Perenjori Local Planning Scheme No.3 is the following:

- A completed submission form, signed by both owners of the property;
- Site plan, proposed development; and
- Perenjori Draft Local Planning Scheme map with site location.

Site and Surrounding Development and Land Uses

The property sits at the edge of the townsite in a low-density residential area. The site adjoins North Rd. on the East side of the property, where the neighboring lot is currently zoned as 'Rural'. Downer St. on the South-West side and Hesford St. on the North-West side where the neighboring lots are currently zoned as 'Residential'.

2 (Lot 150) Downer Street was previously used as mining accommodation for Mt. Gibson Mining Ltd (Redland Mining Pty Ltd) between the years of 2011 and 2016. When they demobilised the mining camp in 2016, they left behind a fence surrounding the whole property, concrete footings where transportable accommodation was previously placed and the electricity wiring and plumbing intact. Since they closed down their business in Perenjori the property has been vacant.

Vehicle access to the property is from North Road which is currently RAV7 rated. This road is used by trucks/road trains on a regular basis as this is one of the main routes to Karara Mine Site. It is also frequently used by farmers transporting grain and fertiliser. Entering/exiting the yard on North Road eliminates traffic through the residential area of town.

Perenjori is surrounded by farming properties and there is a lot of mining activity in the area. This means that there is a lot of heavy traffic and work being conducted at all hours of the day at various sites in and around town.

Co-Operative Bulk Handling is operating their business for months at the time, both day and night from their site at the South-West side of town. The Seed Cleaners are operating from the South-East end of the townsite and trains and trucks are going through town on a regular basis.

We are hoping that our submission will be considered as we are working hard to develop and grow as a business and we want the town to grow with us.

Rezoning this property as a special use zone will support a local business in their development and also the town, as supporting this submission also brings more work and employment to Perenjori.

Proposed Development

The site subject to this submission is currently zoned as 'Residential' under the Shire's Local Planning Scheme No.2 and Draft Local Planning Scheme No.3.

We are looking at developing a Transport Depot with Commercial Parking, a Site Office and a Caretaker's Dwelling which are not listed under the permissible uses in a Residential Zone.

We are seeking to rezone the property to be used as a Special Use Zone described in the Draft LPS No.3 to:

- Facilitate special categories of land uses which do not sit comfortable within any other zone; and
- Enable the imposition of specific development conditions associated with the special use.

We are currently renting the old Shire Depot at Lot 51 Russell St. Perenjori, which is located in the middle of town. The only access to the yard is from Russell St. which means you have to drive trucks through the residential area to access the property. As there is not enough room to turn around in the yard, trucks have to be reversed into the property.

As we are outgrowing the property at Lot 51 Russell St. we were hoping to use 2 (Lot 150) Downer St. as our new Transport Depot. This property is better suited for our needs as it is:

- Located at the edge of the townsite;
- Already has got a fence surrounding the property;
- Accessible by vehicles from North Rd. which eliminates traffic through town;

-
- Big enough to park trucks/machinery and for trucks to turn around.

Kings WA Pty Ltd is a well-known and established business in Perenjori and surrounding area. We are currently employing 5 people from Perenjori and we strive to support other local businesses when possible.

We are buying a lot of our supplies from our local hardware stores, Independent Rural and JS Hardware & Gifts, we use mechanics from Perenjori and get our tyres from Rodney's Tyre Shop.

During the 3 years that we have operated from Lot 51 Russell St. we have not had any complaints from neighboring properties.

As there is no other suitable properties available in Perenjori for an Earthmoving business, we are hoping that our request to rezone 2 Downer St. will be supported.

Justification

To support our submission Relevant 'Key Strategy Areas' and their goals have been taken from the Shire's Strategic Community Plan for 2017-2027:

Area 1: Infrastructure and Natural Assets - Our Natural and Built Environment

Goal: A community that develops and lives sustainably in a thriving natural and quality built environment, which meets and maintains current and future community needs.

Area 2: Industry and Business Development – Our Economy

Goal: Fostering and maximizing growth across eth economy, seeking and embracing opportunities for diversifying and strengthening our economic base.

Based on the above, the following justification is provided in support of the proposed amendment:

-
- Similar activities have been conducted by the same business at Lot 51 Russell Street, which is in the middle of a residential area. This has been done without any complaints regarding the operation of the current activities;
 - No other suitable properties are available in Perenjori to accommodate a transport depot.
 - Support should be given to a local business working to make their business and the town grow.

Conclusion

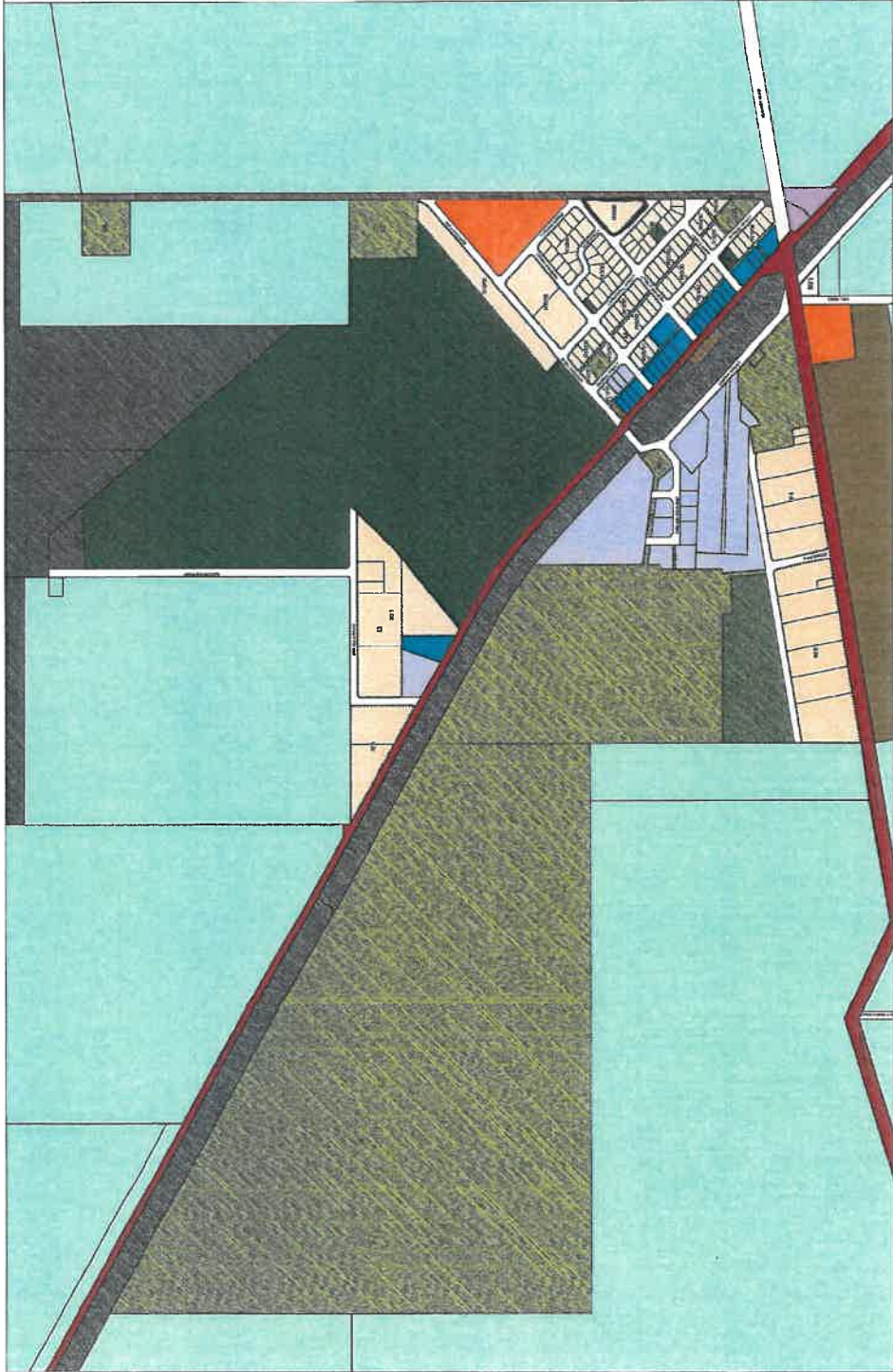
Thank you for considering this submission to rezone 2 (Lot 150) Downer St. Perenjori from 'Residential' to a 'Special Use' Zone.

If you require further information to support this submission, please do not hesitate to contact us on 0402 934 994 or by email to admin@kingsce.com .

Kind Regards,



Caroline Dahlberg
Kings WA Pty Ltd



LEGEND

LOCAL RESERVES

- State and Local
- Federal
- Connecticut Division
- In-Industry Reserves
- Schools
- Strategic Initiatives
- Other
- Land Bank
- Public Open Space
- Other

ZONES

- Residential
- General Utility
- Light Industrial
- Medium Density
- Single-Family
- Other

OTHER CATEGORIES

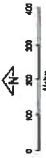
- Shire Area Property
- Land Government Reserves
- R2B - B-Office
- A1 - Affordable
- R2B - Small Lot/In-P
- R2B - Small Lot/In-P-Residential

Department of Planning,
 Learning, and Mobility
 100 State Street, Suite 200
 Providence, RI 02903

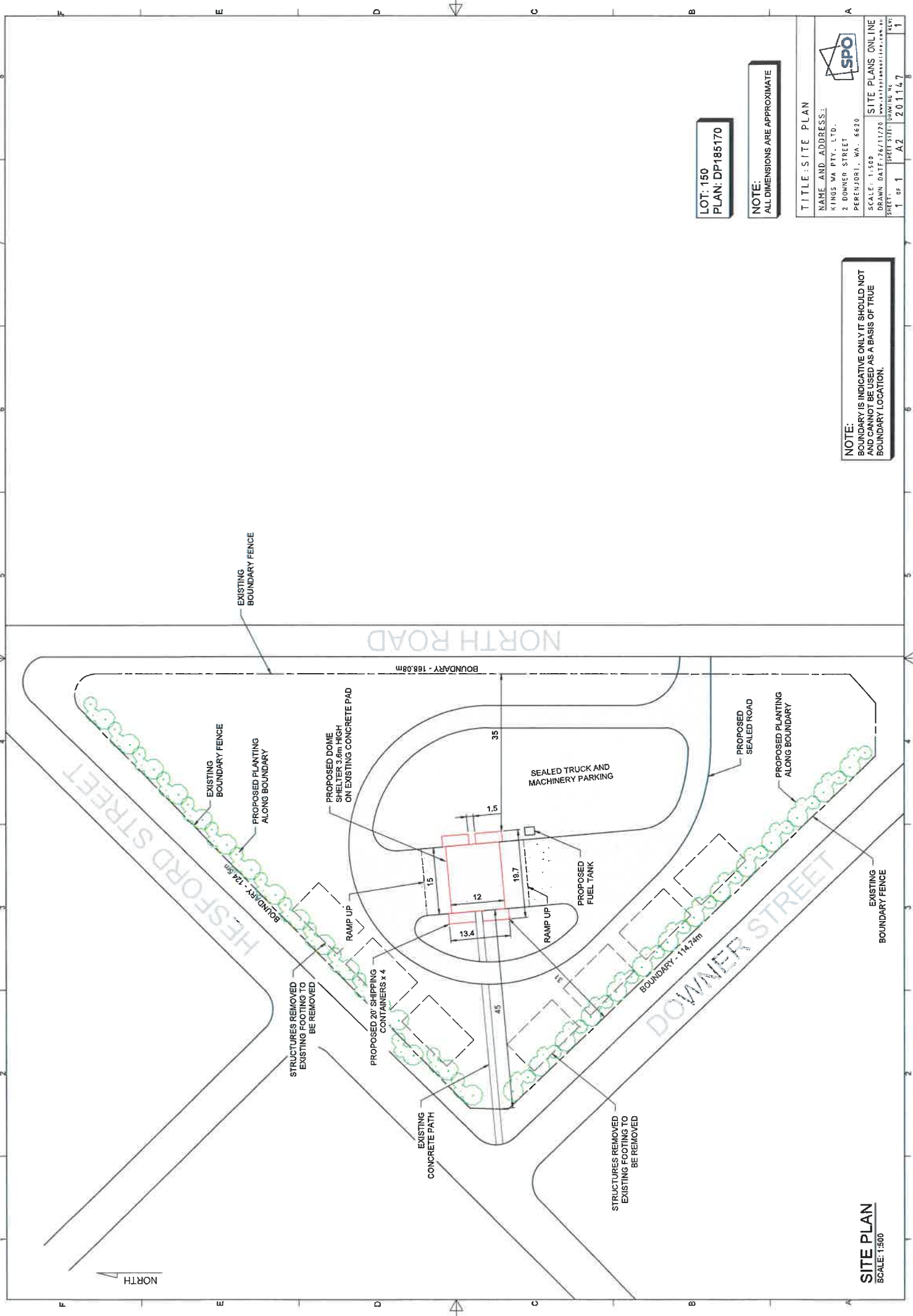
Prepared by: Planning and Mobility
 Date: 2/20/2025
 Project: Shire of Persepolis
 Map No. 7-4712

Shire of Persepolis
 Local Planning Scheme No. 3

Prepared by: Planning and Mobility
 Date: 2/20/2025
 Project: Shire of Persepolis
 Map No. 7-4712




Shire of Persepolis
 Local Planning Scheme No. 3
DRAFT ONLY



LOT: 150
PLAN: DP185170

NOTE:
ALL DIMENSIONS ARE APPROXIMATE

TITLE: SITE PLAN

	
NAME AND ADDRESS:	
KINGS WA PTY., LTD.	
2 DOWNER STREET	
PERENJORI, WA. 6620	
SCALE: 1:500	SITE PLANS ONLINE
DRAWN DATE: 26/11/20	www.sitedesign.com.au
SHEET: 1 OF 1	201147

NOTE:
BOUNDARY IS INDICATIVE ONLY IT SHOULD NOT AND CANNOT BE USED AS A BASIS OF TRUE BOUNDARY LOCATION.

SITE PLAN
SCALE: 1:500



WESTERN




AUSTRALIA

REGISTER NUMBER	
150/DP185170	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 1642 FOLIO 234

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 150 ON DEPOSITED PLAN 185170

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

STEVEN LAURENCE KING
PENELOPE JOY KING
BOTH OF POST OFFICE, PERENJORI
AS JOINT TENANTS

(T E430793) REGISTERED 22/8/1990

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1642-234 (150/DP185170)
PREVIOUS TITLE: 1642-234
PROPERTY STREET ADDRESS: 2 DOWNER ST, PERENJORI.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF PERENJORI

NOTE 1: A000001A LAND PARCEL IDENTIFIER OF PERENJORI TOWN LOT/LOT 150 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 150 ON DEPOSITED PLAN 185170 ON 23-JUL-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.

NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.

Submission 5



Department of Planning,
Lands and Heritage

Your ref: ADMO826/ORC204330
Our ref: PSR47659
Enquiries: Julie Mackay (08) 979 10578

Chief Executive Officer |
Shire of Perenjori
reception@perenjori.wa.gov.au

Attention: Simon Lancaster – Deputy Chief Executive Officer Planning & Development
(Chapman Valley)

Dear Sir

Shire of Perenjori Local Planning Scheme No. 3 – Invitation to Comment

Thank you for your correspondence dated 2 September 2020 on Shire of Perenjori Local Planning Scheme No. 3 which was referred to the Heritage Council under the provisions of Section 79 of the *Planning and Development Act 2005*.

General comments for proposed Local Planning Scheme No. 3

It is noted that the Shire of Perenjori prepared a Municipal Inventory of Heritage Places in 1998/1999, that included 40 places of State and/or Local heritage significance. Since that time, some twenty years ago, new State legislation and statutory requirements have been gazetted in relation to the conservation and management of heritage places.

The Local Planning Scheme (Planning and Development Local Planning Scheme Regulations (2015) - Deemed Provisions) require the Shire of Perenjori to create a heritage list. The heritage list is a statutory instrument which allows the Shire to consider the heritage of a place as part of its decision-making process for proposed development.

It should be noted that Part 3 Clause 8(2)(a) of the Deemed Provisions states that the heritage list 'must set out a description of each place and the reason for its entry in the heritage list'. The heritage list should also provide detail on whether the building is identified as having a significant interior, as the new provisions require planning approval for interior works only where a place has been designated as having a significant interior.

We recommend the Shire of Perenjori begins planning to create a heritage list which meet these requirements as part of its review of its planning framework. Further, the Aims of the Local Planning Scheme should include reference to the conservation of the community's heritage, for example:

Aim/s

- To promote and safeguard the cultural heritage of the Shire of Perenjori by –
- identifying, conserving and enhancing those places which are of significance to Perenjori's cultural heritage;
 - encouraging development that is in harmony with the cultural heritage value of an area; and
 - promoting public awareness of cultural heritage generally.

The following web-link provides information on preparing a heritage list and access to other assistance in regard to managing local heritage.

<https://www.dplh.wa.gov.au/information-and-services/historic-heritage>

Should you have any queries regarding this advice please contact Julie Mackay at julie.mackay@dplh.wa.gov.au or on 6552 4150.

Yours faithfully



Adelyn Siew
Director Heritage Development

23 November 2020



Department of Biodiversity,
Conservation and Attractions



Your ref: ADM0826 / OCR204330
Our ref: PRS 45948
Enquiries: Anthony Desmond
Phone: 9964 0901
Email: anthony.desmond@dbca.wa.gov.au

Mr Mario Romeo
Chief Executive Officer
Shire of Perenjori
PO Box 22
PERENJORI WA 6620

Email: reception@perenjori.wa.gov.au

Dear Mr Romeo

PREPARATION OF LOCAL PLANNING SCHEME NUMBER 3

Thank you for your letter of 2 September 2020 providing the Department of Biodiversity, Conservation and Attractions (DBCA) with the opportunity to provide comments regarding the Shire of Perenjori Local Planning Scheme No. 3.

DBCA notes that land within the Shire of Perenjori that is managed for conservation has been included within *Conservation* scheme reserves. During review of LPS No.3 it has been identified that part of Caron Nature Reserve has been zoned as Government Services. DBCA recommends that the Shire of Perenjori amend this zoning to include all of Caron Nature Reserve as Environmental Conservation (Lot 10683 and Lot 5675 on Plan 226736)

Thank you for the opportunity to comment. If you have any queries regarding the above advice please contact Anthony Desmond on 9964 0901.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nigel Sercombe'.

Nigel Sercombe
REGIONAL MANAGER
Midwest Region

23 November 2020



mainroads
WESTERN AUSTRALIA

Enquiries: Pia Marshall on (08) 9956 1210
Our Ref: 16/2429, D20#1060997
Your Ref: ADM0826 / OCR204330

27 November 2020

Shire of Perenjori
Mario Romeo
Chief Executive Officer

By email: reception@perenjori.wa.gov.au

Dear Mario,

RE: LOCAL PLANNING SCHEME AVAILABLE FOR INSPECTION - SHIRE OF PERENJORI LOCAL PLANNING SCHEME NO 3.

Thank you for your correspondence received 4 September 2020. Main Roads has reviewed the Draft Planning Scheme and provides the following comments;

Road Reservation

- Main Roads support the inclusion of Primary Distributor Road as a Local Scheme Reserve and the protection afforded by that designation for Mullewa Wubin Road. Please note however, Carnamah-Perenjori Road and Coorow-Latham Road are not Primary Distributor Roads, therefore the classification should be revised.
- A review of Local Planning Scheme Maps showed a number of the maps incorrectly define Main Road's current management responsibility. Accordingly, Main Roads recommends the Shire of Perenjori amend the designation of "Primary Distributor Road" on Maps 2, 4, 7, 8 and 10, to reflect the correct boundaries as outlined in "Attachment 1 – Main Roads Management Responsibility – Perenjori Draft Planning Scheme No.3".
- The Wubin Mullewa Road Reserve varies in width. There some sections which are as narrow as 20m (ie. SLK 106 to 108) that may likely require further widening in the future. For developed agricultural areas where the road is likely to remain a single carriageway, an ultimate road reserve width between 50 to 60m is generally required, with a minimum roadside (verge) width of 20m. (Development Control Policy No. 1.7 General Road Planning. Main Roads Operational Guideline 82 – Selection of Rural Road Reserve Widths)

Part 4 – General Development Requirements

- Any rezoning, structure planning, subdivision or development of land, which may have an impact on a primary distributor road should be referred to Main Roads and include a Traffic Statement or Assessment, as appropriate, in accordance with the WAPC's *Transport Assessment Guidelines* and Main Roads Driveway Policy. Main Roads suggests including information in the Local Planning Strategy to inform future development of the requirement.
- Main Roads suggests including information in the Local Planning Scheme to inform future development of local network access requirements. (Development Control Policy 5.1 Regional Roads, Vehicular Access).



mainroads
WESTERN AUSTRALIA

- Where secondary networks constructed within a development can provide access to the Main Roads Network via local roads or an existing crossover, Main Roads is unlikely to support future connections to primary distributor roads. This position is reflected within the Development Control Policy 5.1 Regional Roads (vehicular access). It is formally requested the Local Government consider implementing a statutory clause in the scheme to require lots fronting a primary distributor road to be accessed via a laneway, easement, PAW or the like. Where no such access exists then provision is to be made to enable access to be achieved through the development of adjacent land.
- Consideration should be given to include in the scheme, contributions to the costs of providing infrastructure in connection with development, i.e. upgrades to existing intersections between State and Local Government roads as a result of generated traffic from developments. (State Planning Policy 3.6 – Infrastructure Contributions)

If you would like any further information, please contact Pia Marshall on 9956 1210 or by email pia.marshall@mainroads.wa.gov.au.

Yours sincerely,

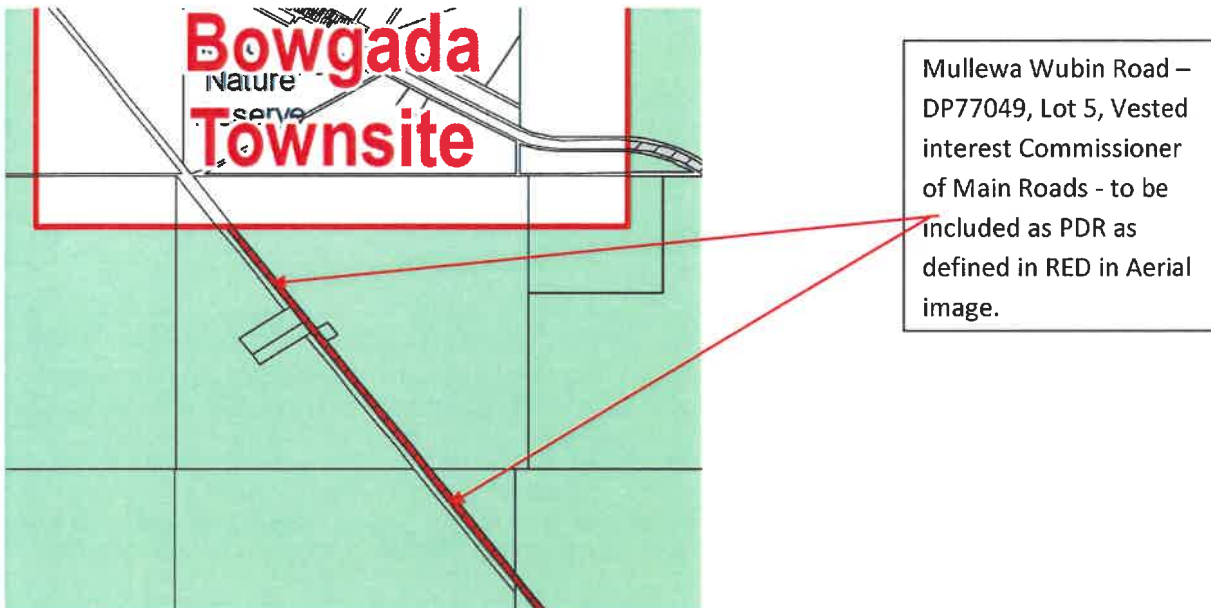
for Bernie Miller
Regional Manager
Mid West-Gascoyne Region

Attachments: "Attachment 1 – MainRoads Management Responsibility – Perenjori Draft Planning Scheme No.3

Attachment 1 – Main Roads Management Responsibility – Perenjori Draft Planning Scheme No.3

Identification of affected Lots/boundaries to be included as Primary Distributor Road (PDR) Reserve to reflect Main Roads WA current management responsibility within the Shire of Perenjori.

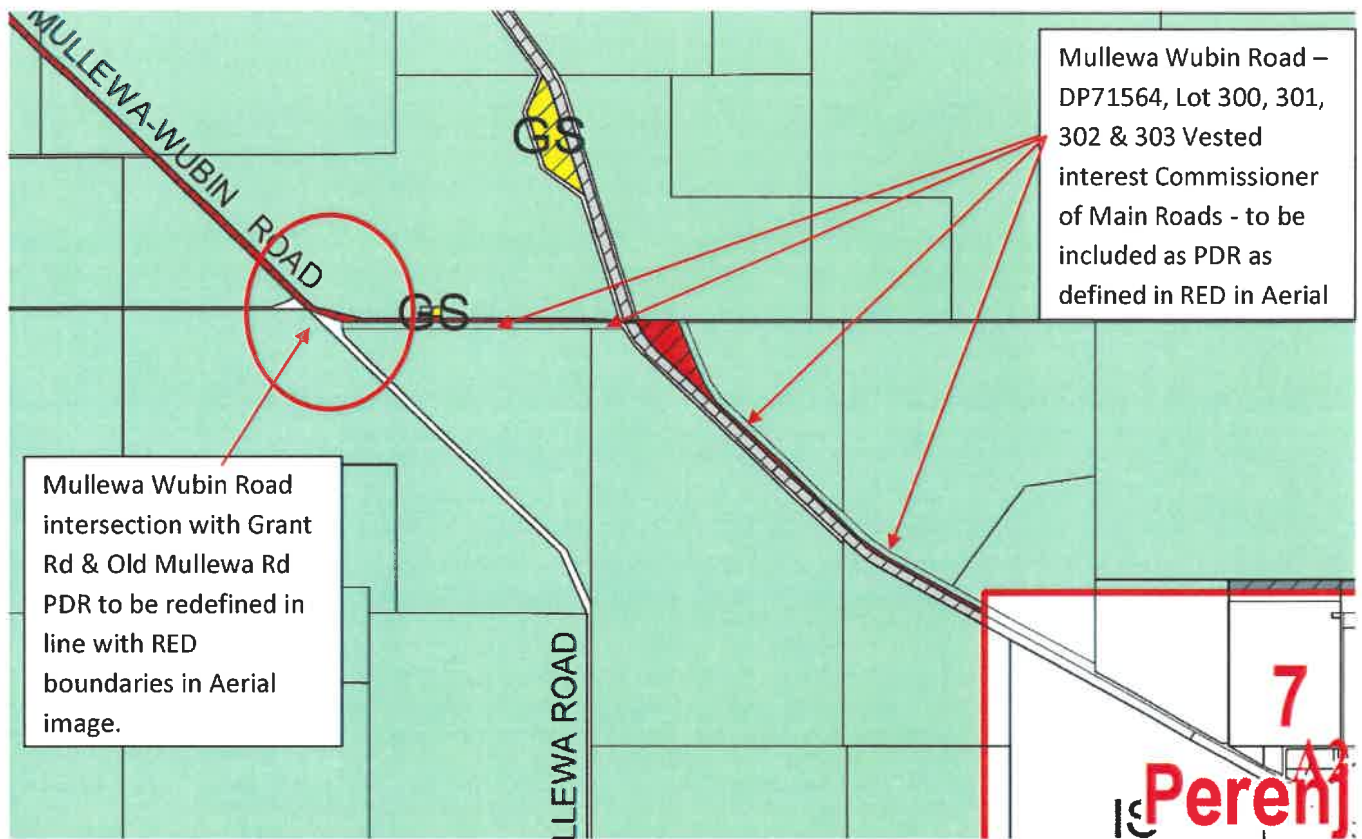
Figure 1: Local Planning Scheme Map No. 2 of 12 – Perenjori Central West



Aerial Image Markup – Mullewa Wubin Rd 98.00 – 101.60 SLK



Figure 2: Local Planning Scheme Map No. 2 of 12 – Perenjori Central West



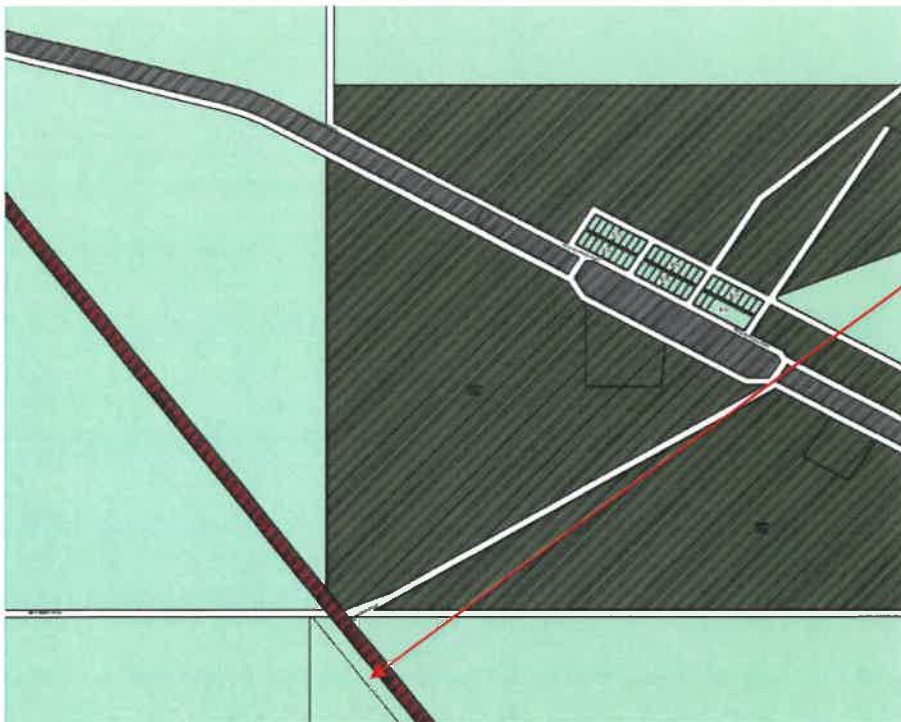
Aerial Image Markup – Mullewa Wubin Road 87.00 - 92.60 SLK



Aerial Image Markup – Mullewa Wubin Road 87.00 - 92.60 SLK cont.



Figure 3: Local Planning Scheme Map No. 6 of 12 – Bowgada Townsite

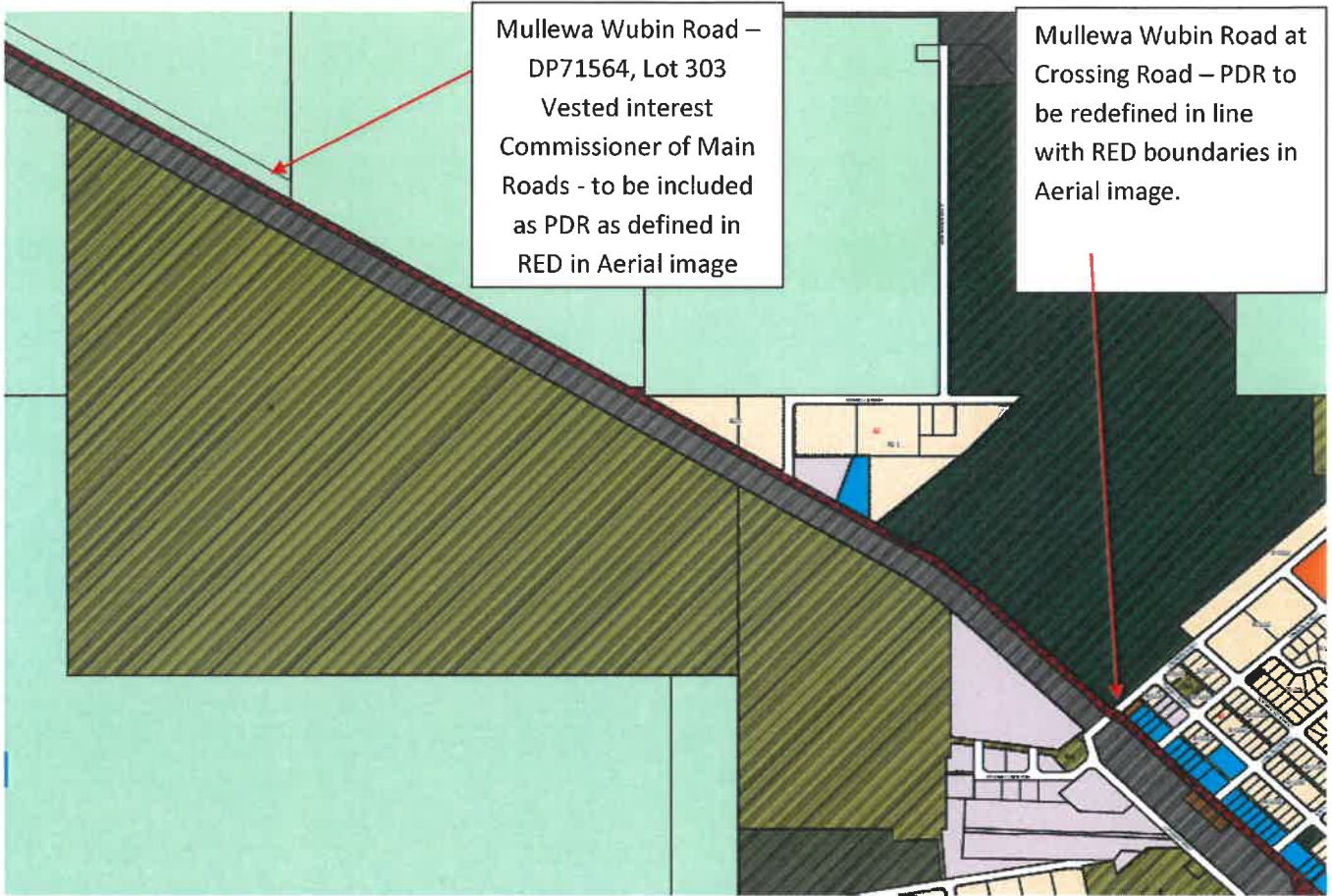


Mullewa Wubin Road – DP77049, Lot 5, Vested interest Commissioner of Main Roads - to be included as PDR as defined in RED in Aerial image.

Aerial Image Markup – Mullewa Wubin Rd 98.00 – 101.60 SLK



Figure 4: Local Planning Scheme Map No. 7 of 12 – Perenjori Townsite



Aerial Image Markup – Mullewa Wubin Road 87.00 - 92.60 SLK cont.



Aerial Image Markup – Mullewa Wubin Road & Crossing Road Intersection 84.75 SLK.



Submission 8



Department of
Primary Industries and
Regional Development

Your reference: ADM0826 / OCR204330
Our reference: LUP 927
Enquiries: A Stuart-Street

Mr Mario Romeo
Chief Executive Officer
Shire of Perenjori
PO Box 22
PERENJORI WA 6620
Email: reception@perenjori.wa.gov.au

Date: 1 December 2020

Dear Mario

Shire of Perenjori Local Planning Scheme No. 3

The Department of Primary Industries and Regional Development (DPIRD) welcomes the opportunity to provide feedback on the Draft Local Planning Scheme (LPS) No 3 for the Shire of Perenjori.

Agricultural production from the shire remains an important contributor to the state's economy and DPIRD continues to monitor and research land and water resources of the Perenjori Shire and town site.

DPIRD supports the shire's objectives for the Rural Zone, outlined in Section 2 b. These objectives reflect the policy measures outlined in State Planning Policy 2.5 – Rural Planning. DPIRD also supports planning mechanisms such as buffers or separation distances to prevent land use conflict or encroachment from sensitive land uses onto land used for agriculture.

I trust these comments inform you on this matter. If you have any queries regarding the comments, please contact Angela Stuart-Street at (08) 9780 6124 or angela.stuart-street@dpiird.wa.gov.au.

Yours sincerely

A handwritten signature in cursive script that reads "Melanie Strawbridge".

Dr Melanie Strawbridge
Director Agriculture Resource Management Assessment
Sustainability and Biosecurity

3 Baron-Hay Court, South Perth 6151
Locked Bag 4 Bentley Delivery Centre 6983
Telephone +61 (0)8 9368 3333 enquiries@dpiird.wa.gov.au
dpiird.wa.gov.au

ABN: 18 951 343 745

Submission 9

From: Mark Canny <mark.canny@dwer.wa.gov.au>

Sent: Friday, 4 December 2020 3:55 PM

To: Caroline Dahlberg <reception@perenjori.wa.gov.au>

Subject: DWER Response: Shire of Perenjori Local Planning Scheme No.3 (DWER ref: PA 037660 , DWERT1079 ; Shire ref: ADM0826 , OCR204330)

Dear Mario

RE: Shire of Perenjori Local Planning Scheme No.3 (DWER ref: PA 037660 , DWERT1079 ; Shire ref: ADM0826 , OCR204330)

We have reviewed the Local Planning Scheme and provide the following comment in the table below:

Page/Section (of PDF file)	Topic	Issue	Suggested changes
P18, Clause 32 Part 4 – General Development Requirements	General Development Standards and Requirements	Fit-for-purpose water has not been included for development	Add as Clause 32(4) <ul style="list-style-type: none">“A structure plan shall identify a secure fit-for-purpose water supply that conserves potable water, minimise wastewater and re-use all forms of water, including stormwater.”

Further to the above, we have considered the Scheme to be sufficient in addressing the following environmental/water resource objectives based on the following statements in this document:

- Environmental (including water) resource values protection
 - ‘Part 1 – Preliminary’ Clause 9. (f) “to protect and enhance the environmental values and natural resources of the local government area and to promote ecologically sustainable land use and development;” (p5)
 - ‘Part 3 - Zones and Use of Land’ Clause 16. (b) Rural “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.” (p8)
- Potable water
 - ‘Part 4 - General development requirements’ Clause 35. (2) Rural Residential Zone “All dwellings shall be connected to a reticulated potable water supply provided by a licensed service provider or have appropriate provision for alternative potable water supply to the satisfaction of the local government.” (p20)
- Effluent disposal
 - ‘Part 4 - General development requirements’ Clause 35. (3) “All dwellings shall be connected to an appropriate effluent disposal or domestic waste water system(s) of a type that is, and which is installed, to the satisfaction of the local government and the Department of Health.”

- Special Control Areas (Potential risks for landuse conflict is covered for SCA1)
 - 'Part 5 – Special Control Areas' – 'Perenjori Waste Disposal Facility Special Control Area 1 (SCA 1)' – “Despite any other provision of this Scheme, development approval is required for the use and development of land, including a single house. In addition to the other provisions of this Scheme, all development applications shall be referred to the environmental protection agency for advice and the local government shall have due regard to the advice received when determining development applications.”

Mark Canny
Program Manager Planning Advice
Mid West Gascoyne Region
Department of Water and Environmental Regulation
20 Gregory St Geraldton
PO Box 73 WA 6531
M: 0428 617 205
E: mark.canny@dwer.wa.gov.au | www.dwer.wa.gov.au
Twitter: [@DWER_WA](https://twitter.com/DWER_WA)



Disclaimer: This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.

Submission 10



Government of Western Australia
Department of Education

Your ref : ADM0826 / OCR204330
Our ref : D20/0615406
Enquiries : Matthew Cosson
(08) 9264 4008

Chief Executive Officer
Shire of Perenjori
PO Box 22
Perenjori WA 6620

Dear Sir/Madam

**Draft Local Planning Scheme No. 3
Shire of Perenjori**

Thank you for your email dated 3 September 2020 providing the Department of Education (Department) with the opportunity to comment on the Shire of Perenjori's (Shire) draft Local Planning Scheme No.3 (LPS3). The Department has reviewed the information submitted in support of draft LPS3 and wishes to provide the following comments:

Impact on Enrolment Capacity at Existing Schools

The Department is satisfied that the projected impact on enrolment numbers at the existing public primary and secondary schools within the area will be negligible. The existing public schools within the area will have sufficient enrolment capacity to accommodate for the projected increase in students as a result of modifications introduced in LPS3. The Department therefore has no in principle objections to potential residential lot yield as proposed within draft LPS3.

Incompatible Land Uses

The Western Australian Planning Commission's Development Control Policy 2.4- School Sites and draft Operational Policy 2.4- Planning for School Sites advises that land uses such as service stations, restricted premises, licensed premises, consulting rooms and industrial uses are considered undesirable next to school sites. The Perenjori Primary School site adjoins a lot of approximately 2-hectares which is proposed to be zoned 'Tourism' under LPS3. Whilst there are no in principle objections to the 'Tourism' zoning, the Department holds concerns that it may allow for an incompatible land use to be approved adjacent to Perenjori Primary School.

The zoning table contained within LPS3 would allow for the consideration of 'Liquor Store- small', 'Tavern' and 'Winery' uses on the lot, which are all considered to be incompatible with the primary school. The Department therefore requests that such uses be designated as 'X' uses for the site to ensure that the health and safety of the students of the primary school is not compromised in the future.

Subject to consideration of the above, the Department offers no objections to draft LPS3. Should there be any questions in relation to the above, please do not hesitate to contact Mr Matthew Cosson, Senior Consultant – Land Planning on (08) 9264 4008 or via email matthew.cosson@education.wa.edu.au.

Yours sincerely



Matt Turnbull
Manager Land and Property
Asset Planning and Services

4 December 2020

Submission 11



Government of Western Australia
Department of Jobs, Tourism, Science and Innovation

Your ref: ADM0826/OCR204330
Our ref: J1299/201706
Enquiries: freya.symons@jtsi.wa.gov.au
Phone: 08 6277 2914

Mario Romeo
Chief Executive Officer
Shire of Perenjori
PO BOX 22
PERENJORI WA 6620

Dear Mr Romeo

Thank you for providing the Department of Jobs, Tourism, Science and Innovation with the opportunity to comment on the Shire of Perenjori's Local Planning Scheme No.3.

The Department has reviewed the proposed Scheme and has no comments to provide at this time.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kristian Dawson', with a large loop at the start and a wavy tail.

Kristian Dawson
A/EXECUTIVE DIRECTOR
INFRASTRUCTURE, PLANNING AND ECONOMIC DEVELOPMENT

9 November 2020



Shire of
Perenjori
Embrace Opportunity

ATTACHMENT
Item 16.3(d)

*Schedule of Proposed Scheme
Modifications*

ORDINARY COUNCIL MEETING 18 FEBRUARY 2021

Schedule of Modifications - Shire of Perenjori Local Planning Scheme No.3

No.	Modification	Justification
1	<p>Modify the LPS3 Map (Map Page 7) to identify Lot 150 Downer Street, Perenjori as 'Special Use (SU2)' instead of 'Residential'.</p> <p>Modify Table 3 of the LPS3 Scheme Text to insert Lot 150 Downer Street, Perenjori as 'SU2' and list the following special uses in the table for this property:</p> <ul style="list-style-type: none"> • Transport Depot; • Commercial Vehicle parking; • Office; & • Caretaker's Dwelling. <p>Insert the following in the conditions section (Table 3) for 'SU2':</p> <p><i>"1 Development is not permitted unless the local government has exercised its discretion by granting development approval.</i></p> <p><i>2 The local government may require the applicant as a condition of approval to prepare, and meet the requirements of, a management plan."</i></p>	<p>In response to the Lot 150 Downer Street, Perenjori landowner submission. (Submission 4)</p>
2	<p>Modify Part 1 Clause 9 (g) of the LPS3 text as follows:</p> <p><i>"to safeguard and enhance the character and amenity of the built and natural environment including places of heritage value."</i></p>	<p>In response to the Department of Planning, Lands and Heritage submission. (Submission 5)</p>
3	<p>Modify LPS3 Map (Map Page 2) to identify Lot 10683 as 'Environmental Conservation' zone (instead of 'Public Purposes – Government Services' zone) to ensure that all of Reserve 226736 (comprising Lots 5675 & 10683 reflect the reserve purpose and DBCA management order).</p>	<p>In response to the Department of Biodiversity, Conservation and Attractions submission (Submission 6)</p>
4	<p>Modify the LPS3 Maps as identified in Attachment 1 at the conclusion of the Schedule of Modifications.</p>	<p>In response to the Main Roads WA. (Submission 7)</p>
5	<p>Modify Part 4 of the LPS3 text by including an additional clause:</p> <p><i>"37 Access onto local, district and primary distributor roads</i></p> <p><i>Where developments, the subject of an application for development approval under this Scheme, propose a new or modified vehicular access to a local, district or primary distributor road, a transport assessment and access plan may be required."</i></p>	<p>In response to the Main Roads WA. (Submission 7)</p>
6	<p>Modify Part 3 Clause 17 Table 1 of the LPS3 text as follows:</p> <p>'Winery' be classified as a 'A' use in the 'Tourism' zone.</p>	<p>In response to the Department of Education submission. (Submission 10)</p>

Schedule of Modifications - Shire of Perenjori Local Planning Scheme No.3

Attachment 1 (relevant to Modification 4/Submission 7)

Modification 4a:

Modify the area under State ownership (Lot 5 upon DP77049) as shown upon below Figure 1 from 'Rural' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.2.

Identification of affected Lots/boundaries to be included as Primary Distributor Road (PDR) Reserve to reflect Main Roads WA current management responsibility within the Shire of Perenjori.

Figure 1: Local Planning Scheme Map No. 2 of 12 – Perenjori Central West



Mullewa Wubin Road – DP77049, Lot 5, Vested interest Commissioner of Main Roads - to be included as PDR as defined in RED in Aerial image.

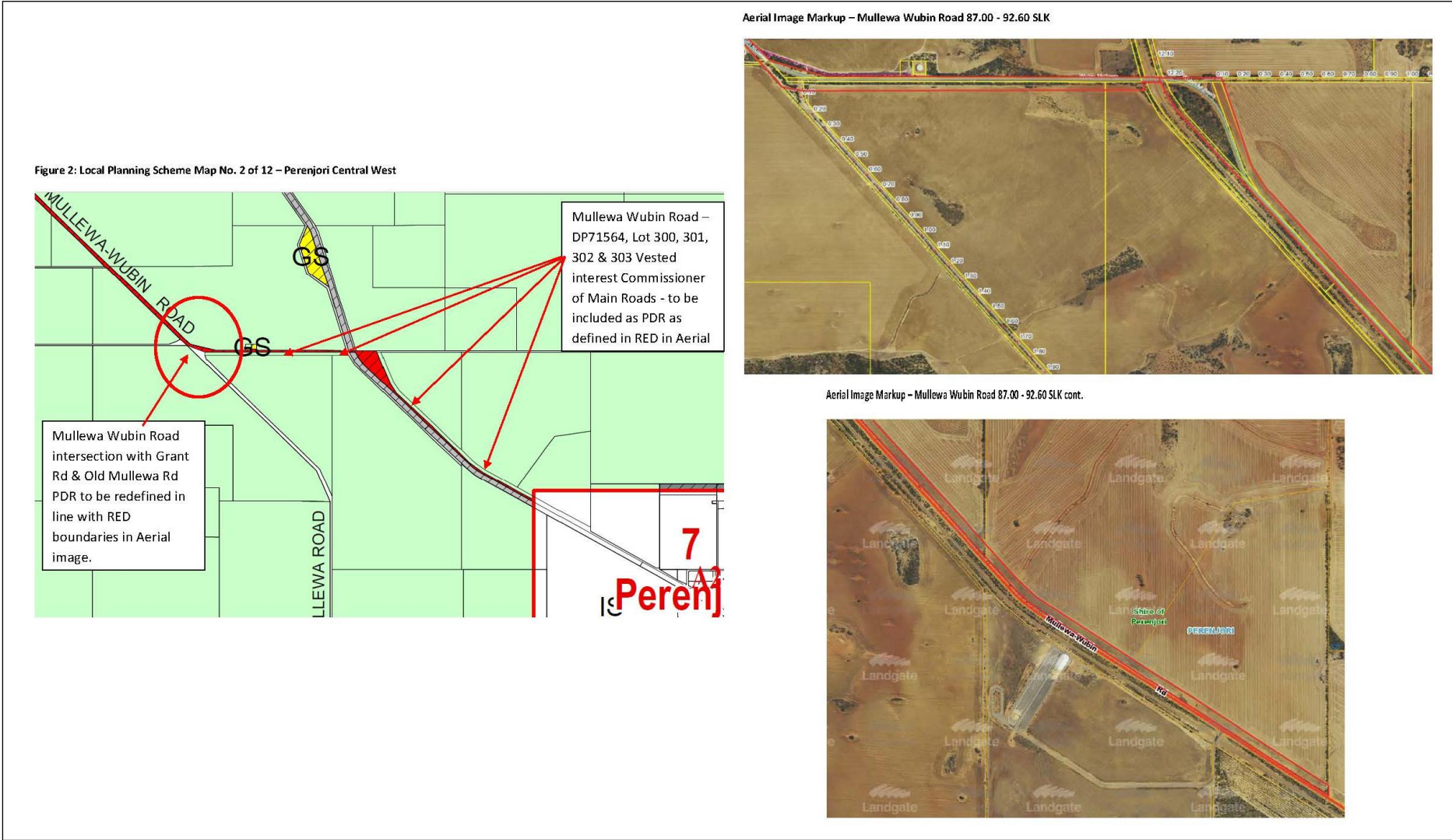
Aerial Image Markup – Mullewa Wubin Rd 98.00 – 101.60 SLK



Schedule of Modifications - Shire of Perenjori Local Planning Scheme No.3

Modification 4b:

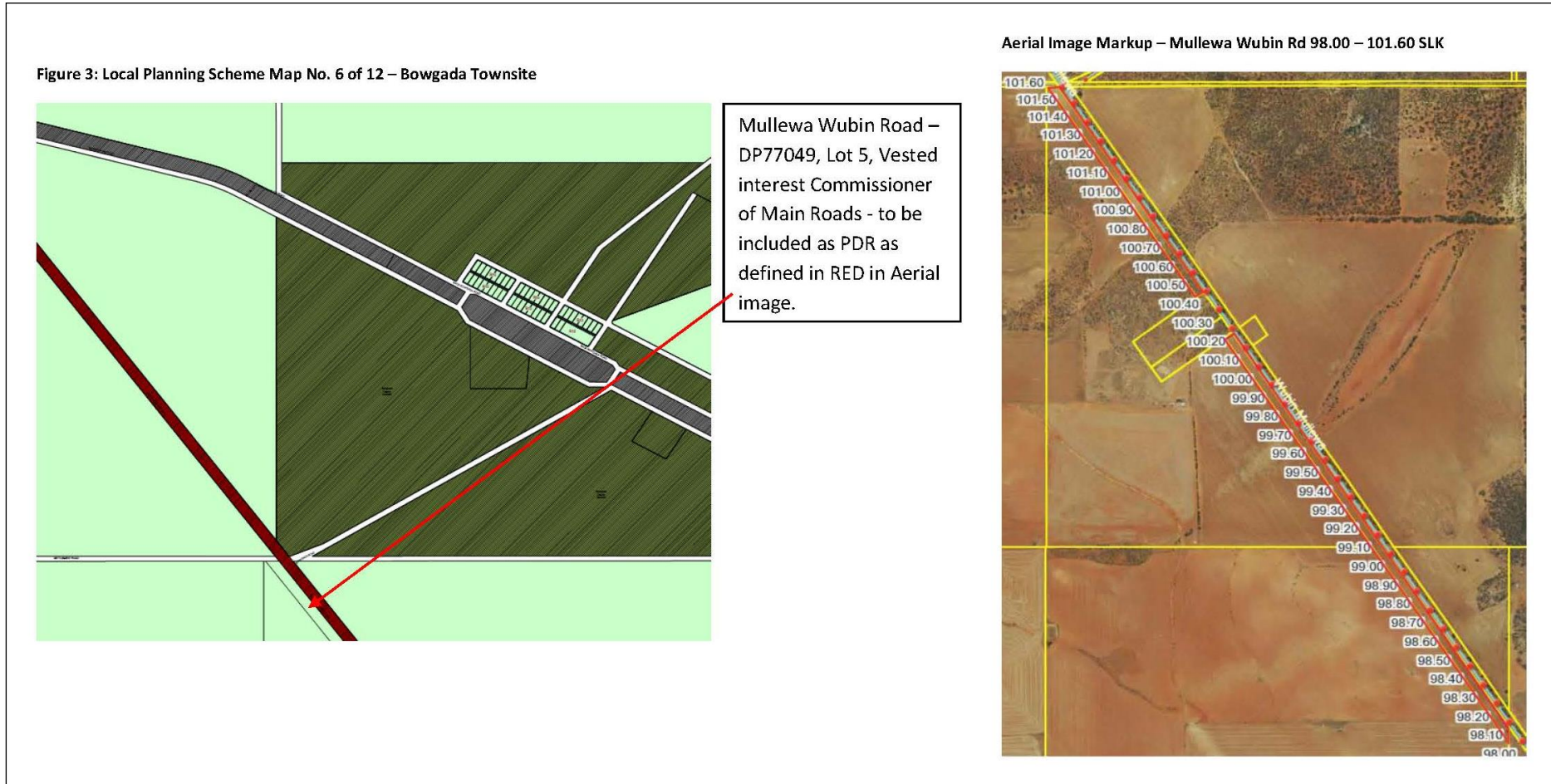
Modify the area under State ownership (Lots 300, 301, 302 & 303 upon DP's 71564 & 71565) as shown upon below Figure 2 from 'Rural' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.2.



Schedule of Modifications - Shire of Perenjori Local Planning Scheme No.3

Modification 4c:

Modify the area under State ownership (Lot 5 upon DP77049) as shown upon below Figure 3 from 'Rural' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.6.



Schedule of Modifications - Shire of Perenjori Local Planning Scheme No.3

Modification 4d:

Modify the area under State ownership (Lot 303 upon DP71564) as shown upon below Figure 4 from 'Rural' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.7. Modify the Mullewa Wubin & Crossing Road intersection as shown upon below Figure 4 from 'Local Road' zone to 'Primary Distributor Road' zone on the Scheme No.3 Map No.7.

