

# Report of review of Shire of Waroona Local Planning Scheme No. 7 & Local Planning Strategy

Planning and Development (Local Planning Schemes) Regulations 2015

Part 6, Division 1 (r.65 & 66)

May 2023

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# Report of review of Shire of Waroona Local Planning Scheme No. 7

## 1 Background and purpose

This report has been prepared to satisfy the requirements under Regulation 65 and 66 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). In particular, for the Shire of Waroona to carry out a review of the Shire of Waroona Local Planning Scheme No. 7 (LPS7).

This Report of Review is the result of the Regulations which requires that, in each 5<sup>th</sup> year following the date a Scheme was last published in the Government Gazette, the local government shall prepare a review by way of a report to the Western Australian Planning Commission (WAPC) on the operation of the Scheme.

There has been no comprehensive review of LPS7 undertaken since its gazettal in 1996.

Scheme Amendment 42 and 43 were prepared to include the land use definition of 'renewable energy facility' and include the requirement for development approval to be obtained for the clearing of non-native vegetation. LPS7 contains zones, reserve, land uses and definitions that are inconsistent with the Model Provisions contained within Schedule 1 of the Regulations. There are also opportunities to refine provisions to assist in enhancing the effectiveness of the Scheme and local planning controls.

The Shire of Waroona (to be referred to as the 'district') covers an area of 835 square kilometres and is in the Peel region. The district is located 108 kilometres south of Perth.

The district's settlements are Hamel, Lake Clifton, Nanga Brook, Preston Beach, Wagerup and Waroona. The district contains a coastline of approximately 16 kilometres, the Yalgorup National Park, the Darling Scarp and located immediately south of the Peel-Harvey Estuary. The district contains significant environmental and cultural assets along with being a significant contributor to the economy of the Peel Region with primary industries such as Bauxite mining and high value agriculture land. The Shire of Waroona is bordered by the City of Mandurah and Shire of Murray to the north, the Shire of Boddington to the east and the Shire of Harvey to the south.

## 2 Scheme and Strategy Details

### 2.1 Local Planning Scheme No. 7

Land use and development within the Shire of Waroona is governed by LPS7 which covers the whole district. LPS7 was gazetted on 17 December 1996. There have been a number of amendments to LPS7 as outlined in Appendix 1 – Scheme Amendments. This includes Amendment No. 40 (2019) which updated the Scheme to include Clause 61 – supplementary provisions.

LPS7 consists of:

- A wide range of zones, reserves and special control areas;
- A 'Preliminary' section that sets out the purposes and aims of the Scheme;
- Sections dealing with land zones and land reserved in the district;
- A Zoning Table, which identifies which land uses may or may not be considered in different zones;
- Development objectives;

- Special Control Areas;
- Non-conforming uses;
- Specific areas with specific standards and requirements; and
- Supplemental provisions.

The format of the LPS7 text varies from the State’s Model Scheme.

## 2.2 Local Planning Strategy

The district is covered by the Shire of Waroona Local Planning Strategy (the Strategy) which was endorsed by the WAPC on 24 March 2009.

The Shire is currently undertaking a review of the Strategy, concurrently with LPS7, and aims to significantly progress new frameworks this year. One of the key objectives of the Strategy, for managing population growth, is to implement subdivision and development in a sustainable manner.

## 3 **Subdivision and lot activity**

There are a number of large and smaller areas that have structure plans approved which have been subdivided and developed. There is a need to review these areas to determine whether areas can now be ‘normalised’, given development is complete. Based on the Strategy review, there is also a need to consider whether the Scheme identifies new Structure Plan areas that may be suitable for subdivision and development.

Between 2016 and March 2023, a total of 64 freehold lots were created throughout the Shire of Waroona, based on subdivision applications lodged with and approved by the WAPC. This total comprised of a distribution of lots by the following broad use categories in Table 2. Lot creation was somewhat erratic between 2016 and 2020, only settling into a somewhat consistent cycle from 2020 onwards.

<b>TABLE 1 – Freehold subdivision and lot activity since 2016</b>	2016	2017	2018	2019	2020	2021	2022	2023	Total
Final approvals	0	10	19	4	10	9	12	0	64

Lifestyle rural-residential type lots are the main lot typology over the period . These accounted for 83 percent of total lots created.

<b>TABLE 2 – Conditional approvals – Proposed lots</b>	Residential	Commercial	Industrial	Rural-Residential & Special Residential	Total
2016	0	0	0	27	27
2017	2	0	0	6	8
2018	1	0	0	0	1
2019	2	0	0	0	2

2020	3	0	0	0	3
2021	1	0	0	11	12
2022	0	0	0	0	0
2023	0	0	0	0	0
Total	9	0	0	44	53

The Council’s Strategic Community Plan and Local Planning Strategy support the provision of additional residential, industrial and commercial development as the creation of these lots has been stagnant and curtailed economic development within the district. It is anticipated that the new Local Planning Strategy being developed will seek to curb the creation of additional rural-residential lots. These have tended to be in environmentally sensitive areas and are incompatible with sustainable development principles when bushfire planning is factored in.

The population set out in *WA Tomorrow* for Band C suggests the district will grow to 4,700 by 2031 – currently at 4,234 persons. Additional lots and dwellings will be required to facilitate anticipated population growth. In the short to medium term, most new population growth will be in Lake Clifton on vacant Rural-Residential land. Lake Clifton has limited land remaining that is considered appropriate for subdivision and areas to the north and east of Waroona will more appropriately accommodate growth with approximately 220 Hectares zoned for residential purposes.

The ‘development footprint’ set out in the Scheme identifies that there is sufficient land suitable for residential purposes. In doing so, it needs to be recognised that:

- This land is held by a limited number of landowners;
- Not all landowners want to subdivide or develop their land immediately;
- The cost to extend services to the land proves cost prohibitive and landowners do not have the financial resources to do so;
- Landholdings are predominantly owned by individuals rather than corporations/professional developers;
- Once created, not all lots will be developed for housing immediately.

For these reasons, the new Strategy intends on exploring a supply of land capable of accommodating the residential development required during the lifespan of the new Strategy. The Strategy will also explore land for industrial and commercial uses as no new lots have been created since 2016. This is largely attributable to the reasons highlighted above that are constraining residential development. This has been to the economic detriment of the Shire.

#### 4 Development activity

Since the time of the gazettal of the Scheme, the amount of new development has remained relatively consistent in the district with a period of high volume of development between 2016 and 2017. This has been followed slower periods – for development approvals. This, in part, is reflective of the broader Western Australian economy. A breakdown of the number of Development Approvals and Building Permits issued annually for these dwellings collectively between 2015 and May 2023 is provided in the tables below.

<b>TABLE 3 - Development Approvals for Residential Development</b>									
<b>Type</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>

									(To 17 May)
Single Dwelling	11	17	19	10	4	6	8	10	4
Grouped/Multiple Dwelling	0	0	3	2	0	0	0	0	0
Ancillary Dwelling	2	5	1	0	1	2	2	0	0

TABLE 4 - Building Approvals for Residential Development									
Type	2015	2016	2017	2018	2019	2020	2021	2022	2023 (To 17 May)
Single Dwelling	34	38	29	25	27	28	38	24	5
Grouped Dwellings	0	0	3	2	0	0	0	0	0
Multiple Dwellings	0	0	0	0	0	0	0	0	0
Ancillary Dwelling	2	5	1	0	1	2	2	0	0
<b>Total</b>	35	43	33	27	28	30	40	24	5

During this time period, 107 Development Approvals and 265 Building Permits were issued by the Shire for residential developments.

#### Commercial, Industrial and Tourism Development Activity

There were 270 Development Approvals and 361 Building Permits granted for non-residential development, predominantly for outbuildings, between 2015 and 2023. A breakdown of the number of Development Approvals issued annually for non-residential development, between 2015 and May 2023 is provided in the table below.

TABLE 5 - Planning Approvals for Non-Residential Development									
Type	2015	2016	2017	2018	2019	2020	2021	2022	2023 (To 17 May)
Commercial	3	3	5	1	2	0	2	1	1
Industrial	1	1	0	4	2	1	4	3	1

<b>Tourism</b>	3	4	1	2	1	4	2	7	4
<b>Home Occupation/Business</b>	4	4	0	1	0	1	1	0	0
<b>Rural</b>	2	1	4	2	2	2	2	2	1
<b>Outbuilding</b>	25	27	24	18	10	11	25	32	6

A breakdown of the number of Building Permits issued annually for non-residential development, excluding changes in building classification, between 2015 and May 2023, is provided in the table below.

<b>Table 6 - Building Approvals for Non-Residential Development</b>									
<b>Type</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023 (To 17 May)</b>
<b>New</b>	46	53	33	33	40	28	47	56	15
<b>Additions/Alterations</b>	9	4	3	5	5	4	6	2	4
<b>Fitouts</b>	0	1	1	1	3	9	1	5	0
<b>Total</b>	55	58	37	39	48	41	21	43	19

## **5 Population characteristics and change**

### Current population

In 2021, the district was home to around 4,234 residents. This compares to a population of 3,603 in 2011 and 3,278 in 1996 (Australian Bureau of Statistics). This represents an increase of 17.5% over the decade, or 1.75% annually. Over the life of the Scheme, this represents an increase of 29.2% or 1.2% annually.

### Population characteristics

The Shire is typical of a peri-urban locality with an aging population historically based upon a farming and primary industry background. There is a coastal area of the Shire which attracts retirees and it should be noted that town of Waroona also has a large, aged care facility which accommodates aging residents. It is also a large employer of health care workers. This trajectory indicates the future of the Shire will most likely be affected by a shortage of younger resident workers resulting in a lack of local labour and due to the aging population. The household expenditure is linked to this and so the goods and service offerings will probably contract due to the stagnant market (i.e. no young adults or families compared to the Mandurah urban area). Educational and work opportunities are largely the reason for a contracting number of resident young adults and families. There are not the tertiary educational and training opportunities within the Shire to retain school leavers; also, there is a lack of employment opportunities for other than blue-collar workforce.

### Housing

In terms of dwelling structures, the predominant form is separate house, which accounts for 92 percent of total housing stock. This accommodates 3,521 people. The follow dwelling typology is summarised below.

<b>Table 7 - Housing type</b>	<b>No.</b>	<b>People housed</b>
Separate house	1,459	3,521
Semi-detached	96	146
Apartment	0	0
Caravan	22	30
House attached to shop	3	6
<b>Total:</b>	<b>1,580</b>	<b>3,703</b>

\*Note: The disparity of 531 persons between total population and people housed is a culmination of dwelling structures not stated, improvised homes, visitors and people not home on census night.

In terms of persons per dwelling, the two persons cohort is the most common with 628 households. This is followed by one person (443 households), three persons (184 households), four persons (179 households), five persons (101 households) and six or more (45 households). The lack of housing diversity is of strategic significance because it raises a challenge for accommodating the mining and service trades workforce within the Shire. It leads to a DIDO (drive-in, drive-out) culture which is counter to social investment and syphons potential economic benefits of those industries out of the Shire.

A constraint to population growth is the lack of new housing stock being developed. This is mainly attributable to a substantial increase in construction prices, lower household incomes within the Shire, compared to the remainder of Western Australia, and a lack of new greenfield sites being developed that satisfy the expectations for the area.

Unless this can be a focus for development, the lack of housing variety and (anecdotally) supply and affordability will stifle the growth of the local community with workers and their families living outside of the Shire. This in turn has a spiral impact on local businesses and impacts demand for services such as banking, social services such as medical posts, schools and other necessary professional services.

#### Population projections

The population forecast set out in *WA Tomorrow* for Band C suggests that the district will grow to 4,700 in 2031. This represents 9.9% growth over the decade or 0.99% annual growth.

#### Key population issues

Some of the key population issues for the district include:

- Waroona is the major population centre in the district. Around 67% of the district's population live within Waroona;
- The district's population has grown over the past decade by 1.75% annually, however is likely to slow to 0.99%.
- The age distribution of the projected population is likely to change and age over time;
- There is a need to provide a wide range of housing to match household requirements including single person and two-person households;
- To accommodate the district's growing population and to facilitate economic development, a range of lots sizes will be required for residential, commercial and industrial purposes;
- Historically, the population has been highly dependent on primary industries – agriculture and resources. The Shire is seeking to grow and diversify the economy;



- There is a need to ensure that the Shire can service and support its population through housing diversity, services and facilities.

Noting the above, the new Strategy will seek to identify an adequate supply of land capable of accommodating urban and industrial development that is required during the lifespan of the Strategy.

## **6 Comment**

### **6.1 Key issues**

Based on the above section, some of the key issues with LPS7 include:

- Ensuring there is sufficient flexibility in the Scheme, where that is required, to allow for and promote land use and development.
- Provide for diversified economic development and employment opportunities.
- Provide for an increase in population through well located and better designed residential development.
- There are opportunities for urban infill, along with development of greenfield sites where land suitability, land capability and servicing requirements are appropriately addressed.
- There is a need to encourage further growth within the existing townsites to maximise the use of existing facilities and encourage new business development.
- Attracting growth to the existing townsites will require maintaining elements of the existing townsite character, improving services and infrastructure and achieving a high level of residential amenity.
- Limited protections for the environment.

### **6.2 Local Planning Scheme No. 7**

The Scheme is generally consistent with State Planning Policies, however, is outdated and has reached the end of its life. It does not take into consideration current and emerging trends, land use patterns and development and requires replacement.

#### **Is LPS7 capable of facilitating the type of development for which demand is anticipated?**

The Scheme can facilitate and guide the future demands of the Shire in the short term, however it is showing its age. Many land uses did not exist in 1996 or have changed their operational terms dramatically. What was once considered inappropriate for an area, is now complimentary e.g. a brewery in the rural zone. Increased density opportunities and provisions guiding how infill subdivision and development occurs needs to be addressed to ensure a high level of amenity is achieved and maintained.

#### **Is LPS7 fit-for-purpose in achieving good planning outcomes?**

The Shire considers that LPS7 is overall functioning reasonably well, however a new Scheme will assist to promote a modern fit-for-purpose statutory tool. In considering the functionality of LPS7, the following is relevant:

- It was gazetted on 17 December 1996;
- There are inconsistencies between the structure of the Scheme text and the Model Provisions contained within the Regulations;
- There are a number of zones, reserves, objectives and land use classifications and definitions that are inconsistent with the Model Provisions contained within the Regulations;

- There are opportunities to refine the Scheme text, objectives and provisions to assist in achieving the Shire's vision of being a sustainable place to live on nature's doorstep.

### **What amendments are required to LPS7?**

It is considered that a new LPS8 is warranted. This will:

- Address some local and unique land use development issues that have arisen since the Scheme was first gazetted and since recent amendments. This includes adding new land uses, reviewing the permissibility of some uses in the Zoning Table and updates to reflect a new Local Planning Strategy;
- Protect highly productive agricultural land;
- Allow flexibility in land use and development for a range of zones;
- Increase protections for vegetation that has biological and amenity significance;
- Correct identified administrative errors and anomalies;
- Ensure Scheme Maps reflect changes to, or anomalies with, cadastral boundaries resulting from zoning, subdivision and/or development and reflect Model Zone names;
- Ensure consistent terminology with the Regulations (e.g. there are eight rural zones and nine urban zones).
- Update existing urban development areas, normalising them through zoning, reserves and appropriate R-Coding.

In light of the above, it is considered more appropriate to prepare a new local planning scheme that will result in LPS7 being repealed.

### **6.3 Local Planning Strategy**

The Shire considers that the Strategy is overall functioning reasonably well, however a new Strategy will assist in promoting a modern fit-for-purpose strategic plan for land use and development over the next 15 years. In considering the functionality of the Strategy, the following is relevant:

- It was approved by the WAPC in August 2009;
- There are inconsistencies between the structure of the Strategy and the Local Planning Strategy Guidelines;
- There are a number of zones, reserves, objectives and land use classifications and definitions that are inconsistent or incompatible with current and emerging issues;
- There are opportunities to refine the Strategy, including its objectives so as to assist in achieving sustainable principles.

### **What amendments are required to the Strategy?**

It is considered that a new Strategy is warranted. This will:

- Identify new areas for land use and development opportunities, including an eco-rural-industrial precinct to diversify and stimulate the local economy;
- Identify areas appropriate for land use diversification which will foster new business – create a business incubator;
- Identify areas of significant environmental value that should be protected and enhanced – to inform new provisions in LPS8;
- Promote alternative economic activities in rural zones such as tourism and rural industries that take advantage of the Shire's natural settings and high amenity;

- Address some local and unique land use development issues that have arisen since the Strategy was approved. This includes adding new land uses and reviewing the appropriateness; and
- Guide the local planning framework to respond to a growing and aging population.

In light of the above, it is considered more appropriate to prepare a new local planning strategy that will result in the existing one being revoked.

## **7 Recommendation**

That Council, pursuant to Regulation 66(3), Division 1, Part 6, of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommend to the Western Australian Planning Commission that:

1. The Shire of Waroona Local Planning Scheme No. 7 should be repealed and a new Local Planning Scheme No. 8 be prepared in its place.
2. The Shire of Waroona Local Planning Strategy should be revoked and a new Local Planning Strategy be prepared in its place.
3. All structure plans and local development plans approved under the Scheme are satisfactory in their existing form.

## Appendix 1 – Scheme Amendments

AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
1	10/7/98	14/7/98	DH	Schedule 2 - adding Lots 20 and 21 of Wellington Location 3188 Southern Estuary Road, Waroona. (RR7)
8	17/11/00	21/11/00	DH	Schedule 2 - deleting section entitled "Coronation Road".
2	19/4/02	22/4/02	DH	<p>Schedule 2 - including in special provisions for 'Waroona Hills North'</p> <ul style="list-style-type: none"> <li>▪ in column (a) "Pt Murray Location 525 Nanga Brook Road, Waroona (Lots 1-7 Woodley Heights)".</li> <li>▪ inserting after (iii) new number (iv) to read "Subdivision of Pt Murray Location 525 Nanga Brook Road, Waroona shall be generally in accordance with the Subdivision and Development Guide Plan dated 14 March 2001 which forms part of the Scheme, or any variation approved by the Commission".</li> <li>▪ existing (iv) to be changed to (v).</li> <li>▪ sentence following (v) to read (changes in italics) "for lots 41-49 <i>Farrington Heights</i> and 107 <i>Woodley Heights</i> the following additional restrictions apply:"</li> <li>▪ commencing with (vi) clauses to be renumbered.</li> <li>▪ adding new clauses (x), (xi), (xii), (xiii) and (xiv).</li> </ul>
3	4/2/03	18/2/03	DH	Schedule 2 - adding Rural Residential area "Harvey River Waters" with relevant provisions. (R Res8)
9	29/4/03	30/1/03	DH	<p>Part 1 - deleting existing clause 1.2 and replacing with new clause "1.2 Responsible Authority".</p> <p>Part 4 - deleting existing clause 4.2.5 and replacing with new clause 4.2.5.</p> <p>Part 4 - deleting existing third dot point of clause 4.14.3 and replacing with point.</p> <p>Part 4 - deleting clause 4.14.6 and renumbering subsequent clauses.</p> <p>Part 4 - amending clause 4.14.11(c).</p> <p>Part 4 - deleting clause 4.15.2 and renumbering subsequent clauses accordingly.</p> <p>Part 4 - modifying clause 4.15.4 (a) to read: "4.15.4 (a) Where a building envelope is defined for the lot on a subdivision guide plan, the dwelling shall be confined to that envelope".</p> <p>Part 6 - deleting existing clause 6.1.2 and replacing with new clause 6.1.2.</p> <p>Part 6 - renumbering clause 6.11 as clause 6.13.</p> <p>Part 6 - inserting new clause 6.11 and Table 3 - Outbuildings.</p> <p>Schedule 1 - inserting new definition "Outbuilding".</p> <p>Part 6 - inserting clause "6.12 Building Height".</p> <p>Schedule 1 - inserting new definition "Natural Ground Level".</p> <p>Part 8 - deleting clause 8.4.</p> <p>Part 8 - renumbering clause 8.5 as clause 8.7.</p> <p>Part 8 - inserting new clause "8.4 Temporary Planning Approval".</p> <p>Part 8 - inserting new clause "8.5 Scope of Planning Approval".</p> <p>Part 8 - inserting new clause "8.6 Approval Subject to Later Approval of Details".</p> <p>Part 9 - deleting existing clause 9.6 and replacing with new clause "9.6 Delegation of Functions".</p>
14	19/8/05	16/8/05	Dh	Schedule 4 – adding additional use Area "Lot 228 (No. 52) South Western Highway, Waroona. (A1)
13	19/8/05	17/10/05	DH	Schedule 2 – inserting Rural Residential area R Res 9 – "Part Lot 16 and Lot 1209 Southern Estuary Road, Lake Clifton" together with permitted uses and control provisions.
15	17/2/06	21/2/06	DH	Schedule 2 – inserting Rural Residential area "Lot 2 Leavy Road, Waroona" together with permitted uses and control provisions. (R Res 10)
11	7/3/06	29/3/06	DH	Schedule 2 - Adding Rural Residential area "Lots 22, 23 and 25 Southern Estuary Road, Lake Clifton". (R Res 11)

AMDT NO	GAZETAL DATE	UPDATED		DETAILS
		WHEN	BY	
20	15/7/08	22/7/08	DH	Schedule 4 - inserting additional use area A2 being "Lot 25 (No. 11) Holmes Road, Lake Clifton" together with relevant conditions of use.
16	22/7/08	29/7/08	DH	Part 4 - adding new clause "4.17 Urban Development". Part 7 - adding new clause "7.4 Special Control Areas". Schedules - adding new schedule "Schedule 6 - Development Areas" and including Development Area DA1 "Lot 386 Hill Street & a portion of Pt Location 254 Elliot Street, Waroona" together with relevant requirements.
21	7/4/09	5/5/09	DH	Schedule 2 - inserting Rural Residential Area 10 being Lot 2942 Old Bunbury Road, Lake Clifton".
23	25/9/09	5/10/09	DH	Part 4 - adding Rural 7 - Rural Small Holdings Zone to Clause 4.1.1. Part 4 - inserting new Clause "4.16 Rural Small Holdings Zone" and renumbering subsequent clauses. Table 1 - modifying by introducing "18. Rural Small Holdings" zone" and applying relevant use classes and permissibilities. Schedules - adding new Schedule "Schedule 7 - Rural Small Holdings Zones" and include SRH1 area being Lots 84 & 85 Riley Road, Hamel.
22	30/3/10	7/4/10	NM	Deleted Clause 4.8.2 (a) and Clause 4.8.2 (b) and renumbered subsequent clauses.
18	23/4/2010	5/3/15	MLD	Insert Scheme Text – "Schedule 2 – Rural Residential Codes" Rezoning Lot 51 Southern Estuary Road, Lake Clifton from 'Rural 1 – General Farming' to Rural 6 – 'Rural Residential'
12	30/4/10	19/5/10	NM	Inserted "Home Business", "Equestrian Centre", "Horse Keeping – Commercial", "Horse Keeping – Hobby", "Stable", "Fuel Depot", "Transport Depot", "Milk Depot", "Ancillary Accommodation", "Winery", "Caravan Park" and "Park Home Park" into Table 1 – Zoning Table. Inserted new clause 6.1.2 (m) a Home Office. Inserted "Home Business", "Home Office", "Equestrian Centre", "House Keeping – Hobby", "House Keeping – Commercial", "Stable", "Ancillary Accommodation", "Winery", "Bed and Breakfast" and "Commercial Vehicle" into Schedule 1 – Interpretations. Deleted "Equestrian Activity" and "Horse Stables" from "Rural - Intensive Agriculture" in Schedule 1 – interpretations. Replaced the definition of "Fuel Depot" in Schedule 1 – Interpretations. Deleted the Use Class of "Depot" from the Zoning Table. Replaced all references to "R Codes" with "Residential Design Codes". Edited the definition "Caravan Park" in Schedule 1 – Interpretations. Removed "Caravan Park/Park Home Park" as a Use Class from Table 1 – Zoning table and replaced with "Caravan Park" and "Park Home Park". Reclassified "Kennels/Cattery" in Table 1 – Zoning Table. Replaced all references to the "Town Planning and Development Act 1928" with "Planning and Development Act 2005". Deleted Clause "xii" from Schedule 2 – Rural Residential Codes, Rural Residential 3 and renumbered subsequent numbers accordingly. Modified Rural Pursuit (Rural 6 – Residential Zone) in Table 1 – Zoning table to have a footnote reference "1" in addition to the present "AA" Classification. Inserted footnote at bottom of Table 1 – Zoning Table: "1 – Rural Pursuit is a "Use Not Permitted" in Rural Residential Precincts 3, 4, 6, 7, 8, 9, 10 and 11.
25	4/6/10	14/6/10	NM	Inserted "R Res12 – Lot 1 Weller Road, Waroona" into Schedule 2 – 'Rural Residential Codes – Zone Descriptions'. Modified "R Res3 (x)", "R Res7 (xi)", "R Res9 (iv)", "R Res10 (ii)" and "R Res 11 (iv)" in Schedule 2 – 'Rural Residential Codes – Zone Descriptions'.
26	18/6/10	25/6/10	NM	Modified Clause (i) of Schedule – 2 "Rural-Residential Area No 9".

AMDT NO	GAZETAL DATE	UPDATED		DETAILS
		WHEN	BY	
28	01/10/10	02/11/10	NM	Inserted "Lot 195 Weir Road, Waroona" into Schedule 2 – Rural Residential Codes.
4	07/02/12	13/03/12	NM	Inserted "Harvey River Woods" into schedule 2. Inserted clause 6.14 – Environmental conditions. Inserted Schedule 8 – Environmental conditions
17	07/02/12	13/03/12	NM	Inserted no. 17 into Schedule 8 – Environmental conditions.
31	04/04/14	07/05/14	ML	Clause 4.1.1 – introduce 'Rural 8 – Hills Landscape protection Zone' Clauses 4.17 and 4.18 renumbered Clause 4.17 – new clause inserted Table 1 – Zoning Table – introduce '19 Hills Landscape Protection' Schedule 9 – Hills Landscape Protection Zones – new schedule inserted
36	21/10/16	14/11/16	GM	Amended table in Schedule 7I by inserting additional text for Lot 15 Haub Rd, Lake Clifton
32	17/01/17	23/01/17	GM	<p>Changed references to "Town" Planning Scheme to "Local" Planning Scheme throughout the text.</p> <p>Modified the Scheme Text throughout to correctly state the current names of government agencies, legislation, local laws and policies including the change from the "Residential Planning Codes" to the "R-Codes".</p> <p>Addressed incorrect spelling.</p> <p>Changed Schedules from Roman numerals to standard numbering throughout the text.</p> <p>Replaced Clauses 1.1 – 1.5 and replaced with Clauses from the model provisions.</p> <p>Inserted new Clause 1.6.</p> <p>Inserted Clauses 10, 11, 12 as per the model provisions.</p> <p>Replaced Clause 1.6 with Clause 3 of the model provisions.</p> <p>Deleted Part II, Part V, Part VII, Part VIII, Part IX.</p> <p>Deleted Clauses 3.2, 3.3, 4.3, 4.4, 6.13.</p> <p>Modified the number of zones in sub clause 4.1.1 from 18 to 19.</p> <p>Modified Clause 4.2 with Clauses 17 &amp; 18 of the model provisions.</p> <p>Table 1 deleted and replaced with symbols that are consistent with the model provisions.</p> <p>Replaced Clause 4.9.3.</p> <p>Modified sub clauses 4.13.3, 4.14.3, 4.14.4, 4.14.9, 4.14.10, 4.16.8.</p> <p>Deleted "in accordance with Clauses 4.14.8 and 4.15.4" in the last bullet point of sub clause 4.14.1.</p> <p>Replaced sub clause 4.12.6, 4.15.8, 4.16.7.</p> <p>Inserted sub clause 4.12.8.</p> <p>Deleted sub clauses 4.14.8 – 4.14.11, 6.8.1, 6.8.2.</p> <p>Inserted Clauses 4.13, 4.20, 5.3, 5.12, 5.13, 5.15, 5.16, 5.20 – 5.24, 6.1, 6.2, 6.6.</p> <p>Added Clauses 19-24 of the model provisions and tables relocated to schedules to scheme text as required.</p> <p>Modified Clause 5.9.</p> <p>Renumbered Clause 6.7 as 5.10 and added "the" after "bedrock and".</p> <p>Renumbered Clause 6.8 as 5.11, renamed and added sub clauses 5.11.1 – 5.11.6.</p> <p>Replaced Table 2.</p> <p>Replaced Clauses 6.1, 6.2, 6.14 with Part 5 of the model provisions.</p> <p>Added Schedule A – Supplementary provisions to the deemed provisions.</p> <p>Added, deleted and modified interpretations to Schedule 1.</p> <p>Modified the numbering of Rural Residential Zones No. 10, "R Res 10" (former Lot 2942 Old Bunbury Road, Lake Clifton) to "R Res 11" and accordingly renumber "R Res 11 – R Res 14" to "R Res 12 – 15".</p> <p>Renumbered Schedule VIII to 8 and changed incorrect spelling of heading.</p> <p>Renumbered Appendix 1B "Decision on Application for Council's Planning Consent" to Appendix 2 and modify generally in accordance with the MST.</p> <p>Modified all references contained in the scheme to 'Clause 9.5</p>



AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
				Advertising of Applications' to Part 8 of the deemed provisions. Modified all references contained in the scheme to the preparation, assessment and approval of structure plans to Parts 4 to 6 of the deemed provisions as applicable. All details included in Schedule 3 – Special Use Zones, Schedule 4 – Additional Uses, Schedule 6 – Development Areas and Schedule 8 – Environmental Conditions be incorporated into the relevant tables within the scheme text and the appendices deleted. Renumbered Clauses and sub clauses and modified cross-referencing throughout the Scheme Text.
34	27/10/17	31/10/17	MLD	Adding reference to Portion of Lot 524 (No. 40) Look Road Waroona to Clause 3.21 (Additional Uses)
37	07/11/17	06/12/17	GM	Added the following provisions to Schedule A - Supplementary Provisions: 61(1(s) The erection or extension of a single house on a lot where shown as a 'P' use in the Zoning Table and all other requirements of the Scheme are met, except where the lot is zoned Rural Residential. 61(1(t) The erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house where shown as a 'P' use in the Zoning Table and all other requirements of the Scheme are met, except where the lot is zoned Rural Residential.
40	27/08/19	28/08/19	MLD	Modifying Clause 61(1)(s) of Schedule A – Supplementary Provisions.  Modifying Clause 61(1)(t) of Schedule A – Supplementary Provisions.
41	12/02/2021	14/02/2021	MLD	Changing the density coding applicable to Lot 3 (No. 34) Thatcher Street, Waroona from R12.5 to R30.  Amending the Scheme Maps accordingly.