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CITY OF KARRATHA

LOCAL PLANNING SCHEME NO. 8

Amendment No. 60

Summary of Amendment Details
Omnibus Amendment

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

City of Karratha Local Planning Scheme No. 8 Amendment No. 60

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Part I – Preliminary

- 1.1 Remove Clause 1.9.2 which reads “where a word or term is defined in the R Codes then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the R Codes, unless the word has been specifically redefined by Appendix 1.”

2. Part II – Reservations

- 2.1 Rezone portion of Lot 3000 on Deposited Plan 041697 from “Public Purpose: Telecommunications” Reserve to “Conservation, Recreation and Natural Landscapes” Reserve, as shown on the proposed Scheme Amendment map.
- 2.2 Amend Clause 4.3 (c) to read “Regard is given to the principles, policies and values of the Burrup Peninsula Land Use and Management Strategy and Burrup and Murujuga National Park Management Plan (as amended).”
- 2.3 Rezone portion of West Intercourse Island, West Mid Intercourse Island, Intercourse Island, Haycock Island, Sandy Island, Unnamed Island North of Sandy Island and Low Island from “Strategic Industry” or unzoned to “Conservation, Recreation and Natural Landscapes” Reserve, as shown on the proposed Scheme Amendment map.

3. Part III – Zones

- 3.1 Amend Clause 3.2.2 to read “The symbols used in the zoning table have the following meanings:
- | | |
|---|--|
| P | means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme; |
| D | means that the use is not permitted unless the local government has exercised discretion by granting development approval; |
| A | means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions; |
| I | means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme; |
| X | means that the use is not permitted by this Scheme” |

3.2 Introduce the following notes under Clause 3.2.2 to read:

“Notes for this Clause:

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

3.3 Remove land uses “Community Use”, “Motel”, “Motor Vehicle and/or Marine Service Station”, “Short Stay Accommodation” and “Tourist Resort” from the Zoning Table.

3.4 Amend provision of Urban Development and Industrial Development columns of the Zoning Table to read “Development and use of land shall have due regard to an approved structure plan or local development plan”

3.5 Insert the following land uses in the Zoning Table and renumber remaining land uses:

Zoning Table		Residential	Urban Development	Town Centre	Commercial	Tourism	Mixed Business	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	City Centre			
													Precinct 1 Retail Core	Precinct 2 Commercial	Precinct 3 Entertainment	Precinct 4 Accommodation
14	Tourist and Visitor Accommodation	X	Development and use of land shall have due regard to an approved structure plan or local development plan	D	X	P	X	X	X	Development and use of land shall have due regard to an approved structure plan or local development plan	A	A	A	A	A	A
19	Commercial Vehicle Parking	A		X	X	X	P	P	P		D	D	X	X	X	X
30	Renewable Energy Facility	X		X	X	X	X	D	D		D	X	X	X	X	X
50	Service Station	X		A	A	A	A	I	D		A	X	X	X	X	X
60	Community Purpose	A		D	D	D	X	X	X		X	I	D	P	D	D
65	Family Day Care	D		D	D	X	X	X	X		D	D	X	X	X	D

3.6 Amend the permissibility of the following land uses in the Zoning Table:

Zoning Table		Residential	Urban Development	Town Centre	Commercial	Tourism	Mixed Business	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	City Centre			
													Precinct 1 Retail Core	Precinct 2 Commercial	Precinct 3 Entertainment	Precinct 4 Accommodation
7	Home Occupation	P	De vel	P	P	P	X	X	X	De vel	P	P	P	P	P	P

3.7 Insert the following land uses from the Special Use Table into the Zoning Table and renumber remaining land uses:

Zoning Table		Residential	Urban Development	Town Centre	Commercial	Tourism	Mixed Business	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	City Centre			
													Precinct 1 Retail Core	Precinct 2 Commercial	Precinct 3 Entertainment	Precinct 4 Accommodation
35	Brewery	X	Development and use of land shall have due regard to an	A	A	A	A	X	D	Development and use of land shall have due regard to an	A	X	A	A	A	A
36	Convenience Store	X		P	P	I	D	X	I		X	X	P	P	P	P
53	Small Bar	X		A	A	A	X	X	X		X	X	D	D	D	A
59	Civic Use	A		D	D	D	D	X	D		X	X	D	P	D	D
75	Art Gallery	X		A	A	A	A	X	X		A	A	D	D	P	P
76	Cinema/Theatre	X		A	A	A	A	X	X		A	X	D	D	P	P
79	Exhibition Centre	X		A	A	A	A	X	X		A	X	D	D	P	P

3.8 Remove the Notes under Clause 3.2.3 which read:

- “1. The development approval of the local government is required for the development of land in addition to any approval granted for the use of the land. In normal circumstances one application is made for both the use and development of land.
2. The local government will not refuse a (P) use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may refuse or impose conditions on any development of the land.
3. In considering an (A) use, the local government will have regard to clause 64 and Part 9 of the deemed provisions
4. The local government must refuse to approve any (X) use of land.”

- 3.9 Amend Clause 3.2.5 to read “The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –
- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
 - (b) determine that the use may be consistent with the objectives of a particular zone and advertise under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
 - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone”
- 3.10 Replace all reference to “Community Use” and replace with “Community Purpose” in Table 1 – Special Use Zones.
- 3.11 Replace all reference to “Tourist Development” and replace with “Tourist and Visitor Accommodation” in Table 1 – Special Use Zones.
- 3.12 Insert the following Special Use provisions into Table 1 - Special Use Zones in Scheme Area:

No.	Description of Land	Special Use	Conditions
SU3	Lot 1 Wagari Drive, Baynton	<p>The following uses are:</p> <p>‘P’ uses: Single House Grouped Dwelling Multiple Dwelling</p> <p>‘D’ uses: Child Care Premises</p> <p>‘I’ uses: Office</p>	<p>(1) Residential density shall be R60.</p> <p>(2) All development is to comply with the provisions of any approved Local Development Plan over the site.</p>

4. Part IV – Development Objectives

- 4.1 Remove Clause 4.1.2 which reads “The local government shall, upon endorsement of structure plans, or parts of structure plans, ensure they are included in the City of Karratha Local Planning Policy Manual as a policy statement.”

5. Part V – General Development Requirements

- 5.1 Remove “and included in the Policy Manual” and “unless the local government resolves, from Clause 5.3.1 to read “Where residential development guidelines have been adopted in accordance with Part 2 of the deemed provisions, development within the Residential zone shall be in accordance with the intent of these guidelines, for a particular development application, to vary this intent.”
- 5.2 Remove Clause 5.3.2 which reads “A home occupation shall not be undertaken unless the local government has granted development approval. In considering an application for development approval the local government shall have regard for the Home Occupation Local Planning Policy in the Policy Manual.”, and renumber remaining.
- 5.3 Remove Clause 5.3.3 which reads “Notwithstanding the R Codes provisions, every dwelling shall be provided with a store room of not less than four square metres in floor area and with a minimum of internal dimension of not less than 1.5 metres. The store room shall be fully enclosed and have direct ground access from outside the building. Unless not able to reasonably used for any purposes other than storage, such as when forming

part of a garage, the storeroom shall have no direct internal access from the dwelling. It may form part of the main building structure or be a permanent outbuilding.”, and renumber remaining.

- 5.4 Amend Clause 5.4.1 to introduce “or local development plan” and remove “Part 4 of” to read “Before considering any proposal for subdivision or development of land within the Urban Development zone, a structure plan or local development plan may be prepared in accordance with the deemed provisions.”
- 5.5 Remove “and included in the Policy Manual”, “Part 2 of” and “unless the local government resolves” from Clause 5.4.3 to read “Where residential development guidelines have been adopted in accordance with Part 2 of the deemed provisions, development within the Urban Development zone shall be in accordance with the intent of these guidelines, for a particular development application, to vary this intent.”
- 5.6 Remove “contained in the Policy Manual” from Clause 5.6.1 to read “Development in the Town Centre, Commercial, Tourism, Mixed Business and City Centre zones shall be in accordance with the objective statement for each precinct contained in Part IV and any local planning policies.”
- 5.7 Amend Clause 5.6.2 to introduce “or local development plan” and remove “Part 4 of” to read “Prior to the local government considering any proposal for subdivision or development applications on land within the Town Centre, Commercial, Tourism, Mixed Business and City Centre zones, a structure plan or local development plan may be prepared in accordance with the deemed provisions.”
- 5.8 Remove “in the Policy Manual” from the first bullet point of Clause 5.7.3 to read “The development meeting or exceeding all of the provisions specified by a local planning policy.”
- 5.9 Remove “in the Policy Manual” from the first bullet point of Clause 5.7.4 to read “The development meets or exceeds all of the provisions specified by a local planning policy.”
- 5.10 Remove “in the Policy Manual” from Clause 5.8.1 to read “Development in the Strategic Industry, Industry and Industrial Development zones shall be in accordance with the Precinct Objectives statements contained in Part IV and any local planning policy.”
- 5.11 Insert Clause 5.8.3 to read “Notwithstanding the permissible land uses prescribed in the Zoning Table for Industry, Caretakers Dwelling are not permitted on Lot 4 Jager Street, Roebourne” and renumber remaining.
- 5.12 Remove “in the Policy Manual” from Clause 5.8.7 to read “When considering applications for development approval in the Industry or Industrial Development zones the local government shall not permit development to be set back less than five metres from the front boundary or buildings to cover more than fifty percent of the lot and shall have regard for any other minimum development standard contained in a local planning policy.”
- 5.13 Amend Clause 5.8.8 to read “The local government, in considering applications for subdivision/amalgamation shall not recommend approval of lots in the Industry or Industrial Development zones which are below 2000m².”
- 5.14 Amend Clause 5.8.9 to insert “or local development plan” and read “The purpose of the Industrial Development zone is to provide areas for future industrial estate development where development can occur, in accordance with an approved structure plan or local development plan, prior to amending the Scheme to incorporate detailed zones and reservations for particular lots”

- 5.15 Amend Clause 5.9.2 to read “Prior to the local government considering subdivision or development applications on land within the rural zones, a structure plan or local development plan may be prepared in accordance with the deemed provisions”
- 5.16 Amend Clause 5.11.4 to read “Where the amount of cash-in-lieu payable under clause 5.11.3 cannot be agreed it shall be determined by arbitration in accordance with the *Commercial Arbitration Act 2012* (as amended) or some other method agreed upon by the local government and the developer.”
- 5.17 Amend Clause 5.13.2 to read “The local government shall require developments to include safe and convenient parking facilities at identified common destinations for cycling trips. The provision of bicycle parking facilities shall be in accordance with the ratios set out in Australian Standard AS2890.3. These can be varied if the applicant can demonstrate a lower demand or extenuating circumstances.”
- 5.18 Remove Clause 5.13.3 that reads “When considering applications for development approval, the level of provision of bicycle parking facilities shall be in accordance with the ratios set down in the City’s Bikeplan or Australian standard AS 2890.3 (whichever is higher). These may be varied if the applicant can demonstrate a lower demand or extenuating circumstances.”
- 5.19 Remove “a moveable dwelling is not to be permitted as a caretaker’s dwelling for either permanent or temporary occupation” from Clause 5.14 (c) to read “if freestanding, a caretaker’s dwelling is required to be transportable”
- 5.20 Remove Clause 5.15 (c) which reads “a moveable dwelling is not to be permitted as driver’s accommodation” and renumber remaining.
6. Part VI – Special Control Areas
- 6.1 Remove the following wording from Clause 6.2.3.3 “An application for development within a Structure Plan Area for which a structure plan is not in place shall include an assessment of the effects of the proposal on:
- i) the provisions of Section 7.2.5.1 (a) to (l) in such detail as is considered necessary but the local government to determine the impact of the proposal on the purpose of the requirements of the structure plan area.
 - ii) those matters set out in Appendix 8 that the local government consider to be relevant to the proposal.
 - iii) the provisions of any design guides or local policies considered to be relevant to the area.
 - iv) any other matter the local government considers necessary to assess the application.”
- 6.2 Remove the note relating to Clause 6.2.3.3 which reads “The shaded text above forming part of clause 6.2.3.3 has no further effect as clauses referred have been deleted from the Scheme Text through AMD 46 and superseded by the deemed provisions, including clause 27. A further amendment to the Scheme is required to correct this error.”
7. Part VII – Non-Conforming Uses
- 7.1 Remove Clause 7.1 (c) which reads “subject to Clause 6.11.3, the continued display of advertisements which were lawfully erected, placed or displayed prior to the Gazettal Date.”
8. Schedule A – Supplemental Provisions
- 8.1 Amend title to read “Schedule A - Supplemental Provisions to the Deemed Provisions”

- 8.2 Introduce sentence to read “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* (as amended).”
- 8.3 Remove Clause 61 (1)(k)(ii) that reads “may be lawfully developed by the local government or public authority, unless the land is located in a storm surge risk area identified under clause 5.16.”
- 8.4 Remove Clause 61 (1)(l) which reads “the use of the land which is permitted (P) use in the zone in which the land is situated provided it does not involve the carrying out of any building or other works and the requirements of clause 3.2.4 have been satisfied.”
- 8.5 Remove Clause 61 (1)(m) which reads “the carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building.”
- 8.6 Remove Clause 61 (1)(n) which reads “the carrying out of works urgently necessary for public safety, the safety or security of plant or equipment or the maintenance of essential services.”
- 8.7 Remove Clause 61 (1)(p) which reads “the erection of a single house, including swimming pool(s), outbuilding(s) and ancillary works in a zone in which the house is a permitted (P) use, and not covered by the R Codes, except as otherwise provided in the Scheme.”
- 8.8 Remove Clause 61 (1)(r) which reads “the parking of a moveable dwelling where the local government has previously approved the use of the site for that purpose.”
- 8.9 Remove Clause 61 (1)(u) which reads “a children’s cubbyhouse”
- 8.10 Remove Clause 61 (1)(v) which reads “external lighting normal to a dwelling”
- 8.11 Remove Clause 61 (1)(x) which reads “signage, except as otherwise required by the Scheme”
- 8.12 Remove Clause 61 (1)(zd) which reads “routine repairs and maintenance, except otherwise required by the scheme, and”
- 8.13 Remove Clause 61 (1)(zf) which reads “Subject to the provisions of the Main Roads (Control of Advertisements) Regulations 1996, and notwithstanding the provisions of Part 7 of the deemed provisions, the local government’s prior development approval is not required in respect of those advertisements which are exempt from or otherwise satisfy the requirements for particular signs under a local planning policy. These exemptions do not apply to land, buildings, objects, structures and places include on the Heritage List or subject of an approved Structure Plan.”
- 8.14 Renumber all remaining supplemental provisions under Clause 61 (1) to be consistent with the Deemed Provisions starting from 22 and insert table with the following headers: Column 1 Works and Column 2 Conditions
- 8.15 Insert in the Table Item 22 to read under Column 1 Works: “the development of land in a reserve” and under Column 2 Conditions:
 - “1. Where such land is held by the local government or a public authority
 2. Where the proposed development is for the purpose for which the land is reserved under the Scheme”

- 8.16 Insert in the Table Item 23 to read under Column 1 Works: “the erection of a boundary fence in areas not covered by the R Codes” and under Column 2 Conditions:
- “1. The works comply with the City of Karratha Fencing Local Law”
- 8.17 Insert in the Table Item 24 to read under Column 1 Works: “the development of land in a rural setting” and under Column 2 Conditions:
- “1. Where there is an approved structure plan
2. The works comply with the development standards in the approved structure plan”
- 8.18 Insert in the Table Item 25 to read under Column 1 Works: “an anemometer” and under Column 2 Conditions:
- “1. If located on a site for less than three years
2. Where located in a residential area:
a. Less than 14 metres in height above the ground; or
b. Less than five metres in height is attached to a building”
- 8.19 Insert in the Table Item 26 to read under Column 1 Works: “Buildings or works associated with a circus or carnival” and under Column 2 Conditions “compliance with the publication *Circuses: code of practice for the conduct of circuses in Western Australia*”
- 8.20 Insert in the Table Item 27 to read under Column 1 Works: “a temporary structure or shipping container” and under Column 2 Conditions “for construction purposes and located on site for which a building licence has been granted”
- 8.21 Insert in the Table Item 28 to read under Column 1 Works “a satellite dish” and under Column 2 Conditions “where the diameter of the satellite dish does not exceed 1200 millimetres”
- 8.22 Insert in the Table Item 29 to read under Column 1 Works “an antenna” and under Column 2 Conditions:
- “1. The antenna is not located within the primary street setback
2. The antenna is not located within one metre of any property boundary
3. The antenna is not greater than 14 metres in height above the ground or five metres in height if attached to a building.”
- 8.23 Insert in the Table Item 30 to read under Column 1 Works “solar panels” and under Column 2 Conditions:
- “1. are physically attached to a building
2. does not form part of a minor utility installation or utility installation”
- 8.24 Insert in the Table Item 31 to read under Column 1 Works “the installation of, or alterations to, shade sails” and under Column 2 Conditions “the works are not located in a heritage protected place”
- 8.25 Insert in the Table Item 32 to read under Column 1 Works:
- (a) the carrying out of any mining operations authorised under the Mining Act 1978
(b) the doing of any lawful act, incident or conducive to mining operations; and
(c) any activity that is exempt from the requirement of development approval under any State Agreement Act.

- 8.26 Introduce “Advice Note re Mining Operations” under the Table that reads “where any mining operations, as that term is defined in section 8 of the Mining Act 1978, or any lawful act, incident or conducive to mining operations or any activity under a State agreement, within the terms of the exemption in item 33 above, is exempt from the requirement of development approval, assessment of the proposal from a planning perspective may nevertheless be required under the State Agreement or State Agreement Act, or for the purpose of a determination under the Mining Act 1978 or pursuant to a grant, approval or permit under the Act. If so, the proposal must be submitted to the local government to give due consideration to the effects and planning significance of the activity so as to enable informed comment to be given to the State or the relevant agency.”
- 8.27 Remove Clause 61 (2)(i) which reads “A family day care unless the land is located in a storm surge risk area identified under clause 5.16.”
- 8.28 Renumber all remaining supplemental provisions under Clause 61 (3) to be consistent with the Deemed Provisions starting from 10 and insert table with the following headers: Column 1 Use, Column 2 Zones and Column 3 Conditions.
- 8.29 Insert in the Table Item 10 to read Column 1 Use “Street trading” in Column 2 Zones to read “All zones” and Column 3 Conditions “If approved under the City of Karratha Activities in Thoroughfares and Public Places and Trading Local Law”
- 8.30 Insert in the Table Item 11 to read Column 1 Use “the keeping of bees” in Column 2 Zones “Rural” and Column 3 Conditions:
- “1. The land is outside a gazetted townsite
 2. The works comply with the City of Karratha Animals, Environment and Nuisance Local Law.”

9. Appendix 1 – Dictionary of Defined Terms

9.1 Introduce the following definitions from 1. General Definitions:

<i>commercial vehicle</i>	means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including –
	(a) a utility, van, truck, bus or earthmoving equipment; and
	(b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a)

9.2 Remove the following definitions from 1. General Definitions:

<i>absolute majority</i>	has the same meaning given to it in the <i>Local Government Act 1995</i> .
<i>aged person</i>	a person who is aged 55 years or over.
<i>battleaxe access leg</i>	a strip of land included in a Certificate of Title of a lot providing access to the lot from a public road.
<i>building</i>	any structure or associated appurtenance, whether fixed or moveable, temporary or permanent, placed or erected upon the land, and the term includes dwellings and buildings appurtenant to dwellings such as carports, garages, verandahs and retaining walls, but shall exclude a boundary fence, pergolas, garden sheds and the like and swimming pools where no part is more than 600mm above surrounding ground level.

car park	land or buildings used primarily for parking private cars or taxis, whether open to the public or not, but does not include any part of a public road used for parking or a taxi rank, or any land or building in which cars are displayed for sale.
dependent person	a person with a recognised form of disability requiring special accommodation for independent living or special care.
development	shall have the same meaning as in the <i>Planning and Development Act 2005</i> .
factory unit development	a building or structure, or group of buildings or structures on one lot, in which are carried on two or more separate industries or storage areas not owned or managed by the same person, or in which provision is made for the carrying on of two or more separate industries or storage areas not owned or managed by the same person.
Heritage Council	the Heritage Council of Western Australia established pursuant to the <i>Heritage of Western Australia Act 1990</i> .
inventory	the Municipal Inventory prepared and amended by the local government pursuant to Section 45 of the <i>Heritage of Western Australia Act 1990</i> .
landscaping or landscaped	land developed with or by the planting of vegetation, the recontouring or cut and fill of land, irrigation, placement of rocks, paving or laying of pathways and hard surfaces, creation of streams, wetlands and water features including swimming pools and may include other fixtures such as shelters or sculpture and art installation.
lot	<p>a defined portion of land:</p> <ul style="list-style-type: none"> • depicted on a plan or diagram publicly exhibited in the public office of the Department of and Administration or deposited in the Office of Titles or Registry of Deeds and for which a separate Crown Grant or Certificate of Title has been or can be issued, or • depicted on a subdivisional plan or diagram, whether so exhibited or deposited or not, but which is, whether before or after the coming into operation of the <i>Town Planning and Development Act 1956</i>, approved by the Western Australian Planning Commission <p>and includes the whole of the land the subject of a:</p> <ul style="list-style-type: none"> • Crown Grant issued under the <i>Land Act 1933</i>, or • certificate of title issued under the <i>Transfer of Land Act 1893</i>, or • survey into a lot pursuant to a direction given under section 17 of the <i>Land Act 1933</i>, or • part-lot shown on a plan of subdivision or diagram deposited in the Department of Land Administration, Office of Titles and Registry of Deeds, or • conveyance registered under the <i>Registration of Deeds Act 1856</i>.
moveable dwelling	a caravan as defined under the <i>Road Traffic Act 1974</i> (as amended), park home or other dwelling constructed and maintained on its own chassis and wheels and capable of mobility at all times, although it may be stabilised by jacks, provided with skirtings or designed and constructed to permit independent occupancy for dwelling purposes.
oversized vehicle	any vehicle greater than 2 metres in width or 5.5 metres in length and includes articulated trucks and road trains.

<i>policy manual</i>	the City of Karratha Land Use Planning Policy Manual being the collection of local planning policies adopted by the local government.
<i>publicly owned land</i>	land held by an authority with statutory responsibilities and this land may be owned as freehold land or be a Crown Reserve and vested with the authority.
<i>shipping container</i>	a container that is used in conjunction with commercial shipping
<i>structure plan</i>	plan which address the schematic layout of proposed development and lot boundaries in addition to various other matters as may be required by the Scheme and includes local structure plans, outline or comprehensive structure plans
<i>subdivision</i>	the amalgamation and/or subdivision of land to create new lots in addition to other activity requiring the approval of the Western Australian Planning Commission under Part III of the Act or a strata plan, strata plan of consolidation required to be accompanied by a certificate of approval given under Section 25 of the <i>Strata Titles Act 1985</i> .

9.3 Replace the following definitions from 1. General Definitions:

<i>precinct</i>	means a definable area where particular planning policies, guidelines or standards apply.
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9.4 Introduce the following land use definitions into 2. Land Use Definitions:

<i>car park</i>	means premises used primarily for parking vehicles whether open to the public or not but does not include — (a) any part of a public road used for parking or for a taxi rank; or (b) any premises in which cars are displayed for sale.
<i>commercial vehicle parking</i>	means premises used for parking of one or 2 commercial vehicles but does not include – (a) any part of a public road used for parking or for a taxi rank; or (b) parking of commercial vehicles incidental to the predominant use of the land.
<i>renewable energy facility</i>	means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.
<i>service station</i>	means premises other than premises used for a transport, panel beating, spray painting, major repairs or wrecking, that are used for – (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.

- tourist and visitor accommodation** (a) means a building, or groups of buildings forming a complex, that –
- (i) is wholly managed by a single person or body; and
 - (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
 - (iii) may include on-site services and facilities for use by guests; and
 - (iv) in the case of a single building – contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;
- and
- (b) includes a building or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment of an agent of the owner or manager; but
- (c) does not include the following –
- (i) an aged care facility as defined in the *Land Tax Assessment Act 2002* section 38A(1);
 - (ii) a caravan park;
 - (iii) hosted short-term rental accommodation;
 - (iv) a lodging-house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1);
 - (v) a park home park;
 - (vi) a retirement village as defined in the *Retirement Villages Act 1992* section 3(1);
 - (vii) a road house;
 - (viii) workforce accommodation.

9.5 Replace the following land use definitions into 2. Land Use Definitions in alphabetical order:

- abattoir** means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.
- child care premises** means premises where –
- (a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided; or
 - (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.
- education establishment** means premises for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.
- family day care** means premises where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided.
- home business** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession —

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

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

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m square metres; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not —
 - (i) require a greater number of parking spaces than normally required for a single dwelling; or
 - (ii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

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

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

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

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

market means premises used for the display and sale of goods from stalls by independent vendors.

<i>medical centre</i>	means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
<i>reception centre</i>	means premises used for hosted functions on formal or ceremonial occasions.
<i>recreation private</i>	— means premises that are — (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge.
<i>restaurant/café</i>	means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the <i>Liquor Control Act 1988</i> .
<i>restricted premises</i>	means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of – (a) publications that are classified as restricted under the <i>Classification (Publications, Films and Computer Games) Act 1995</i> (Commonwealth); or (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or (c) smoking related implements.
<i>tavern</i>	means premises the subject of a tavern licence granted under the <i>Liquor Control Act 1988</i> .

9.6 Remove the following definitions from 2. Land Use Definitions:

<i>aquaculture</i>	shall have the same meaning as given to the term in and for the purposes of the <i>Fish Resources Management Act 1994</i> .
<i>community use</i>	means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.
<i>dwelling</i>	a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by: <ul style="list-style-type: none"> • a single person, • a single family, • no more than six (6) persons who do not comprise a single family. It may be constructed on or transported to the site but does not include a movable dwelling.
<i>industry cottage</i>	– a business, professional service, trade or light industry producing arts and craft goods which cannot be carried out under the provisions relating to a ‘home occupation’ and which, in the opinion of the local government: <ul style="list-style-type: none"> (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood,

- (b) where operated in a residential zone, does not entail the employment of any person other than a member of the occupiers household,
- (c) is conducted in an out-building which is compatible with the principle uses to which land in the zone in which it is located may be put,
- (d) does not occupy an area in excess of 50m², and
- (e) does not display a sign exceeding 0.2m² in area.

motel means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licenced under the *Liquor Control Act 1988*.

motor vehicle and/or marine service station land or buildings used for the retail sale of petroleum products and motor vehicle or marine vessels accessories and may or may not include minor repairs, motor vehicle wash facilities, café/restaurant or sale of convenience items with a net lettable retail floor space not exceeding 300m².

public purpose, development or use for development or use of land which is required to be permanently located on publicly owned land as it offers a public service, operates in the public interest or requires coordination and supervision by a public authority. Development may be owned and/or operated by either public or private interest and may be the subject of a lease or other agreements as necessary. Development requiring coordination or supervision may or may not offer a service, or be of direct benefit, to the public.

short-stay accommodation premises used for accommodation that may be occupied by the same person(s) for a maximum period of three months within any twelve month period, and are not subject to a residential tenancy agreements (residential leases).

tourist development means a building, or group of buildings forming a complex, other than a bed and breakfast, or a caravan park or holiday accommodation, used to provide –

- (a) short-term accommodation for guests; and
- (b) onsite facilities for the use of guests; and
- (c) facilities for the management of the development.

tourist resort one or more commercial accommodation units together with a wide range of recreational and/or cultural facilities in a resort style setting. It may also include associated facilities such as a restaurant, bar or function room whether or not licensed under the *Liquor Control Act 1988*, which may be used by the occupants of the premises but, which are also available for use by non-occupant members.

wind energy facility premises used to generate electricity by wind force and includes any turbine, building or other structure used in, or in conjunction with, the generation of electricity by wind force but does not include turbines used principally to supply electricity for a domestic property, rural use of the land or anemometers.

10. Appendix 3 – Car Parking Requirements

10.1 Replace all reference of “Community Use” with “Community Purpose”.

10.2 Replace all reference of “Tourist Resort” with “Tourist and Visitor Accommodation”

10.3 Remove the following land uses:

NO.	DEVELOPMENT	CAR PARKING REQUIREMENTS
5	Drivers Accommodation	At the local government's discretion.
10	Motel	One per accommodation room, plus one per every five rooms for visitors and staff
15	Short-Stay Accommodation	One bay per single bedroom unit, one and one half bays per two bedroom unit, one and three quarter bays per three bedroom unit, and two and two bays per four bedroom unit.
17	Tourist Resort	At the local government's discretion.
25	Industry – Cottage	At the local government's discretion.
38	Wind Energy Facility	At the local government's discretion.
45	Motor Vehicle and/or Marine Service Station	One per motor vehicle repair bay, one per 20 square metres of net lettable sales area, one per six square metres of dining space, one per employee and in the case of marine service station at the local government's discretion.
69	Prison	At the local government's discretion.

10.4 Insert the following land uses and renumber remaining land uses:

NO.	DEVELOPMENT	CAR PARKING REQUIREMENTS
17	Tourist and Visitor Accommodation	At the local government's discretion.
30	Renewable Energy Facility	At the local government's discretion.
37	Brewery	One bay per 40 square metres of floor area.
38	Convenience Store	One per 20 square metres of net lettable area.
52	Service Station	One per motor vehicle repair bay, one per 20 square metres of net lettable sales area, one per six square metres of dining space and one per employee.
55	Small Bar	One bay per 20 square metres of bar and lounge area and One bay per 10 square metres of restaurant.
61	Civic Use	At the local government's discretion.
64	Corrective Institution	At the local government's discretion.
67	Family Day Care	At the local government's discretion.
76	Art Gallery	One per three square metres of gallery space
77	Cinema/Theatre	At the local government's discretion.
79	Exhibition Centre	One per three square metres of exhibition space.

10.5 Amend the following car parking requirements to read:

NO.	DEVELOPMENT	CAR PARKING REQUIREMENTS
24	Hire Service (Industrial)	One per 100 square metres of display area and one per employee, plus at the local government's discretion the provisions of commercial vehicle bays.

11. Appendix 4 – Additional Uses

11.1 Insert Clause 3.4 Additional Uses that reads:

“3.4 Additional Uses

3.4.1 Appendix 4 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.”

11.2 Insert the following additional uses:

Additional Use Entry No.	Description of Land	Base Classification	Additional Uses	Special Conditions
A10	Portion of Reserve No. 32465 (being Part of Lot 91 on Deposited Plan 091834)	Strategic Industry	Recreation – Private	<p>1. The recreation – private use shall be limited to a yacht/sailing club.</p> <p>2. Any development is subject to application for development approval by the local government.</p>
A11	Lot 1953 (30-32) Balmoral Road, Karratha	City Centre – Commercial	Service Station	The Additional Use specified shall be deemed to be a ‘D’ use for the purposes of the Scheme.
A12	Lot 1437 (15) Warambie Road, Karratha	City Centre – Commercial	Service Station	The Additional Use specified shall be deemed to be a ‘D’ use for the purposes of the Scheme.
A13	Lot 1076 (13-15) Searipple Road, Karratha	City Centre – Commercial	Service Station	The Additional Use specified shall be deemed to be a ‘D’ use for the purposes of the Scheme.

11.3 Amend Scheme Map to introduce Additional Use 10 for portion of Reserve No. 32465 (being Part of Lot 91 on Deposited Plan 091834).

11.4 Amend Scheme Map to introduce Additional Use 11 on Lot 1953 (30-32) Balmoral Road, Karratha.

11.5 Amend Scheme Map to introduce Additional Use 12 on Lot 1437 (15) Warambie Road, Karratha.

11.6 Amend Scheme Map to introduce Additional Use 13 on Lot 1076 (13-15) Searipple Road, Karratha.

12. Appendix 5 – Structure Plan Areas

12.1 Rezone the land within Development Area 9 (DA9) from “Urban Development” to “Residential” (applying the R-Codes of R12.5, R15, R17.5, R30 and R40), as shown on proposed Scheme Amendment Map.

12.2 Rezone Lot 1 Wagari Drive, Baynton within DA9 from “Urban Development” to “Special Use”, as shown on proposed Scheme Amendment Map.

12.3 Amend the Scheme Map for DA9 for Lots 24, 47, 72, 104, 105, 106, 121, 158, 218, 219, 236, 322, 363, 400, 430, 451, 500, 516, 517, 641, 668, 789, 790, 797, 812, 815, 887, 888, 920 and 4914 from ‘Urban Development’ to ‘Parks, Recreation and Drainage’ Reserve.

12.4 Amend the Scheme Map for DA9 for Lot 402 from “Urban Development” to “Public Purposes: Community” Reserve.

12.5 Amend the Scheme Map for DA9 for Lot 401 from “Urban Development” to “Public Purposes: Education” Reserve.

12.6 Rezone the land within Development Area 40 (DA40) from “Urban Development” to “Residential” (applying the R-Code R40), as shown on proposed Scheme Amendment Map.

- 12.7 Rezone the land within Development Area 45 (DA45) from “Urban Development” to “Residential” (applying the R-Code of R40), as shown on proposed Scheme Amendment Map.
- 12.8 Delete the rows for Development Area (DA) 9 and DA40 from Table 5 – Structure Plan Areas of the Scheme text.
- 12.9 Revoke the following Structures Plan in accordance with Clause 29A of the *Planning and Development (Local Planning Schemes) Regulations 2015* upon approval of proposed Scheme Amendment No. 60

Structure Plan Area No.	Structure Plan Area	Endorsement Date
DA9	Dampier Road, Baynton West, Karratha	15 October 2020
DA40	Lot 617 Shadwick Drive, Millars Well	30 April 2014
DA45	Lot 613 Wotherspoon Road, Millars Well	30 April 2014

- 12.10 Introduce the following row into Appendix 5 – Structure Plan Areas:

Development Area	Description of Land	Base Zoning	Structure Plan Special Conditions
DA58	Lot 9000 Bowerbird Drive, Nickol	Urban Development	<p>1. Structure Plan adopted to guide subdivision, land use and development.</p> <p>2. To provide for residential development.</p>

- 12.11 Amend the Scheme map to apply DA58 to cover Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 61, 62, 63, 64, 65, 66 and 9000 of Deposited Plan 074166.

13. Appendix 6 – Restricted Use

- 13.1 Insert Clause 3.5 to read:
“3.5 Restricted Uses

3.5.1 The Table sets out –

- a. Restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and
- b. The conditions that apply to that restricted use.

3.5.2 Despite anything contained in the zoning table, land that is specified in the Appendix 6 to subclause (1) may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.”

- 13.2 Include wording under Appendix 6 – Restricted Use that reads “There are no restricted uses which apply to the Scheme”
- 13.3 Amend Scheme Map to remove Restricted Use 1 from Lot 4 Jager Street, Roebourne.

14. Correction of Minor Scheme Map Errors and Omissions

- 14.1 Amend Scheme Map to rezone portion of Crockett Way, Millars Well from “Parks, Recreation and Drainage” to “Residential” (applying an R-Codes of R20).**
- 14.2 Amend Scheme Map to rezone Everett Link, Millars Well from “Parks, Recreation and Drainage” Reserve to “Local Road” Reserve.**
- 14.3 Amend Scheme Map to rezone Lot 260 MacLeod Street, Point Samson from “Tourism” to “Parks, Recreation and Drainage” Reserve.**
- 14.4 Amend Scheme Map to rezone Hillview Road, Karratha from “Parks, Recreation and Drainage” Reserve to “Local Road” Reserve.**
- 14.5 Amend Scheme Map to rezone Lot 3000 Sholl Street, Roebourne from “Residential” to “Public Purpose: Health” Reserve.**
- 14.6 Amend Scheme Map to rezone portion of Lot 100 Morse Court, Karratha from “Parks, Recreation and Drainage” Reserve to “City Centre: Precinct 2 Commercial”**
- 14.7 Amend Scheme Map to rezone portion of Ramirez Court and Stove Court, Wickham, from “Residential” to “Local Road” Reserve.**
- 14.8 Amend Scheme Map to rezone Lot 673 Ramirez Court and Lot 689 Stove Court, Wickham from “Local Reserve” to “Residential”**
- 14.9 Amend Scheme Map to rezone Lot 81 McCourt Street, Point Samson from “Residential” to “Parks, Recreation and Drainage”**
- 14.10 Amend Scheme Map to rezone portion of Prancing Avenue, Baynton from “Parks, Recreation and Drainage” to “Local Road”**
- 14.11 Amend Scheme Map to rezone portion of Gardugarli Drive, Baynton from “Parks, Recreation and Drainage” to “Local Road”**
- 14.12 Amend Scheme Map to rezone Reserve 49731 from “Urban Development” and “Rural” to “Parks, Recreation and Drainage”**
- 14.13 Amend Scheme Map to rezone portion of Rankin Road, Nickol from “Urban Development” to “Local Road”**
- 14.14 Amend Scheme Map to rezone Mof Road, Burrup from “Strategic Industry” to “Local Road”**
- 14.15 Amend Scheme Map to rezone portion of Lot 510 on Deposited Plan 406829 from “Parks, Recreation and Drainage” to “Public Purpose: Waste Disposal and Treatment”**
- 14.16 Amend Scheme Map to rezone Carse Street, Wickham from “Parks, Recreation and Drainage”, “Public Purpose: Hospital” and “Public Purpose: Education” to “Local Road”**
- 14.17 Amend Scheme Map to rezone Lot 4934 on Deposited Plan 40585 from “Parks, Recreation and Drainage” to “District Road”**
- 14.18 Amend Scheme Map to rezone portion of Lots 38, 39, 40, 41, 102, 103, 104, 105, 106, 107 and 108 on Deposited Plan 071037, portion of Lot 109 on Deposited Plan 075061, portion of Lots 115, 116 and 117 on Deposited Plan 076660, Lots 29, 30, 31 and 2000 on Deposited Plan 075062 and Lot 205 on Deposited Plan 076661 from “Local Road” to “Industrial Development”.**

- 14.19 Amend Scheme Map by extending Development Area 24 to include portion of Lots 38, 39, 40 and 41 on Deposited Plan 071037, portion of Lots 29, 30 and 2000 on Deposited Plan 075062, portion of Lot 205 on Deposited Plan 076661, Lots 2, 3, 4, 5, 6, 7, 8, 10 and 11 on Deposited Plan 071037, Lots 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322 and 323 on Deposited Plan 072637, Lot 201 on Deposited Plan 075042, Lot 202 of Deposited Plan 075044, Lot 203 of Deposited Plan 075060, Lots 9, 33, 35, 36, 37 of Deposited Plan 075062 and Lot 800 of Deposited Plan 413419.
15. Correction of Minor Scheme Text Errors and Omissions
- 15.1 In 3.1 Categories, remove “iii. Transient Workforce Accommodation”.
- 15.2 In Table 1, remove “aones” and replace with “zones”.
- 15.3 In 4.10 (b) remove “Ngoorea” and replace with “Gnoorea”
- 15.4 In 6.7.1 remove the “,” in the “Dampier Solar Salt Industry Agreement Act 1967”.
- 15.5 In 6.8 remove “6.8.3 Delete”.

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

1. The proposed amendment is consistent with the vision, objectives and goals of the City of Karratha’s Local Planning Strategy.
2. The proposed amendment is consistent with the aims and objectives of the Scheme, specifically where it relates to the objectives of the zones and precinct areas.
3. The proposed amendment is consistent with Structure Plans that have been approved under the Scheme for the land in which the amendments relate.
4. The proposed amendment will have a minimal impact on the land the subject of this Scheme amendment.
5. The proposed amendment will not result in any significant environmental, social, economic or governance impacts on the land in which this amendment relates.

Dated this _____ day of _____ 20____

(Chief Executive Officer)

1.0 INTRODUCTION

The City of Karratha Local Planning Scheme No. 8 (LPS 8) was originally gazetted on 22 August 2000 and has been subject to 33 amendments, including 2 omnibus Amendments and 31 to address specific requirements since gazettal. The last Omnibus Amendment was gazetted in 2018, when the Shire of Roebourne transitioned to the City of Karratha. The current amendment comes from a comprehensive review of LPS 8 to update the document in accordance with current legislation and to correct anomalies. This review has identified several amendments that need to be made to LPS 8. These amendments have been combined into this single Omnibus Amendment.

The intent and scope of the proposed amendment is to:

- Reflect development and strategic changes across the City, as described under the City's Local Planning Strategy and planning framework;
- Introduce new land uses and permissibility to guide development where appropriate;
- Introduce development standards to address land use planning issues identified by the City;
- Be more consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) and remove unnecessary red tape to the supplemental provisions; and
- Amend minor errors and omissions in LPS 8 text and maps.

2.0 LOCAL PLANNING CONTEXT

City of Karratha Local Planning Strategy 2021

The City of Karratha's Local Planning Strategy (Strategy) was endorsed by the Western Australian Planning Commission on 2 February 2021. The Strategy provides short to medium term outcomes and guides the City on long term opportunities towards being "Australia's most liveable regional city". The proposed amendment guides development that aligns with the Strategy through appropriate land use planning and development controls, particularly relating to:

- Hard-coding structure plans to reduce red-tape when considering residential development on certain lots;
- Introducing Renewable Energy Facility as a land use to facilitate sustainable energy sources;
- Introducing new commercial land use definitions to guide development of more diverse business opportunities;
- Facilitate the protection and expansion of the Murujuga National Park and Dampier Archipelago Island Conservation by rezoning portions of the islands for conservation purposes.

Murujuga National Park Management Plan and Dampier Archipelago Islands (World Heritage Nomination)

The Murujuga National Park was formally declared as a national park in 2013, after LPS 8 was gazetted. The Murujuga National Park Management Plan (Management Plan) was recently executed and provides additional guidance to land use planning for the Burrup Peninsula, whilst protecting the Murujuga National Park. The proposed amendment would include the Management Plan as a consideration for any development proposal or referral within the Burrup Peninsula Precinct.

On 11 August 2024 it was announced that West Intercourse Island will be transferred to the Murujuga Aboriginal Corporation for joint management with Department of Biodiversity, Conservation and Attractions as part of the Murujuga National Park. There are a number of Islands within the Dampier Archipelago that are intended to be transferred to Murujuga Aboriginal Corporation as part of this process. In preparation, the City is proposing these Islands be reserved for Environmental Conservation under LPS 8. This proposal is supported in-principle by the Department of Jobs, Tourism, Science and Innovation.

Baynton West Structure Plan

The Baynton West Structure Plan was originally approved by the Western Australian Planning Commission (WAPC) on 17 November 2011 and has been subject to two amendments, with approval having been granted on 10 December 2013 and 15 October 2020, respectively. Subdivision of the structure plan area has occurred, with the last stage of lots being sold on the private market at the time of writing this report. Due to the final subdivision stage being complete, the amendment proposes to normalise the structure plan area by transferring relevant zoning into LPS 8.

Lazy Lands Structure Plans

In 2013, Pilbara Cities introduced the “Lazy Lands” program which provided opportunity for surplus Crown reserves to be excised, transferred to freehold tenure and sold on the private market for the purpose of residential infill development. Many of the land parcels have been zoned Urban Development and structure plans prepared to guide future development. The City has identified two of the infill sites for which structure plans have been prepared, where the City considers that the land can be zoned Residential to provide for infill development without the need for a structure plan.

3.0 PROPOSED AMENDMENTS

3.1 Part I – Preliminary

Amendment No.	Proposed Amendment	Justification
1.1	Remove Clause 1.9.2 which reads “where a word or term is defined in the R Codes then notwithstanding	The intention of this Scheme Amendment is to ensure consistency in definitions across LPS 8 and the State

	<p>anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the R Codes, unless the word has been specifically redefined by Appendix 1”</p>	<p>planning framework, including the Residential Design Codes (R Codes). Several definitions are proposed to be removed or amended to reflect this legislation, as detailed more in the later sections of this report.</p> <p>It is noted that Clause 37(2) of the Model provisions for local planning schemes of the Regulations and Clause 1.9.1 of LPS 8 indicate that where the word or expression is not defined in the Scheme, it is the same definition as the <i>Planning and Development Act 2005</i> (the Act) or the Residential Design Codes. Where there are definitions in the Act, Regulations or R Codes, they will be removed from LPS 8 for on-going consistency.</p>
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3.2 Part II – Reservations

Amendment No.	Proposed Amendment	Justification
2.1	<p>Rezone portion of Lot 3000 on Deposited Plan 041697 from “Public Purpose: Telecommunications” to “Conservation, Recreation and Natural Landscapes” Reserve, as shown on the proposed Scheme Amendment map.</p>	<p>The existing Public Purpose: Telecommunications Reserve forms part of the Murujuga National Park. There are no plans to develop this land for telecommunications purposes.</p> <p>The Murujuga Aboriginal Corporation (MAC) plans to develop the land as part of the Murujuga Living Knowledge Centre and Tourism Precinct. MAC has requested that LPS 8 be amended to rezone the Public Purpose - Telecommunications Reserve to Conservation, Recreation and Natural Landscapes Reserve, consistent with the zoning for the surrounding National Park area to provide for development as part of the Murujuga Living Knowledge Centre and Tourism Precinct.</p> <p>This amendment reflects the current strategic vision for the Burrup Peninsula, as described in the Burrup Peninsula Land Use and Management Strategy</p>

		and Murujuga National Park Management Plan. The City's Local Planning Strategy identifies this portion of the Reserve for the purpose of "Conservation, Recreation and Natural Landscapes" to facilitate development of the area for conservation and/or tourism purposes.
2.2	Amend Clause 4.3 (c) to read "Regard is given to the principles, policies and values of the Burrup Peninsula Land Use and Management Strategy and Murujuga National Park Management Plan".	This amendment ensures that the Murujuga National Park Management Plan is considered when considering applications for land use planning and development over the Burrup Peninsula and Murujuga National Park.
2.3	Rezone portion of West Intercourse Island, West Mid Intercourse Island, Intercourse Island, Haycock Island, Sandy Island, Unnamed Island North of Sandy Island and Low Island from "Strategic Industry" or unzoned to "Conservation, Recreation and Natural Landscapes" Reserve, as shown on the proposed Scheme Amendment map.	<p>The Department of Jobs, Tourism, Science and Innovation is in the process of transferring previously identified but undeveloped industrial sites on these islands to the MAC to recognise that they are proposed to be added to the Murujuga National Park rather than developed for industry. To recognise the change of intent for these islands, the City is recommending that any portion of the subject islands currently zoned Strategic Industry be reserved for the purpose of Environmental Conservation.</p> <p>JTSI has indicated its support for these proposed amendments.</p>

3.3 Part III – Zones

Amendment No.	Proposed Amendment	Justification
3.1	<p>Amend Clause 3.2.2 to read "The symbols used in the zoning table have the following meanings:</p> <p>P means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme</p> <p>D means that the use is not permitted unless the local</p>	Wording updated to be consistent with the model provisions of the Regulations 2015. This does not change the intent of the clause or the zoning table.

	<p>government has exercised discretion by granting development approval</p> <p>A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions</p> <p>I the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of the Scheme</p> <p>X means that the use is not permitted by this Scheme”</p>	
3.2	<p>Introduce the following notes under Clause 3.2.2 to read: “Notes for this Clause:</p> <ol style="list-style-type: none"> 1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances 1 application is made for both the carrying out of works on, and the use of, land. 2. Under clause 61 of the deemed provisions, certain works and uses are exempt from the requirement for development approval. 3. Clause 67 of the deemed provisions deals with the consideration of applications for development approval by the 	<p>Wording to be updated to be consistent with the Regulations.</p>

	local government. Under that clause, development approval cannot be granted for development that is a class X use in relation to the zone in which the development is located, except in certain circumstances where land is being used for a non-conforming use.”	
3.3	Remove all reference of “Community Use” and all permissibility.	This amendment proposes to replace all reference to “Community Use” with “Community Purpose”, as defined in the Regulations 2015.
	Remove all reference of “Motel”, “Short Stay Accommodation” and “Tourist Resort” and all permissibility.	On 3 November 2024, amendments to the Regulations 2015 were introduced to address short-term accommodation (i.e. tourist and visitor accommodation). This has replaced the land uses Motel, Short Stay Accommodation, Tourist Development and Tourist Resort which are still used in LPS 8. As such, the proposed amendment is to bring the land use definitions of LPS 8 in line with the Regulations.
3.4	Amend provision under Urban Development and Industrial Development zones to read “Development and use of land shall have due regard to an approved structure plan or local development plan in accordance with the deemed provisions”	<p>The Regulations now provide two avenues to guide subdivision and built form:</p> <ol style="list-style-type: none"> 1. Structure Plans provide guidance for zoning and subdivision; and 2. Local Development Plans provide guidance on built form outcomes. <p>This provision provides flexibility for the City and potential developers to choose the best option for the site, whilst maintaining consistency with the Regulations.</p>
3.5	<p>Introduce the following land uses into the Zoning Table:</p> <ul style="list-style-type: none"> • Tourist and Visitor Accommodation • Commercial Vehicle Parking • Renewable Energy Facility • Service Station • Community Purpose • Family Day Care 	<p>This amendment provides for renewable energy facilities to be considered as a specific land use classification, in accordance with the Western Australian Planning Commission’s Position Statement: Renewable Energy Facilities and guidance on appropriate locations.</p> <p>The recommended change from Motor Vehicle and/or Marine Service Station to</p>

		<p>Service Station is consistent with land use terms in the Regulations.</p> <p>The introduction of Tourist and Visitor Accommodation is to be consistent with the Regulations amendments, introduced on 4 November 2024. This will replace “motel”, “short stay accommodation” and “tourist resort” (as described above)</p> <p>The introduction of Commercial Vehicle Parking and Family Day Care into the Zoning Table is to provide guidance as to where these land uses are considered appropriate.</p> <p>The introduction of Community Purpose is to replace the term Community Use, to be consistent with land use terms the Regulations.</p>
3.6	Amend land use permissibility for “Home Occupation”.	On 15 February 2021, the Regulations were amended and included Home Occupation being exempt in all zones, where single houses are permitted. This amendment ensures consistency with the Regulations 2015 (as amended) relating to “Home Occupation” permissibility.
3.7	<p>Introduce the following land uses from the Special Use Table to the Zoning Table and all permissibility:</p> <ul style="list-style-type: none"> • art gallery • brewery • cinema/theatre • civic use • convenience store • exhibition centre • small bar 	The proposed land uses are already defined under LPS 8 Land Use Definitions and contained within existing Special Use Zones. This amendment aims to provide land use permissibility for these land uses across the Scheme Area rather than just for particular Special Use Zones.
3.8	<p>Remove notes under Clause 3.2.3 that read:</p> <p>“Notes:</p> <p>1. The development approval of the local government is required for the development of land in</p>	Wording removed to be consistent with the Regulations. This is replaced via proposed Notes to Clause 3.2.2.

	<p>addition to any approval granted for the use of land. In normal circumstances one application is made for both the use and development of land.</p> <p>2. The local government will not refuse a (P) use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme and may refuse or impose conditions on any development of the land.</p> <p>3. In considering an (A) use, the local government will have regard to clause 64 and Part 9 of the deemed provisions.</p> <p>4. The local government must refuse to approve any (X) use of land.”</p>	
3.9	<p>Amend Clause 3.2.5 to read “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 –</p> <p>(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</p> <p>(b) determine that the use may be consistent with the objectives of a particular zone and advertise under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or</p>	<p>Part of the amendment includes removing the term “absolute majority”, it allows responsible officers the ability to determine applications in accordance with Delegations. Many of the applications previously determined by Council, due to this clause, are noted to be minor in nature based on context of the development. There is still the option for any development application to be referred to Council for a decision, if that is considered appropriate.</p> <p>The proposed wording is also consistent with the Regulations.</p>

	(c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone"	
3.10	Replace all reference of "Community Use" with "Community Purpose" in Table 1 – Special Use Zones	This is consistent with the Regulations.
3.11	Replace all reference to "Tourist Development" with "Tourist and Visitor Accommodation" in Table 1 – Special Use Table.	This is consistent with the Regulations as amended on 4 November 2024.
3.12	Insert Special Use provisions into Table 1 – Special Use Zones in Scheme Area to cover Lot 1 Wagari Drive, Baynton and introduce land use permissibility and conditions prescribed in Development Area 9 Baynton West Structure Plan.	The Structure Plan that covers this lot designates this lot as a Special Use Zone which permits Single House, Grouped Dwelling and Multiple Dwelling land uses, designates Child Care Premises as a Discretionary use and Office as an Incidental use. This amendment proposes to hard code this Structure Plan, meaning that this lot is required to be zoned "Special Use" and a line introduced into the Special Use zone that designates land use permissibility and conditions of development. It is proposed that the Structure Plan is revoked as part of this amendment.

3.4 Part IV – Development Objectives

Amendment No.	Proposed Amendment	Justification
4.1	Remove Clause 4.1.2 which reads "the local government shall, upon endorsement of structure plans, or parts of structure plans, ensure they are included in the City of Karratha Local Planning Policy Manual as a policy statement."	Structure Plans are not required to sit in a local planning policy manual as they are a stand-alone planning document when endorsed by the Western Australian Planning Commission (WAPC) under the Regulations.

3.5 Part V – General Development Requirements

Amendment No.	Proposed Amendment	Justification
5.1	Remove "and included in the Policy Manual" and "unless the local	The City does not have a "Policy Manual". The amendment removes

	government resolves” from Clause 5.3.1 to read “Where residential development guidelines have been adopted in accordance with Part 2 of the deemed provisions, development within the Residential zone shall be in accordance with the intent of these guidelines for a particular development application, to vary this intent.	“unless the local government resolves” as this insinuates that any development proposal that requires discretion is to be presented to Council for approval which is unnecessary for proposals that are considered appropriate by Delegated Officers.
5.2	Remove Clause 5.3.2 which reads “A home occupation shall not be undertaken unless the local government has granted development approval. In considering an application for development approval the local government shall have regard for the Home Occupation Local Planning Policy in the Policy Manual.”	On 15 February 2021, the Regulations were amended and included Home Occupation being exempt in all zones where single houses are permitted. This amendment ensures consistency with the Regulations (as amended) relating to “Home Occupation” permissibility.
5.3	Remove Clause 5.3.2 which reads “Notwithstanding the R Codes provisions, every dwelling shall be provided with a store room of not less than four square metres in floor area and with a minimum of internal dimension of not less than 1.5 metres. The store room shall be fully enclosed and have direct ground access from outside the building. Unless not able to reasonably used for any purposes other than storage, such as when forming part of a garage, the storeroom shall have no direct internal access from the dwelling. It may form part of the main building structure or be permanent outbuilding.”	A Supreme Court ruling handed down on 23 December 2024 (McComish v Shire of Peppermint Grove). The effect of this decision was that local planning schemes are unable to vary deemed-to-comply standards of the R Codes as it contradicts Section 257B(3) of the Act. The R Codes identify the appropriate avenue to vary deemed-to-comply standards, being through local planning policies or local development plans. The City has introduced this provision into its Local Planning Policy DP07 Residential Development Requirements in accordance with Part 2 of the deemed provisions. This is enforceable through Clause 61(1) of the deemed provisions which prescribe when residential development is exempt, being when it complies with the R Codes. Clause 1B of the deemed provisions define what “complies with the R Codes” means, which is when it also complies with any local planning policy and local development plan that varies the R Codes. As such, the

		transition from the Scheme to the local planning policy means this standard can continue to be imposed to Karratha residents in response to the cyclonic region.
5.4	Amend Clause 5.4.1 to read “Before considering any proposal for subdivision or development of land within the Urban Development zone, a structure plan or local development plan may be prepared in accordance with the deemed provisions.”	<p>The Regulations 2015 now provide two avenues to guide subdivision and built form:</p> <ol style="list-style-type: none"> 1. Structure Plans provide guidance for zoning and subdivision; and 2. Local Development Plans provide guidance on built form outcomes. <p>This provision provides flexibility for the City and potential developers to choose the best option for the site, whilst maintaining consistency with the Regulations.</p>
5.5	Remove “and included in the Policy Manual”, “Part 2 of” and “unless the local government resolves” from Clause 5.4.3 to read “Where residential development guidelines have been adopted in accordance with Part 2 of the deemed provisions, development within the Urban Development zone shall be in accordance with the intent of these guidelines, for a particular development application, to vary this intent.”	The City does not have a “Policy Manual”. The amendment removes “unless the local government resolves” as this insinuates that any development proposal that requires discretion is to be presented to Council for approval which is unnecessary for proposals that are considered appropriate by Delegated Officers.
5.6	Remove “contained in the Policy Manual” from Clause 5.6.1 to read “Development in the Town Centre, Commercial, Tourism, Mixed Business and City Centre zones shall be in accordance with the objective statement for each precinct contained in Part IV and any local planning policies.”	The City does not have a “Policy Manual”.
5.7	Amend Clause 5.6.2 to introduce “or local development plan” and remove “Part 4 of” to read “Before considering any proposal for subdivision or development applications on land within the Town	<p>The Regulations 2015 now provide two avenues to guide subdivision and built form:</p> <ol style="list-style-type: none"> 1. Structure Plans provide guidance for zoning and subdivision; and

	Centre, Commercial, Tourism, Mixed Business and City Centre zones, a structure plan or local development plan may be prepared in accordance with the deemed provisions.”	<p>2. Local Development Plans provide guidance on built form outcomes.</p> <p>This provision provides flexibility for the City and potential developers to choose the best option for the site, whilst maintaining consistency with the Regulations.</p>
5.8	Remove “in the Policy Manual” from the first bullet point of Clause 5.7.3 to read “the development meeting or exceeding all of the provisions specified by a local planning policy.”	The City does not have a “Policy Manual”.
5.9	Remove “in the Policy Manual” from the first bullet point of Clause 5.7.4 to read “the development meets or exceeds all of the provisions specified by a local planning policy.”	The City does not have a “Policy Manual”.
5.10	Remove “in the Policy Manual” from Clause 5.8.1 to read “Development in the Strategic Industry, Industry and Industrial Development zones shall be in accordance with the Precinct Objectives statements contained in Part IV and any local planning policy”	The City does not have a “Policy Manual”.
5.11	Insert Clause 5.8.3 to read “Notwithstanding the permissible land uses prescribed in the Zoning Table for the Industry zone, Caretakers Dwellings are not permitted on Lot 4 Jager Street, Roebourne” and renumber remaining.	Lot 4 is located within 500 metres of the Roebourne Wastewater Treatment Plant. The Water Corporation does not support any Residential uses within 500 metres of any Wastewater Treatment Plant. The City is introducing this clause to ensure that caretakers dwellings cannot be considered on this lot. No other residential land uses are permitted in the Industry zone.
5.12	Remove “in the Policy Manual” from Clause 5.8.7 to read “When considering applications for development approval in the Industry or Industrial Development zones the local government shall not permit development to be set back less than five metres from the front boundary or buildings to cover more than fifty percent of the lot and shall have regard for any other minimum	The City does not have a “Policy Manual”.

	development standard contained in a local planning policy.”	
5.13	Amend Clause 5.8.8 to read “The local government, in considering applications for subdivision/amalgamation shall not recommend approval of battleaxe lots, or lots in the Industry or Industrial Development zones which are below 2000m ² .”	<p>Issues with vehicle manoeuvrability can be experienced on Industrial zoned lots that are less than 2,000m², due to the size and configuration of vehicles that may be required to access industrial lots.</p> <p>As such, the City does not support Industrial zoned lots of less than 2000m². The majority of industrial development within the City of Karratha is located on lots that exceed 2000m², with lots in Gap Ridge ranging from approximately 2,900m² to 3ha.</p>
5.14	Amend Clause 5.8.10 to insert “or local development plan” and read “The purpose of the Industrial Development zone is to provide areas for future industrial estate development where development can occur, in accordance with an approved structure plan or local development plan, prior to amending the Scheme to incorporate detailed zones and reservations for particular lots”	<p>The Regulations now provide two avenues to guide subdivision and built form:</p> <ol style="list-style-type: none"> 1. Structure Plans provide guidance for zoning and subdivision; and 2. Local Development Plans provide guidance on built form outcomes. <p>This provision provides flexibility for the City and potential developers to choose the best option for the site, whilst maintaining consistency with the Regulations.</p>
5.15	Amend Clause 5.9.2 to introduce “or local development plan” to read “Prior to the local government considering subdivision or development applications on land within the rural zones, a structure plan or local development plan may be prepared in accordance with the deemed provisions”	<p>The Regulations now provide two avenues to guide subdivision and built form:</p> <ol style="list-style-type: none"> 1. Structure Plans provide guidance for zoning and subdivision; and 2. Local Development Plans provide guidance on built form outcomes. <p>This provision provides flexibility for the City and potential developers to choose the best option for the site, whilst maintaining consistency with the Regulations.</p>
5.16	Amend Clause 5.11.4 to read “Where the amount of cash-in-lieu payable under clause 5.11.3 cannot	This amendment updates the relevant legislation relating to cash-in-lieu, to

	be agreed it shall be determined by arbitration in accordance with the <i>Commercial Arbitration Act 2012</i> or some other method agreed upon by the local government and the developer.”	ensure consistency with relevant State legislation.
5.17	Amend Clause 5.13.2 to read “The local government shall require developments to include safe and convenient parking facilities at identified common destinations for cycling trips. The provision of bicycle parking facilities shall be in accordance with the ratios set out in Australian Standard AS2890.3. These can be varied if the applicant can demonstrate a lower demand or extenuating circumstances.”	This amendment removes reference to the Shire of Roebourne’s Bike Plan, which was a draft document in 1999 (presumably when this Scheme was being drafted). This is an outdated strategic document with an intention of providing commercial bicycle ratios within the local planning policy framework. It is considered appropriate to refer to the relevant Australian Standards in its place.
5.18	Remove Clause 5.13.3 that reads “When considering applications for development approval, the level of provision of bicycle parking facilities shall be in accordance with the ratios set down in the City’s Bikeplan or Australian standard AS 2890.3 (whichever is higher). These may be varied if the applicant can demonstrate a lower demand or extenuating circumstances.”	This amendment removes reference to the Shire of Roebourne’s Bike Plan, which was a draft document in 1999 (presumably when this Scheme was being drafted). This is an outdated strategic document with an intention of providing commercial bicycle ratios within the local planning policy framework. It is considered appropriate to refer to the relevant Australian Standards in its place.
5.19	Remove “a moveable dwelling is not to be permitted as a caretaker’s dwelling for either permanent or temporary occupation” from Clause 5.14(c) to read “if freestanding, a caretakers dwelling is required to be transportable”	Moveable dwelling is an outdated definition that now better fits under the term “caravan”. Caravans are a vehicle and cannot be considered a building and not able to be considered under the planning legislation. Caravans are legislated under the <i>Caravan Parks and Camping Grounds Act 1995</i> .
5.20	Remove Clause 5.15(c) which reads “a moveable dwelling is not permitted as drivers accommodation”	Moveable dwelling is an outdated definition that now better fits under the term “caravan”. Caravans are a vehicle and cannot be considered a building and not able to be considered under the planning legislation. Caravans are legislated under the <i>Caravan Parks and Camping Grounds Act 1995</i> .

3.6 Part VI – Special Control Areas

Amendment No.	Proposed Amendment	Justification
6.1	<p>Remove the following wording from Clause 6.2.3.3 which reads “An application for development within a Structure Plan Area for which a structure plan is not in place shall include an assessment of the effects of the proposal on:</p> <ul style="list-style-type: none"> i) the provisions of Section 7.2.5.1 (a) to (l) in such detail as is considered necessary by the local government to determine the impact of the proposal on the purpose or requirements of the structure plan area. ii) those matters set out in Appendix 8 that the local government consider to be relevant to the proposal. iii) the provisions of any design guides or local policies considered to be relevant to the area. iv) any other matter the local government considers necessary to assess the application.” 	<p>Removing this Clause aligns LPS 8 to in Parts 4 and 9 of the Regulations. As such, the amendment removes unnecessary information, as identified by the WAPC (as described in the note below).</p>
6.2	<p>Remove the note relating to Clause 6.2.3.3 which reads “The shaded text above forming part of cl.6.2.3.3 has no further effect as clauses referred have been deleted from the Scheme text through AMD 46 and superseded by the deemed provisions, including clause 27. A further amendment to the Scheme is required to correct this error.”</p>	<p>This amendment removes the note that addresses the above amendments to LPS 8.</p>

3.7 Part VII – Non-Conforming Uses

Amendment No.	Proposed Amendment	Justification
7.1	Remove Clause 7.1(c) which reads “subject to Clause 6.11.3, the continued display of advertisements which were lawfully erected, placed or displayed prior to the Gazettal Date.”	<p>This amendment is to remove a provision that references an outdated part of LPS 8.</p> <p>Clause 6.11.3 (which sat under Clause 6.11 - Control of Advertisements) was removed from the Scheme as part of Scheme Amendment No. 46, which rationalised the Scheme.</p>

3.8 Schedule A – Supplemental Provisions

Amendment No.	Proposed Amendment	Justification
8.1	Amend title to read “Schedule A – Supplemental Provisions to the Deemed Provisions”	This amendment is to provide clarity that these provisions are supplemental to the deemed provisions of the Regulations.
8.2	Introduce sentence to read “These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> ”	This amendment is to provide clarity that these provisions are supplemental to the deemed provisions of the Regulations.
8.3	Remove Clause 61.(1)(k)(ii) that read “may be lawfully developed by the local government or public authority, unless the land is located in a storm surge risk area identified under clause 5.16.”	Section 6 of the Act prescribes that local planning schemes cannot interfere with public works as defined in the <i>Public Works Act 1902</i> . This is being removed as it interferes with public works.
8.4	Remove Clause 61(1)(l) which reads “the use of the land which is permitted (P) use in the zone in which the land is situated provided it does not involve the carrying out of any building or other works and the requirements of clause 3.2.4 have been satisfied.”	<p>This is a duplication of the Regulations which exempts this type of development from requiring approval, where:</p> <p>“development that is a P use in relation to the zone in which the development is located, if –</p> <p>(i) the development has no works component; or</p> <p>(ii) development approval is not required for the works component of the development.”</p>

8.5	Remove Clause 61(1)(m) which reads “the carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building.”	This is a duplication of the Regulations which exempts this type of development from requiring approval, where: “Internal building work that does not materially affect the external appearance of the building”.
8.6	Remove Clause 61(1)(n) which reads “the carrying out of works urgently necessary for public safety, the safety or security of plant or equipment or the maintenance of essential services.”	This is a duplication of the Regulations which exempts this type of development from requiring approval, which reads “Works that are urgently necessary for any of the following: (a) Public safety; (b) The safety and security of plant or equipment; (c) The maintenance of essential services; (d) The protection of the environment.”
8.7	Remove Clause 61 (1)(p) which reads “the erection on a lot of a single house, including swimming pool(s), outbuilding(s) and ancillary works in a zone in which a single house is a permitted (P) use, and not covered by the R Codes, except as otherwise provided in the Scheme.	Regardless of zoning, the R Codes always apply to residential development. This is a duplication of the Regulations which exempts this type of development from requiring approval (within three separate provisions), which reads “The erection of, or alterations or additions to, a single house on a lot.” Where: “(a) The R-Codes apply to the works. (b) The works comply with the deemed-to-comply provisions of the R-Codes. (c) The works are not located in a heritage-protected place” or “The erection or installation of, or alterations or additions to, any of the following on the same lot as a single house or a grouped dwelling — (a) an ancillary dwelling; (b) an outbuilding; (c) an external fixture; (d) a boundary wall or fence;

		<p>(e) a patio; (f) a pergola; (g) a verandah; (h) a deck; (i) a garage; (j) a carport” where: “(a) The R-Codes apply to the works. (b) The works comply with the deemed-to-comply provisions of the R-Codes. (c) The works are not located in a heritage-protected place.”</p> <p>or</p> <p>“The installation of, or alterations or additions to, any of the following on the same lot as a single house or a grouped dwelling — (a) a swimming pool; (b) shade sails” where “the works are not located in a heritage-protected place.”</p>
8.8	Remove Clause 61(1)(r) which reads “the parking of a moveable dwelling where the local government has previously approved the use of the site for that purpose.”	<p>There is no land use definition or permissibility for moveable dwelling.</p> <p>It is noted that “moveable dwellings” are caravans, which are legislated under the <i>Caravan Parks and Camping Grounds Act 1995</i> and subsidiary legislation made under that Act. This is administered by the City’s Environmental Health team.</p>
8.9	Remove Clause 61(1)(u) which reads “a children’s cubbyhouse”	<p>This is a duplication of the Regulations which exempts this type of development from requiring approval, which reads “the erection or installation of a cubbyhouse” where: “(a) the cubbyhouse is not erected or installed in the street setback area of the building; (b) the floor of the cubby house is no more than 1 metre above the natural ground level (c) the wall height of the cubbyhouse is no more than 2.4 metres above the natural ground</p>

		<p>(d) the building height of the cubby house is no more than 3 metres above the natural ground level</p> <p>(e) the area of the floor of the cubbyhouse is no more than 10m²</p> <p>(f) the cubbyhouse is not erected or installed within 1 metre of more than 1 boundary of the lot.”</p> <p>These standards are considered appropriate to not impact on the amenity or privacy of adjoining properties.</p>
8.10	Remove Clause 61(1)(v) which reads “external lighting normal to a dwelling”	External lighting to a dwelling does not fall under the definition of “External Fixtures” in the Residential Design Codes. External lighting to a dwelling is therefore exempt from the requirement to obtain development approval without the need to be prescribed in the Scheme.
8.11	Remove Clause 61(1)(x) which reads “signage, except as otherwise required by the Scheme”	<p>This is a duplication of the Regulations which exempts signs from requiring approval where: “The temporary erection or installation of an advertisement” where it is in relation to an election, “the erection or installation of a sign of a class specified in a local planning policy or local development plan that applies to the works as not requiring development approval” and “Works to change an existing sign that has been erected or installed on land” where it is either exempt or has a valid development approval.</p> <p>The City has a local planning policy (DP22 – Advertising Signs) which prescribes when signs are exempt from requiring development approval.</p>
8.12	Remove Clause 61(zd) which reads “routine repairs and maintenance, except otherwise required by the scheme, and”	This is a duplication of the Regulations which exempts this type of development from requiring approval, where it meets “Maintenance and repair works”.
8.13	Remove Clause 61 (1)(zf) which reads “subject to the provisions of the Main Roads (Control of Advertisements) Regulations 1996,	This is a duplication of the Regulations which have an exemption for signage (as above).

	and notwithstanding the provisions of Part 7 of the deemed provisions, the local government's prior development approval is not required in respect of those advertisements which are exempt from or otherwise satisfy the requirements for particular signs under a local planning policy. These exemptions do not apply to land, buildings, objects, structures and places include on the Heritage List or subject of an approved Structure Plan"	
8.14	Renumber all remaining supplemental provisions under Clause 61 (1) to be consistent with the deemed provisions starting from 22 and insert table with the following headers Column 1 Works and Column 2 Conditions.	This is consistent with the format of the Regulations.
8.15	Insert in the Table Item 22 to read under Column 1 Works "the development of land in a reserve" and under Column 2 Conditions: "1. Where such land is held by the local government authority 2. Where the proposed development is for the purpose for which the land is reserved under the Scheme"	There are some minor amendments to the formatting to be consistent with the Regulations.
8.16	Insert in the Table Item 23 to read under Column 1 Works "the erection of a boundary fence in areas not covered by the R Codes" and under Column 2 Conditions: "1. The works are not located in a heritage protected place 2. The works comply with the City of Karratha Fencing Local Law"	There has been introduction of conditions to protect heritage places and ensure works comply with the relevant legislation.
8.17	Insert in the Table Item 24 to read under Column 1 Works "the development of land in a rural setting" and under Column 2 Conditions:	Amended format to be consistent with the Regulations.

	<p>“1. Where there is an approved structure plan 2. The works comply with the development standards in the approved structure plan”</p>	
8.18	<p>Insert the Table Item 25 to read under Column 1 Works “an anemometer” and under Column 2 Conditions:</p> <p>“1. If located on a site for less than three years 2. Where located in a residential area: a. less than 14 metres in height above the ground; or b. less than five metres in height is attached to a building”</p>	Amended format to be consistent with the Regulations.
8.19	<p>Insert in the Table Item 26 to read under Column 1 Works “Buildings or works associated with a circus or carnival” and under Column 2 Conditions “compliance with the public <i>Circuses: code of practice for the conduct of circuses in Western Australia</i>”</p>	Amended format to be consistent with the Regulations.
8.20	<p>Insert in the Table Item 27 to read under Column 1 Works “a temporary structure or shipping container” and under Column 2 Conditions “for construction purposes and located on site for which a building licence has been granted”</p>	Amended format to be consistent with the Regulations.
8.21	<p>Insert in the Table Item 28 to read under Column 1 Works “a satellite dish” and under Column 2 Conditions “where the diameter of the satellite dish does not exceed 1200 millimetres”</p>	Amended format to be consistent with the Regulations.
8.22	<p>Insert in the Table Item 29 to read under Column 1 Works “an antenna” and under Column 2 Conditions:</p> <p>“1. The antenna is not located within the primary street setback 2. The antenna is not located within one metre of any property boundary</p>	Amended format to be consistent with the Regulations.

	3. The antenna is not greater than 14 metres in height above the ground or five metres in height if attached to a building"	
8.23	<p>Insert in the Table Item 30 to read under Column 1 Works "solar collectors" and under Column 2 Conditions:</p> <p>"1. Are physically attached to a building 2. Does not form part of a minor utility installation or utility installation."</p>	Amended format to be consistent with the Regulations.
8.24	<p>Insert in the Table Item 31 to read under Column 1 Works "the installation of, or alterations to, shade sails" and under Column 2 Conditions "the works are not located in a heritage protected place"</p>	The Planning and Development (Local Planning Schemes) Regulations 2015 exempts shade sails where they are located on land in which the R Codes apply. The City is recommending that all shade sails are exempt. It is noted that any development is still subject to the requirements of the <i>Building Act 2011</i> .
8.25	<p>Insert in the Table Item 32 to read under Column 1 Works:</p> <p>"(a) the carrying out of any mining operations authorised under the Mining Act 1978 (b) the doing of any lawful act, incident or conducive to mining operations; and (c) any activity that is exempt from the requirement of development approval under any State Agreement Act"</p>	Amended format to be consistent with the Regulations.
8.26	<p>Introduce "Advice Note re Mining Operations" under the Table that reads "where any mining operations, as that term is defined in section 8 of the Mining Act 1978, or any lawful act, incident or conducive to mining operations or any activity under a State Agreement, within the terms of the exemption in Item 33 above, is exempt from the requirement of development approval, assessment of the proposal from a planning perspective may nevertheless be</p>	Amended format to be consistent with the Regulations.

	required under the State Agreement or State Agreement Act, or for the purpose of a determination under the Mining Act 1978 or pursuant to a grant, approval or permit under the Act. If so, the proposal must be submitted to the local government to give due consideration to the effects and planning significance of the activity so as to enable informed comment to be given to the State or the relevant agency.”	
8.27	Remove Clause 61(2)(i) which reads “A family day care unless the land is located in a storm surge risk area identified under clause 5.16.”	Family Day Care is introduced as a ‘D’ use in the Zoning Table, meaning there will not be an ability to exempt the land use. As such, it is proposed to be removed from the exemptions to development approval.
8.28	Renumber all remaining supplemental provisions under Clause 61 (3) to be consistent with the deemed provisions starting from 10 and insert table with the following headers: Column 1 Use, Column 2 Zones and Column 3 Conditions.	Amended format to be consistent with the Regulations.
8.29	Insert in the Table Item 10 to read Column 1 Use “street trading” in Column 2 Zones “all zones” and in Column 3 Conditions “if approved under the City of Karratha Activities in Thoroughfares and Public Places and Trading Local Law”	Included relevant local law
8.30	Insert in the Table Item 11 to read Column 1 Use “the keeping of bees” in Column 2 Zones “Rural” and Column 3 Conditions “1. The land is outside a gazetted townsite 2. The works comply with the City of Karratha Animals, Environment and Nuisance Local Law”	Included relevant local law

3.9 Appendix 1 – Definitions

The intention of this Scheme Amendment is to ensure consistency in definitions across the City of Karratha Local Planning Scheme No 8, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Residential Design

Codes. Several definitions are proposed to be removed and others amended to reflect this legislation. It is noted that Clause 37(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* indicates that where the word or expression is not defined in the Scheme, it is the same definition as the *Planning and Development Act 2005* or the Residential Design Codes.

Amendment No.	Proposed Amendment	Justification
9.1	<p>Introduce the following definition to 1. General Definitions:</p> <ul style="list-style-type: none"> commercial vehicle 	<p>This replaces an outdated definition of “oversized vehicle” which is proposed to be removed as part of this amendment. This also provides guidance when considering proposals to park “commercial vehicles” at residential properties. This approach is consistent with the Regulations.</p>
9.2	<p>Amend 1. General Definitions to remove the following definitions:</p> <ul style="list-style-type: none"> absolute majority; aged person; battleaxe access leg; building; car park; dependent person; development; factory unit development; Heritage Council; inventory; landscaping or landscaped; lot; moveable dwelling; oversized vehicle; policy manual; publicly owned land shipping container Structure plan; Subdivision. 	<p>‘absolute majority’, ‘factory unit development’ and ‘moveable dwelling’ are not referenced in LPS 8 because of this proposed amendment.</p> <p>The definition for ‘car park’ is proposed to be amended to be consistent with the Regulations and made a land use definition rather than a general definition.</p> <p>The Scheme does not need a definition for ‘Structure Plan’ because the Regulations includes definitions for ‘precinct structure plan’, ‘standard structure plan’ and ‘structure plan’.</p> <p>Definitions for ‘aged person’, ‘battleaxe access leg’ ‘building’, ‘dependent person’ and, ‘landscaping or landscaped’ are not required in the Scheme because they are appropriately defined in the Residential Design Codes.</p> <p>The definitions ‘development’, ‘Heritage Council’ ‘lot’ and ‘subdivision’ are defined in the Act so do not need to be defined in LPS 8.</p>

		The City does not currently have a 'Policy Manual'. As such, the definition should be removed.
9.3	<p>Amend 1. General Definitions to replace the following definitions:</p> <ul style="list-style-type: none"> • precinct. 	This amendment ensures consistency between the definition for precinct under the Regulations.
9.4	<p>Amend 2. Land Use Definitions to introduce the following land use definitions in alphabetical order:</p> <ul style="list-style-type: none"> • car park; • commercial vehicle parking; • renewable energy facility; • service station; • tourist and visitor accommodation. 	<p>This amendment would introduce 'car park' as a land use definition in accordance with the Regulations and the zoning table.</p> <p>This amendment would also introduce 'renewable energy facilities' as a separate land use that can be considered. The recommended definition is consistent with the WAPC's Planning Position Statement – Renewable Energy Facilities.</p> <p>'Service Station' is being introduced to replace the 'Motor Vehicle and/or Marine Service Station' as it is consistent with the Regulations.</p> <p>On 4 November 2024, amendments were made to the Regulations which remove "motel", "tourist development" and "tourist resort" and replaces them with "tourist and visitor accommodation".</p>
9.5	<p>Replace the following land use definitions in alphabetical order:</p> <ul style="list-style-type: none"> • abattoir; • child care premises; • education establishment; • family day care; • home business; • home occupation; • hotel; • industry; • industry – light; • market; • medical centre; • reception centre; • recreation – private; • restaurant/café; 	The recommended replacement definitions are consistent with the Regulations.

	<ul style="list-style-type: none"> • restricted premises; • tavern. 	
9.6	<p>Remove the following land use definitions:</p> <ul style="list-style-type: none"> • aquaculture; • community use; • dwelling; • industry – cottage; • motel; • motor vehicle and/or marine service station; • public purpose, development or use of; • short-stay accommodation; • tourist development; • tourist resort • wind energy facility. 	<p>These Land uses are no longer referenced within the zoning table and are inconsistent with the Regulations.</p>

3.10 Appendix 3 – Car Parking Requirements

Amendment No.	Proposed Amendment	Justification
10.1	Replace all reference to “Community Use” with “Community Purpose”	This amendment ensures consistency with the Regulations.
10.2	Replace all reference to “Tourist Resort” with “Tourist and Visitor Accommodation”	On 4 November, amendments were made to the Regulations 2015 which replaced “motel”, “tourist development” and “tourist resort” with “tourist and visitor accommodation”.
10.3	<p>Remove the following land uses from Appendix 3 – Car Parking Requirements:</p> <ul style="list-style-type: none"> • Drivers accommodation; • Motel; • Short Stay Accommodation; • Tourist Resort; • Industry – Cottage; • Wind Energy Facility; • Motor Vehicle and/or Marine Service Station; • Prison. 	<p>These land uses are no longer referenced in zoning table. This amendment ensures consistency with the Regulations.</p>
10.4	Insert the following land uses in Appendix 3 – Car Parking Requirements:	These land uses are also to be included in Appendix 3 – Car Parking Requirements, with the proposed

	<ul style="list-style-type: none"> • Art Gallery; • Brewery; • Cinema/Theatre; • Civic Use; • Convenience Store; • Corrective Institution; • Exhibition Centre; • Family Day Care; • Renewable Energy Facility; • Service Station; • Small Bar; • Tourist and Visitor Accommodation. 	<p>parking requirements detailed under section 10.4 of the attached Form 2A.</p> <p>For the following land uses, the car parking requirements are “At the local government’s discretion”:</p> <ul style="list-style-type: none"> • Cinema/Theatre • Civic Use • Corrective Institution • Family Day Care • Renewable Energy Facility • Tourist and Visitor Accommodation <p>This allows the City to assess car parking requirements based on the merits of the proposal.</p> <p>For Art Gallery, the standards proposed are “one per three square metres of exhibition space”</p> <p>For Brewery “one bay per 40m² floor area”</p> <p>For Convenience Store “One bay per 20 square metres of net lettable area”</p> <p>Exhibition Centre “One per three square metres of exhibition space”</p> <p>Service Station “One per motor vehicle repair bay, one per 20 square metres of net lettable sales area, one per six square metres of dining space and one per employee”</p> <p>Small Bar “One bay per 20 square metres of bar and lounge area and one bay per 10 square metres of restaurant”</p>
10.5	Amend the car parking requirements for Hire Service (Industrial) to read “One per square metres of display area and one per employee, plus at the local government’s discretion the provision of commercial vehicle bays”	<p>The term “oversized vehicle” is outdated and is being removed as part of this amendment. It is being replaced by “commercial vehicle”. This amendment replaces the term within the car parking requirements section.</p>

3.11 Appendix 4 – Additional Land Uses

Amendment No.	Proposed Amendment	Justification
11.1	<p>Insert Clause 3.4 Additional Uses that reads:</p> <p>“3.4 Additional Uses</p> <p>3.4.1 Appendix 4 sets out –</p> <p>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</p> <p>b. The conditions that apply to that additional use.”</p>	<p>This amendment ensures consistency with the Regulations 2015 and provides clarity on the purpose of Appendix 4 – Additional Uses Schedule.</p>
11.2	<p>Introduce “Private – Recreation” as an Additional Use to portion of the Strategic Industry zone, on Reserve 32465, with relevant development provisions.</p>	<p>This amendment allows for the continued operation of the Port Walcott Yacht Club and potential expansion, subject to development approval.</p>
	<p>Introduce Additional Uses for “Service Station” to reflect the existing development on the following lots:</p> <ul style="list-style-type: none"> • Lot 1953 (30-32) Balmoral Road, Karratha • Lot 1437 (15) Warambie Road, Karratha • Lot 1076 (13-15) Searipple Road, Karratha 	<p>The identified City Centre zoned lots are currently used for service stations.</p> <p>This amendment proposes ‘Service Station’ to be an ‘X’ use in the City Centre zone. Providing for Service Station as an additional use for these specific lots only would give these service stations use rights that would not apply to any other lots in the City Centre zone. The change of permissibility is to ensure we don’t have any further service stations within the City Centre. Service Stations generally impact the amenity of a Centre, reduce pedestrian safety, connectivity and risk contaminating the land, making re-development a significantly more costly exercise. Alongside the focus on the Karratha City Centres Precinct Structure Plan, this will contribute a more pedestrian friendly and connected City Centre.</p>

11.3	Amend Scheme Map to introduce Additional Use 10 for Portion of Reserve No. 32465 (being Part of Lot 91 on Deposited Plan 091834).	This amendment introduces the Additional Use to the Scheme maps.
11.4	Amend Scheme Map to introduce Additional Use 11 on Lot 1953 (30-32) Balmoral Road, Karratha.	This amendment introduces the Additional Use to the Scheme maps.
11.5	Amend Scheme Map to introduce Additional Use 12 on Lot 1437 (15) Warambie Road, Karratha.	This amendment introduces the Additional Use to the Scheme maps.
11.6	Amend Scheme Map to introduce Additional Use 13 on Lot 1076 (13-15) Searipple Road, Karratha	This amendment introduces the Additional Use to the Scheme maps.

3.12 Appendix 5 – Structure Plan Areas, including a Special Use Zone

Amendment No.	Proposed Amendment	Justification
12.1	Rezone the land within Development Area 9 (DA9) from “Urban Development” to “Residential” (applying the R-Codes of R12.5, R15, R17.5, R30 and R40) and ‘Special Use’, as shown on proposed Scheme Amendment Map.	This amendment normalises the Baynton West Structure Plan (in Development Area 9) into LPS 8. This area is subdivided and significantly developed, and the combination of Urban Development zone and Structure Plan is no longer necessary.
12.2	Rezone Lot 1 Wagari Drive, Baynton within DA9 from “Urban Development” to “Special Use” as shown on proposed Scheme Amendment Map.	The Structure Plan that covers this lot designates this lot as a Special Use Zone. This amendment proposes to hard code this Structure Plan, meaning that this lot is required to be zoned “Special Use”. It is proposed that the Structure Plan is revoked as part of this amendment.
12.2	Amend the Scheme Map for DA9 for Lots 24, 47, 72, 104, 105, 106, 121, 158, 322, 400, 500, 516, 517, 789, 887, 888 and 4914 from ‘Urban Development’ to ‘Parks, Recreation and Drainage’ Reserve.	This amendment normalises the Baynton West Structure Plan (in Development Area 9) into LPS 8. This area is subdivided and significantly developed, and the combination of Urban Development zone and Structure Plan is no longer necessary.
12.3	Amend the Scheme Map for DA9 for Lot 402 from “Urban Development” to “Public Purposes: Community” Reserve.	This amendment normalises the Baynton West Structure Plan (in Development Area 9) into LPS 8. This area is subdivided and significantly developed, and the combination of Urban Development zone and Structure Plan is no longer necessary.

12.4	Amend the Scheme Map for DA9 for Lot 401 from “Urban Development” to “Public Purposes: Education” Reserve.	This amendment normalises the Baynton West Structure Plan (in Development Area 9) into LPS 8. This area is subdivided and significantly developed, and the combination of Urban Development zone and Structure Plan is no longer necessary.
12.5	Rezone the land within Development Area 40 (DA40) from “Urban Development” to “Residential” (applying the R-Code R40), as shown on the proposed Scheme Amendment Map.	The subject site is already constrained by size and shape. It is considered that hard coding of this site is appropriate.
12.6	Rezone the land within Development Area 45 (DA45) from “Urban Development” to “Residential” (applying the R-Code of R40) as shown on the proposed Scheme Amendment Map	The subject site is already constrained by size and shape. It is considered that hard coding of this site is appropriate.
12.7	Delete the rows for Development Area (DA) 9 and DA40 from Appendix 5 – Structure Plan Areas of the Scheme text.	<p>This amendment normalises the Development Area 40 into LPS 8. This lot is of a size and shape that are expected to be able to accommodate residential development of the proposed density without having a detrimental impact on neighbouring properties.</p> <p>This amendment also normalises Development Area 9, which as been subdivided and developed. The Structure Plan is no longer needed.</p>
12.8	Revoke the following Structure Plans over Development Area (DA) 9, Dampier Road, Baynton West, Karratha endorsed by the Western Australian Planning Commission on 15 October 2020, in accordance with Clause 29A of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	The land subject to this Structure Plan is subdivided and significantly development, making this Structure Plan an unnecessary layer of legislation. It is recommended it is revoked as part of the normalisation process.
12.9	Introduce the following row into Appendix 5 – Structure Plan Areas: <ul style="list-style-type: none"> DA58 Lot 9000 Bowerbird Drive, Nickol (with special conditions) 	By including this Development Area designation on the relevant Scheme Map, it would give the related Structure Plan the statutory effect of the Scheme like all other structure plans..
12.10	Amend the Scheme map to apply DA58 to cover Lots 1, 2, 3, 4, 5, 6, 7,	By including this Development Area designation on the relevant Scheme

	8, 9, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 61, 62, 63, 64, 65, 66 and 9000 of Deposited Plan 074166.	Map, it would give the related Structure Plan the statutory effect of the Scheme like all other structure plans.
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3.13 Appendix 6 – Restricted Uses

Amendment No.	Proposed Amendment	Justification
13.1	<p>Insert Clause 3.5 to read:</p> <p>“3.5 Restricted Uses</p> <p>3.5.1The Table sets out –</p> <p style="padding-left: 40px;">(a) Restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and</p> <p style="padding-left: 40px;">(b) The conditions that apply to that restricted use.</p> <p>3.5.2 Despite anything contained in the zoning table, land that is specified in the Appendix 6 to subclause (1) may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.’</p>	<p>This amendment ensures consistency with the Regulations and provides clarity on the purpose of Appendix 6 – Restricted Uses Schedule.</p>
13.2	Introduce wording in Appendix 6 – Restricted Uses to read “There are no restricted uses which apply to this Scheme.”	The City is removing the Restricted Use (to be introduced appropriately via proposed Clause 5.8.3 of LPS 8)
13.3	Amend Scheme Map to remove Restricted Use 1 from Lot 4 Jager Street, Roebourne.	This amendment removes the Restricted Use from the Scheme Maps.

3.14 Minor Scheme Map errors and omissions

Amendment No.	Proposed Amendment	Justification
14.1	Amend Scheme Map to rezone portion of Crockett Way from “Parks, Recreation and Drainage” to “Residential” (applying an R-Codes of R20).	Under the Shire of Roebourne Local Planning Scheme No. 8 (as previously titled), this portion of Crockett Way was zoned ‘Residential’ with a density coding of R20. It is likely that the error occurred during the Scheme Conversion (Scheme Amendment No. 46) to the City of Karratha Local Planning Scheme No. 8. This amendment appropriately reflects the development of the land.
14.2	Amend Scheme Map to rezone Everett Link from “Parks, Recreation and Drainage” Reserve to “Local Roads” Reserve.	This amendment appropriately reflects the local road network and purpose of that Reserve.
14.3	Amend Scheme Map to rezone Lot 260 MacLeod Street, Point Samson from “Tourism” to “Parks, Recreation and Drainage” Reserve.	The current use of the lot is for the purpose of drainage. The intent of the amendment is to accurately reflect the use of the land.
14.4	Amend Scheme Map to rezone Hillview Road from “Parks, Recreation and Drainage” Reserve to “Local Road” Reserve.	There is a portion of Hillview Road which has been constructed as a road, but designated as Parks, Recreation and Drainage. The intention is to amend the scheme to reflect the current use of the reserve area.
14.5	Amend Scheme Map to rezone Lot 3000 Sholl Street, Roebourne from “Residential” to “Public Purpose: Health” Reserve.	During the change from Local Planning Scheme No. 7 to LPS 8, the Scheme Map incorrectly designated the Lot 3000 Sholl Street, Roebourne from Health Reserve to Residential. This amendment is to correct this error.
14.6	Amend Scheme Map to rezone portion of Lot 100 Morse Court from “Parks, Recreation and Drainage” Reserve to “City Centre: Precinct 2 Commercial”	This portion of Reserve is contained within privately owned lot that is used for an approved residential development. The intent of the amendment is to accurately reflect the use of the lot.
14.7	Amend Scheme Map to rezone portion of Ramirez Court and Stove Court, Wickham, from “Residential” to “Local Road” Reserve.	There is a portion of Ramirez Court that has been constructed as a road but zoned Residential. The intention is to amend the scheme to reflect the current use of the reserve area.
14.8	Amend Scheme Map to rezone Lot 673 Ramirez Court and Lot 689	Lot 673 (No. 23) Ramirez Court and Lot 689 (No. 16) Stove Court, Wickham have been developed as Residential

	Stove Court from "Local Reserve" to "Residential"	land. One lot is privately owned and the other is subject to a lease agreement with the State of Western Australia. The purpose of the amendment is to reflect the use of the land.
14.9	Amend Scheme Map to rezone Lot 81 (No. 2) McCourt Street, Point Samson from "Residential" to "Parks, Recreation and Drainage"	During the change from Local Planning Scheme No. 7 to Local Planning Scheme No. 8, the Scheme Map incorrectly designated Lot 81 McCourt Street, Point Samson from Drainage Reserve to Residential. This amendment is to correct this omission.
14.10	Amend Scheme Map to rezone portion of Prancing Avenue, Baynton from "Parks, Recreation and Drainage" to "Local Road"	This amendment appropriately reflects the local road network and purpose of that Reserve.
14.11	Amend Scheme Map to rezone portion of Gardugarli Drive, Baynton from "Parks, Recreation and Drainage" To "Local Road"	This amendment appropriately reflects the local road network and purpose of that Reserve.
14.12	Amend Scheme Map to rezone Reserve 49731 from "Urban Development" and "Rural" to "Parks, Recreation and Drainage"	This amendment appropriately reflects the use and purpose of the Reserve.
14.13	Amend Scheme Map to rezone portion of Rankin Road, Nickol from "Urban Development" to "Local Road"	This amendment appropriately reflects the local road network and purpose of that Reserve.
14.14	Amend Scheme Map to rezone Mof Road, Burrup from "Strategic Industry" to "Local Road"	This amendment appropriately reflects the local road network and purpose of that Reserve.
14.15	Amend Scheme Map to rezone portion of Lot 510 on Deposited Plan 406829 from "Parks Recreation and Drainage" to "Public Purpose: Waste Disposal and Treatment"	This amendment appropriately reflects the use and purpose of the Reserve.
14.16	Amend Scheme Map to rezone Carse Street, Wickham from "Parks, Recreation and Drainage" to "Local Road"	This amendment appropriately reflects the local road network and purpose of that Reserve.
14.17	Amend Scheme Map to rezone Lot 4934 on Deposited Plan 40585 from "Parks, Recreation and Drainage" to "District Road"	This amendment appropriately reflects the district road network and purpose of that Reserve.
14.18	Amend Scheme Map to rezone portion of Lots 38, 39, 40, 41, 102, 103, 104, 105, 105, 106, 107 and	The Scheme Map still identifies an old Road Reserve, which has since been removed for the development of the Gap

	108 on Deposited Plan 071037, portion of Lot 109 on Deposited Plan 075061, portion of Lots 115, 116 and 117 on Deposited Plan 076660, Lots 29, 30, 31 and 2000 on Deposited Plan 075062 and Lot 205 on Deposited Plan 076661 from "Local Road" to "Industrial Development".	Ridge Industrial Estate. The proposal is to remove the designation of road reserve and extend the Industrial Development zone to cover the entire Gap Ridge Industrial Estate Structure Plan Area.
14.19	Amend Scheme Map by extending Development Area 24 to include portion of Lots 38, 39, 40 and 41 on Deposited Plan 071037, portion of Lots 29, 30 and 2000 on Deposited Plan 075062m, portion of Lot 205 on Deposited Plan 076661, Lots 2, 3, 4, 5, 6, 7, 8, 10 and 11 on Deposited Plan 071037, Lots 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323 on Deposited Plan 072637, Lot 201 on Deposited Plan 075042, Lot 202 on Deposited Plan 075044, Lot 203 on Deposited Plan 075060, Lots 9, 33, 35, 36, 37 on Deposited Plan 075062 and Lot 800 on Deposited Plan 413419.	The Gap Ridge Industrial Estate Structure Plan boundaries exceed the Development Area on the Scheme Map. This amendment is to ensure all land that is covered by the Structure Plan is subject to the statutory effects of the Scheme.

3.15 Minor Scheme Text errors and omissions

Amendment No.	Proposed Amendment	Justification
15.1	In 3.1 Categories, remove "iii. Transient Workforce Accommodation"	The Transient Workforce Accommodation zone was removed through approved Scheme Amendment No. 39 in 2019. Reference to the Transient Workforce Accommodation zone in clause 3.1 is a remnant from before Scheme Amendment No.39 removed the zone. This amendment would remove this legacy reference to the Transient Workforce Accommodation zone.
15.2	In Table 1, remove "aones" and replace with "zones"	This amendment removes a spelling error.
15.3	In Clause 4.10 (b) remove "Ngoorea" and replace with "Gnoorea"	Amending spelling error.

15.3	In 6.7.1 remove the “,” in the “Dampier Solar Salt Industry Agreement Act 1967”	This amendment removes a grammatical error.
15.4	In 6.8 remove “6.8.3 Delete”	Clause 6.8.3 was deleted via approved Scheme Amendment No. 46 in 2018 but has been replaced by the word “Delete”. This amendment would fully remove the clause.

5.0 CONCLUSION

Scheme Amendment No. 60 seeks to:

- provide minor amendments to ensure the Scheme is consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- update Scheme provisions and zoning to accurately reflect changes and development that has occurred across the City;
- introduce land use classifications that reflect current conventions and support diversification of sustainable industries; and
- amend minor errors and omissions.

Scheme Amendment No. 60 has been prepared as a standard scheme amendment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

1. The proposed amendment is consistent with the vision, objectives and goals of the City of Karratha’s Local Planning Strategy.
2. The proposed amendment is consistent with the aims and objectives of the Scheme, specifically where it relates to the objectives of the zones and precinct areas.
3. The proposed amendment is consistent with Structure Plans that have been approved under the Scheme.
4. The proposed amendments will have a minimal impact on the land to which the Scheme amendment relates.
5. The proposed amendment will not result in any significant environmental, social, economic or governance impacts on the land to which this amendment relates.

The support of the Western Australian Planning Commission is requested.

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

City of Karratha Local Planning Scheme No. 8 Amendment No. 60

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Part I – Preliminary

- 1.1 Remove Clause 1.9.2 which reads “where a word or term is defined in the R Codes then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the R Codes, unless the word has been specifically redefined by Appendix 1.”**

2. Part II – Reservations

- 2.1 Rezone portion of Lot 3000 on Deposited Plan 041697 from “Public Purpose: Telecommunications” Reserve to “Conservation, Recreation and Natural Landscapes” Reserve, as shown on the proposed Scheme Amendment map.**
- 2.2 Amend Clause 4.3 (c) to read “Regard is given to the principles, policies and values of the Burrup Peninsula Land Use and Management Strategy and Burrup and Murujuga National Park Management Plan (as amended).”**
- 2.3 Rezone portion of West Intercourse Island, West Mid Intercourse Island, Intercourse Island, Haycock Island, Sandy Island, Unnamed Island North of Sandy Island and Low Island from “Strategic Industry” or unzoned to “Conservation, Recreation and Natural Landscapes” Reserve, as shown on the proposed Scheme Amendment map.**

3. Part III – Zones

- 3.1 Amend Clause 3.2.2 to read “The symbols used in the zoning table have the following meanings:**
- | | |
|----------|--|
| P | means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme |
| D | means that the use is not permitted unless the local government has exercised discretion by granting development approval |
| A | means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions |

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

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

3.2 Introduce the following notes under Clause 3.2.2:

“Notes for this clause:

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

3.3 Remove land uses “Community Use”, “Motel”, “Motor Vehicle and/or Marine Service Station”, “Short Stay Accommodation” and “Tourist Resort” from the Zoning Table.

3.4 Amend provision of Urban Development and Industrial Development columns of the Zoning Table to read “Development and use of land shall have due regard to an approved structure plan or local development plan”

3.5 Insert the following land uses in the Zoning Table and renumber remaining land uses:

Zoning Table		Residential	Urban Development	Town Centre	Commercial	Tourism	Mixed Business	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	City Centre			
													Precinct 1 Retail Core	Precinct 2 Commercial	Precinct 3 Entertainment	Precinct 4 Accommodation
14	Tourist and Visitor Accommodation	X	Development and use of land shall have due regard to an approved structure plan or local development plan	D	X	P	X	X	X	Development and use of land shall have due regard to an approved structure plan or local development plan	A	A	A	A	A	A
19	Commercial Vehicle Parking	A		X	X	X	P	P	P		D	D	X	X	X	X
30	Renewable Energy Facility	X		X	X	X	X	D	D		D	X	X	X	X	X
50	Service Station	X		A	A	A	A	I	D		A	X	X	X	X	X
60	Community Purpose	A		D	D	D	X	X	X		X	I	D	P	D	D
65	Family Day Care	D		D	D	X	X	X	X		D	D	X	X	X	D

3.6 Amend the permissibility of the following land uses in the Zoning Table:

Zoning Table		Residential	Urban Development	Town Centre	Commercial	Tourism	Mixed Business	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	City Centre			
													Precinct 1 Retail Core	Precinct 2 Commercial	Precinct 3 Entertainment	Precinct 4 Accommodation
7	Home Occupation	P	De vel	P	P	P	X	X	X	De vel	P	P	P	P	P	P

3.7 Insert the following land uses from the Special Use Table into the Zoning Table and renumber remaining land uses:

Zoning Table		Residential	Urban Development	Town Centre	Commercial	Tourism	Mixed Business	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	City Centre			
													Precinct 1 Retail Core	Precinct 2 Commercial	Precinct 3 Entertainment	Precinct 4 Accommodation
35	Brewery	X	Development and use of land shall have due regard to an	A	A	A	A	X	D	Development and use of land shall have due regard to an	A	X	A	A	A	A
36	Convenience Store	X		P	P	I	D	X	I		X	X	P	P	P	P
53	Small Bar	X		A	A	A	X	X	X		X	X	D	D	D	A
59	Civic Use	A		D	D	D	D	X	D		X	X	D	P	D	D
75	Art Gallery	X		A	A	A	A	X	X		A	A	D	D	P	P
76	Cinema/Theatre	X		A	A	A	A	X	X		A	X	D	D	P	P
79	Exhibition Centre	X		A	A	A	A	X	X		A	X	D	D	P	P

3.8 Remove the notes under Clause 3.2.3 that read:

- “1. The development approval of the local government is required for the development of land in addition to any approval granted for the use of the land. In normal circumstances one application is made for both the use and development of land.
2. The local government will not refuse a (P) use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may reduce or impose conditions on any development of the land.
3. In considering and (A) use, the local government will have regard to clause 64 and Part 9 of the deemed provisions.
4. The local government must refuse to approve any (X) use of land.”

- 3.9 Amend Clause 3.2.5 to read “The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –
- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
 - (b) determine that the use may be consistent with the objectives of a particular zone and advertise under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
 - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone”
- 3.10 Replace all reference to “Community Use” and replace with “Community Purpose” in Table 1 – Special Use Zones.
- 3.11 Replace all reference to “Tourist Development” and replace with “Tourist and Visitor Accommodation” in Table 1 – Special Use Zones.
- 3.12 Insert the following Special Use provisions into Table 1 – Special Use Zones in Scheme Area:

No.	Description of Land	Special Use	Conditions
SU3	Lot 1 Wagari Drive, Baynton	<p>The following uses are:</p> <p>‘P’ uses: Single House Grouped Dwelling Multiple Dwelling</p> <p>‘D’ uses: Child Care Premises</p> <p>‘I’ uses: Office</p>	<p>(1) Residential density shall be R60.</p> <p>(2) All development is to comply with the provisions of any approved Local Development Plan over the site.</p>

4. Part IV – Development Objectives

- 4.1 Remove Clause 4.1.2 which reads “The local government shall, upon endorsement of structure plans, or parts of structure plans, ensure they are included in the City of Karratha Local Planning Policy Manual as a policy statement.”

5. Part V – General Development Requirements

- 5.1 Remove “and included in the Policy Manual” and “unless the local government resolves, from Clause 5.3.1 to read “Where residential development guidelines have been adopted in accordance with Part 2 of the deemed provisions, development within the Residential zone shall be in accordance with the intent of these guidelines, for a particular development application, to vary this intent.”
- 5.2 Remove Clause 5.3.2 which reads “A home occupation shall not be undertaken unless the local government has granted development approval. In considering an application for development approval the local government shall have regard for the Home Occupation Local Planning Policy in the Policy Manual.”, and renumber remaining.
- 5.3 Remove Clause 5.3.3 which reads “Notwithstanding the R Codes provisions, every dwelling shall be provided with a store room of not less than four square metres in floor

area and with a minimum of internal dimension of not less than 1.5 metres. The store room shall be fully enclosed and have direct ground access from outside the building. Unless not able to reasonably used for any purposes other than storage, such as when forming part of a garage, the storeroom shall have no direct internal access from the dwelling. It may form part of the main building structure or be a permanent outbuilding.”, and renumber renaming.

- 5.4 Amend Clause 5.4.1 to introduce “or local development plan” and remove “Part 4 of” to read “Before considering any proposal for subdivision or development of land within the Urban Development zone, a structure plan or local development plan may be prepared in accordance with the deemed provisions.”
- 5.5 Remove “and included in the Policy Manual”, “Part 2 of” and “unless the local government resolves” from Clause 5.4.3 to read “Where residential development guidelines have been adopted in accordance with Part 2 of the deemed provisions, development within the Urban Development zone shall be in accordance with the intent of these guidelines, for a particular development application, to vary this intent.”
- 5.6 Remove “contained in the Policy Manual” from Clause 5.6.1 to read “Development in the Town Centre, Commercial, Tourism, Mixed Business and City Centre zones shall be in accordance with the objective statement for each precinct contained in Part IV and any local planning policies.”
- 5.7 Amend Clause 5.6.2 to introduce “or local development plan” and remove “Part 4 of” to read “Prior to the local government considering any proposal for subdivision or development applications on land within the Town Centre, Commercial, Tourism, Mixed Business and City Centre zones, a structure plan or local development plan may be prepared in accordance with the deemed provisions.”
- 5.8 Remove “in the Policy Manual” from the first bullet point of Clause 5.7.3 to read “The development meeting or exceeding all of the provisions specified by a local planning policy.”
- 5.9 Remove “in the Policy Manual” from the first bullet point of Clause 5.7.4 to read “The development meets or exceeds all of the provisions specified by a local planning policy.”
- 5.10 Remove “in the Policy Manual” from Clause 5.8.1 to read “Development in the Strategic Industry, Industry and Industrial Development zones shall be in accordance with the Precinct Objectives statements contained in Part IV and any local planning policy.”
- 5.11 Insert Clause 5.8.3 to read “Notwithstanding the permissible land uses prescribed in the Zoning Table for Industry, Caretakers Dwelling are not permitted on Lot 4 Jager Street, Roebourne” and renumber remaining.
- 5.12 Remove “in the Policy Manual” from Clause 5.8.7 to read “When considering applications for development approval in the Industry or Industrial Development zones the local government shall not permit development to be set back less than five metres from the front boundary or buildings to cover more than fifty percent of the lot and shall have regard for any other minimum development standard contained in a local planning policy.”
- 5.13 Amend Clause 5.8.8 to read “The local government, in considering applications for subdivision/amalgamation shall not recommend approval of lots in the Industry or Industrial Development zones which are below 2000m².”
- 5.14 Amend Clause 5.8.9 to insert “or local development plan” and read “The purpose of the Industrial Development zone is to provide areas for future industrial estate development where development can occur, in accordance with an approved structure plan or local

development plan, prior to amending the Scheme to incorporate detailed zones and reservations for particular lots”

- 5.15 Amend Clause 5.9.2 to read “Prior to the local government considering subdivision or development applications on land within the rural zones, a structure plan or local development plan may be prepared in accordance with the deemed provisions”
- 5.16 Amend Clause 5.11.4 to read “Where the amount of cash-in-lieu payable under clause 5.11.3 cannot be agreed it shall be determined by arbitration in accordance with the *Commercial Arbitration Act 2012* (as amended) or some other method agreed upon by the local government and the developer.”
- 5.17 Amend Clause 5.13.2 to read “The local government shall require developments to include safe and convenient parking facilities at identified common destinations for cycling trips. The provision of bicycle parking facilities shall be in accordance with the ratios set out in Australian Standard AS2890.3. These can be varied if the applicant can demonstrate a lower demand or extenuating circumstances.”
- 5.18 Remove Clause 5.13.3 that reads “When considering applications for development approval, the level of provision of bicycle parking facilities shall be in accordance with the ratios set down in the City’s Bikeplan or Australian standard AS 2890.3 (whichever is higher). These may be varied if the applicant can demonstrate a lower demand or extenuating circumstances.”
- 5.19 Remove “a moveable dwelling is not to be permitted as a caretaker’s dwelling for either permanent or temporary occupation” from Clause 5.14(c) to read “if freestanding, a caretaker’s dwelling is required to be transportable”
- 5.20 Remove Clause 5.15 (c) which reads “a moveable dwelling is not to be permitted as driver’s accommodation” and renumber remaining.

6. Part VI – Special Control Areas

- 6.1 Remove the following wording from Clause 6.2.3.3 “An application for development within a Structure Plan Area for which a structure plan is not in place shall include an assessment of the effects of the proposal on:
 - i) the provisions of Section 7.2.5.1 (a) to (l) in such detail as is considered necessary but the local government to determine the impact of the proposal on the purpose of the requirements of the structure plan area.
 - ii) those matters set out in Appendix 8 that the local government consider to be relevant to the proposal.
 - iii) the provisions of any design guides or local policies considered to be relevant to the area.
 - iv) any other matter the local government considers necessary to assess the application.”
- 6.2 Remove the note relating to Clause 6.2.3.3 which reads “The shaded text above forming part of clause 6.2.3.3 has no further effect as clauses referred have been deleted from the Scheme Text through AMD 46 and superseded by the deemed provisions, including clause 27. A further amendment to the Scheme is required to correct this error.”

7. Part VII – Non-Conforming Uses

- 7.1 Remove Clause 7.1 (c) which reads “subject to Clause 6.11.3, the continued display of advertisements which were lawfully erected, placed or displayed prior to the Gazettal Date.”

8. Schedule A – Supplemental Provisions

- 8.1 Amend title to read “Schedule A - Supplemental Provisions to the Deemed Provisions”
- 8.2 Introduce sentence to read “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* (as amended).”
- 8.3 Remove Clause 61 (1)(k)(ii) that reads “may be lawfully developed by the local government or public authority, unless the land is located in a storm surge risk area identified under clause 5.16.”
- 8.4 Remove Clause 61 (1)(l) which reads “the use of the land which is permitted (P) use in the zone in which the land is situated provided it does not involve the carrying out of any building or other works and the requirements of clause 3.2.4 have been satisfied.”
- 8.5 Remove Clause 61 (1)(m) which reads “the carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building.”
- 8.6 Remove Clause 61 (1)(n) which reads “the carrying out of works urgently necessary for public safety, the safety or security of plant or equipment or the maintenance of essential services.”
- 8.7 Remove Clause 61 (1)(p) which reads “the erection on a lot of a single house, including swimming pool(s), outbuilding(s) and ancillary works in a zone in which a single house is a permitted (P) use, and not covered by the R Codes, except as otherwise provided by the Scheme.
- 8.8 Remove Clause 61 (1)(r) which reads “the parking of a moveable dwelling where the local government has previously approved the use of the site for that purpose.”
- 8.9 Remove Clause 61 (1)(u) which reads “a children’s cubbyhouse”
- 8.10 Remove Clause 61 (1)(v) which reads “external lighting normal to a dwelling”
- 8.11 Remove Clause 61 (1)(x) which reads “signage, except as otherwise required by the Scheme”
- 8.12 Remove Clause 61 (1)(zd) which reads “routine repairs and maintenance, except otherwise required by the scheme, and”
- 8.13 Remove Clause 61 (1)(zf) which reads “Subject to the provisions of the Main Roads (Control of Advertisements) Regulations 1996, and notwithstanding the provisions of Part 7 of the deemed provisions, the local government’s prior development approval is not required in respect of those advertisements which are exempt from or otherwise satisfy the requirements for particular signs under a local planning policy. These exemptions do not apply to land, buildings, objects, structures and places include on the Heritage List or subject of an approved Structure Plan.”
- 8.14 Renumber all remaining supplemental provisions under Clause 61 (1) to be consistent with the Deemed Provisions starting from 22 and insert table with the following headers: Column 1 Works and Column 2 Conditions
- 8.15 Insert in the Table Item 22 to read under Column 1 Works: “the development of land in a reserve” and under Column 2 Conditions:

- “1. Where such land is held by the local government or a public authority
 2. Where the proposed development is for the purpose for which the land is reserved under the Scheme”
- 8.16 Insert in the Table Item 23 to read under Column 1 Works: “the erection of a boundary fence in areas not covered by the R Codes” and under Column 2 Conditions:

 - “1. The works comply with the City of Karratha Fencing Local Law”
- 8.17 Insert in the Table Item 24 to read under Column 1 Works: “the development of land in a rural setting” and under Column 2 Conditions:

 - “1. Where there is an approved structure plan
 2. The works comply with the development standards in the approved structure plan”
- 8.18 Insert in the Table Item 25 to read under Column 1 Works: “an anemometer” and under Column 2 Conditions:

 - “1. If located on a site for less than three years
 2. Where located in a residential area:
 - a. Less than 14 metres in height above the ground; or
 - b. Less than five metres in height is attached to a building”
- 8.19 Insert in the Table Item 26 to read under Column 1 Works: “Buildings or works associated with a circus or carnival” and under Column 2 Conditions “compliance with the publication *Circuses: code of practice for the conduct of circuses in Western Australia*”
- 8.20 Insert in the Table Item 27 to read under Column 1 Works: “a temporary structure or shipping container” and under Column 2 Conditions “for construction purposes and located on site for which a building licence has been granted”
- 8.21 Insert in the Table Item 28 to read under Column 1 Works “a satellite dish” and under Column 2 Conditions “where the diameter of the satellite dish does not exceed 1200 millimetres”
- 8.22 Insert in the Table Item 29 to read under Column 1 Works “an antenna” and under Column 2 Conditions:

 - “1. The antenna is not located within the primary street setback
 2. The antenna is not located within one metre of any property boundary
 3. The antenna is not greater than 14 metres in height above the ground or five metres in height if attached to a building.”
- 8.23 Insert in the Table Item 30 to read under Column 1 Works “solar collectors” and under Column 2 Conditions:

 - “1. are physically attached to a building
 2. does not form part of a minor utility installation or utility installation”
- 8.24 Insert in the Table Item 31 to read under Column 1 Works “the installation of, or alterations to, shade sails” and under Column 2 Conditions “the works are not located in a heritage protected place”
- 8.25 Insert in the Table Item 32 to read under Column 1 Works:

 - (a) the carrying out of any mining operations authorised under the Mining Act 1978
 - (b) the doing of any lawful act, incident or conducive to mining operations; and

(c) any activity that is exempt from the requirement of development approval under any State Agreement Act.

- 8.26 Introduce “Advice Note re Mining Operations” under the Table that reads “where any mining operations, as that term is defined in section 8 of the Mining Act 1978, or any lawful act, incident or conducive to mining operations or any activity under a State agreement, within the terms of the exemption in item 33 above, is exempt from the requirement of development approval, assessment of the proposal from a planning perspective may nevertheless be required under the State Agreement or State Agreement Act, or for the purpose of a determination under the Mining Act 1978 or pursuant to a grant, approval or permit under the Act. If so, the proposal must be submitted to the local government to give due consideration to the effects and planning significance of the activity so as to enable informed comment to be given to the State or the relevant agency.”
- 8.27 Remove Clause 61 (2)(i) which reads “A family day care unless the land is located in a storm surge risk area identified under clause 5.16.”
- 8.28 Renumber all remaining supplemental provisions under Clause 61 (3) to be consistent with the Deemed Provisions starting from 10 and insert table with the following headers: Column 1 Use, Column 2 Zones and Column 3 Conditions.
- 8.29 Insert in the Table Item 10 to read Column 1 Use “Street trading” in Column 2 Zones to read “All zones” and Column 3 Conditions “If approved under the City of Karratha Activities in Thoroughfares and Public Places and Trading Local Law”
- 8.30 Insert in the Table Item 11 to read Column 1 Use “the keeping of bees” in Column 2 Zones “Rural” and Column 3 Conditions:
- “1. The land is outside a gazetted townsite
 2. The works comply with the City of Karratha Animals, Environment and Nuisance Local Law.”

9. Appendix 1 – Dictionary of Defined Terms

9.1 Introduce the following definitions from 1. General Definitions:

<i>commercial vehicle</i>	means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including –
	(a) a utility, van, truck, bus or earthmoving equipment; and
	(b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a)

9.2 Remove the following definitions from 1. General Definitions:

<i>absolute majority</i>	has the same meaning given to it in the <i>Local Government Act 1995</i> .
<i>aged person</i>	a person who is aged 55 years or over.
<i>battleaxe access leg</i>	a strip of land included in a Certificate of Title of a lot providing access to the lot from a public road.
<i>building</i>	any structure or associated appurtenance, whether fixed or moveable, temporary or permanent, placed or erected upon the land, and the term includes dwellings and buildings appurtenant to dwellings such as carports, garages, verandahs and retaining walls, but shall exclude a boundary fence,

	pergolas, garden sheds and the like and swimming pools where no part is more than 600mm above surrounding ground level.
<i>car park</i>	land or buildings used primarily for parking private cars or taxis, whether open to the public or not, but does not include any part of a public road used for parking or a taxi rank, or any land or building in which cars are displayed for sale.
<i>dependent person</i>	a person with a recognised form of disability requiring special accommodation for independent living or special care.
<i>development</i>	shall have the same meaning as in the <i>Planning and Development Act 2005</i> .
<i>factory unit development</i>	a building or structure, or group of buildings or structures on one lot, in which are carried on two or more separate industries or storage areas not owned or managed by the same person, or in which provision is made for the carrying on of two or more separate industries or storage areas not owned or managed by the same person.
<i>Heritage Council</i>	the Heritage Council of Western Australia established pursuant to the <i>Heritage of Western Australia Act 1990</i> .
<i>inventory</i>	the Municipal Inventory prepared and amended by the local government pursuant to Section 45 of the <i>Heritage of Western Australia Act 1990</i> .
<i>landscaping or landscaped</i>	land developed with or by the planting of vegetation, the recontouring or cut and fill of land, irrigation, placement of rocks, paving or laying of pathways and hard surfaces, creation of streams, wetlands and water features including swimming pools and may include other fixtures such as shelters or sculpture and art installation.
<i>lot</i>	<p>a defined portion of land:</p> <ul style="list-style-type: none"> depicted on a plan or diagram publicly exhibited in the public office of the Department of and Administration or deposited in the Office of Titles or Registry of Deeds and for which a separate Crown Grant or Certificate of Title has been or can be issued, or depicted on a subdivisional plan or diagram, whether so exhibited or deposited or not, but which is, whether before or after the coming into operation of the <i>Town Planning and Development Act 1956</i>, approved by the Western Australian Planning Commission <p>and includes the whole of the land the subject of a:</p> <ul style="list-style-type: none"> Crown Grant issued under the <i>Land Act 1933</i>, or certificate of title issued under the <i>Transfer of Land Act 1893</i>, or survey into a lot pursuant to a direction given under section 17 of the <i>Land Act 1933</i>, or part-lot shown on a plan of subdivision or diagram deposited in the Department of Land Administration, Office of Titles and Registry of Deeds, or conveyance registered under the <i>Registration of Deeds Act 1856</i>.
<i>moveable dwelling</i>	a caravan as defined under the <i>Road Traffic Act 1974</i> (as amended), park home or other dwelling constructed and maintained on its own chassis and wheels and capable of mobility at all times, although it may be stabilised by jacks, provided with skirtings or designed and constructed to permit independent occupancy for dwelling purposes.

<i>oversized vehicle</i>	any vehicle greater than 2 metres in width or 5.5 metres in length and includes articulated trucks and road trains.
<i>policy manual</i>	the City of Karratha Land Use Planning Policy Manual being the collection of local planning policies adopted by the local government.
<i>publicly owned land</i>	land held by an authority with statutory responsibilities and this land may be owned as freehold land or be a Crown Reserve and vested with the authority.
<i>shipping container</i>	a container that is used in conjunction with commercial shipping
<i>structure plan</i>	plan which address the schematic layout of proposed development and lot boundaries in addition to various other matters as may be required by the Scheme and includes local structure plans, outline or comprehensive structure plans
<i>subdivision</i>	the amalgamation and/or subdivision of land to create new lots in addition to other activity requiring the approval of the Western Australian Planning Commission under Part III of the Act or a strata plan, strata plan of consolidation required to be accompanied by a certificate of approval given under Section 25 of the <i>Strata Titles Act 1985</i> .

9.3 Replace the following definitions from 1. General Definitions:

<i>precinct</i>	means a definable area where particular planning policies, guidelines or standards apply.
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9.4 Introduce the following land use definitions into 2. Land Use Definitions:

<i>car park</i>	means premises used primarily for parking vehicles whether open to the public or not but does not include — (a) any part of a public road used for parking or for a taxi rank; or (b) any premises in which cars are displayed for sale.
<i>commercial vehicle parking</i>	means premises used for parking of one or 2 commercial vehicles but does not include – (a) any part of a public road used for parking or for a taxi rank; or (b) parking of commercial vehicles incidental to the predominant use of the land.
<i>renewable energy facility</i>	means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.
<i>service station</i>	means premises other than premises used for a transport, panel beating, spray painting, major repairs or wrecking, that are used for – (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.

- tourist and visitor accommodation** (a) means a building, or groups of buildings forming a complex, that –
- (i) is wholly managed by a single person or body; and
 - (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
 - (iii) may include on-site services and facilities for use by guests; and
 - (iv) in the case of a single building – contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;
- and
- (b) includes a building or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment of an agent of the owner or manager; but
- (c) does not include the following –
- (i) an aged care facility as defined in the *Land Tax Assessment Act 2002* section 38A(1);
 - (ii) a caravan park;
 - (iii) hosted short-term rental accommodation;
 - (iv) a lodging-house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1);
 - (v) a park home park;
 - (vi) a retirement village as defined in the *Retirement Villages Act 1992* section 3(1);
 - (vii) a road house;
 - (viii) workforce accommodation.

9.5 Replace the following land use definitions into 2. Land Use Definitions in alphabetical order:

- abattoir** means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.
- child care premises** means premises where –
- (a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided; or
 - (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.
- education establishment** means premises for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.
- family day care** means premises where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided.
- home business** means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession —

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

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

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m square metres; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not —
 - (i) require a greater number of parking spaces than normally required for a single dwelling; or
 - (ii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

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

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

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

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

market means premises used for the display and sale of goods from stalls by independent vendors.

<i>medical centre</i>	means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.
<i>reception centre</i>	means premises used for hosted functions on formal or ceremonial occasions.
<i>recreation private</i>	— means premises that are — (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge.
<i>restaurant/café</i>	means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the <i>Liquor Control Act 1988</i> .
<i>restricted premises</i>	means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of – (a) publications that are classified as restricted under the <i>Classification (Publications, Films and Computer Games) Act 1995</i> (Commonwealth); or (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or (c) smoking related implements.
<i>tavern</i>	means premises the subject of a tavern licence granted under the <i>Liquor Control Act 1988</i> .

9.6 Remove the following definitions from 2. Land Use Definitions:

<i>aquaculture</i>	shall have the same meaning as given to the term in and for the purposes of the <i>Fish Resources Management Act 1994</i> .
<i>community use</i>	means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.
<i>dwelling</i>	a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by: <ul style="list-style-type: none"> • a single person, • a single family, • no more than six (6) persons who do not comprise a single family. It may be constructed on or transported to the site but does not include a movable dwelling.
<i>industry cottage</i>	– a business, professional service, trade or light industry producing arts and craft goods which cannot be carried out under the provisions relating to a ‘home occupation’ and which, in the opinion of the local government: (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood,

- (b) where operated in a residential zone, does not entail the employment of any person other than a member of the occupiers household,
- (c) is conducted in an out-building which is compatible with the principle uses to which land in the zone in which it is located may be put,
- (d) does not occupy an area in excess of 50m², and
- (e) does not display a sign exceeding 0.2 m² in area.

motel means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licenced under the *Liquor Control Act 1988*.

motor vehicle and/or marine service station land or buildings used for the retail sale of petroleum products and motor vehicle or marine vessels accessories and may or may not include minor repairs, motor vehicle wash facilities, café/restaurant or sale of convenience items with a net lettable retail floor space not exceeding 300m².

public purpose, development or use for development or use of land which is required to be permanently located on publicly owned land as it offers a public service, operates in the public interest or requires coordination and supervision by a public authority. Development may be owned and/or operated by either public or private interest and may be the subject of a lease or other agreements as necessary. Development requiring coordination or supervision may or may not offer a service, or be of direct benefit, to the public.

short-stay accommodation premises used for accommodation that may be occupied by the same person(s) for a maximum period of three months within any twelve month period, and are not subject to a residential tenancy agreements (residential leases).

tourist development means a building, or group of buildings forming a complex, other than a bed and breakfast, or a caravan park or holiday accommodation, used to provide –

- (a) short-term accommodation for guests; and
- (b) onsite facilities for the use of guests; and
- (c) facilities for the management of the development.

tourist resort one or more commercial accommodation units together with a wide range of recreational and/or cultural facilities in a resort style setting. It may also include associated facilities such as a restaurant, bar or function room whether or not licensed under the *Liquor Control Act 1988*, which may be used by the occupants of the premises but, which are also available for use by non-occupant members.

wind energy facility premises used to generate electricity by wind force and includes any turbine, building or other structure used in, or in conjunction with, the generation of electricity by wind force but does not include turbines used principally to supply electricity for a domestic property, rural use of the land or anemometers.

10. Appendix 3 – Car Parking Requirements

10.1 Replace all reference of “Community Use” with “Community Purpose”.

10.2 Replace all reference of “Tourist Resort” with “Tourist and Visitor Accommodation”

10.3 Remove the following land uses:

NO.	DEVELOPMENT	CAR PARKING REQUIREMENTS
5	Drivers Accommodation	At the local government's discretion.
10	Motel	One per accommodation room, plus one per every five rooms for visitors and staff
15	Short-Stay Accommodation	One bay per single bedroom unit, one and one half bays per two bedroom unit, one and three quarter bays per three bedroom unit, and two and two bays per four bedroom unit.
17	Tourist Resort	At the local government's discretion.
25	Industry – Cottage	At the local government's discretion.
38	Wind Energy Facility	At the local government's discretion.
45	Motor Vehicle and/or Marine Service Station	One per motor vehicle repair bay, one per 20 square metres of net lettable sales area, one per six square metres of dining space, one per employee and in the case of marine service station at the local government's discretion.
69	Prison	At the local government's discretion.

10.4 Insert the following land uses and renumber remaining land uses:

NO.	DEVELOPMENT	CAR PARKING REQUIREMENTS
17	Tourist and Visitor Accommodation	At the local government's discretion.
30	Renewable Energy Facility	At the local government's discretion.
37	Brewery	One bay per 40 square metres of floor area.
38	Convenience Store	One per 20 square metres of net lettable area.
52	Service Station	One per motor vehicle repair bay, one per 20 square metres of net lettable sales area, one per six square metres of dining space and one per employee.
55	Small Bar	One bay per 20 square metres of bar and lounge area and One bay per 10 square metres of restaurant.
61	Civic Use	At the local government's discretion.
64	Corrective Institution	At the local government's discretion.
67	Family Day Care	At the local government's discretion.
76	Art Gallery	One per three square metres of gallery space
77	Cinema/Theatre	At the local government's discretion.
79	Exhibition Centre	One per three square metres of exhibition space.

10.5 Amend the following car parking requirements to read:

NO.	DEVELOPMENT	CAR PARKING REQUIREMENTS
24	Hire Service (Industrial)	One per 100 square metres of display area and one per employee, plus at the local government's discretion the provisions of commercial vehicle bays.

11. Appendix 4 – Additional Uses

11.1 Insert Clause 3.4 Additional Uses that reads:

“3.4 Additional Uses

3.4.2 Appendix 4 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.”

11.2 Insert the following additional uses:

Additional Use Entry No.	Description of Land	Base Classification	Additional Uses	Special Conditions
A10	Portion of Reserve No. 32465 (being Part of Lot 91 on Deposited Plan 091834)	Strategic Industry	Recreation – Private	<p>3. The recreation – private use shall be limited to a yacht/sailing club.</p> <p>4. Any development is subject to application for development approval by the local government.</p>
A11	Lot 1953 (30-32) Balmoral Road, Karratha	City Centre – Commercial	Service Station	The Additional Use specified shall be deemed to be a ‘D’ use for the purposes of the Scheme.
A12	Lot 1437 (15) Warambie Road, Karratha	City Centre – Commercial	Service Station	The Additional Use specified shall be deemed to be a ‘D’ use for the purposes of the Scheme.
A13	Lot 1076 (13-15) Searipple Road, Karratha	City Centre – Commercial	Service Station	The Additional Use specified shall be deemed to be a ‘D’ use for the purposes of the Scheme.

11.3 Amend Scheme Map to introduce Additional Use 10 for Portion of Reserve No. 32465 (being Part of Lot 91 on Deposited Plan 091834).

11.4 Amend Scheme Map to introduce Additional Use 11 on Lot 1953 (30-32) Balmoral Road, Karratha.

11.5 Amend Scheme Map to introduce Additional Use 12 on Lot 1437 (15) Warambie Road, Karratha.

11.6 Amend Scheme Map to introduce Additional Use 13 on Lot 1076 (13-15) Searipple Road, Karratha.

12. Appendix 5 – Structure Plan Areas

12.1 Rezone the land within Development Area 9 (DA9) from “Urban Development” to “Residential” (applying the R-Codes of R12.5, R15, R17.5, R30, R40 and R60) , as shown on proposed Scheme Amendment Map.

12.2 Rezone Lot 1 Wagari Drive, Baynton within DA9 from “Urban Development” to “Special Use”, as shown on the proposed Scheme Amendment Map.

12.3 Amend the Scheme Map for DA9 for Lots 24, 47, 72, 104, 105, 106, 121, 158, 218, 219, 236, 322, 363, 400, 430, 451, 500, 516, 517, 641, 668, 789, 790, 797, 812, 815, 887, 888, 920 and 4914 from ‘Urban Development’ to ‘Parks, Recreation and Drainage’ Reserve.

12.4 Amend the Scheme Map for DA9 for Lot 402 from “Urban Development” to “Public Purposes: Community” Reserve.

12.5 Amend the Scheme Map for DA9 for Lot 401 from “Urban Development” to “Public Purposes: Education” Reserve.

12.6 Rezone the land within Development Area 40 (DA40) from “Urban Development” to “Residential” (applying the R-Code R40), as shown on proposed Scheme Amendment Map.

- 12.7 Rezone the land within Development Area 45 (DA45) from “Urban Development” to “Residential” (applying the R-Code of R40), as shown on proposed Scheme Amendment Map.
- 12.8 Delete the rows for Development Area (DA) 9 and DA40 from Table 5 – Structure Plan Areas of the Scheme text.
- 12.9 Revoke the following Structures Plan in accordance with Clause 29A of the *Planning and Development (Local Planning Schemes) Regulations 2015* upon approval of proposed Scheme Amendment No. 60

Structure Plan Area No.	Structure Plan Area	Endorsement Date
DA9	Dampier Road, Baynton West, Karratha	15 October 2020
DA40	Lot 617 Shadwick Drive, Millars Well	30 April 2014
DA45	Lot 613 Wotherspoon, Millars Well	30 April 2014

- 12.10 Introduce the following row into Appendix 5 – Structure Plan Areas:

Development Area	Description of Land	Base Zoning	Structure Plan Special Conditions
DA58	Lot 9000 Bowerbird Drive, Nickol	Urban Development	<p>3. Structure Plan adopted to guide subdivision, land use and development.</p> <p>4. To provide for residential development.</p>

- 12.11 Amend the Scheme map to apply DA58 to cover Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 61, 62, 63, 64, 65, 66 and 9000 of Deposited Plan 074166.

13. Appendix 6 – Restricted Use

- 13.1 Insert Clause 3.5 to read:
“3.5 Restricted Uses

3.5.1 The Table sets out –

- a. Restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and
- b. The conditions that apply to that restricted use.

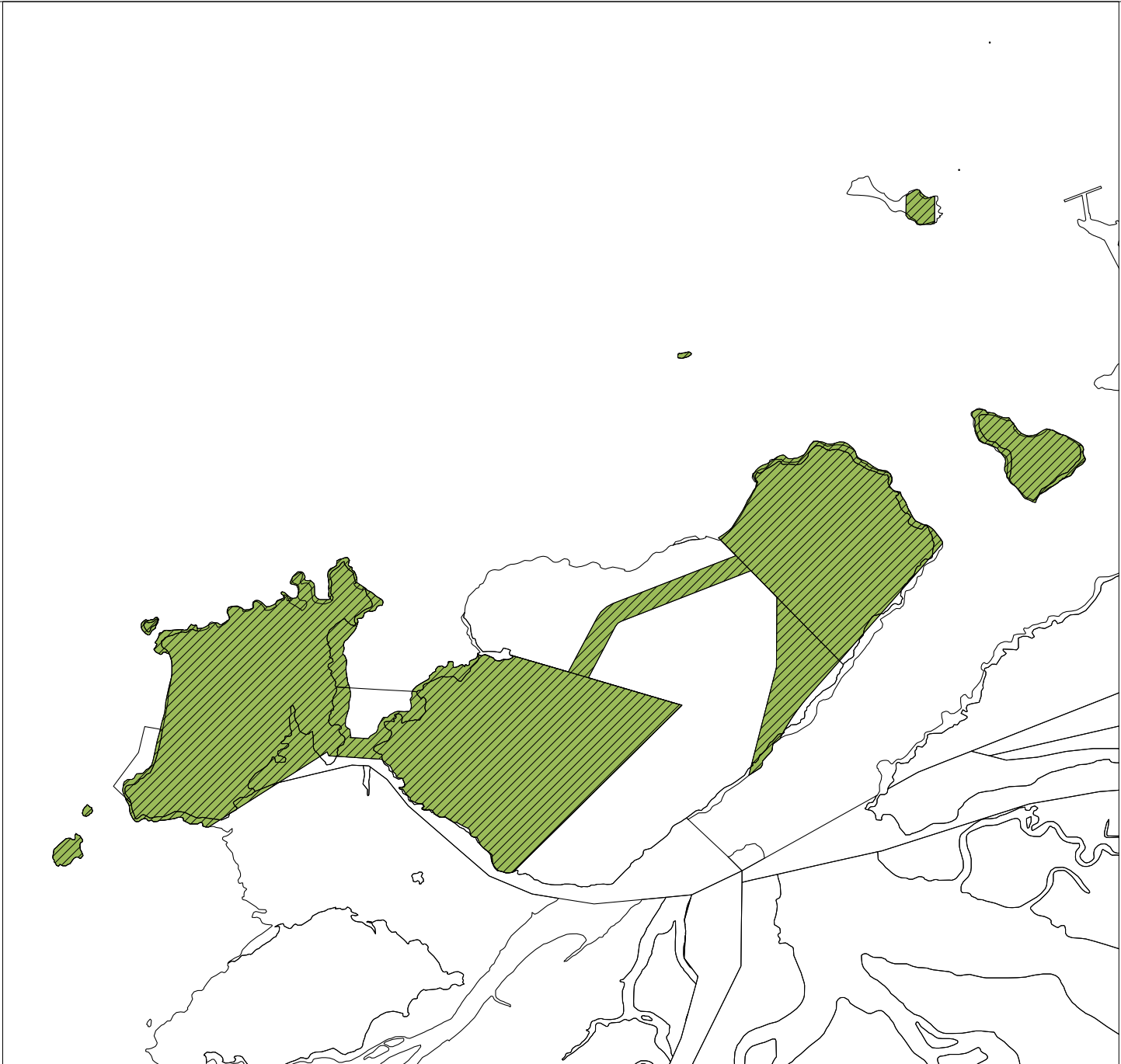
3.5.2 Despite anything contained in the zoning table, land that is specified in the Appendix 6 to subclause (1) may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.”

- 13.2 Include wording under Appendix 6 – Restricted Use that reads “There are no restricted uses which apply to the Scheme”
- 13.3 Amend Scheme Map to remove Restricted Use 1 from Lot 4 Jager Street, Roebourne.


14. Correction of Minor Scheme Map Errors and Omissions

- 14.1 Amend Scheme Map to rezone portion of Crockett Way, Millars Well from “Parks, Recreation and Drainage” to “Residential” (applying an R-Codes of R20).**
- 14.2 Amend Scheme Map to rezone Everett Link, Millars Well from “Parks, Recreation and Drainage” Reserve to “Local Road” Reserve.**
- 14.3 Amend Scheme Map to rezone Lot 260 MacLeod Street, Point Samson from “Tourism” to “Parks, Recreation and Drainage” Reserve.**
- 14.4 Amend Scheme Map to rezone Hillview Road, Karratha from “Parks, Recreation and Drainage” Reserve to “Local Road” Reserve.**
- 14.5 Amend Scheme Map to rezone Lot 3000 Sholl Street, Roebourne from “Residential” to “Public Purpose: Health” Reserve.**
- 14.6 Amend Scheme Map to rezone portion of Lot 100 Morse Court, Karratha from “Parks, Recreation and Drainage” Reserve to “City Centre: Precinct 2 Commercial”**
- 14.7 Amend Scheme Map to rezone portion of Ramirez Court and Stove Court, Wickham, from “Residential” to “Local Road” Reserve.**
- 14.8 Amend Scheme Map to rezone Lot 673 Ramirez Court and Lot 689 Stove Court, Wickham from “Local Reserve” to “Residential”**
- 14.9 Amend Scheme Map to rezone Lot 81 McCourt Street, Point Samson from “Residential” to “Parks, Recreation and Drainage”**
- 14.10 Amend Scheme Map to rezone portion of Prancing Avenue, Baynton from “Parks, Recreation and Drainage” to “Local Road”**
- 14.11 Amend Scheme Map to rezone portion of Gardugarli Drive, Baynton from “Parks, Recreation and Drainage” to “Local Road”**
- 14.12 Amend Scheme Map to rezone Reserve 49731 from “Urban Development” and “Rural” to “Parks, Recreation and Drainage”**
- 14.13 Amend Scheme Map to rezone portion of Rankin Road, Nickol from “Urban Development” to “Local Road”**
- 14.14 Amend Scheme Map to rezone Mof Road, Burrup from “Strategic Industry” to “Local Road”**
- 14.15 Amend Scheme Map to rezone portion of Lot 510 on Deposited Plan 406829 from “Parks, Recreation and Drainage” to “Public Purpose: Waste Disposal and Treatment”**
- 14.16 Amend Scheme Map to rezone Carse Street, Wickham from “Parks, Recreation and Drainage”, “Public Purpose: Hospital” and “Public Purpose: Education” to “Local Road”**
- 14.17 Amend Scheme Map to rezone Lot 4934 on Deposited Plan 40585 from “Parks, Recreation and Drainage” to “District Road”**
- 14.18 Amend Scheme Map to rezone portion of Lots 38, 39, 40, 41, 102, 103, 104, 105, 106, 107 and 108 on Deposited Plan 071037, portion of Lot 109 on Deposited Plan 075061, portion of Lots 115, 116 and 117 on Deposited Plan 076660, Lots 29, 30, 31 and 2000 on Deposited Plan 075062 and Lot 205 on Deposited Plan 076661 from “Local Road” to “Industrial Development”.**


- 14.19** Amend Scheme Map by extending Development Area 24 to include portion of Lots 38, 39, 40 and 41 on Deposited Plan 071037, portion of Lots 29, 30 and 2000 on Deposited Plan 075062, portion of Lot 205 on Deposited Plan 076661, Lots 2, 3, 4, 5, 6, 7, 8, 10 and 11 on Deposited Plan 071037, Lots 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322 and 323 on Deposited Plan 072637, Lot 201 on Deposited Plan 075042, Lot 202 of Deposited Plan 075044, Lot 203 of Deposited Plan 075060, Lots 9, 33, 35, 36, 37 of Deposited Plan 075062 and Lot 800 of Deposited Plan 413419.
- 15. Correction of Minor Scheme Text Errors and Omissions**
- 15.1** In 3.1 Categories, remove “iii. Transient Workforce Accommodation”.
- 15.2** In Table 1, remove “aones” and replace with “zones”.
- 15.3** In 4.10 (b) remove “Ngoorea” and replace with “Gnoorea”
- 15.4** In 6.7.1 remove the “,” in the “Dampier Solar Salt Industry Agreement Act 1967”.
- 15.5** In 6.8 remove “6.8.3 Delete”.



Legend

 Cadastre

LPS Zones and Reserves Amendments

 Conservation, recreation and nature landscapes

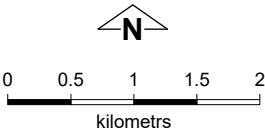
PROPOSED SCHEME AMENDMENT MAP 1

City of Karratha

Local Planning Scheme No. 8


Amendment No. 60

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Legend

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LPS Zones and Reserves Amendments

 Conservation, recreation and nature landscapes

 Local road

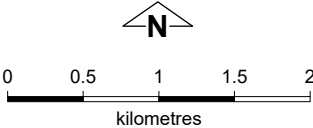
PROPOSED SCHEME AMENDMENT MAP 2

City of Karratha

Local Planning Scheme No. 8


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LPS Zones and Reserves Amendments

 Industrial development

Special Area Amendments

Special Control Areas

 Structure plan areas

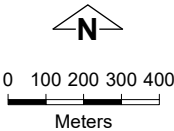
PROPOSED SCHEME AMENDMENT MAP 3

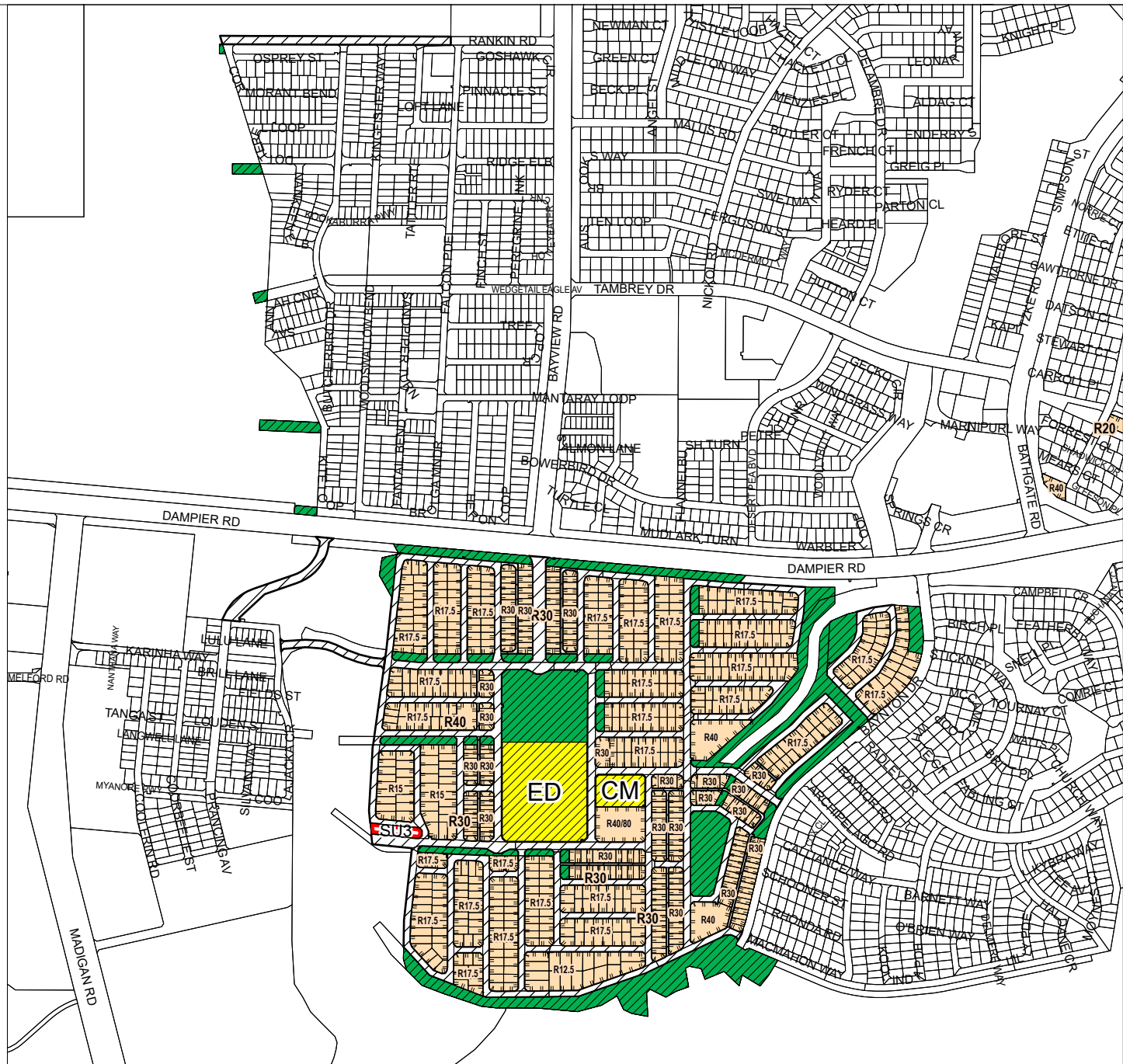
City of Karratha

Local Planning Scheme No. 8

Amendment No. 60

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R Codes Amendments

LPS Zones and Reserves Amendments

CM Public purposes : Community

ED Public purposes : Education

PROPOSED SCHEME AMENDMENT MAP 4

Local road

Public purposes : Waste disposal and treatment

Residential

SU3 Special use

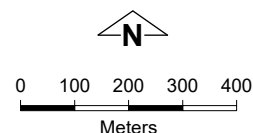
Parks, recreation and drainage

City of Karratha

Local Planning Scheme No. 8


Amendment No. 60


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



Legend

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 R Codes Amendments

LPS Zones and Reserves Amendments

 Local road

 Public purposes : Waste disposal and treatment

 Residential

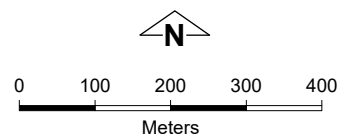
PROPOSED SCHEME AMENDMENT MAP 5

City of Karratha

Local Planning Scheme No. 8


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
Legend

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LPS Zones and Reserves Amendments

 District roads

 City centre

 Local road

 A1 Additional uses

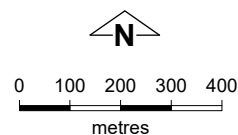
PROPOSED SCHEME AMENDMENT MAP 6

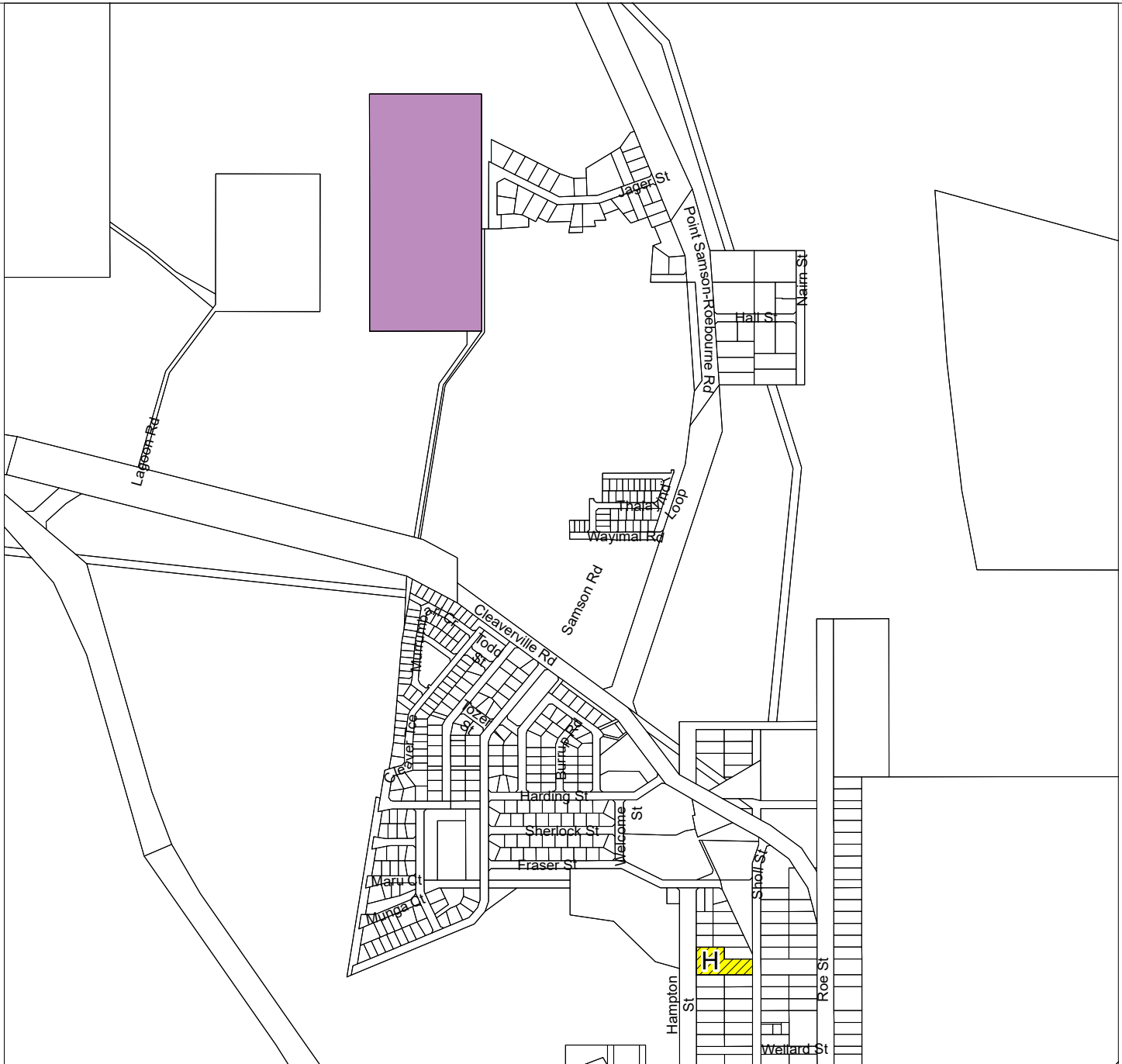
City of Karratha

Local Planning Scheme No. 8

Amendment No. 60

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Cadastre

LPS Zones and Reserves Amendments

Industry

Public purposes : Health

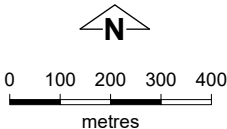
PROPOSED SCHEME AMENDMENT MAP 7

City of Carratha

Local Planning Scheme No. 8



Amendment No. 60

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Legend

-  Cadastre
-  R Codes Amendments

LPS Zones and Reserves Amendments

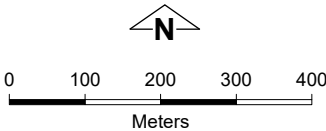
-  Local road
-  Residential

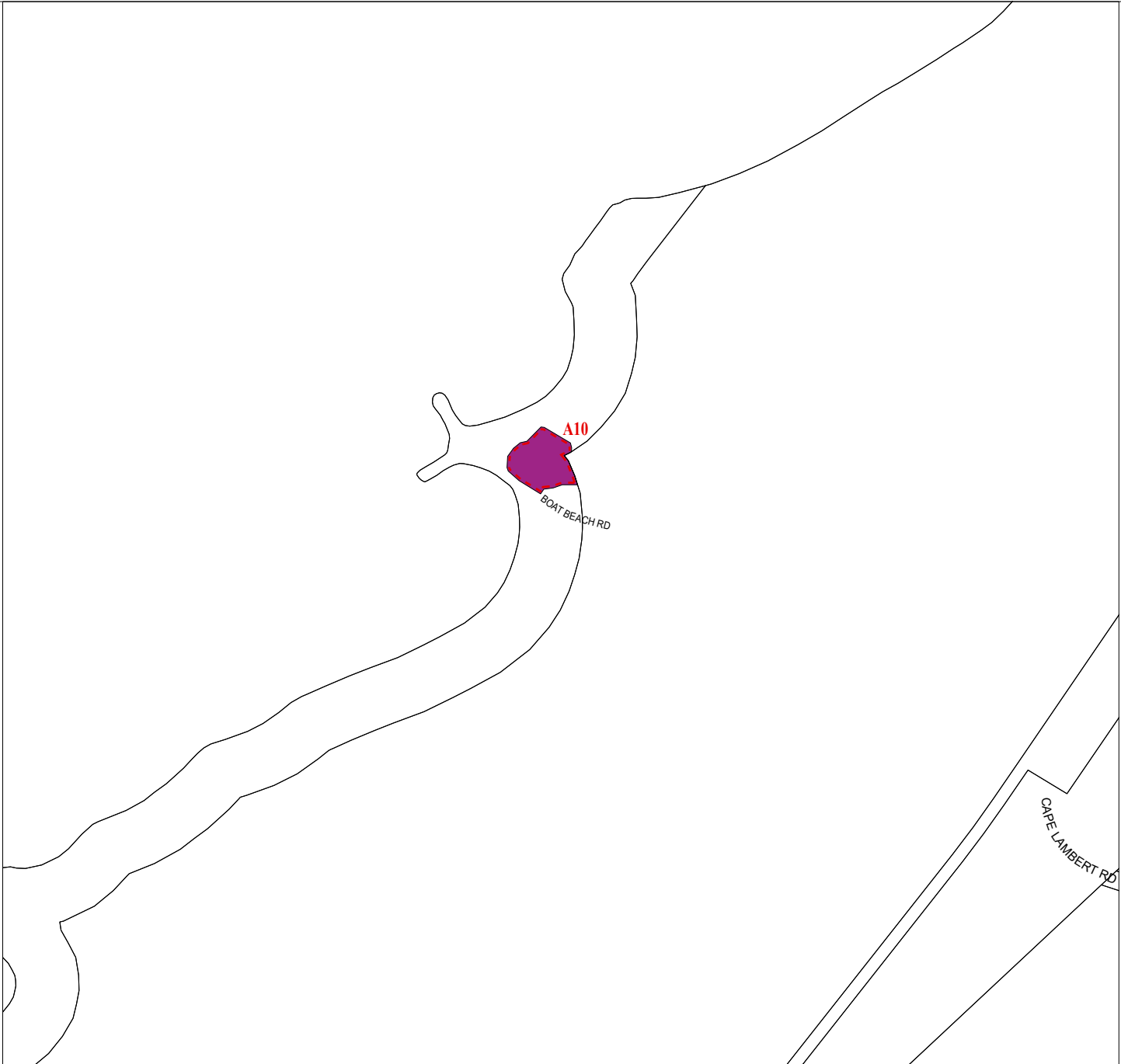
PROPOSED SCHEME AMENDMENT MAP 8

City of Karratha

Local Planning Scheme No. 8
Amendment No. 60

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Cadastre

LPS Zones and Reserves Amendments

Strategic industry

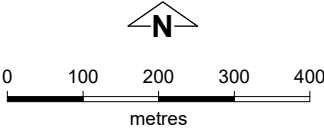
A1 Additional uses

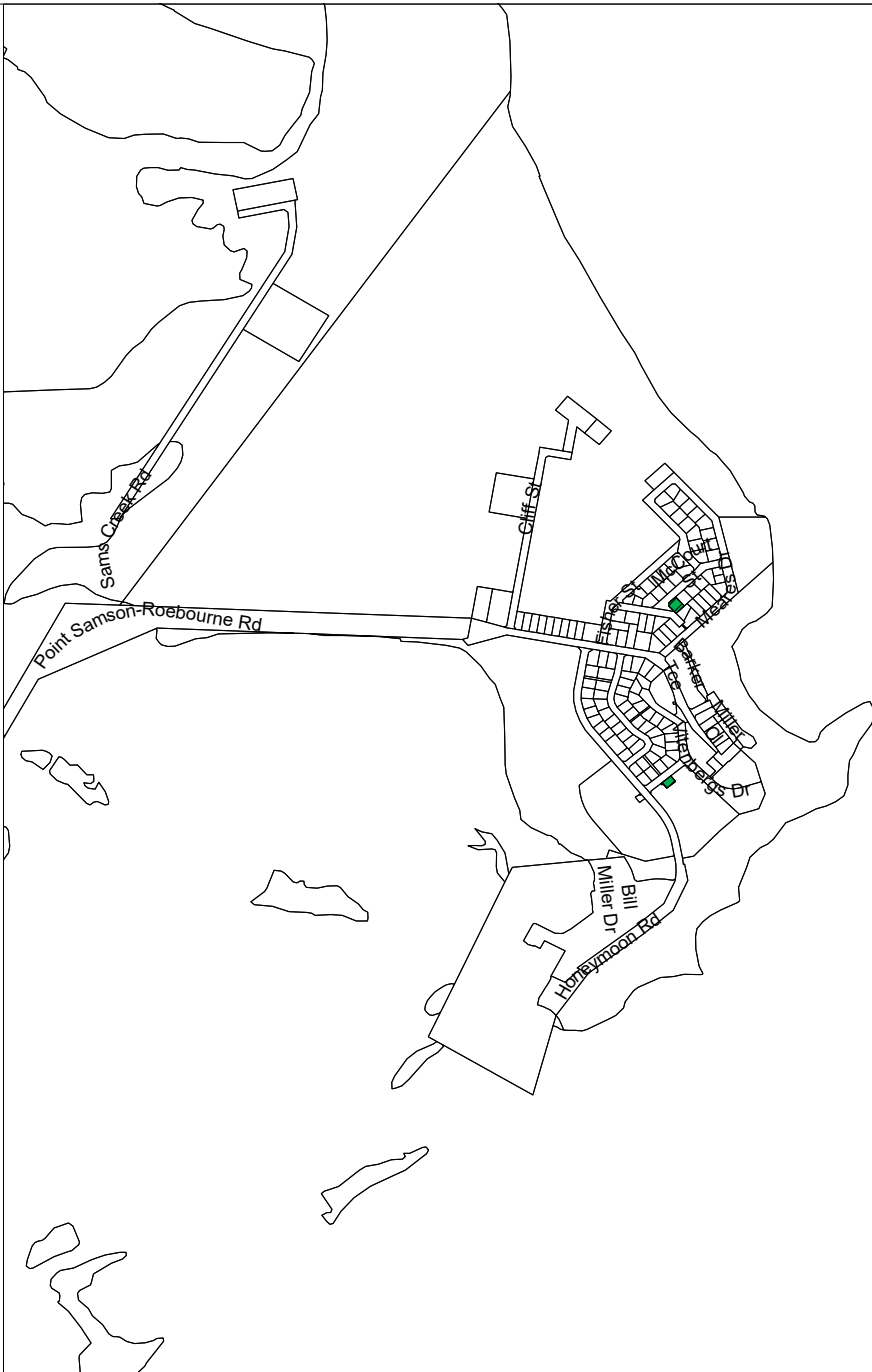
PROPOSED SCHEME AMENDMENT MAP 9

City of Karratha

Local Planning Scheme No. 8
Amendment No. 60

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Legend

 Cadastre

LPS Zones and Reserves Amendments

 Parks, recreation and drainage

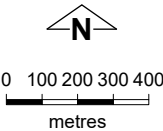
PROPOSED SCHEME AMENDMENT MAP 10

City of Karratha

Local Planning Scheme No. 8

Amendment No. 60

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COUNCIL ADOPTION

This [Complex/Standard] Amendment was adopted by resolution of the Council of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [day] day of [month], 20[year].

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [day] day of [month], 20[year], proceed to advertise this Amendment.

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended [for support/ not to be supported] by resolution of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [number] day of [month], 20[year] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE.....

FORM 6A - CONTINUED

OFFICIAL

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....