

**CITY OF JOONDALUP  
DISTRICT PLANNING SCHEME NO. 2**

Adopted by resolution of the Council of the City of Wanneroo at the Ordinary meeting of the Council held on the 27<sup>th</sup> day of March 1991.

Modified by resolution of the Council of the City of Wanneroo at the Special meeting of the Council held on the 22<sup>nd</sup> day of August 1996.

Modified by resolution of the Council of the City of Wanneroo at the Special meeting of the Council held on the 10<sup>th</sup> day of September 1997.

On July 1, 1998, the City of Wanneroo ceased to exist. In its place, the City of Joondalup and the Shire of Wanneroo were created, with both municipalities coming into existence on the same date, July 1, 1998.

Adopted for final approval by resolution of the City of Joondalup at the Ordinary meeting of the Council held on the 22<sup>nd</sup> day of September 1998.

Modified and adopted for final approval by resolution of the City of Joondalup at the Special meeting of the Council held on the 4<sup>th</sup> day of May 1999.

Adopted for final approval by the Council of the City of Joondalup at the Ordinary meeting held on the 26<sup>th</sup> day of September 2000 and the Common Seal of the City of Joondalup was hereunto affixed by the authority of a resolution of the Council in the presence of:

**(Signed) John Bombak**  
MAYOR

**(Signed) Lindsay Delahaunty**  
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for final approval

.....  
CHAIRPERSON, WESTERN AUSTRALIAN  
PLANNING COMMISSION

DATE .....

Final Approval Granted

.....  
MINISTER FOR PLANNING

DATE .....

**THE CITY OF JOONDALUP DISTRICT PLANNING SCHEME NO. 2**

The City of Joondalup Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended), hereunder referred to as The Act, hereby makes the following Town Planning Scheme for the purposes laid down in the Act.

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## **PART 1 – PRELIMINARY**

### **1.1 CITATION**

1.1.1 The City of Joondalup District Planning Scheme No. 2 (“the Scheme”) comes into operation on its Gazettal date.

1.1.2 City of Joondalup Town Planning Scheme No. 1 (Gazettal date 13 September, 1972) is revoked.

### **1.2 RESPONSIBLE AUTHORITY**

The authority responsible for carrying out the Scheme is the local government of the City of Joondalup hereinafter referred to as the “local government” except that where land is shown in the Scheme Map as “Regional Reserve” the responsible authority shall be deemed to be the Western Australian Planning Commission, and the Provisions of the Metropolitan Region Scheme shall apply to such reservations.

### **1.3 THE SCHEME AREA**

The Scheme shall apply to the whole of the District of the City of Joondalup as shown by the inner edge of the broken black line on the Scheme Map.

### **1.4 CONTENTS OF SCHEME**

The Scheme comprises:

- (a) this Scheme Text
- (b) the Scheme Map
- (c) Residential Density Code Maps
- (d) Structure Plans
- (e) Plans referred to in Schedule 5

### **1.5 ARRANGEMENT OF THE SCHEME TEXT**

PART 1	PRELIMINARY
PART 2	RESERVES
PART 3	ZONES
PART 4	GENERAL DEVELOPMENT REQUIREMENTS
PART 5	SPECIAL CONTROLS
PART 6	DEVELOPMENT AND USE OF LAND
PART 7	NON-CONFORMING USES
PART 8	FINANCE AND ADMINISTRATION

### **1.6 SCHEME AIMS AND OBJECTIVES**

The aims and objectives of Scheme 2 are:

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- |  |     |   |
|--|-----|---|
| <b>Regional planning framework:</b>                  | (a) | To facilitate the local government's commitment to facilitating urban development in accordance with the statutory provisions of the Metropolitan Region Scheme and the planning principles embodied in state and regional policies relevant to the City;   |
| <b>Local planning framework:</b>                     | (b) | To encourage and facilitate development of the City generally in accordance with the City of Joondalup Strategic Plan;  |
|  | (c) | To provide an accountable planning framework appropriate to the needs of a regional City and its diverse lifestyle opportunities;   |
|  | (d) | To facilitate the co-ordination and provision of social and community facilities and other physical infrastructure;   |
| <b>Land Use &amp; Development</b>                    | (e) | To encourage development which will: <ul style="list-style-type: none"><li>◆ provide high standards of amenity, safety and welfare,</li><li>◆ strive to ensure that new housing is energy-efficient,</li><li>◆ ensure permanent and easy access by the public to the ocean shore and other recreation reserves,</li><li>◆ promote the development of business which increases employment opportunities close to living places, and</li><li>◆ support a safe, efficient and effective transportation system.</li></ul> |
|  | (f) | To encourage urban design which is compatible with and appropriate to the natural, built and social environment of the City;  |
| <b>Development Assessment &amp; Approval Process</b> | (g) | To provide guidance on the procedures to be followed in the lodgment, assessment and determination of applications for the development and use of land within the City;   |
|  | (h) | To ensure that proper regard is given to the needs of the community in the determination of land use and development proposals;   |
| <b>Heritage Conservation</b>                         | (i) | To encourage the conservation and continued use of identified places and objects of cultural heritage significance;   |



- |   |     |   |
|---|-----|---|
| <b>Environmental Protection</b>                         | (j) | To provide the local government and residents with appropriate mechanisms to protect identified places of landscape or environmental value within the City;   |
|   | (k) | To ensure that adequate regard is given to the protection of the natural environment in the determination of land use and development proposals in accordance with sustainable development principles;  |
| <b>Urban Development</b>                                | (l) | To promote planning, management and strategic control of development in a rational and systematic manner, taking into account the needs and aspirations of residents, and the environmental capacity of the area and;   |
| <b>New Development Around Existing Railway Stations</b> | (m) | In order to promote public transport usage, local government shall encourage appropriate transit related development to take place around existing railway stations. This relates to both private property and government owned land and air rights above that land where achievable. |

## 1.7 RELATIONSHIP WITH THE METROPOLITAN REGION SCHEME

The Scheme is complementary to, and is not a substitute for, the Metropolitan Region Scheme, and the provisions of the Metropolitan Region Scheme, as amended, continue to have effect. The authority responsible for implementing the Metropolitan Region Scheme is the Western Australian Planning Commission (hereinafter called “the Commission”).

## 1.8 RELATIONSHIP OF SCHEME TO LOCAL LAWS

Where a provision of this Scheme is inconsistent with any local law or by-law, the provisions of this Scheme shall prevail.

## 1.9 INTERPRETATION

- 1.9.1 Words and expressions used in the Scheme shall have the respective meanings given to them in Schedule 1 or elsewhere in the Scheme and the R-Codes.
- 1.9.2 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.
- 1.9.3 Words and expressions used in the Scheme but not defined in Schedule 1, elsewhere in the Scheme or in the R-Codes shall have their normal and common meanings.

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## **PART 2 – RESERVES**

### **2.1 RESERVES**

Certain lands within the Scheme Area are shown on the Scheme Map and classified into either:

- (a) Metropolitan Region Scheme Reserves; or
- (b) Local Reserves.

### **2.2 METROPOLITAN REGION SCHEME RESERVES**

2.2.1 The land shown as “Metropolitan Region Scheme Reserves” on the Scheme Map are lands reserved under the Metropolitan Region Scheme and are shown on the Scheme Map in order to comply with the Act. Those lands are not reserved by this Scheme. The provisions of the Metropolitan Region Scheme continue to apply to such reserves.

#### **2.2.2 Amendment of Metropolitan Region Scheme**

Where, after the gazettal date, the Metropolitan Region Scheme is amended to zone a Regional Reserve, the local government shall treat an application for Planning Approval on such land as though the development involves a “D” use, and such of the provisions of Part 3 and Part 6 as are relevant to “D” uses shall apply until the Scheme has been amended to include the land in a zone or Local Reserve (see subclause 3.2.2).

### **2.3 LOCAL RESERVES**

#### **2.3.1 Local Reserves**

“Local Reserves” are delineated and depicted on the Scheme Map according to the legend thereon.

#### **2.3.2 Use of Local Reserves**

Any Local Reserve not owned by or vested in the local government may be used:

- (a) for the purpose for which the land is reserved under the Scheme;
- (b) where such land is vested in a public authority, for any purpose for which such land may be lawfully used by that authority;
- (c) for the purpose for which it was used at the Gazettal Date unless the land in the meantime has become vested in a public authority, or unless such use has been changed with the approval of the local government; or

- (d) for any purpose approved by the local government but in accordance with any conditions imposed by the local government;

but shall not be used otherwise or for any other purpose.

### 2.3.3 Development of Local Reserves

Unless the proposed development is a public work exempted by the Act, or the written approval of the local government is first obtained, no person shall:

- (a) demolish or damage any building or works;
- (b) remove or damage any tree;
- (c) excavate spoil or waste the land so as to destroy affect or impair its usefulness for the purpose for which it is reserved;
- (d) construct, extend, or alter any building or structure other than a boundary fence;
- (e) carry out or commence to carry out any other development on any Local Reserve.

### 2.3.4 Applications for Planning Approval on Local Reserves

2.3.4.1 The local government may consider applications for Planning Approval for land within a Local Reserve but shall have due regard to the ultimate purpose intended for the Local Reserve and the matters set out in Clause 67 of the deemed provisions (“Matters to be Considered by the local government”).

2.3.4.2 Provisions in the Scheme relating to applications for Planning Approval and the exercise of any discretion thereon shall, insofar as they are not inconsistent with this clause, apply to Local Reserves.

2.3.4.3 To the extent that it is reasonable to do so, the local government shall apply or impose development standards and requirements which would be imposed for development of the kind in question on zoned land, and the local government shall for that purpose stipulate the zone most relevant for comparison.

2.3.4.4 Where any land is partly zoned under the Scheme and partly included in a Local Reserve, then the general provisions of the Scheme shall apply to the part which is zoned, and where the circumstances permit, the local government may give one decision in respect of the part of the land which is zoned and a different decision in respect of the part of the land included in the Local Reserve.

2.3.4.5 The local government shall, in the case of land reserved for the purposes of a public authority, consult with that authority before giving its approval.

2.3.5 Right of Disposal

The local government may deal with or dispose of land it has acquired for a Local Reserve upon such terms and conditions as it thinks fit provided that the land is used or preserved for the use for which the land is reserved.

## **PART 3 – ZONES**

### **3.1 CLASSIFICATION**

3.1.1 There are hereby created the several zones set out hereunder.

Residential  
Mixed Use  
Business  
Commercial  
Civic & Cultural  
Private Clubs/Recreation  
Service Industrial  
Centre  
Urban Development  
Special Residential  
Rural  
Special Use

3.1.2 The zones are delineated and depicted on the Scheme Map and Structure Plan Maps according to the legend thereon.

### **3.2 ZONING TABLE**

3.2.1 The Zoning Table (hereinafter called Table 1) indicates subject to the provisions of the Scheme, the permissibility of use classes within the various zones. The permissibility of any use class is indicated by a symbol determined by cross reference between the list of “Use Classes” listed down the left hand side of Table 1 and the “Zones” listed along the top of Table 1.

3.2.2 The symbols used in Table 1 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” = A Use Class that is not permitted, but to which the local government may grant its approval after following the procedures laid down by subclause 6.6.2;

“A” = A Use Class that is not permitted unless the local government has exercised its discretion and has granted planning approval after giving special notice in accordance with Clause 64 of the deemed provisions;

“X” = A Use Class that is not permitted except under the provisions of clause 3.15.

The Special Use Zone, Urban Development Zone, Rural Zone and Centre Zone are not listed in Table 1 and the permissibility of uses in those zones is to be determined by the provisions specifically applying to them in the Scheme or in any Structure Plan approved under Part 4 and Part 5 of the deemed provisions.

- 3.2.3 Where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any other use class which by its more general terms might otherwise include such particular use.
- 3.2.4 Where a building or land is used, or a proposed building is designed, for more than one use, it shall be regarded for the purposes of the Scheme as being used or designed partially for each of those uses.

### **3.3 UNLISTED USES**

If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the local government may:

- (a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or
- (b) determine that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the procedures set down for an 'A' use in Clause 6.6.3 in considering an application for planning approval; or
- (c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.

### **3.4 THE RESIDENTIAL ZONE**

- 3.4.1 The Residential Zone is intended primarily for residential development in an environment where high standards of amenity and safety predominate to ensure the health and welfare of the population.

Residential development is provided for at a range of densities with a variety of housing to meet the needs of different household types. This is done through application of the R-Codes (R Codes), and the allocation of a residential density code to an area of land.

Cultural and recreational development may be located where the local government considers the same to be appropriate in residential neighbourhoods within the Residential Zone.

The objectives of the Residential Zone are to:

- (a) maintain the predominantly single residential character and amenity of established residential areas;

- (b) provide the opportunity for grouped and multiple dwellings in selected locations so that there is a choice in the type of housing available within the City; and
- (c) provide the opportunity for aged persons housing in most residential areas in recognition of an increasing percentage of aged residents within the City.

3.4.2 For lots one hectare or greater within the Residential zone with a density code greater than R20, the minimum residential density to be achieved is 25 dwellings per site hectare.

### **3.5 THE MIXED USE ZONE**

3.5.1 The Mixed Use Zone is intended to accommodate a mixture of residential development with small businesses in a primarily residential scale environment. The predominant non-residential uses will be office, consulting, dining and limited retail uses occupying the street frontage of lots.

The zoning will provide an intermediate stage between Residential and Commercial or Business Zone areas. A high level of pedestrian amenity should be provided.

The objectives of the Mixed Use Zone are to:

- (a) provide a diversity of land use and housing types compatible with the maintenance of residential amenity;
- (b) allow appropriate businesses to locate and develop in close proximity to residential areas;
- (c) allow for services to be provided locally.

3.5.2 A shop may be permitted in the Mixed Use Zone, subject to local government's discretion after giving notice in accordance with Clause 64 of the deemed provisions, and provided the following conditions have been met:

- (a) Shopping floor space does not exceed 200m<sup>2</sup> NLA;
- (b) The parcel of land is on a separate green title lot of not less than 1000m<sup>2</sup>;
- (c) The aggregate shopping NLA on any group of adjoining or adjacent lots in the Business and Mixed Use Zones must not exceed 1000m<sup>2</sup>; and
- (d) The direct street frontage of any lot containing a shop must be at least 20 metres in width.

- 3.5.3 The conditions specified in clause 3.5.2 are not standards or requirements for the purposes of clause 4.5.1.

### **3.6 THE BUSINESS ZONE**

- 3.6.1 The Business Zone is intended to accommodate wholesaling, retail warehouses, showrooms and trade and professional services and small scale complementary and incidental retailing uses, as well as providing for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets that provide for the needs of the community but which due to their nature are generally not appropriate to or cannot be accommodated in a commercial area.

The objectives of the Business Zone are to:

- (a) provide for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets as well as complementary business services;
  - (b) ensure that development within this zone creates an attractive façade to the street for the visual amenity of surrounding areas.
- 3.6.2 Development in the Business Zone shall conform, among other things, with the general provisions set out below.
- (a) Buildings shall be set back a minimum of 6m from the street boundary. A lesser setback may be encouraged where location and design issues would make this appropriate.
  - (b) Setbacks to side and rear boundaries shall comply with the Building Code of Australia.
  - (c) With the exception of lots around which authorised screen walls have been erected, landscaping to the satisfaction of local government shall be planted and maintained by the owners on all portions of the property not covered by approved buildings, storage areas, accessways or parking areas (notwithstanding that shade trees shall be planted and maintained by the owners in car parking areas to the local government's satisfaction). Owners shall establish and maintain landscaping to local government's satisfaction on adjacent street verges.
  - (d) Screen walls 1.8 metres high to a specification approved by and to the satisfaction of the local government shall be provided to screen the rear areas of all lots where necessary to protect the amenity of any adjoining residential lots.
  - (e) Provisions relating to Building Construction:



- (i) every building shall have a façade of brick, plate glass or other approved material to all street frontages;
  - (ii) where under the Building Code of Australia metal clad walls are permitted, they must have a factory applied painted finish to the satisfaction of the City Building Surveyor.
- 3.6.3 A shop may be permitted in the Business Zone, subject to local government's discretion after giving notice in accordance with Clause 64 of the deemed provisions, and provided the following conditions have been met:
- (a) Shopping floor space does not exceed 200m<sup>2</sup> NLA;
  - (b) The parcel of land is on a separate green title lot of not less than 1000m<sup>2</sup>;
  - (c) The aggregate shopping NLA on any group of adjoining or adjacent lots in the Business and Mixed Use Zones must not exceed 1000m<sup>2</sup>; and
  - (d) The direct street frontage of any lot containing a shop must be at least 20 metres in width.
- 3.6.4 The conditions specified in clause 3.6.3 are not standards or requirements for the purpose of clause 4.5.1.

### **3.7 THE COMMERCIAL ZONE**

- 3.7.1 The Commercial Zone is intended to accommodate existing or proposed shopping and business centres where it is impractical to provide a Structure Plan in accordance with Part 5 of the deemed provisions.

The objectives of the Commercial Zone are to:

- (a) make provision for existing or proposed retail and commercial areas that are not covered by an Structure Plan;
  - (b) provide for a wide range of uses within existing commercial areas, including retailing, entertainment, professional offices, business services and residential.
- 3.7.2 Notwithstanding clause 3.7.1, subject to Clause 43 of the deemed provisions, any major development on land in the Commercial Zone which is wholly or partly within one of the following activity centres shall not be approved unless an activity centre structure plan has been prepared and adopted in accordance with the requirements of State Planning Policy 4.2 – Activity Centres for Perth and Peel and Part 5 of the deemed provisions:
- (a) Warwick
  - (b) Whitford

- (c) Currambine
- (d) Greenwood
- (e) Woodvale

### **3.8 THE CIVIC AND CULTURAL ZONE**

The objective of the Civic and Cultural Zone is to make specific provision for public facilities such as government offices, halls, theatres and art galleries.

Although many of the uses permitted in the Civic and Cultural Zone may be equally appropriate in the Centre Zone, it is provided as a separate zone to stand in its own right should the need arise.

### **3.9 THE PRIVATE CLUBS/RECREATION ZONE**

The objective of the Private Clubs/Recreation Zone is to accommodate uses such as private golf clubs, private educational, institutional and recreational activities.

### **3.10 THE SERVICE INDUSTRIAL ZONE**

3.10.1 The Service Industrial Zone is intended to provide for a wide range of business, industrial and recreational developments which the local government may consider would be inappropriate in Commercial and Business Zones and which are capable of being conducted in a manner which will prevent them being obtrusive, or detrimental to the local amenity.

The objectives of the Service Industrial Zone are to:

- (a) accommodate a range of light industries, showrooms and warehouses, entertainment and recreational activities, and complementary business services which, by their nature, would not detrimentally affect the amenity of surrounding areas;
- (b) ensure that development within this zone creates an attractive façade to the street for the visual amenity of surrounding areas.

3.10.2 Development in the Service Industrial Zone shall conform, among other things, with the general provisions set out below.

- (a) Buildings shall be set back a minimum of 6 metres from the street boundary. Setbacks to side and rear boundaries shall comply with the Building Code of Australia.
- (b) Where a lot has a boundary with more than one street, the local government shall designate one such boundary as the frontage and may approve buildings up to a minimum distance of 3 metres from the other street boundaries.
- (c) That portion of a lot within 3 metres of its boundary with a road reserve shall only be used for:

- (i) an approved means of access;
- (ii) landscaping;
- (iii) an approved Trade Display

and that portion of a lot between 3 metres of its boundary with a road reserve and the building line setback shall only be used for the parking, loading or unloading of vehicles, and for landscaping.

- (d) With the exception of lots around which authorised screen walls have been erected, landscaping to the satisfaction of local government shall be planted and maintained by the owners on all portions of the property not covered by approved buildings, storage areas, accessways or parking areas (notwithstanding that shade trees shall be planted and maintained by the owners in car parking areas to the local government's satisfaction). Owners shall plant and maintain landscaping to local government's satisfaction on adjacent street verges.
- (e) Screen walls 1.8 metres high to a specification approved by and to the satisfaction of the local government shall be provided to screen the rear areas of all lots where necessary to protect the amenity of any adjoining residential lots.
- (f) Provisions relating to Building Construction:
  - (i) every building shall have a façade of brick, plate glass or other approved material to all street frontages;
  - (ii) where under the Building Code of Australia, metal clad walls are permitted, they must have a factory applied painted finish to the satisfaction of the City Building Surveyor.

### **3.11 THE CENTRE ZONE**

3.11.1 The Centre Zone is intended to accommodate existing and proposed business centres varying in size from local centres to strategic metropolitan centres and provides for the co-ordinated planning and development of these centres or other planning precincts where the local government considers that a Structure Plan is necessary.

The objectives of the Centre Zone are to:

- (a) provide for a hierarchy of centres from local centres to strategic metropolitan centres, catering for the diverse needs of the community for goods and services;
- (b) ensure that the city's commercial centres are integrated and complement one another in the range of retail, commercial,

entertainment and community services and activities they provide for residents, workers and visitors;

- (c) encourage development within centres to create an attractive urban environment;
- (d) provide the opportunity for the coordinated and comprehensive planning and development of centres through a Structure Plan process.

3.11.2 No subdivision or other development should be commenced or carried out in a Centre Zone until a Structure Plan has been prepared and adopted under the provisions of Part 5 of the deemed provisions. No subdivision should be commenced or carried out and no other development shall be commenced or carried out otherwise than in conformity with a Structure Plan.

3.11.3 The permissibility of uses in the Centre Zone shall be determined in accordance with the provisions of the relevant Structure Plan.

3.11.4 Subject to Clause 43 of the deemed provisions, any major development on land in the Centre Zone which is wholly or partly within an activity centre shall not be approved unless an activity centre structure plan has been prepared and adopted in accordance with the requirements of State Planning Policy 4.2: Activity Centres for Perth and Peel and Part 5 of the deemed provisions.

### **3.12 THE URBAN DEVELOPMENT ZONE**

3.12.1 The purpose of the Urban Development Zone is to provide for the orderly planning and redevelopment of larger areas of land or districts in an integrated manner within a regional context whilst retaining flexibility to review planning with changing circumstances. In considering applications for development and changes to residential density codings in areas near existing and proposed future railway stations the local government will have due regard to the desirability of higher residential densities, transit related development and good pedestrian and vehicular access to stations in order to promote public transport usage.

The objectives of the Urban Development Zone are to:

- (a) designate land for future urban development;
- (b) provide for the orderly planning of large areas of land for residential and associated purposes through a comprehensive structure planning process.
- (c) enable planning to be flexible and responsive to changing circumstances throughout the developmental stages of the area.

3.12.2 Subject to Clause 27 of the deemed provisions, no subdivision or other development should be commenced or carried out in an Urban Development

Zone until a structure plan has been prepared and adopted under the provisions of Part 4 of the deemed provisions. No subdivision should be commenced or carried out, and no other development shall be commenced or carried out otherwise than in conformity with a Structure Plan.

3.12.3 The permissibility of uses in the Urban Development Zone shall be determined in accordance with the provisions of the relevant Structure Plan.

3.12.4 Specific Matters to be included in Structure Plans within the Urban Development Zone

3.12.4.1 Structure Plan No. 9 – Lot 61 (No. 14) Leach Street, Marmion

- (a) The preparation of a Vegetation Management Plan by the landowner over the Public Open Space and approved by the local government, prior to the approval of a Structure Plan for the entire site is required. The public open space is intended to be located within the treed Northeast section of the lot.
- (b) The Vegetation Management Plan shall be prepared in accordance with the City of Joondalup's local government Policy 1-2 'Public Participation' and shall aim to protect and enhance the area for bush conservation purposes for the long term enjoyment by the local community.
- (c) The rehabilitation of the Public Open Space area shall be undertaken by the landowner following the approval by the Western Australian Planning Commission of the Structure Plan and prior to approval of any subdivision application over the land.
- (d) An agreement being entered into between the City of Joondalup and the landowner. The agreement shall detail the landowner's commitment to \$10,000 for the preparation of the Vegetation Management Plan, and a further \$100,000 for the protection and further enhancement of the bushland on the proposed Public Open Space area.
- (e) The landowner is advised that sub clause (d) above is additional to the standard statutory requirements that may be placed on the landowner at the time of subdivision and/or development.

3.12.4.2 Where it is intended that a site is to be developed for residential purposes, any structure plan for that site must require that a minimum residential density of 25 dwellings per site hectare be achieved.

### **3.13 THE SPECIAL RESIDENTIAL ZONE**

3.13.1 The Special Residential Zone is intended to accommodate the development of single houses on lots of not less than 2,000m<sup>2</sup> with an average lot size of not less than 3,000m<sup>2</sup>. The objectives of the Special Residential Zone are to:

- (a) accommodate a spacious style of living in a low density setting;
- (b) maintain important environmental and landscape values through site-sensitive design and development.

### **3.14 THE RURAL ZONE**

The Rural Zone is intended to accommodate land that is included in the Rural Zone under the MRS.

If local government is required to consider an application in respect of a development, or use for land in the Rural Zone, then the local government shall, in addition to any other matters required by this Scheme to be considered, have regard to the following considerations:

- (a) as an overriding consideration, the intent of the application;
- (b) any comments the Commission may make in response to notice of the applications.
- (c) The interests of orderly and proper planning, and concern for the amenity of the relevant locality in the short, intermediate and long term.

### **3.15 ADDITIONAL USES (SCHEDULE 2 – SECTION 1)**

Notwithstanding anything contained in the Zoning Table, the land specified in Section 1 of Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.

### **3.16 RESTRICTED USES (SCHEDULE 2 – SECTION 2)**

Notwithstanding anything contained in the Zoning Table, the land specified in Section 2 of Schedule 2 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 2 with respect to that land.

### **3.17 THE SPECIAL USE ZONE (SCHEDULE 2 – SECTION 3)**

Special Use Zone is set out in Section 3 of Schedule 2 and is in addition to the zones in the Zoning Table. No person shall use any land or any structure or buildings on land, in a Special Use Zone except for the purpose set out against that land in Schedule 2 and subject to compliance with any conditions set out in Schedule 2 with respect to that land.

**3.18 Deleted (Amendment 31 – 14/8/2007)**

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## **PART 4 – GENERAL DEVELOPMENT REQUIREMENTS**

### **4.1 EXCLUSIONS**

The development requirements or standards specified in clauses 4.5 and 4.7 to 4.12 inclusive shall apply to all development other than development controlled by the R-Codes. In the Mixed Use Zone, the Business Zone, the Service Industrial Zone, the Special Residential Zone and the Rural Zone, the provisions of Clauses 3.5, 3.6, 3.10, 3.13 and 3.14 as the case may be, shall prevail if there is any conflict or inconsistency with this Part.

### **4.2 R-CODES**

4.2.1 For the purposes of this Scheme “R-Codes” means the Residential Design Codes set out in Appendix 2 to the Commission’s Statement of Planning Policy No. 1, together with any amendments thereto.

4.2.2 A copy of the R-Codes, as amended, shall be kept and made available for public inspection at the offices of the local government.

4.2.3 Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the R-Codes shall conform to the provisions of those R-Codes.

4.2.4 Subject to clause 4.2.5, the R-Code density applicable to land within the Scheme Area shall be determined by reference to the legend shown on the Residential Density Codes maps which form part of this Scheme.

Unless otherwise specified on the map or otherwise provided for in the Scheme the R20 density code applies unless the local government determines that a higher code should apply.

4.2.5 Deleted (Amendment 85 – 12/07/2016)

### **4.3 SPECIAL APPLICATION OF R-CODES**

4.3.1 Unless a density code is specified on the R-Code Map, for lots with a land area of less than 1000m<sup>2</sup> within the Commercial, Business or Mixed Use zone on the Scheme Map the applicable density code is R40.

4.3.2 Unless a density code is specified on the R-Code Map, for lots with a land area of 1000m<sup>2</sup> or more within the Commercial, Business or Mixed Use zone on the Scheme Map the applicable density code is R80.

4.3.3 For lots within the Residential zone with a density code of R20, where a dual density code does not apply, as depicted on the R-Code Map, the provisions of the R40 density code shall apply for the purpose of the development of Aged or Dependent Persons’ dwellings provided:



- (a) The site area is a minimum of 1100m<sup>2</sup>;
- (b) The development consists of a minimum of five dwellings;
- (c) No portion of a dwelling is vertically above another dwelling.

For the purposes of this subclause, no variation to the minimum and average site areas for Aged and Dependent Persons' Dwellings, as stipulated in the R-Codes, shall apply.

4.3.4 Within areas where a dual code applies as depicted on the R-Code Map, the base R20 density code shall apply, unless it is determined that the higher code is acceptable having regard to clause 4.3.5.

4.3.5 Clause 5.1.1 of the R-Codes is modified by inserting the additional 'deemed-to-comply' criteria:

C1.5 In areas where dual coding applies, site areas under the higher coding may be applied subject to the following:

- (i) Development which complies with a minimum site width of 10 metres at the street boundary, with the exception of multiple dwelling sites; or
- (ii) Development of multiple dwelling sites which complies with a minimum site width of 20 metres at the street boundary.

#### **4.4 HOME BUSINESS**

##### **4.4.1 Home Business – Category 1**

4.4.1.1 Subject to Clause 4.4.4, a person may conduct a Home Business – Category 1 within a dwelling without the need to submit an application for approval to commence development.

4.4.1.2 Deleted (Amendment 31 – 14/8/2007).

##### **4.4.2 Home Business – Category 2**

4.4.2.1 A person wishing to conduct a Home Business - Category 2 on residential premises is required to apply to local government for an approval to commence development, and such use or occupation may be approved by local government at its discretion.

##### **4.4.3 Home Business – Category 3**

4.4.3.1 A person wishing to conduct a Home Business – Category 3 on residential premises is required to apply to local government for an approval to commence development, and such use or occupation may be approved by the local government at its discretion.

4.4.3.2 The provisions of the R-Codes and all other clauses in the Scheme relating to developments in a Residential Zone shall apply to a Home Business – Category 3. The local government may exercise its discretion and vary a provision of the R-Codes, except the minimum area of lot per dwelling prescribed in Column 3, Table 1 of the R-Codes.

#### 4.4.4 Review

4.4.4.1 At any time the local government may undertake a review of the status of an occupation being carried out in a dwelling as a Home Business – Category 1, by requiring the resident to submit a statement setting out the nature and extent of the occupation being carried out on the premises or, on reasonable notice, permitting inspection of the dwelling by the local government.

4.4.4.2 Following completion of a review, the local government may designate the occupation either as a Home Business – Category 1, Category 2 or 3 and require the resident to comply with the requirements of the Scheme in a manner applicable to that designation and if the designation has changed, then notwithstanding that the occupation may have been lawful up to the time of the review, such occupation shall be carried out only in conformity with the local government provisions of either a Home Business Category 2 or a Home Business – Category 3, whichever is applicable, once issued.

### **4.5 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS**

4.5.1 Except for development in respect of which the R-Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

4.5.2 In considering an application for planning approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the local government shall:

- (a) consult the affected parties by following one or more of the provisions for advertising uses pursuant to Clause 64 of the deemed provisions and
- (b) have regard to any expressed views prior to making its decision to grant the variation.

4.5.3 The power conferred by this clause may only be exercised if the local government is satisfied that:

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in Clause 67 of the deemed provisions; and
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.

#### **4.6 ENVIRONMENTAL CONDITIONS**

- 4.6.1 In accordance with section 50 of the Act, environmental conditions imposed by the Minister for the Environment on the Scheme or amendments to the Scheme and contained in Statements under Section 48F Environmental Protection Act 1986, are incorporated into the Scheme by Schedule 9 of the Scheme.
- 4.6.2 Where appropriate, the environmental conditions are indicated on the Scheme Map by the symbol “EC” to indicate that environmental conditions apply to the land.
- 4.6.3 The local government shall maintain a register of all the Statements published under Section 48F referred to in sub-clause 4.6.1 which shall be made available for public inspection at the offices of the local government.

#### **4.7 BUILDING SETBACKS FOR NON RESIDENTIAL BUILDINGS**

- 4.7.1 Unless otherwise provided for in Part 3 of the Scheme, buildings shall be set back from property boundaries as follows:
  - Setback from street boundary 9.0 metres
  - Setback from side boundary 3.0 metres
  - Setback from rear boundary 6.0 metres
- 4.7.2 Where a lot has a boundary with more than one street the local government shall designate one such street as the frontage and the other street boundaries as side boundaries, if it is satisfied that there will be no adverse effect on traffic safety, and no adverse effect on the amenity of any adjoining properties or the locality generally.

#### **4.8 CAR PARKING STANDARDS**

- 4.8.1 The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS 2890.1 or AS 2890.2 as amended from time to time. Car parking areas shall be constructed and maintained to the satisfaction of the local government.
- 4.8.2 The number of on-site car parking bays to be provided for specified development shall be in accordance with Table 2. Where development is not specified in Table 2 the local government shall determine the parking standard.

The local government may also determine that a general car parking standard shall apply irrespective of the development proposed in cases where it considers this to be appropriate.

#### **4.9 PEDESTRIAN AND VEHICLE RECIPROCAL ACCESS REQUIREMENTS**

If the local government approves car parking and pedestrian access on neighbouring premises in a manner which relies on the reciprocal movement of vehicles and pedestrians between or across the premises, the owners concerned shall allow the necessary reciprocal access and parking at all times to the local government's satisfaction.

#### **4.10 TRAFFIC ENTRANCES**

The local government may where it considers it desirable and in the interests of traffic safety direct the owner of any lot to limit access and egress or provide such additional access and egress as it requires to any premises.

#### **4.11 CAR PARKING – CASH IN LIEU OR STAGING**

4.11.1 The local government may permit car parking to be provided in stages subject to the developer setting aside for future development for parking the total required area of land and entering into an agreement to satisfactorily complete all the remaining stages when requested to do so by the local government.

4.11.2 The local government may accept a cash payment in lieu of the provision of any required land for parking subject to being satisfied that there is adequate provision for car parking or a reasonable expectation in the immediate future that there will be adequate provision for public car parking in the proximity of the proposed development.

4.11.3 The cash payment shall be calculated having regard to the estimated cost of construction of the parking area or areas suitable for the proposed development and includes the value, as estimated by the local government, of that area of land which would have had to be provided to meet the car parking requirements specified by the Scheme. The cash payment may be discounted and may be payable in such manner as the local government shall from time to time determine.

4.11.4 Any cash payment received by the local government pursuant to this clause shall be paid into appropriate funds to be used to provide public car parks in the locality as deemed appropriate by the local government.

#### **4.12 LANDSCAPING REQUIREMENTS FOR NON RESIDENTIAL BUILDINGS**

4.12.1 A minimum of 8% of the area of a development site shall be designed, developed and maintained as landscaping. In addition, the owner of the lot on which the development is located shall landscape the road verge(s) adjacent to that lot. Prior to occupation of a development, the owner of the lot on which

the development is located shall landscape the development site and the road verge(s) adjacent to the lot and thereafter maintain the landscaping and keep the road verge in a clean and tidy condition to the satisfaction of the local government.

4.12.2 When a proposed development includes a car parking area abutting a street, an area no less than 3 metres wide within the lot along all street boundaries shall be designed, developed and maintained as landscaping to a standard satisfactory to the local government. This landscaped area shall be included in the minimum 8% of the area of the total development site referred to in the previous subclause.

4.12.3 Landscaping shall be carried out on all those areas of a development site which are not approved for buildings, accessways, storage purposes or car parking with the exception that shade trees shall be planted and maintained by the owners in car parking areas at the rate of one tree for every four (4) car parking bays, to the local government's satisfaction.

#### **4.13 MINIMUM LOT DIMENSIONS**

Minimum lot sizes and frontages are not specifically set for the purposes of this Part. The extent of any development on any lot shall be dependent upon other development requirements. Notwithstanding the foregoing, the local government may establish policies outlining specific minimum lot dimensions for specific types of development where it considers that it is prudent to do so.

#### **4.14 STORAGE AND RUBBISH ACCUMULATION**

4.14.1 All storage, including the storage of accumulated rubbish, shall be confined to within a building, or a suitably enclosed area screened from its immediate surrounds and any adjacent public street or road by normal viewing by a wall not less than 1.8 metres in height constructed of brick, masonry or other approved material. All storage of accumulated rubbish shall be located in a position accessible to rubbish collection vehicles and where vehicular access and car parking will not be adversely affected.

4.14.2 Development requirements for enclosed storage areas and garbage storage areas relating to residential developments for grouped and multiple dwellings are contained within the 'R-Codes'.

#### **4.15 COMMERCIAL VEHICLE PARKING**

Parking of commercial vehicles in the Residential, Mixed Use, Business, Urban Development, Centre, Commercial and Special Residential Zones shall not be permitted except in accordance with the provisions set out in the following paragraphs of this clause;

- (a) a person shall not park, or permit to be parked, more than one commercial vehicle on any lot in the zones referred to in this clause;

- 
- (b) a person may only park a commercial vehicle on any lot in the zones referred to in this clause if:
- (i) the lot on which the vehicle is parked contains only a single house (including any associated outbuildings) provided that local government may permit the parking of such vehicle on a lot which contains grouped dwellings if it is of the opinion that this will not adversely affect the amenity of the grouped dwelling development or the surrounding area;
  - (ii) the vehicle is parked entirely on the subject lot and is located on a hard standing area which is located behind the front of the dwelling, or alternatively the vehicle is parked within a garage;
  - (iii) the vehicle is used as an essential part of the lawful occupation of an occupant of the dwelling. The foregoing requirement of this item shall not be satisfied in any case unless the owner of the vehicle or an occupier of the dwelling within seven days of the local government making a request, supplies to the local government full information as to the name and occupation of the person said to be using the vehicle. The request for that information is made for the purpose of this item by posting the request to the address of the owner of the vehicle shown on the vehicle registration, or by posting the request to or leaving it at the dwelling addressed in general way to the occupier. The parking of the vehicle on the lot does not authorise the conduct on that lot of the occupation of the vehicle user;
  - (iv) the vehicle does not exceed 3 metres in height (including the load), 2.5 metres in width, or 8 metres in length;
  - (v) the vehicle is not started or manoeuvred on site between the hours of 10.00 pm and 6.00 am the next following day;
  - (vi) while on the lot, the vehicle's motor is not left running while the vehicle is unattended or in any event for any period in excess of five minutes;
  - (vii) where a noise complaint is substantiated in accordance with the relevant Regulations made pursuant to the Environmental Protection Act 1986, the hours of operation shall be restricted to 7.00 am – 9.00 pm Monday to Saturday and 9.30 am – 9.00 pm Sundays and Public Holidays.  
  
Any restrictions imposed on the hours of operation shall not limit further application of the relevant Regulations made pursuant to the Environmental Protection Act 1986;
  - (viii) only minor servicing, including minor mechanical repairs and adjustments, and/or cleaning that generates easily contained liquid

waste is carried out on the lot. Liquid waste shall be as defined in the Health (Liquid Waste) Regulations 1993 and shall be disposed of in accordance with the same.

All cleaning and servicing shall be conducted behind the front of the dwelling;

- (ix) storage of liquid fuels on the lot complies with the Explosive and Dangerous Goods Act, 1961;
- (x) the vehicle is not used or designed for use for the transportation of livestock or the transportation or disposal of liquid or solid wastes or other use so as to cause nuisance or pollution as defined in the Health Act 1911 and/or the Environmental Protection Act 1986;
- (xi) the vehicle is not carrying a refrigeration unit which is operating on a continuous or intermittent basis;
- (xii) while on the lot, there is no transfer of goods or passengers from one vehicle to another vehicle, unloading or loading of the vehicle, or storage of goods associated with the use of the vehicle;
- (xiii) the vehicle is not used or operated as a tow truck or other emergency vehicle, between the hours of 10.00 pm to 6.00 am in a manner that adversely affects the residential amenity of the area;
- (c) the local government may in writing approve a variation to any of the requirements of items (ii) and (iv) in paragraph (b) provided the local government is satisfied in the circumstances that the variation will not adversely affect the amenity of the area surrounding the subject land. Surrounding landowners and occupants may be invited to comment on the proposed variation;
- (d) an approval of the local government granted under paragraph (c) is personal to the person to whom it is granted, is not capable of being transferred or assigned to any other person, and does not run with the land in respect of which it is granted;
- (e) a vehicle shall be considered to be parked on a lot for the purpose of this clause if it remains on that lot for more than one hour in aggregate over any period of 24 hours unless the vehicle is being used bona fide in connection with ongoing construction work legally being carried out on the lot, the burden of proving which shall lie upon the person asserting it.

#### **4.16 RECREATIONAL VEHICLE PARKING**

4.16.1 Parking of one (1) recreational vehicle in the Residential zone shall be permitted as of right and without the need for local government approval provided that the vehicle does not exceed 3 metres in height, 2.5 metres in width and 8 metres in length.

- 4.16.2 The local government may in writing approve a variation to Clause 4.16.1 provided the local government is satisfied in the circumstances that the variation will not adversely affect the amenity of the area surrounding the subject land. Surrounding landowners and occupants may be invited to comment on the proposed variation in accordance with the “D” use provisions contained within Clause 6.6.2.
- 4.16.3 In supporting a variation to Clause 4.16.1, local government shall impose the following in addition to any other requirements:
- (i) The vehicle(s) shall be parked entirely on the subject lot and shall be located on a hard standing area behind the facade of the dwelling, or alternatively the vehicle being parked within a garage.
  - (ii) The vehicle(s) shall not be started or maneuvered on site between the hours of 10.00 pm and 6.00 am.
- 4.16.4 Any approval of the local government granted under Clauses 4.16.2 and 4.16.3 is personal to the person to whom it is granted, is not capable of being transferred or assigned to any other person, and does not run with the land in respect of which it is granted.

#### **4.17 RESTRICTIVE COVENANTS**

- 4.17.1 Subject to clause 4.17.2, a restrictive covenant affecting any land in the Scheme area by which, or the effect of which is that, the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the Scheme, is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the R-Codes which apply under the Scheme.
- 4.17.2 Where clause 4.17.1 operates to extinguish or vary a restrictive covenant local government will not grant planning approval to the development of the land which would, but for the operation of clause 4.17.1, have been prohibited unless the application has been dealt with as an ‘A’ use and has complied with all of the advertising requirements of Clause 64 of the deemed provisions.



## **PART 5 – SPECIAL CONTROLS**

### **5.1 CONTROL OF ADVERTISEMENTS**

#### 5.1.1 Objectives

The objectives of the provisions for control of advertisements are:

- (a) to ensure that the visual quality and character of particular localities and transport corridors are not eroded;
- (b) to achieve advertising signs that are not misleading or dangerous to vehicular or pedestrian traffic;
- (c) to minimize the total area and impact of outdoor advertising commensurate with the realistic needs of commerce for such advertising;
- (d) to prohibit outdoor advertising which is considered to be superfluous or unnecessary by virtue of their colours, height, prominence, visual impact, size, relevance to the premises on which they are located, number and content;
- (e) to reduce and minimise clutter; and
- (f) to promote a high standard of design and presentation in outdoor advertising.

#### 5.1.2 Deleted (Amendment 85 – 12/07/2016)

#### 5.1.3 Existing Advertisements

Advertisements which:

- (a) were lawfully erected, placed or displayed prior to the Gazettal Date of the Scheme; or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the local government prior to the approval of this Scheme:

hereinafter in this Clause referred to as “existing advertisements”, may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

#### 5.1.4 Deleted (Amendment 85 – 12/07/2016)

#### 5.1.5 Deleted (Amendment 85 – 12/07/2016)

5.1.6 Deleted (Amendment 85 – 12/07/2016)

5.1.7 Deleted (Amendment 85 – 12/07/2016)

5.1.8 Deleted (Amendment 85 – 12/07/2016)

5.1.9 Deleted (Amendment 85 – 12/07/2016)

5.1.10 Deleted (Amendment 85 – 12/07/2016)

## **5.2 Deleted (Amendment 85 – 12/07/2016)**

## **5.3 LANDSCAPE/ENVIRONMENT PROTECTION**

### 5.3.1 Schedule 5

5.3.1.1 Schedule 5 contains details of those places and objects within the City which the local government has classified as having significance for the purpose of protection of the landscape or environment.

5.3.1.2 If the local government at any time considers that a place or object has significance from the point of view of protection of the environment or landscape, the local government may classify the place or object accordingly and shall add details thereof to Schedule 5 by amendment to the Scheme.

5.3.1.3 If the local government at any time considers that any Schedule 5 place or object should no longer be subject to the provisions of this clause the local government may initiate an amendment to the Scheme for the deletion of the place or object from Schedule 5.

### 5.3.2 Written Consent of the local government

5.3.2.1 Notwithstanding any other provisions of the Scheme to the contrary the approval of the local government is required for the following development on or in relation to any place of landscape or environmental value listed in Schedule 5:

- (a) the clearing, excavation or filling of any land;
- (b) the felling, removal, killing or causing of irreparable damage to any tree;
- (c) the erection of any fence;
- (d) the commencement or carrying out of any renovation, modification, refitting, decoration or demolition of any building; or

- (e) the alteration or removal of any building or object or part thereof.

5.3.2.2 Without affecting the generality of the preceding paragraph and notwithstanding the provisions of Clause 62 of the deemed provisions no development shall be commenced or carried out on land listed in Schedule 5 without Planning Approval.

5.3.2.3 For the avoidance of doubt, the requirement for approval under clause 5.3.2.1 is in addition to any other requirement for approval under the Scheme.

### 5.3.3 Agreements

The local government may:

5.3.3.1 enter into agreements with the owners or occupiers of land on which any Schedule 5 place or object is situated for the purpose of ensuring its preservation or conservation;

5.3.3.2 enter into agreements with any State or Commonwealth government authority or other body in Western Australia, for the preservation or conservation of any place or object listed in Schedule 5.

## 5.4 PURCHASE OR RESUMPTION

The local government may purchase, or, subject to the Act, compulsorily acquire all or part of on which any Schedule 5 place or object is situated, as in the opinion of the local government is necessary for its preservation, or which the local government considers necessary for the conservation of the natural beauties of an area, for the preservation of any particular tree or trees and without limiting the generality of the foregoing for the preservation of any place or object of cultural heritage significance or other scientific interest.

**PART 6 – DEVELOPMENT AND USE OF LAND**

**6.1 Deleted (Amendment 85 – 12/07/2016)**

**6.2 Deleted (Amendment 85 – 12/07/2016)**

**6.3 Deleted (Amendment 85 – 12/07/2016)**

**6.4 Deleted (Amendment 85 – 12/07/2016)**

**6.5 Deleted (Amendment 85 – 12/07/2016)**

**6.6 DEALING WITH “P”, “D”, “A” AND “X” USES**

6.6.1 “P” Uses – If an application under the Scheme for Planning Approval involves a “P” use, the local government shall not refuse the application by reason of the unsuitability of that use, but notwithstanding that, the local government may in its discretion impose conditions upon the Planning Approval and if the application proposes or necessarily involves any building or other work, the local government upon considering that building or other work may exercise its discretion as to the approval or refusal and the conditions to be attached to the proposed development.

6.6.2 “D” Uses – The local government in exercising its discretion as to the approval or refusal of an application for Planning Approval, shall have regard to the provisions of Clause 67 of the deemed provisions.

If in any particular case local government considers that it would be appropriate to consult with the public generally or with the owners or occupiers of properties adjoining or in the vicinity of a site the subject of an application for Planning Approval involving a “D” use, the local government may direct that the provisions of Clause 64 of the deemed provisions shall apply to that application.

6.6.3 “A” Uses – The use is not permitted unless the local government has exercised its discretion and has granted planning approval after having regard to the provisions of Clause 67 of the deemed provisions giving special notice in accordance with Clause 64 of the deemed provisions.

6.6.4 “X” Uses – The local government shall refuse to approve any application for planning approval which involves an “X” Use unless the use complies with clause 3.15.

**6.7 Deleted (Amendment 85 – 12/07/2016)**

**6.8 Deleted (Amendment 85 – 12/07/2016)**

**6.9 POWER TO DETERMINE APPLICATIONS FOR PLANNING APPROVAL**

6.9.1 Deleted (Amendment 85 – 12/07/2016)

6.9.2 Deleted (Amendment 85 – 12/07/2016).

6.9.3 Deleted (Amendment 85 – 12/07/2016)

6.9.4 If the local government in exercising any discretion is required by the Scheme or by any other written law to have due regard to any matter or thing, it shall be deemed to have had due regard to such matter or thing unless the contrary is expressly stated in the Minutes of the relevant Council Meeting or the document communicating the determination for decision to the applicant, or is otherwise proved. In any event, due regard to the matter or thing by the responsible Committee or officer of the local government under delegated authority shall be sufficient compliance.

**6.10 COMPLIANCE WITH CONDITIONS**

6.10.1 If the local government, or the State Administrative Tribunal on appeal from a decision of the local government, or any other decision making authority grants its approval of any development subject to conditions, no person shall use any land or building affected by the conditions or suffer or permit them to be used, or otherwise commence or carry out or suffer or permit the commencement or carrying out of any development on land otherwise than in accordance with the conditions.

6.10.2 Deleted (Amendment 85 – 12/07/2016)

**6.11 Deleted (Amendment 85 – 12/07/2016)**

**6.12 Deleted (Amendment 85 – 12/07/2016)**

## **PART 7 – NON-CONFORMING USES**

### **7.1 NON-CONFORMING USES**

Except as otherwise provided in this Scheme, no provision of the Scheme shall be deemed to prevent:

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the Gazettal date of the Scheme; or
- (b) the carrying out of any development thereon for which, immediately prior to that time, an approval or approvals, lawfully required to authorise the development to be carried out, were duly obtained and are current; or
- (c) the continued display of advertisements which were lawfully erected, placed or displayed prior to the approval of this Scheme.

### **7.2 EXTENSIONS AND CHANGES TO A NON-CONFORMING USE**

7.2.1 A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use or change the use of land from a non-conforming use to another non-conforming use without first having applied for and obtained planning approval under the Scheme.

7.2.2 An application for planning approval under this clause shall be advertised in accordance with clause 64 of the deemed provisions.

7.2.3 Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government shall not grant its planning approval unless the proposed use is:

- (a) substantially less detrimental to the amenity of the locality than the existing non-conforming use; and
- (b) in the opinion of the local government is closer to the intended purpose of the zone.

### **7.3 DISCONTINUANCE OF NON-CONFORMING USE**

When a non-conforming use of any land or buildings has been discontinued for a period of six months such land or buildings shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.

### **7.4 TERMINATION OF A NON-CONFORMING USE**

The local government may effect the discontinuance of a non-conforming use by the purchase of the land and buildings, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that land, and may enter into an agreement with the owner for that purpose.

## **PART 8 – FINANCE AND ADMINISTRATION**

### **8.1 Deleted (Amendment 85 – 12/07/2016)**

### **8.2 AMENITY**

- 8.2.1 No building shall be so constructed, finished or left unfinished that its external appearance would significantly detract from the amenity of the locality or tend to depreciate the value of adjoining property. All land and buildings shall be so used and maintained as to preserve the local amenity.
- 8.2.2 No land, building or appliance shall be used in such a manner as to permit the escape therefrom of smoke, dust, fumes, odour, noise, glare, vibration or waste products in such quantity or extent or in such a manner as will create or be a nuisance to any inhabitant, or to traffic or persons using any land or roads in the vicinity.
- 8.2.3 If the local government forms the opinion that there has been a breach of the requirements of the preceding subclauses it may, by notice in writing, require the owner to make good the breach in the manner and within the time stated in the notice. The notice may be served on the owner personally or by posting it to the last address of the owner known to the local government, and if served by post, shall be deemed to have been served three (3) clear days after the date of posting.
- 8.2.4 Any person upon whom a notice is served pursuant to this clause may, within 28 days of the date of service of the notice on that person, appeal pursuant to the Act against the requirements of the notice and, where any such appeal is lodged the effect of the notice shall be suspended until a decision to uphold, quash or vary the notice has been made on the appeal or the appeal has been withdrawn, whereupon the time stated in the notice shall again begin to run.
- 8.2.5 Failure to comply with a notice under this clause shall be a breach of the provisions of the Scheme.

### **8.3 UNKEMPT LAND**

- 8.3.1 On any land within the Scheme Area any undergrowth, refuse, rubbish or disused material which in the opinion of the local government is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof, the local government may cause a notice to be served on the owner or occupier of such land requiring that the land is cleared of trees, scrub, undergrowth, refuse or rubbish, or such refuse, rubbish or disused material is removed from such land within a specified period.
- 8.3.2 Every owner or occupier of land upon whom a notice is served shall comply with such notice within the time period therein specified.
- 8.3.3 Where the owner or occupier does not clear the land or remove the refuse, rubbish or disused material as required by the notice given by the local

government, the local government may without payment or any compensation in respect thereof, clear or remove it and dispose of it at the expense of and recover in a court of competent jurisdiction the amount of the expense from the owner or occupier to whom the notice is given.

8.3.4 Failure to comply with a notice under this clause shall be a breach of the provisions of the Scheme.

**8.4 Deleted (Amendment 85 – 12/07/2016)**

**8.5 Deleted (Amendment 85 – 12/07/2016)**

**8.6 Deleted (Amendment 85 – 12/07/2016)**

**8.7 Deleted (Amendment 85 – 12/07/2016)**

**8.8 Deleted (Amendment 85 – 12/07/2016)**

**8.9 Deleted (Amendment 31 – 14/8/2007)**

**8.10 OFFENCES**

8.10.1 No person shall depart from or permit or suffer any departure from the requirements and provisions of the Scheme, nor shall any person use or suffer or permit the use of any land or building or undertake or suffer or permit the undertaking of any development within the Scheme Area:

- (a) otherwise than in accordance with the provisions of the Scheme;
- (b) unless all approvals required by the Scheme have been granted and issued;
- (c) unless all conditions imposed upon the grant and issue of any approval required by the Scheme have been and continue to be complied with;
- (d) unless all standards laid down and all requirements prescribed by the Scheme or determined by the local government pursuant to the Scheme with respect to that building or that use of that part have been and continue to be complied with.

8.10.2 Any person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to such penalties as are prescribed by the Act.

**8.11 Deleted (Amendment 85 – 12/07/2016)**



**PART 9 – STRUCTURE PLANS**

Deleted (Amendment 85 – 12/07/2016)

**TABLE 1 (CLAUSE 3.2) – THE ZONING TABLE**

ZONES  USE CLASSES	RESIDENTIAL	MIXED USE	BUSINESS	COMMERCIAL	CIVIC & CULTURAL	PRIVATE CLUBS/RECREATION	SERVICE INDUSTRIAL	SPECIAL RESIDENTIAL	RURAL
Abattoir	X	X	X	X	X	X	X	X	X
Aged or Dependent Persons' Dwelling	D	D	D	D	X	X	X	X	X
Amusement Parlour	X	D	D	D	D	D	D	X	X
Ancillary Dwelling	D	X	X	X	X	X	X	X	X
Aquaculture	X	X	X	X	X	X	X	X	D
Art Gallery	X	D	P	P	P	P	X	X	A
Auction Room	X	D	D	D	X	X	P	X	X
Bakery	X	D	D	D	X	X	D	X	X
Bank	X	P	P	P	X	X	X	X	X
Bed & Breakfast	D	P	D	P	X	D	X	D	D
Betting Agency	X	X	D	D	X	D	X	X	X
Bulky Goods Showroom	X	X	P	P	X	X	P	X	X
Car Park	X	D	P	P	P	P	P	X	X
Car Wash	X	X	D	D	X	X	P	X	X
Caravan Park	A	X	X	X	X	P	X	X	X
Caretaker's Dwelling	D	D	D	D	D	D	D	X	X
Cattery	X	X	X	X	X	X	X	D	D
Child Care Centre	D	D	D	D	D	D	X	D	X
Cinema/Theatre	X	X	D	D	D	D	X	X	X
Civic Building	D	D	D	D	P	D	X	X	X
Club (Non-Residential)	X	X	D	P	D	D	D	X	X
Communication Antenna - Domestic	P	P	D	D	X	X	X	P	D
Communication Antenna	D	D	D	D	X	X	D	X	D
Concrete Batching Plant	X	X	X	X	X	X	X	X	X
Consulting Rooms	D	P	P	P	D	X	X	D	X
Convenience Store	X	D	P	P	X	D	D	X	X
Corner Store	X	P	P	P	X	X	X	X	X
Costume Hire	X	D	P	P	X	X	D	X	X
Display Home	P	P	P	P	D	D	P	D	D
Drive In Theatre	X	X	X	X	D	D	X	X	X
Drive Through Food Outlet	X	X	D	D	X	X	X	X	X
Dry Cleaning Premises	X	X	D	P	X	X	P	X	X
Educational Establishment	X	D	D	D	D	D	D	X	X
Equestrian Activity	X	X	X	X	X	D	X	X	X
Equipment Hire	X	X	D	D	X	X	D	X	X
Fuel Depot	X	X	X	X	X	X	D	X	X
Funeral Parlour	X	X	D	D	X	X	D	X	X
Garden Centre	X	X	P	P	X	X	P	X	X

ZONES	RESIDENTIAL	MIXED USE	BUSINESS	COMMERCIAL	CIVIC & CULTURAL	PRIVATE CLUBS/RECREATION	SERVICE INDUSTRIAL	SPECIAL RESIDENTIAL	RURAL
USE CLASSES									
Golf Course	X	X	X	X	X	D	X	X	X
Grouped Dwelling	D	D	D	D	X	X	X	X	X
Hardware Store	X	X	D	P	X	X	D	X	X
Holiday Village	X	X	X	X	X	D	X	X	X
Home Business – Category 1	P	P	P	P	X	X	X	P	X
Home Business – Category 2	D	P	P	P	X	X	X	P	X
Home Business – Category 3	A	P	P	P	X	X	X	D	X
Hospital	X	X	D	D	D	X	X	X	X
Hotel	X	X	D	D	X	D	X	X	X
Industry – Extractive	X	X	X	X	X	X	X	X	X
Industry – General	X	X	X	X	X	X	X	X	X
Industry – Hazardous	X	X	X	X	X	X	X	X	X
Industry – Light	X	X	X	X	X	X	P	X	X
Industry – Rural	X	X	X	X	X	X	D	X	X
Industry – Service	X	X	X	X	X	X	P	X	X
Kindergarten	D	D	D	D	D	D	X	X	X
Land Sales Office (Temporary)	P	P	P	P	D	D	P	D	D
Landscape Supplies	X	X	X	X	X	X	D	X	X
Launderette	X	X	P	P	X	X	P	X	X
Laundry	X	X	D	D	X	X	P	X	X
Liquor Store	X	X	D	P	X	X	X	X	X
Lunch Bar	X	P	P	P	X	X	D	X	X
Markets (Retail)	X	X	D	D	X	X	X	X	X
Market Garden	X	X	X	X	X	X	X	X	X
Medical Centre	X	P	P	P	D	X	X	X	X
Milk Depot	X	X	X	X	X	X	D	X	X
Motel	X	X	D	D	X	D	X	X	X
Multiple Dwelling	D	D	D	D	X	D	X	X	X
Night Club	X	X	D	D	X	D	D	X	X
Nursing Home	D	D	D	D	D	X	X	X	X
Office	X	P	P	P	X	X	X	X	X
Open Air Display	X	X	X	X	X	X	D	X	X
Park Home Park	D	X	X	X	X	D	X	X	X
Place of Assembly	X	D	D	D	P	D	D	X	X
Place of Worship	X	D	D	D	P	D	D	X	X
Private Recreation	X	D	D	D	D	P	X	X	X
Public Exhibition Facility	X	D	D	D	P	P	X	X	X
Public Utility	P	P	P	P	P	P	P	P	P
Reception Centre	X	D	D	P	D	D	X	X	X
Recreation Centre	X	D	D	D	D	D	D	X	X

ZONES	RESIDENTIAL	MIXED USE	BUSINESS	COMMERCIAL	CIVIC & CULTURAL	PRIVATE CLUBS/RECREATION	SERVICE INDUSTRIAL	SPECIAL RESIDENTIAL	RURAL
USE CLASSES									
Residential Building	D	D	D	D	X	D	X	X	X
Resort	X	X	X	X	X	D	X	X	X
Restaurant	X	D	P	P	D	D	X	X	A
Restricted Premises	X	X	X	D	X	X	X	X	X
Retirement Village	D	D	D	D	X	D	X	X	X
Rural Use	X	X	X	X	X	X	X	X	P
Service Station	X	X	D	D	X	X	D	X	X
Shop	X	X*	X*	P	X	X	X	X	X
Short Stay Accommodation	X	D	D	D	X	D	X	X	X
Single House	P	P	D	D	X	X	X	P	P
Small Bar	X	D	D	P	X	P	X	X	X
Special Place of Assembly	X	X	X	X	D	D	X	X	X
Stables	X	X	X	X	X	D	X	X	P
Take Away Food Outlet	X	X	P	P	D	D	X	X	X
Tavern	X	X	D	D	X	D	X	X	X
Trade Display	X	X	X	X	X	X	D	X	X
Transport Depot	X	X	X	X	X	X	P	X	X
Vehicle Panel Beating/Spray Painting	X	X	X	X	X	X	D	X	X
Vehicle Repairs	X	X	D	X	X	X	P	X	X
Vehicle Sales/Hire Premises	X	X	D	D	X	X	P	X	X
Vehicle Wrecking	X	X	X	X	X	X	X	X	X
Veterinary Consulting Rooms	X	X	P	P	X	X	P	X	A
Veterinary Hospital	X	X	D	D	X	X	P	X	A
Warehouse/Storage	X	X	D	X	X	X	P	X	X
Winery	X	X	X	X	X	X	X	X	D

\* - refer to Clause 3.5.2 and/or Clause 3.6.3 for further information

For Zones which have not been listed in this table refer to :

- 3.11 The Centre Zone
- 3.12 The Urban Development Zone
- 3.17 The Special Use Zone

**TABLE 2 (CLAUSE 4.8) - CAR PARKING STANDARDS**

USE CLASS	NUMBER OF ON-SITE PARKING BAYS (NLA = NET LETTABLE AREA)
Aged or dependent persons dwelling	As per the R-Codes
Betting Agency	1 per 50m <sup>2</sup> NLA
Bulky Goods Showroom	1 per 50m <sup>2</sup> NLA
Caravan Park	1 per 10 sites
Child Care Centre	Not less than 5 and 1 per staff member and in accordance with Local Planning Policy 3-1 Child Care Centres
Cinema/Theatre	1 per 4 seats
Consulting Rooms	5 bays per practitioner
Convenience Store	4 per 100m <sup>2</sup> NLA
Corner Store	4 per 100m <sup>2</sup> NLA
Display Home	5 per Display Home
Drive Through Food Outlet	1 per 4 guests in seated areas plus 7 per 100m <sup>2</sup> for non seating areas
Educational Establishment (other)	1 per 3 persons accommodated
Funeral Parlour	1 per 4 persons accommodated
Garden Centre	1 per 500m <sup>2</sup> of site area used for display plus 1 per 10m <sup>2</sup> NLA internal display area
Grouped Dwelling	As per the R-Codes
Hardware Store	1 per 30m <sup>2</sup> NLA
Health Centre	1 per 30m <sup>2</sup> NLA
High School	2 per classroom and a minimum of 10 bays
Hospital	1 per 3 patients accommodated plus 1 space for each staff member on duty
Hotel	1 per bedroom plus 1 per 3m <sup>2</sup> drinking area plus 1 per 5m <sup>2</sup> for seating area
Industrial	1 per 50m <sup>2</sup> NLA
Land Sales Office	5 per Land Sales Office
Landscape Supplies	1 per 500m <sup>2</sup> display area plus 1 per employee
Medical Centre	5 per practitioner
Motel	1 per unit plus 1 per 5m <sup>2</sup> of dining room

USE CLASS	NUMBER OF ON-SITE PARKING BAYS (NLA = NET LETTABLE AREA)
Multiple Dwelling	As per the R-Codes
Office	1 per 50m <sup>2</sup> NLA
Open Air Display	1 per 200m <sup>2</sup> Display Area
Place of Assembly	1 per 4 persons accommodated
Primary School	2 per classroom but not less than 10
Place of Worship	1 per 4 persons accommodated
Recreation Centre	1 per 2.5 persons based on facility capacity
Residential Building	1 per 2 persons
Restaurant	Greater of 1 per 5m <sup>2</sup> of dining room or 1 per 4 guests
Secondary School	2 per classroom but not less than 10
Service Station	5 per service bay plus 7 per 100 m <sup>2</sup> NLA of sales/display area
Shop/Shopping Centres under 30,000m <sup>2</sup>	5 per 100m <sup>2</sup> NLA
Shopping Centres from 30,000 to 50,000m <sup>2</sup>	1500 bays for the first 30,000m <sup>2</sup> NLA plus 4.5 per 100m <sup>2</sup> NLA thereafter
Shopping Centres greater than 50,000m <sup>2</sup>	2400 bays for the first 50,000m <sup>2</sup> NLA plus 4 per 100m <sup>2</sup> NLA thereafter
Short Stay Accommodation	2 bays per unit
Single House	As per the R-Codes
Small Bar	1 per 4 persons accommodated
Special Place of Assembly & Sports Grounds	1 per 2.5 persons based on facility capacity
Take Away Food Outlet	1 per 4 guests in seated areas plus 7 per 100m <sup>2</sup> NLA for non seating serving areas
Tavern/Club	1 per 3m <sup>2</sup> NLA of standing area plus 1 per 5m <sup>2</sup> for seating area
Tertiary College	1 per 3 students accommodated
Transport Depot	1 per employee
Vehicle Panel Beating/Spray Painting & Vehicle Repairs	1 per 50m <sup>2</sup> NLA
Vehicle Sales/Hire Premises	1 per 200m <sup>2</sup> display area and 1 bay per employee
Veterinary Consulting Rooms or Hospital	5 per practitioner
Warehouse/Storage	1 per 50m <sup>2</sup> NLA

**TABLE 3 – WHITFORDS ACTIVITY CENTRE ZONING TABLE**

	Centre District			
	C-1	C-2	C-3	C-4
<b>Land Use</b>				
Aged or Dependent Persons Dwelling	D	X	D	D
Amusement Parlour	D	P	X	X
Ancillary Dwelling	X	X	X	X
Art Gallery	P	P	D	P
Auction Room	D	D	D	X
Bakery	P	P	A	X
Bank	P	P	D	X
Bed and Breakfast	X	X	D	X
Betting Agency	D	D	D	X
Car Park	D	P	D	P
Car Wash	D	D	A	X
Caretaker's Dwelling	D	X	D	D
Child Care Centre	D	D	A	D
Cinema/Theatre	X	P	X	X
Civic Buildings	P	P	P	P
Club (Non-Residential)	D	D	D	D
Communication Antenna – Domestic	P	D	D	D
Communication Antenna	D	D	D	D
Consulting Rooms	P	P	P	P
Convenience Store	P	P	D	D
Corner Store	P	D	D	D
Costume Hire	P	P	D	X
Department Store	X	D	X	X
Display Home	D	D	X	X
Drive Through Food Outlet	D	P	X	X
Dry Cleaning Premises	D	D	D	X
Educational Establishment	D	D	D	P
Garden Centre	X	D	X	X
Grouped Dwelling	D	D	D	D
Hardware Store	P	P	D	X

Home Business – Category 1	P	P	P	X
Home Business – Category 2	D	D	D	X
Home Business – Category 3	D	D	D	X
Hotel	D	D	A	X
Kindergarten	D	D	D	P
Land Sales Office (Temporary)	P	P	P	P
Laundrette	D	P	D	X
Liquor Store	D	P	X	X
Lunch Bar	P	P	P	D
Markets (Retail)	D	P	X	D
Medical Centre	P	P	D	D
Motel	D	D	A	X
Multiple Dwellings	D	D	D	D
Night Club	A	A	X	X
Office	P	P	P	P
Place of Assembly	D	D	D	P
Place of Worship	D	D	D	P
Private Recreation	P	P	A	D
Public Exhibition Facility	P	P	P	P
Public Utility	P	P	P	P
Reception Centre	D	D	D	D
Recreation Centre	D	D	D	D
Residential Building	D	X	D	D
Restaurant	P	P	D	X
Restricted Premises	D	D	X	X
Retirement Village	D	X	X	D
Service Station	D	D	X	X
Shop (up to 500m <sup>2</sup> NLA)	P	P	D	A
Shop (greater than 500m <sup>2</sup> NLA)	D	P	X	X
Short Stay Accommodation	D	D	D	D
Showroom	D	D	D	X
Single House	X	X	X	X
Sports Ground	X	X	X	P
Takeaway Food Outlet	D	P	A	A



Tavern	D	D	X	X
Vehicle Repairs	D	D	X	X
Veterinary Consulting Rooms	P	P	D	X
Veterinary Hospital	P	P	D	X

**SCHEDULE A – SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS**

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

Clause 61(1)

- (k) the erection of a boundary fence;
- (l) the carrying out of any works on, in, or under a street or road by a public authority acting pursuant to the provisions of any statute;
- (m) the carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services;
- (n) the demolition of any building or structure except where the building or structure is:
  - (i) located in a place that has been entered into the Register of Places under the *Heritage of Western Australia Act 1990*;
  - (ii) the subject of an Order under Part 6 of the *Heritage of Western Australia Act 1990*;
  - (iii) included on the Heritage List prepared in accordance with this Scheme; or
  - (iv) located in an area that will in the opinion of the local government affect a place included on the Heritage List.
- (o) any of the exempted classes of advertisements listed in Schedule 4 of the Scheme, except in respect of a place included on the Heritage List or which in the opinion of local government will affect such a place;
- (p) a satellite dish, aerial or radio equipment, in accordance with the City's Local Planning Policy and as defined and listed in both Table 1 as 'Communications Antenna – Domestic' and Schedule 1 as 'Communications Antenna' within the Scheme.

Clause 61(2)

- (g) the conducting of a Home Business – Category 1;
- (h) the parking of one commercial vehicle, in accordance with clause 4.15;
- (i) the parking of one recreational vehicle, in accordance with clause 4.16;

## **SCHEDULE 1 (CLAUSE 1.9) – INTERPRETATIONS**

**abattoir** : means any land or buildings used for the slaughter of animals for human consumption and the treatment of carcasses, offal and by-products.

**absolute majority** : shall have the same meaning as given to the term in and for the purposes of the Local Government Act 1995.

**advertising** : means the publication, display or presentation of any advertisement.

**aged or dependent person** : has the same meaning as is given to that term in the R-Codes.

**amusement machine** : means any machine, game, device or games table, whether mechanical, electronic or computer powered, or a combination of these, operated by one or more players for amusement and recreation.

**amusement parlour** : means premises, in which 2 or more amusement machines or computers are available for use by the public for amusement.

**ancillary dwelling** : has the same meaning as is given to it in the R-Codes.

**applicant** : means a person who is applying or has applied to the local government for Planning Approval.

**aquaculture** : shall have the same meaning as given to the term in and for the purposes of the Fish Resources Management Act 1994.

**art gallery** : means any land or buildings used to display art works which may be offered for sale.

**auction room** : means a room or rooms within a building in which goods are exposed or offered for sale by auction.

**bakery** : means any land or buildings used to make and/or display and sell bread and pastry products, but excludes “hot bread” shops.

**bank** : means any land or building used for banking purposes.

**battle-axe lot** : means a lot having access to a public road by means of an access strip included in the Certificate of Title of that lot.

**bay** : see “car parking bay”.

**bed & breakfast** : means any dwelling in which the resident of the dwelling provides accommodation on an overnight or short-term basis, usually to the travelling public, and may include the provision of breakfast.

**betting agency** : means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*;

**boat launching facility** : means any land or building used to launch or retrieve boats into and from the water and may include a boat ramp or slip way.

**building** : means any structure or appurtenance thereto whether fixed or moveable, temporary or permanent, and without limiting the generality of the foregoing includes a shed, stall, fence, wall, barrier, hoarding, outbuilding, tent, caravan or swimming pool.

**building envelope** : means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings not including boundary fences and effluent disposal facilities on the lot must be contained.

**bulky goods showroom**: means premises -

(a) Used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes –

- (i) automotive parts and accessories;
- (ii) camping, outdoor and recreation goods;
- (iii) electric light fittings;
- (iv) animal supplies including equestrian and pet goods;
- (v) floor and window coverings;
- (vi) furniture, bedding, furnishings, fabrics, manchester and homewares;
- (vii) household appliances, electrical goods and home entertainment goods;
- (viii) party supplies;
- (ix) office equipment and supplies;
- (x) babies' and childrens' goods, including play equipment and accessories;
- (xi) sporting, cycling, leisure, fitness goods and accessories;
- (xiii) swimming pools;

or

(b) used to sell by retail goods and accessories by retail if –

- (i) a large area is required for the handling, display or storage of the goods;  
or
- (ii) vehicular access is required to the premises for the purpose of collection of purchased goods.

**camping ground** : shall have the same meaning as given to the term under the Caravan Parks and Camping Grounds Act 1995.

**caravan park** : shall have the same meaning as given to the term under the Caravan Parks and Camping Grounds Act 1995.

**caretaker's dwelling** : means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.

**car park** : means premises used primarily for the parking of private vehicles or taxis whether open to the public or not but does not include any part of a public road which is used for the

through movement of traffic or premises on or in which vehicles are displayed for sale or premises set aside to meet a specific parking requirement under the Scheme. The term includes the land required on site for access and manoeuvring to enable vehicles to gain access to car parking bays.

**car parking bay** : means that area of a lot which is required for the parking of a stationary motor vehicle to the minimum dimensions specified by the Scheme, constructed and paved to the specifications set down by the local government and includes where the context permits an area considered appropriate by the local government for access and manoeuvring on the site to allow a vehicle to gain access to a parking bay but does not include crossovers, service areas and landscaping. The terms bay and parking bay have the same meaning.

**car wash** : means any land or buildings used for mechanical vehicle washing. Such uses may or may not be associated with a service station and may include such other uses considered by local government to be ancillary to the predominant use of the land.

**carry on** : means in connection with the use or other development of land the same as “carry out”.

**carry out** : means in connection with the use or other development of land the same as “carry on”.

**cattery** : means the use of an approved outbuilding constructed in accordance with the Health Act Model By-Laws Series ‘A’ Part One – General Sanitary Provisions (1927) for the purpose of keeping more than three (3) cats over the age of three (3) months.

**child care centre** : means premises used for the daily or occasional care of children in accordance with the Community Services (Child Care) Regulations 1988.

**cinema/theatre** : means premises where the public may view a motion picture or theatrical production.

**City** : means the City of Joondalup.

**civic building** : means premises designed used or intended to be used by any Federal, State or municipal government department, authority or body for the purpose of an office, hall or library, or a centre for cultural, recreational or social purposes, or for any other community service.

**club (non-residential)** : means premises used for the purpose of club premises by an incorporated club or incorporated association or other body of persons united by a common interest (whether those premises be licensed under the provisions of the Liquor Act 1970 as amended or re-enacted or not) and which premises are not otherwise classified under the provisions of the Scheme.

**commercial vehicle** : means a vehicle whether licensed or not which is used or designed for use for business, trade or commercial purposes or in conjunction with a business, trade or profession and without limiting the generality of the foregoing includes any utility, van, truck, trailer, tractor and any wheeled attachment to any of them or any wheeled article designed to be an attachment to any of them, and any bus or omnibus or any earthmoving machine whether self-propelled or not. The term shall not include a vehicle designed for use as a passenger car

or any trailer or other thing most commonly used as an attachment to a passenger car, or a van, utility or light truck which is rated by the manufacturer as being suitable to carry loads of not more than 1.5 tonnes. If a truck, prime mover or other vehicle is attached to a trailer, semi-trailer or any other attachment, each trailer, semi-trailer or other attachment is to be regarded as a separate commercial vehicle. A loaded combination, such as a bobcat, forklift or other vehicle or attachment loaded on a truck, trailer or other attachment is to be regarded as one commercial vehicle.

**Commission** : means the Western Australian Planning Commission constituted under the Western Australian Planning Commission Act 1985 (as amended).

**communications antenna**: means any mast, antenna, aerial, satellite dish and other associated equipment used for the reception or transmission of television or radio signals or for other electronic communication where its vertical or horizontal dimensions exceed two metres but does not include telecommunications infrastructure.

**community purpose** : means the use of premises designed or adapted primarily for the provision of education, social, cultural and recreational facilities and services by organisations involved in activities for community benefit.

**conservation** : means, in relation to any place on the Heritage List (Clause 5.2.2), the management of that place in a manner that will:

- (a) enable the cultural heritage significance of that place to be retained; and
- (b) yield the greatest sustainable benefit for the present community without diminishing the cultural heritage significance of that place, and may include the preservation, stabilisation, protection, restoration, reconstruction, adaptation and maintenance of that place in accordance with relevant professional standards, and the provision of an appropriate visual setting.

**consulting rooms** : means a building used by no more than one health consultant for the investigation or treatment of human injuries or ailments and for general patient care.

**convenience store** : means any land and or buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents and may include the sale of petrol and operated during hours which may extend beyond normal trading hours. The buildings associated with a convenience store shall not exceed 200m<sup>2</sup> net leasable area.

**convenience goods** : means goods sold or offered for sale by retail, and being goods ordinarily consumed on a regular basis by people residing in or resorting to the locality and includes food and other articles of household use, pharmaceutical products, newspapers and magazines.

**corner store**: means any land and building comprising a dwelling house attached to which is a shop not exceeding 100 sq.m. gross floor area offering only convenience goods for sale (other than sale between the hours of 4.00 pm on one day and 8.00 am the following day of prepared food for immediate consumption which is prohibited), operated as an additional use by a permanent resident of the dwelling,

**costume hire** : means premises used for the purpose of the hire of fancy dress garments and accessories.

**curtilage**: in relation to a dwelling means the yard of the dwelling; or an area in the immediate vicinity of the dwelling, situated on the same lot as, and used for purposes ancillary to, the dwelling. The curtilage shall not include the area located between the frontage and the dwelling. The term shall have a like meaning in relation to land around buildings other than dwellings.

**density code** : means the code based on the number of dwellings permitted per hectare as provided in the R-Codes. The density code applicable to any land is shown on the Residential Density Code Map.

**development** : shall have the same meaning given to it in and for the purposes of the Act but shall also include in relation to any building, object, structure or place listed on the Heritage List any act or thing that:

- (a) is likely to change the character of the place or the external appearance of any building; or
- (b) would constitute an irreversible alteration to the fabric of any building.

**development site** : means land the subject of an application for a Planning Approval.

**district** : means the municipal district of the City of Joondalup.

**drive in theatre** : means any land or buildings used to make provision for an audience to view the entertainment while seated in motor vehicles.

**drive-through food outlet** : means a take away food outlet which includes the sale and serving of food direct to persons driving or seated in motor vehicles. The term may or may not include the preparation of food for sale and consumption within the building; or portion thereof.

**dry cleaning premises** : means any land or buildings used for the cleaning of garments and other fabrics by chemical processes.

**dwelling** : has the same meaning as that set out in the R-Codes.

**educational establishment** : means a school, college, university, technical institute, academy or other educational centre, training centre or a lecture hall, but does not include premises intended or used to accommodate or deal with offenders or persons undergoing punishment.

**equestrian activity** : means any land or buildings used for the showing, competition or training of horses and includes a riding school.

**equipment hire** : includes the use of land or buildings for the hire of lawnmowers and other items of a like kind and the term may include the display of some items of that equipment. But the term does not include the hire of vehicles

**extractive industry** see industry – extractive.

**façade** : means the exposed face of a building facing any road or open space or the frontal outward appearance of the building.

**factory unit building** : means a building or structure, or a 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.

**family day care centre** : has the same meaning as that in the Community Services (Child Care) Regulations 1988.

**floor area** : shall have the same meaning given to it in and for the purposes of the Building Code of Australia 1996.

**floor area of a building** : means –

- (a) for any building (or part of a building) that is subject to the R-Codes, the gross total of the areas of all floors of the building being the areas specified in the definition of Plot Ratio contained in the R-Codes.
- (b) for any other building (or part of a building), the gross total area of all floors of the building, including the area of any walls, however excluding the area of:
  - lift shafts, stairs or stair landings common to two or more tenancies;
  - machinery, air conditioning and equipment rooms;
  - non habitable space that is wholly below natural ground level;
  - areas used exclusively for the parking of wheeled vehicles at or below ground level;
  - lobbies or amenities areas common to more than one tenancy;
  - balconies or verandahs open on at least two sides.

**frontage** : when used in relation to a building that is used for:

- (a) residential purposes, has the same meaning given to the term in the R-Codes; or
- (b) purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts two or more roads, the one to which the building or proposed building faces.

**fuel depot** : means any land or building used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into the final user's vehicle of such fuel from the premises.

**funeral parlour** : means any land or buildings used to prepare and store bodies for burial or cremation and may include facilities to conduct memorial services.

**garden centre** : means any land or buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden activities.



**gazettal date** : means the date on which the Scheme came into force, being the date on which notice of the Minister’s approval of the Scheme is published in the Government Gazette.

**general industry** : refer industry – general.

**gross floor area (GFA)** : has the same meaning as “floor area” in the Building Codes of Australia.

**gross leasable area (GLA)** : means, in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.

**grouped dwelling** : has the same meaning as that set out in the R-Codes.

**hardware store** : means a shop in which tools, building materials, paint, garden improvement products and plants are for sale.

**hazardous industry** : refer industry – hazardous.

**health centre** : shall have the same meaning as Medical Centre.

**health studio** : see recreation centre.

**height** : when used in relation to a building that is used for:

- (a) residential purposes, has the same meaning given to it in and for the purpose of the R-Codes; and
- (b) purposes other than residential purposes, means the measurement taken from the natural ground level immediately in front of the centre of the face of the building to a level of the top of the eaves, parapet or flat roof, whichever is the highest.

**holiday village** : means composite holiday recreation development, incorporating a variety of holiday accommodation types, including caravan park, holiday cottages and motel units with directly associated facilities and services, and may include licensed premises under the Liquor Act 1970-1976 (as amended).

**home business – category 1** : means an occupation carried on within a dwelling by a resident of the dwelling which:

- (a) does not entail the retail sale, display or hire of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (c) does not entail any substantial and/or inappropriate modification of the dwelling;
- (d) does not entail employment of any other person except a member of the household;
- (e) does not occupy an area greater than 30m<sup>2</sup>;
- (f) does not display any advertising signage;

- (g) does not attract customers or regular and frequent deliveries of goods or equipment to the site;
- (h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in any increase in the amount of vehicular traffic in the vicinity; and
- (i) does not entail the presence, parking and garaging of a vehicle of more than 1.5 tonnes tare weight;
- (j) does not involve the servicing or repair for gain of motor vehicles;
- (k) notwithstanding factors (a)–(j); a Home Business Category 1 may entail the operation of a Family Day Care Centre as defined by Clause 1.9 of this Scheme.

**home business – category 2 :** means an occupation carried on in a dwelling or on land around a dwelling by a resident of the dwelling which:

- (a) does not entail the retail sale, outdoor display or hire of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding;
- (d) entails the employment of no more than 1 person not a member of the occupier's household;
- (e) does not occupy an area greater than 30m<sup>2</sup>. Local government may permit an area greater than 30m<sup>2</sup> where it is considered that the scale of the business is limited by other factors and the increase in floorspace will not have a detrimental effect on the amenity of the surrounding areas;
- (f) does not have more than one advertisement sign and the sign displayed does not exceed 0.2 square metres in area;
- (g) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity;
- (h) does not involve the servicing or repair for gain of motor vehicles; and
- (i) does not entail the presence, parking and garaging of a vehicle of more than 3.5 tonnes tare weight.

**home business – category 3 :** means an occupation or professional practice undertaken for the purposes of commercial gain; and carried on in a dwelling or on land around a dwelling by a resident of the dwelling which:

- (a) does not entail the retail sale, outdoor display or hire of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding;
- (d) entails employment of a maximum of 2 persons not members of the occupier's household. Local government may approve a greater number of employees, not exceeding 4 persons, subject to community consultation;
- (e) occupies an area not exceeding 50 square metres. Local government may approve; subject to community consultation; an area of up to 100 square metres, or one third of the floor area of the dwelling whichever is the lesser;
- (f) displays a sign describing the nature of the approved home occupation. The sign must not exceed 0.2 square metres, and a maximum 2 metres high;

- (g) will not result in the requirement for a greater number of parking facilities than those provided on the site so as to cause an unacceptable inconvenience for adjoining residents and road users;
- (h) will not result in a substantial increase in the amount of vehicular traffic in the vicinity;
- (i) does not involve the servicing or repair for gain of motor vehicles; and
- (j) does not entail the presence, parking and garaging of a vehicle of more than 3.5 tonnes tare weight.

**hospital** : means any land or buildings where people are admitted and lodged for medical treatment or care.

**hotel** : means any land or buildings used for the overnight accommodation of patrons and may include facilities for consumption of beverages or a restaurant, or a betting agency operated in accordance with the Totalisator Agency Betting Board Act 1960, or facilities for entertainment, but does not include a bed and breakfast facility, and which may be the subject of a hotel licence granted under the provisions of the Liquor Licensing Act 1988.

**incidental use** : means a use of premises which is ancillary and subordinate to the predominant use.

**industry** : means the carrying out of any process for and incidental to:

- (a) making, altering, repairing, ornamenting, painting, finishing, cleaning, packing, canning, adapting, breaking up or demolishing of any article or part of any article;
- (b) winning, processing or treatment of minerals;
- (c) generation of electricity or the production of gas;
- (d) the manufacture of edible goods;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of, or the incidental sale of goods resulting from the process, and the use of land for the amenity of persons engaged in the process; but does not include:

- (i) the carrying out of agriculture;
  - (ii) on-site work on buildings or land; and
  - (iii) in the case of edible goods the preparation of food for retail sale from the premises.
- (e) depots for bulk storage and distribution purposes.

**industry – extractive** : means the extraction of sand, gravel, clay, peat, soil, rock, stone, minerals or any similar substance from land, and includes the manufacture of products from those materials when the manufacture and storage is carried out on the land from which any of those materials is extracted or on land adjacent thereto.

**industry – general** : means an industry other than an extractive, hazardous, light or rural industry.

**industry – hazardous** : means an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality, to human health, life or property, or to the biophysical environment. Examples of such industry include oil refineries and chemical plants but would generally exclude light, rural or service industries.

**industry – light** : means an industry:

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises, will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and
- (b) the establishment of which will not, or the conduct of which does not, impose an undue load on any existing or proposed service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.

**industry – rural** : means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.

**industry – service** : means -

- (a) an industry – light carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or
- (b) premises having a retail shop front and used as a depot for receiving goods to be serviced;

**institutional building** : means a building used or designed for use wholly or principally for the purpose of:

- (a) a hospital or sanitarium for the treatment of infectious or contagious diseases;
- (b) a penal or reformatory institution;
- (c) a hospital for the treatment of the mentally handicapped;
- (d) any other similar use.

**kennels** : means any land or buildings used for the boarding and breeding of dogs for remuneration where such premises are registered or required to be registered by the local government, and may include the sale of dogs.

**kindergarten** : means premises used for the purpose of the care and education of pre-school children.

**land** : shall have the same meaning given to the term in and for the purposes of the Act.

**land sales office (temporary) :** means a temporary building used solely for the purpose of land and/or development transactions associated with the site/locality upon which the building is located.

**landscape supplies :** means any land or buildings used for the storage and sale of items such as woodchips, logs, rocks, sand, stone, paving slabs and other such materials.

**launderette :** means premises in which machines for the washing and drying of clothes and fabrics are available for use by the public for reward.

**laundry :** means premises, generally not open to the public, used for the purposes of washing, ironing or dry cleaning of clothes or fabrics.

**liquor store :** means any land or buildings the subject of a liquor store licence granted under the provisions of the Liquor Licensing Act 1988.

**Local Government:** means local government of the City of Joondalup.

**lot :** shall have the same meaning as is given to it in and for the purposes of the Act and “allotment” has the same meaning, but shall not include a Strata or survey Strata lot.

**local reserve :** means land, other than a regional reserve, which is reserved for a specific purpose.

**lunch bar :** means premises used as a take away food outlet but within the hours of 9.00am to 3.00pm only.

**major development:** in relation to an activity centre has the same meaning as given to it by State Planning Policy 4.2: Activity Centres for Perth and Peel.

**markets (retail) :** means retail premises at which goods are sold from temporary stalls in individual bays leased to or otherwise occupied by independent stallholders.

**mast or antenna :** means any mast, aerial, satellite dish and other associated equipment used for the transmission or reception of radio or television signals or for other electronic communications. A television antenna on a dwelling roof being consistent with the predominant style and size of television antenna on other dwellings in the locality is not included, provided its vertical and horizontal dimensions do not exceed two metres. (See “communications antenna”.)

**medical centre :** means premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling).

**Metropolitan Region Scheme :** means the Metropolitan Region Scheme made pursuant to the Metropolitan Region Town Planning Scheme Act 1959 published in the Government Gazette of August 9, 1963, and as amended from time to time.

**Metropolitan Region Scheme Reserve :** means land reserved under the Metropolitan Region Scheme.

**Minister** : means the Minister for Planning or the Minister in the Western Australian Government responsible for town planning.

**motel** : means premises used to accommodate patrons in a manner similar to an hotel but at which special provision is made for the accommodation of patrons with motor vehicles and which does not operate with an Hotel or Limited Hotel Licence, or a Cabaret Licence or a Tavern Licence or a Special Facility Licence.

**multiple dwelling** : has the same meaning as that set out in the R-Codes.

**net lettable area or NLA** : means the area of all floors confined within the finished surfaces of permanent walls but excludes the following areas:

- (a) all stairs, toilets, cleaners' cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building

**night club** : means any land or buildings used to provide entertainment and dancing and may include the provision of food and drink for consumption on the premises, but does not include the sale of packaged liquor or gaming and to which a licence under the provisions of the Liquor Licensing Act 1988 may have been granted.

**non-conforming use** : means a use of land which although lawful immediately prior to the coming into operation of the Scheme is not in conformity with a provision of the Scheme dealing with the zoning or classification of land and the permissibility of uses on land so zoned or classified. The term shall apply in the same way to a use becoming unlawful as a result of an amendment of the Scheme. A use is not lawful for the purpose of this definition if any planning approval of the local government or other planning authority was not obtained.

**nursing home** : means premises in which persons who do not require constant medical attention are received as patients and lodged for the purposes of medical supervision and nursing care.

**office** : means any premises used for the administration of clerical, technical, professional or other like business activities but does not include administration facilities which are required in association with a predominant use on site, and does not include consulting rooms or medical centres.

**open air display** : means the use of a site external to a building for the display and / or sale of goods or equipment.

**parking bay** : see car parking bay.

**park home park** : has the same meaning as in the Caravan Parks and Camping Grounds Regulations 1997.

**Part** : means one of the Parts of the Scheme.

**place** : means an area of land sufficiently identified by survey, description or otherwise as to be readily ascertainable, and includes:

- (a) an area of land situated below low water mark on the seashore or on the bank of tidal waters, or in the bed of any watercourse, lake or estuary;
- (b) any works or buildings situated there, their contents relevant to the purpose of this Scheme, and such of their immediate surroundings as may be required for the purposes of the conservation of those works or buildings; and
- (c) as much of the land beneath the place as is required for the purposes of its conservation.

**place of assembly** : means premises where the public assemble or go for any cultural, religious, recreational, sporting or other activity save that where the scale of development proposed is greater than can be reasonably accommodated in any area, the use shall be dealt with as a “Special Place of Assembly”.

**place of worship** : means premises used for religious activities such as a church, chapel, mosque, synagogue or temple.

**plot ratio** : means the ratio of the floor area of a building to the area of land within the boundaries of the lots on which that building is located.

**private recreation** : means land used for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not usually open to the public without charge.

**proponent** : means a person or body who is applying or has applied to the local government for Planning Approval or an amendment to the Scheme, or who is applying or has applied to the Commission for approval to subdivide or amalgamate land. The term includes the local government proposing development or otherwise opting to initiate the preparation of Structure Plan or a person or body who is submitting or has submitted a Structure Plan under Part 9 of the Scheme.

**public amusement** : means premises used for the purpose of the amusement or entertainment of the public with or without charge.

**public authority** : shall have the same meaning given to it in and for the purposes of the Act.

**public exhibition facility** : means any premises used for the public display of materials, of an artistic, cultural or historical nature, or for educational purposes and includes a museum or art gallery and may include sales of such materials.

**public purposes** : includes Government and Local Authority Purposes.

**public utility** : means any work or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications, passenger transport or other similar services.

**reception centre** : means premises which may include catering facilities used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes.

**recreation centre** : means any premises used for physical exercise or sports including swimming, ice skating, ten pin bowling, cricket, tennis, squash, soccer, billiards and similar activities.

**recreational vehicle** : means a vehicle whether licensed or not which is used, designed or modified for recreational use, mobile accommodation or similar purposes and without limiting the generality of the foregoing; includes any mobile home, caravan, campervan and any wheeled attachment to any of them which is rated by the manufacturer as being suitable to carry loads of not more than 1.5 tonnes. The term shall not include a vehicle designed for use as a passenger car, or a van, 4WD, utility or light truck that is rated by the manufacturer as being suitable to carry loads of not more than 1.5 tonnes. The term shall not include a boat, yacht or any other similar watercraft.

**relevant date** : means the Gazettal Date or the date any relevant amendment to the Scheme is published in the Government Gazette.

**residential building** : has the same meaning given to it in the R-Codes.

**resort** : means any land or buildings used for the overnight or holiday accommodation of patrons in self-contained units or apartments and may include incidental on-site recreational facilities such as golf, swimming, bike riding, tennis, bowls, fishing, and may also include restaurants, shops and entertainment facilities, with all or most facilities usually being limited for the convenience of residents.

**restaurant** : means any premises where the predominant use is the preparation of food for sale and consumption within the building or portion thereof. The expression may include the sale of food for consumption off the premises, where local government is of the opinion that it is incidental to the business. The term may include an outdoor eating area which shall be treated as being within the building of the Restaurant. The expression excludes Drive Through Food Outlets.

**restricted premises** : means any premises used or designed to be used primarily 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 publications pursuant to the Indecent Publications and Articles Act 1902 (as amended); or
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily on or in connection with any form of sexual behaviour or activities.



**retirement village** : means any land or buildings used to accommodate aged persons and retirees together with ancillary facilities.

**road verge** : see street verge.

**rural use** : means agriculture, horticulture and may include aquaculture, and includes the raising of livestock and the retail sale of the produce of the property where satisfactory access and parking can be provided, and provided that any processing of the produce prior to sale can take place on site.

**Schedule** : means a schedule to the Scheme.

**Scheme** : means the City of Joondalup District Planning Scheme No. 2.

**service station** : means premises used for the retail sale of petroleum products and motor vehicle accessories and goods of an incidental/convenience retail nature, and for carrying out greasing, tyre repairs or minor mechanical repairs to motor vehicles, but does not include a transport depot, panel beating, spray painting, major repairs or wrecking.

**setback** : means the horizontal distance between a wall at any point and an adjacent lot boundary measured at right angles (90°) to the wall.

**shop** : means premises other than a bulky good showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

**short stay accommodation** : means the use of a single house, grouped dwelling or multiple dwelling for the purposes of providing temporary accommodation to any person or persons; for the purpose of the definition of “short stay accommodation”, temporary accommodation excludes any period of accommodation which exceeds a continuous period of three months.

**single house** : has the same meaning given to the term in the R-Codes.

**site hectare**: means the total site area of a subdivision proposal less deductions for non-residential uses including streets, laneways, open space and community facilities.

**small bar**: means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*.

**special place of assembly** : means premises used for a sports stadium, racecourse, showground, fun fair, multi-purpose sporting recreational complex, or other amusements. These uses require special siting to provide for large numbers of spectators, car parking, landscaping and protection of amenity.

**stables** : means any land, building or structure used for the housing, keeping and feeding of horses, asses and mules and associated incidental activities.

**State Planning Policy 4.2: Activity Centres for Perth and Peel** : means the policy by that name published in the Government Gazette on 31 August 2010 and includes any amendments to the policy.

**street alignment** : means the boundary between the land comprising a road reserve and the land that abuts thereon.

**street verge** : means the land between the street alignment of any lot and the road pavement.

**take away food outlet** : means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but excludes Drive Through Food Outlet.

**tavern** : means any land or buildings wherein the primary use is the consumption of beverages and may include a restaurant or facilities for entertainment and to which a licence may have been granted under the provisions of the Liquor Licensing Act 1988.

**trade display** : means the use of any land or building for the moderate and controlled display of trade goods and equipment for advertisement as approved by the local government.

**transport depot** : means any land or building designed and used, or which is adapted for use for one or more of the following purposes:

- (a) for the parking or garaging of more than four commercial vehicles;
- (b) for the transfer of goods or passengers from one vehicle to another vehicle;

and may include the maintenance, mechanical repair or refuelling of the vehicles referred to in (a) or (b) above but does not include any of the functions defined under Vehicle Repairs.

**vehicle** : includes motorcycles, boats, caravans and trailers.

**vehicle panel beating/spray painting** : means land and buildings used for, or in conjunction with, vehicle body repairs including panel beating, spray painting, chassis reshaping, application and sanding down of vehicle body filler.

**vehicle repairs** : means the use of land and buildings for the purposes of conducting mechanical and electrical repairs and overhauls to vehicles and machinery including tyre recapping and retreading.

**vehicle sales and hire premises** : means any land or buildings used for the display, sale or hire of new or second-hand vehicles, and may include the servicing of such goods sold from the site.

**vehicle washing** : see car wash.

**vehicle wrecking** : means any land or buildings used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts.

**veterinary consulting rooms** : means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients. No animal undergoing treatment may remain on the premises overnight.

**veterinary hospital :** means the use of any land or buildings for the treatment of minor or major ailments of animals, and includes the accommodation of animals undergoing treatment.

**warehouse :** means premises used for storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale.

**warehouse/storage:** means premises including indoor or outdoor facilities used for

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods.

**wholesale :** means the sale of any goods to any person or persons other than the ultimate consumer of those goods.

**winery :** means any land or buildings used for the production and/or sale to the public of viticulture produce.

**SCHEDULE 2 - SECTION 1 (CLAUSE 3.15) - ADDITIONAL USES**

NO	STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE
1-1	30 Hocking Road Kingsley	Lot 500	Deleted by Amendment 12
1-2	2 Somersby Gardens Currambine	Lot 158	Corner Store excluding the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises
1-3	58 New Cross Road Kingsley	Lot 284	Place of Worship
1-4	123 Kingsley Drive Kingsley	Lot 1	Medical Centre
1-5	28 Seacrest Drive Sorrento	Lot 51	Medical Centre
1-6	291 Warwick Road Greenwood	Lot 22	Medical Centre
1-7	295 Warwick Road Greenwood	Lot 692	Medical Centre
1-8	315 Warwick Road Greenwood	Lot 1	Medical Centre
1-9	31 Linear Avenue Mullaloo	Lot 1	Medical Centre
1-10	6 Marina Boulevard Ocean Reef	Lot 100	Service Station
1-11	94 Caridean Street Heathridge	Lot 550	Veterinary Consulting Rooms
1-12	75 Gibson Avenue Padbury	Lot 30	Veterinary Consulting Rooms
1-13	3 Castlegate Way Woodvale	Lot 74	Veterinary Consulting Rooms
1-14	2 Warburton Avenue Padbury	Lot 1	Service Station
1-15	Deleted (Amendment 68) 2 August 2016		
1-16	Deleted (Amendment 68) 2 August 2016		

NO	STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE
1-17	Deleted (Amendment 68) 2 August 2016		
1-18	Deleted (Amendment 68) 2 August 2016		
1-19	4 Hocking Road Kingsley	Lot 99	Consulting Rooms; Medical Centre; Office; Veterinary Consulting Rooms; Funeral Parlour; Vehicle Sales/Hire Premises and Warehouse
1-20	10 Oceanside Promenade Mullaloo	Lot 100	While the building comprised in Strata Plan 47048 remains on this site, Strata Lots 4 and 10 of Strata 47048 may be used as multiple dwellings (permanent residential accommodation), notwithstanding that the R20 density code applies to the land.
1-21	20 Burrarah Way Duncraig	Lot 535	Medical Centre with a maximum of 2 health consultants, being general practitioners, specialist practitioners, dentist, radiologist, physiotherapist and any other medical staff generating their own independent patient load.
1-22	93 Wanneroo Road Greenwood	All lots contained on Strata Plan 27557	Showroom Warehouse
1-23	67 Woodvale Drive Woodvale	Lot 28	Place of Worship Place of Assembly Caretaker's Dwelling
1-24	1244 Marmion Avenue Currabine	Portion of Lot 929	Vehicle Repairs ("D")

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NO	STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE
1-25	86 Delamere Avenue Currambine	Lot 5001	Shop
	94 Delamere Avenue Currambine	Lot 5000	
	74 Delamere Avenue Currambine	Lot 5002	
	1244 Delamere Avenue Currambine	Portion of Lot 929	
	4 Hobsons Gate Currambine	Lot 5004	
	14 Hobsons Gate Currambine	Lot 5003	
	13 Hobsons Gate Currambine	Lot 5010	

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**SCHEDULE 2 - SECTION 2 (CLAUSE 3.16) - RESTRICTED USES**

NO	STREET/ LOCALITY	PARTICULARS OF LAND	RESTRICTED USE
2-1	6 Davallia Road Duncraig	Lot 10	Consulting Rooms, Educational Establishment, Health Centre, Health Studio, Launderette, Medical Clinic, Office, Private Recreation, Public Amusement, Restaurant, Service Industry, Showroom, Veterinary Consulting Rooms, Video Library, Warehouse
2-2	203 Warwick Road Duncraig	Lot 8	Drive-Through Food Outlet
2-3	103 Caridean Street Heathridge	Lot 745	Aged Persons' Dwelling
2-5	77 Gibson Avenue Padbury	Lot 23	Aged Persons' Dwelling
2-6	98 Ellersdale Avenue Warwick	Lot 921	Aged Persons Dwelling, Retirement Village, Nursing Home
2-7	15 Burlos Court Joondalup	Portion of Lot 701 zoned 'Residential'	Aged and Dependent Persons' Dwelling
2-8	20 Kanangara Crescent Greenwood	Lot 202	
	22 Kanangara Crescent Greenwood	Lot 201	Aged or Dependent Persons' Dwellings
	24 Kanangara Crescent Greenwood	Lot 200	
2-9	14 Camberwarra Drive Craigie	Lot 1001	Aged or Dependent Persons' Dwellings
2-10	57 Marri Road, Duncraig	Lot 642	
	59 Marri Road, Duncraig	Lot 643	Aged or Dependent Persons' Dwelling

**SCHEDULE 2 - SECTION 3 (CLAUSE 3.17) - SPECIAL USE ZONES**

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NO	STREET/ LOCALITY	PARTICULARS OF LAND	SPECIAL USE
3-1	265 Eddystone Avenue Beldon	Lot 656	Deleted by Amendment 4

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**SCHEDULE 3 (SUBCLAUSES 3.7.2 & 3.11.4) –COMMERCIAL & CENTRE ZONES**

Deleted (Amendment 66 – 3/5/2013)

**SCHEDULE 4 (SUBCLAUSE 5.1.5) – EXEMPTED ADVERTISEMENTS**

- (a) a sign erected or maintained in accordance with an Act;
- (b) a property disposal sign not exceeding 1.2m<sup>2</sup> erected on private property or immediately adjacent to the front boundary, where it is not possible to erect it on private property;
- (c) a plate not exceeding 0.2m<sup>2</sup> in area erected or affixed on the street alignment or between that alignment and the building line to indicate the name and occupation or profession of the occupier of the premises;
- (d) a direction sign;
- (e) a sign used solely for the direction and control of people, animals or vehicles or to indicate the name or street number of a premises, if the area of the sign does not exceed 0.2m<sup>2</sup>;
- (f) a window sign which complies with the applicable standards of a relevant local planning policy;
- (g) a sign displaying solely the name and occupation of any occupier of business premises painted on a window or wall of those premises providing that the sign does not exceed 1.2m<sup>2</sup> in area and a height of 600mm;
- (h) a sign within a building unless:
  - (i) it is clearly visible from a public place outside the building;
  - (ii) it is exempted under any other paragraph of this sub clause; or
  - (iii) it is considered objectionable by the local government;
- (i) a sign not larger than 0.6m x 0.9m on an advertising pillar or panel approved by or with the consent of the local government for the purpose of displaying public notices for information;
- (j) a building name sign on any building, where it is of a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
- (k) newspaper or magazine posters, provided they are displayed against the outside wall of the business premises from which the newspapers or magazines are sold;
- (l) a rural producer's sign which is the only sign on the lot on which it is erected;
- (m) a sign erected by the local government, or with the approval of the local government, on land under the care, control and management of the local government;

- (n) a sign erected and maintained on street furniture, bus shelters or seats in accordance with the terms and conditions of a contract between the local government and the company responsible for those signs;
- (o) a maximum of 4 garage sale signs, each not greater than 0.25m<sup>2</sup>, advertising the sale of second hand domestic goods in domestic quantities, not being part of a business, trade or profession and only being displayed on the day of the sale and on no more than 2 occasions for the same lot in each 6 month period;
- (p) a sign or signs erected in accordance with a special event permit issued under the City of Joondalup Signs Local Law;
- (q) a sign painted on a kerb, adjacent to a property depicting the house number and in accordance with specifications approved by the local government.
- (r) a sign erected by the local government for the purpose of:
  - (i) encouraging participation in voting (but not in favour of any candidate, political party, group or thing) at a local government election, provided that the signs are erected no more than 5 weeks prior to the election; or
  - (ii) indicating the name and location of a polling place for an election.

The advertising devices exempted above exclude signs which contain any illumination or radio; animation or movement in its design or structure; reflective; retro-reflective or fluorescent materials in its design or structure.

**SCHEDULE 5 (CLAUSE 5.3.1) – PLACES AND OBJECTS HAVING SIGNIFICANCE FOR THE PURPOSE OF PROTECTION OF THE LANDSCAPE OR ENVIRONMENT**

Locality	Address	Description
Joondalup	Reserve 28544 (200) Boas Avenue	Neil Hawkins Park
Joondalup	Loc 412 (218L) Lakeside Drive	Yellagonga Regional Park Landscape Precinct
Kingsley	Reserve 26052 (59) Shepherds Bush Drive	Shepherds Bush Reserve
Padbury	Reserve 42987 (319) Hepburn Avenue	Hepburn Conservation Area
Padbury	Reserve 25746 (750) Whitfords Avenue	Pinnaroo Valley Memorial Park
Beldon	Portion of Lots 11005, 11043 & 11879 (12) Sandalford Drive shown delineated with a yellow border on Plan No. 5.1	Sandalford Park
	4.4235 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species.	
Connolly	Portion of Lot 11598 (21) Bonnie Doon Gardens shown delineated with a yellow border on Plan No. 5.2	Bonnie Doon Park
	2.9612 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species and significant habitat for specially protected fauna.	
Connolly	That portion of Lot 11224 (383) Fairway Circle shown delineated with a yellow border on Plan No. 5.3	Fairway Park
	1.0411 hectares in area comprising Cottesloe Central & South vegetation complex. Contains priority flora species and provides significant habitat for specially protected fauna and possible threatened ecological community (26a).	
Connolly	Lot 12640 (4) Medinah Mews	Medinah Park
	2.1742 hectares in area comprising Cottesloe Central & South vegetation complex. Contains priority flora species and significant habitat for specially protected fauna.	
Locality	Address	Description

Locality	Address	Description
Connolly	Lot 11874 (3) Pine Valley Pass	Pine Valley Park 2.1971 hectares in area comprising Cottesloe Central & South vegetation complex . Contains significant flora species and significant habitat for specially protected fauna.
Connolly	Lot 10884 (8) St Michaels Avenue	St Michaels Park 1.5849 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species and significant habitat for specially protected fauna.
Craigie	Lot 9383 (15) Cawarra Crescent	Cawarra Park 3.0114 hectares in area comprising Cottesloe Central & South vegetation complex with overlying Quindalup dune ridge. Contains significant flora species.
Currambine	That portion of Lots 11916, 11795 and 11840 (32) Caledonia Avenue shown delineated with a yellow border on Plan No. 5.4	Caledonia Park 5.6161 hectares in area comprising Cottesloe Central & South vegetation complexes. Contains significant and priority flora species.
Currambine	That portion of Lot 12291 (145) Caledonia Avenue shown delineated with a yellow Border on Plan No. 5.5	Clermont Park 1.9713 hectares in area comprising Cottesloe Central & South vegetation complex. Contains priority flora species and significant habitat for specially protected fauna.
Duncraig	Lot 10286 (15) Alfreton Way	Alfreton Park 2.7415 hectares in area comprising Cottesloe Central & South/Karrakatta Central & South vegetation complex, with significant transition areas between each complex. Contains significant fauna and habitat for that fauna.
Duncraig	Lot 10951 (60) Glenbar Road	Glenbar Park 5.2528 hectares in area comprising Cottesloe Central & South vegetation complex. Contains priority flora species and significant habitat for specially protected fauna.
Duncraig	Lot 9853 (214) Lilburne Road	Lilburne Park 5.5763 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species and represents a stepping stone to a regionally significant linkage.

Locality	Address	Description
Duncraig	Lot 10942 (36) Truslove Way	Trigonometric Park 5975m <sup>2</sup> in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species and significant habitat for specially protected fauna.
Edgewater	Portion of Lot 10707 (21) Lake Valley Drive shown delineated with a yellow border on Plan No. 5.6	Lake Valley Park 1.7305 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species.
Edgewater	Lot 10265 (35) Quarry Ramble	Quarry Ramble Park 3.1223 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species.
Heathridge	Portion of Lots 10875, 12258 & 9838 (55) Littorina Avenue shown delineated with a yellow border on Plan No. 5.8	Littorina Park 6.041 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species.
Iluka	Portion of Lot 14466 (6) Silver Sands Drive shown delineated with a yellow border on Plan No. 5.9	Sir James McCusker Park 7.5834 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species and significant habitat for specially protected fauna.
Iluka	Portion of Lots 12413 & 12284 (53) Naturaliste Boulevard shown delineated with a yellow border on Plan No. 5.10	Naturaliste Park 3.3121 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant & priority flora species and significant habitat for specially protected fauna.
Joondalup	Lot 11755 (101) Candlewood Boulevard	Candlewood Park 7218m <sup>2</sup> in area comprising Cottesloe Central & South vegetation complex. Contains significant & priority flora species and significant habitat for specially protected fauna.

Locality	Address	Description
Joondalup	Lot 11990 (31) Moondarra Way	Water Tower Park 3.0835 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant & priority flora species and significant habitat for specially protected fauna.
Joondalup	Portion of Lots 11575 (96) & 11576 (102) Blue Mountain Drive shown delineated with a yellow border on Plan No. 5.11	Blue Lake Park 6.5472 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species.
Joondalup	Portion of Lot 15512 (1) Waterbird Turn shown delineated with a yellow border on Plan No. 5.12	Lakeside Park 3.1357 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant flora species and is contiguous with Yellagonga Regional Park.
Joondalup	Portion of Lot 14406 (187) Grand Boulevard and Lot 1101 (163) Lakeside Drive shown delineated with a yellow border on Plan No. 5.13	Central Park 7.1697 hectares in area comprising Cottesloe Central & South vegetation complexes. Contains significant & priority flora species.
Joondalup	Portion of Lot 12193 (14) Nanika Crescent shown delineated with a yellow border on Plan No. 5.14	Nanika Park 2.1735 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant & priority flora species.
Kallaroo	That portion of Lot 8707 (199) Bridgewater Drive shown delineated with a yellow border on Plan No. 5.15	Bridgewater Park 2.7790 hectares in area comprising Cottesloe Central & South vegetation complex with overlying Quindalup dune ridge. Contains significant flora species.

Locality	Address	Description
Kallaroo	Lot 9460 (43) Maritana Road	Maritana Park 2.7721 hectares in area comprising Cottesloe Central & South vegetation complex with overlying Quindalup dune ridge. Contains significant flora species.
Kingsley	Lot 10983 (56) Cadogan Street	Cadogan Park 4.9166 hectares in area comprising Karrakatta Central & South vegetation complex. Contains priority flora species.
Kinross	Lot 91 (29) Cranston Loop	Cranston Park 2.8067 hectares in area comprising Quindalup vegetation complex. High, vegetated sand dune that buffers residential subdivision from Tamala Park tip site and is part of a regionally significant linkage between Burns Beach bushland and Neerabup National Park.
Mullaloo	Lots 11783 & 9779 (28) Periwinkle Road	Periwinkle Park 3.7325 hectares in area comprising Quindalup vegetation complex. Contains significant & priority flora species and significant habitat for specially protected fauna.
Ocean Reef	Portion of Lot 11866 (40) Beaumaris Boulevard shown delineated with a yellow border on Plan No. 5.16	Beaumaris Park 6.1643 hectares in area comprising Cottesloe Central & South and Quindalup vegetation complex. Contains priority flora species and significant habitat for specially protected fauna.
Sorrento	Lot 8488 (24) Porteous Road	Porteous Park 2.1014 hectares in area comprising Cottesloe Central & South vegetation complex. Contains significant & priority flora species and significant habitat for specially protected fauna and represents a stepping stone in a regionally significant linkage.
Woodvale	Portion of Lots 10996, 12264 & 12282 (80) Timberlane Drive and Lot 12598 (152) Woodvale Drive shown delineated with a yellow border on Plan No. 5.17	Timberlane Park 7.9845 hectares in area comprising Karrakatta Central & South vegetation complex which is under represented both regionally and locally.



**SCHEDULE 6**

Deleted (Amendment 31 – 14/8/2007)

**SCHEDULE 7 (CLAUSE 9.3) - STRUCTURE PLANS : MATTERS TO BE INCLUDED**

Deleted (Amendment 85 – 12/07/2016)

**SCHEDULE 8 (CLAUSE 9.6) – CERTIFICATION OF STRUCTURE PLANS**

Deleted (Amendment 85 – 12/07/2016)

**SCHEDULE 9 (CLAUSE 4.6) – ENVIRONMENTAL CONDITIONS**

SCHEME OR AMENDMENT NO.	GAZETTAL DATE	ENVIRONMENTAL CONDITIONS

No environmental conditions are applicable to the Scheme area.

**SCHEDULE 10 – ADDITIONAL REQUIREMENTS THAT APPLY TO LAND COVERED BY A STRUCTURE PLAN, ACTIVITY CENTRE PLAN OR LOCAL DEVELOPMENT PLAN**

1. *Whitfords Activity Centre*

- 1.1 Land zoned ‘Centre’ within the Whitfords Activity Centre is separated into four ‘Centre Districts’ (C) as shown on the scheme map and detailed as follows:
- (a) Endeavour District (C-1);
  - (b) Retail District (C-2);
  - (c) Banks District (C-3); and
  - (d) Education and Civic District (C-4).
- 1.2 The RAC-0 density code applies to land zoned ‘Centre’ within the Endeavour District.
- 1.3 The R80 density code applies to land zoned ‘Centre’ within the Retail, Banks, and Education and Civic Districts.
- 1.4 The total net lettable area of all existing and future shop retail development for land within the ‘Centre’ zone shall be consistent with an Activity Centre Plan approved pursuant to State Planning Policy 4.2 – Activity Centres for Perth and Peel.
- 1.5 If an application for development approval is made to the local government to increase the floor space for shop/retail uses within the Retail District where the net lettable area is, or would be increased beyond 55,000m<sup>2</sup>, the application must demonstrate:
- (a) residential development in the Retail and/or Endeavour District/s at a minimum rate of one dwelling for every 500m<sup>2</sup> of additional shop/retail NLA in the Retail District;
  - (b) shop/retail uses within the Endeavour District with a net lettable area of at least 10% of the additional shop/retail net lettable area in the Retail District; and
  - (c) the mix of land use floor space, upon completion of the development subject of the application, is at least 40%.
- 1.6 Land use permissibility for land zoned ‘Centre’ within the Whitfords Activity Centre shall be in accordance with Table 3 – Whitfords Activity Centre Zoning Table. The symbols used in Table 3 have the same meaning as Clause 3.2.2 of the scheme.
- 1.7 Subject to sub-clause 1.6 and Table 3, where a land use is not listed, it shall be treated as an unlisted use, pursuant to Clause 3.3 of the scheme.

2. *Sorrento Activity Centre Plan*

2.1 Land use permissibility for land zoned 'Centre' within the Sorrento Activity Centre shall be in accordance with Table 1 with the exception of the following:

	Commercial Zone
Grouped Dwelling	X
Multiple Dwelling	P
Night Club	X
Single House	X
Restricted Premises	X
Vehicle Sales/Hire Premises	X
Veterinary Hospital	X

**PLANNING AND DEVELOPMENT  
ACT 2005**

**CITY OF JOONDALUP  
DISTRICT PLANNING SCHEME NO 2**

Published in the GOVERNMENT GAZETTE on the 28<sup>th</sup> day of November 2000 and subsequently amended as follows:

<b>AMENDMENT NO</b>	<b>DATE OF PUBLICATION</b>	<b>DESCRIPTION</b>
4	3.7.2001	Rezoning Lot 656 (265) Eddystone Avenue, Beldon from Special Use Zone – Office, Hardware, Garden Centre (700m <sup>2</sup> ) and Medical Centre to the Business Zone
6	11.1.2002	Rezoning the northern portion of Lot 7 (21) Endeavour Road, Hillarys from Civic and Cultural to Private Clubs/Recreation Zone
7	18.1.2002	Rezoning portions of Moore Drive and Marmion Avenue, Currambine from Other Regional Roads to Residential and coding the land R20 Rezoning a portion of West Coast Highway in Sorrento and Marmion from Parks and Recreation to Residential Rezoning a portion of Lakeway Drive and Verdin Lane, Kingsley from Parks and Recreation to Special Residential Rezoning a portion of the Mitchell Freeway/Burns Beach road intersection, Currambine from Other Regional Roads and Primary Regional Roads to Residential and coding the land R20 and R80 Rezoning a portion of Pt Lot 802 (11) Hocking Parade, Sorrento from Private Clubs/Recreation to Residential Rezoning Loc 12813 (11) Argus Close, Craigie from Local Reserves Public Use (Primary School) to Residential
2	8.2.2002	Text amendment to define the use class “equipment hire” and to permit “equipment hire” as a discretionary use in the Commercial zone

AMENDMENT NO	DATE OF PUBLICATION	DESCRIPTION
5	23.4.2002	Rezoning a portion of Hepburn Avenue Road Reserve abutting Pt Lot 158 Hepburn Avenue, Sorrento from Other Regional Roads Reservation and Residential to Urban Development Zone
9	7.5.2002	Rezoning Lot 55 (11) Henderson Drive, Kallaroo from Local Reserve – Parks and Recreation to Private Clubs/Recreation
8	7.6.2002	Rezoning a portion of Part Lot 2 Roxburgh Circle, Kinross from Local Reserve – Public Use – High School to Residential
11	21.1.2003	Rezoning the portion of Lot 9000, corner of Selkirk Drive and Connolly Drive, Kinross, from Residential, Business, Commercial and Civic and Cultural to Centre and uncoding the land
14	25.7.2003	<p>Rezoning the following portions of land:</p> <ul style="list-style-type: none"> <li>(a) Part Reserve 37188 (622m<sup>2</sup>) No 170 Joondalup Drive, Edgewater from Residential R20 to Local Reserve - Parks and Recreation;</li> <li>(b) Lot 120 (57) Blackthorn Road, Greenwood from Local Reserve – Parks and Recreation to Residential R20.</li> <li>(c) Location 11539 (18) Third Avenue, Burns, Reserve 42216 from Residential R20 to Local Reserve – Parks and Recreation.</li> </ul>
10	14.10.2003	<p>Rezoning and Recoding Portion Lot 9000 (157) Kinross Drive, Kinross from ‘Mixed Use’ to ‘Commercial’; and R40 to R20 respectively.</p> <p>Modifying Schedule 1 by deleting ‘animal husbandry’ and ‘road house’; and replacing definitions for ‘bakery’, ‘shop’ and ‘showroom’.</p> <p>Modifying Table 1 by deleting use classes ‘animal husbandry’, ‘road house’ and adding new symbol * against use class ‘Shop’ and footnote.</p>
10 Cont’d	14.10.2003	



AMENDMENT NO	DATE OF PUBLICATION	DESCRIPTION
		Modifying Part 3 by adding new clauses 3.5.2 and 3.6.3 to allow for the landuse of shop in the Mixed Use and Business zones
17	3.2.2004	Rezoning Location 13649 (52) Marri Road, Duncraig from Business R20 to Residential R40
18	27.2.2004	Modifying Part 4 by adding new clause 4.16 Recreational Vehicle Parking. Modifying Schedule 1 by inserting the definition of the term recreational vehicle.
16	1.4.2004	<p>1. Rezoning:</p> <p>(i) Lot 71 Woodvale Drive, Woodvale from Rural to Residential; and</p> <p>(ii) Portion of Woodvale Drive, Woodvale from Rural to Residential.</p> <p>2. Zoning:</p> <p>(i) Portions of Turn Ridge and Woodswallow Close, Joondalup, Centre;</p> <p>(ii) Portion of Cockatoo Ridge, Joondalup, Centre;</p> <p>(iii) Portion of Pt Lot 62 Winton Road, Joondalup, Service Industrial;</p> <p>(iv) Portion of Lot 100 Joondalup Drive, Joondalup, Centre;</p> <p>(v) Portion of Lot 902 Grand Boulevard, Joondalup, Centre;</p> <p>(vi) Portion of Lot 102 Kennedy Drive, Joondalup, Centre;</p> <p>(vii) Portion of Pt Lot 107 Joondalup Drive, Joondalup, Service Industrial.</p> <p>3. Reserving:</p> <p>(i) Portion of Pt Lot 166 Ambassador Drive, Currambine, Local Reserve – Public Use – Primary School; and</p> <p>(ii) Portion of Carlton Park – Reserve 45754 Carlton Turn, Currambine, Local Reserve – Parks and Recreation.</p>
16 Cont'd	1.4.2004	<p>4. Zoning the following to Residential:</p> <p>(i) Portion of Lot 136 (23 and 25) Fairmont Place, Currambine;</p> <p>(ii) Portion of Lot 117 (18) Raffles Court, Currambine;</p> <p>(iii) Portion of Lot 116 (15) Raffles Court, Currambine;</p>

AMENDMENT NO	DATE OF PUBLICATION	DESCRIPTION
		(iv) Portion of Lot 105 (9) Luxor Place, Currambine; (v) Portion of Lot 104 (8) Luxor Place, Currambine; (vi) Portion of Lot 242 (38) Carlton Turn, Currambine; (vii) Portion of Lot 243 (40) Carlton Turn, Currambine; (viii) Portion of Lot 907 (34) Boynton Gardens, Iluka; (ix) Lot 923 (43) Boynton Gardens, Iluka; (x) Portion of Lot 924 (45) Boynton Gardens, Iluka; (xi) Portion of Lot 925 (47) Boynton Gardens, Iluka; (xii) Portion of Boynton Gardens, Iluka; (xiii) Portion of Lot 5 (4) Sorata Place, Currambine; (xiv) Portion of Lot 7 (26) Arabella Mews; Currambine (xv) Portion of Arabella Mews, Currambine; (xvi) Portion of Lot 265 (22) Arabella Mews, Currambine; (xvii) Portion of Lot 266 (20) Arabella Mews, Currambine; (xviii) Portion of Ambassador Drive, Currambine; (xix) Portion of Carlton Turn, Currambine; and (xx) Unnamed portion of land – corner Joondalup Drive and Moore Drive, Joondalup. 5. Applying an: (i) R25 Density Coding to Lot 71 Woodvale Drive, Woodvale (ii) R20 Density Coding to Portion of Woodvale Drive, Woodvale
19	6.4.2004	Rezoning Lot 742 (83) Caridean Street and Lot 743 (79) Admiral Grove, Heathridge from Business to Centre and uncoding the land

AMENDMENT NO	DATE OF PUBLICATION	DESCRIPTION
12	25.5.2004	Zoning a portion of Lot 62 (38) Hocking Road, Kingsley to Residential, and coding the portion R20. Rezoning Lot 63 (30) Hocking Road, Kingsley from Rural – Additional Use No 1-1 to Residential and coding the land R20.
1	1.6.2004	Rezoning a 354m <sup>2</sup> portion of Lot 3 Trappers Drive, Woodvale, from Civic and Cultural to Commercial.  Modifying Schedule 3 (Commercial and Centre Zones) of the Scheme Text by adding “Portion of Lot 3 Trappers Drive” under the column headed ‘Description of Centre and Commercial Zone’ adjacent to Woodvale (Woodvale Boulevard).  Modifying Schedule 3 (Commercial and Centre Zones) of the Scheme Text by increasing the maximum retail net lettable area under the column headed ‘NLA (m <sup>2</sup> )’ for Woodvale (Woodvale Boulevard) - Lot 6 Whitfords Avenue from 5500m <sup>2</sup> to 7650m <sup>2</sup>
21	31.8.2004	Rezoning a portion of Lot 9016 (500) Burns Beach Road, Burns Beach from Rural to Urban Development
26	24.12.2004	Rezoning: Lot 143 (3) Elwood Court, Craigie from Mixed Use R20 to Residential R40. Lot 1 (110) Eddystone Avenue, Craigie from Mixed Use R20 to Residential R40. Lot 2 (112) Eddystone Avenue, Craigie from Mixed Use R20 to Residential R40.
13	31.12.2004	Adding Additional Use 1-19 to Lot 99 (4) Hocking Road, Kingsley in “Schedule 2 – Section 1 (Clause 3.15) – Additional Uses” as follows: Consulting Rooms; Medical Centre; Office; Veterinary Consulting Rooms; Funeral Parlour; Vehicle Sales/Hire Premises and Warehouse

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20	31.12.2004	Removing the local 'Public Use – Primary School' reservation and the R20 density code from Lot 124 (92) Cook Avenue, Hillarys and zoning it to Urban Development.
25	15.2.2005	Recoding Lot 405 (174) Fairway Circle, Connolly from R20 to R40
22	1.4.2005  1.4.2005	<p>(a) Removing the 'Residential' zoning and reserving to 'Local Reserve – Parks and Recreation', the following portions of land:</p> <p>Swan Location 14322 – Reserve 46668 Selkirk Drive, Kinross;  Lot 91 Cranston Loop, Kinross;  Swan Location 13479 – Reserve 45758 Discovery Circuit, Iluka;  Reserve 44451 Santiago Park, Beaumaris Boulevard, Ocean Reef;  Reserve 46050 25 Negresco Turn, Currambine;  Eastern Portion of Swan Location 12639 – Reserve 44910 (Christchurch Park);  Reserve 42221 &amp; 42222 No 4 and 6 Ocean Parade, Burns Beach;  Reserve 45751 – 36L Mayflower Crescent, Craigie.</p> <p>(b) Removing the 'Residential' zoning and reserving to 'Local Reserve – Public Use', the following portions of land:</p> <p>Swan Location 13561 – Reserve 46179, Cayman Lane, Iluka;  Loc 14550, Lochy Close, Kinross;  Lot 1300, Lochy Close, Kinross;  Swan Location 14006 – Reserve 46577, Kinross Drive, Kinross;  Lot 194 Dunscore Way, Kinross;  Reserve 43977 Connolly Drive, Kinross;  Reserve 43967 Connolly Drive, Kinross;  Reserve 44909 Christchurch Terrace, Currambine;  Reserve 46051 19L Negresco Turn, Currambine;  Lot 628 Tyneside Grove, Currambine;  Reserve 44156 Yatala Close, Currambine;</p>

AMENDMENT NO	DATE OF PUBLICATION	DESCRIPTION
22 Cont'd		Reserve 44349 Shenendoah Mews, Currambine; Reserve 45764 Shenendoah Mews, Currambine.  (c) Removing the 'Residential' zoning from Reserve 46280, No 6 Miami Beach Promenade, Iluka and reserving it to 'Local Reserve – Parks and Recreation'.
27	1.4.2005	Modifying Schedule 3 (Commercial and Centre Zones) by including the following lots and corresponding retail floorspace NLA(m <sup>2</sup> ) figures under the columns headed 'Description of Centre and Commercial Zones' and 'NLA(m <sup>2</sup> )' respectively for the Woodvale (Woodvale Boulevard) locality:  1. Lot 1 (941) Whitfords Avenue - 430 2. Lot 7 (3) Trappers Drive - 200 3. Lot 8 (1) Trappers Drive - 600 4. Lot 9 (937) Whitfords Avenue - 540 5. Lot 10 (933) Whitfords Avenue - 300
28	15.7.2005	Rezoning Swan Location 12816 (16) Fernwood Square, Padbury from Residential to Private Clubs and Recreation.
29	2.12.2005	Rezoning Lot 674 (107) Eddystone Avenue, Craigie from Commercial to Residential and recoding the land from R20 to R40.
24	9.12.2005	Unreserving Lot 61 (14) Leach Street, Marmion from Local Reserves Parks and Recreation and zoning it to Urban Development. Inserting additional Clauses 3.12.4 and 3.12.4.1
30	3.3.2006	Rezoning Lot 200 (157) Kinross Drive, Kinross from Commercial R20 to Residential R30; and modifying Schedule 3 (Commercial and Centre Zones) by removing the Commercial zone.

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<b>AMENDMENT NO</b>	<b>DATE OF PUBLICATION</b>	<b>DESCRIPTION</b>
34	26.5.2006	Modifying Schedule 3 (Commercial and Centre Zones) and the corresponding retail floorspace NLA(m <sup>2</sup> ) for Lot 2278 (3) Selkirk Drive, Kinross [formerly Portion Lot 2 (400) Burns Beach Road (east)].
33	30.1.2007	Rezoning Lot 4 (25) Sheppard Way, Marmion and Lot 1 (23) Whiley Road, Marmion from Commercial to Mixed Use and recoding the land from R20 to R40.
31	14.8.2007	Omnibus amendment for the purpose of collectively altering the wording of clauses, deleting existing clauses, including new clauses to address legislative changes and to correct identified use class, definition and map zoning issues.
37	30.11.2007	Rezoning Lot 600 (243) Timberlane Drive, Woodvale from Commercial to Residential and recoding the land from R20 to R40.
35	7.12.2007	Under Clause 1.4 inserting new clause (e); inserting new Clause 5.3.2.3; and inserting a list of local reserves and corresponding plan No. 5.1 to 5.6 and 5.8 to 5.17 into Schedule 5.
38	22.2.2008	Adding Additional Use 1-20 to Lot 100 (10) Oceanside Promenade, Mullaloo, in "Schedule 2 – Section 1 (Clause 3.15) – Additional Uses" as follows: While the building comprised in Strata Plan 47048 remains on this site, Strata Lots 4 and 10 of Strata 47048 may be used as multiple dwellings (permanent residential accommodation), notwithstanding that the R20 density code applies to the land.
39	5.12.2008	Zoning a 4454m <sup>2</sup> portion of Reserve 38223 (No 76) Treetop Avenue, Edgewater to Residential R20.
40	5.6.2009	Unreserving Lot 501 Arawa Place, Craigie from 'Reserve Public Purposes – High School' and zoning the site 'Urban Development'; uncoding Lot 501 Arawa Place, Craigie from R20 to uncoded; unreserving Lot 500 Arawa Place, Craigie from 'Reserve Public Purposes – High School' and zoning the site 'Civic and Cultural'.

<b>AMENDMENT NO</b>	<b>DATE OF PUBLICATION</b>	<b>DESCRIPTION</b>
41	25.8.2009	Unreserving Reserve 29740 being Lot 3756 and Lot 8931 (No. 108) High Street, Sorrento from Local Reserve - Public Use; and zoning the site to Residential.
36	16.7.2010	Amending Table 1, Table 2 and Schedule 1 to include reference to Short Stay Accommodation.
47	15.10.2010	Amending Schedule 4 - Exempted Advertisements by amending part (f).
49	12.11.2010	Rezoning Lot 500 (1) Arawa Place, Craigie from Civic and Cultural to Urban Development and changing the density code from R20 to uncoded.
45	23.11.2010	Adding additional use 1-21 to Lot 535 (20) Burragah Way, Duncraig in Schedule 2 – Section 1 (Clause 3.15) – Additional Uses as follows: Medical Centre with a maximum of 2 health consultants, being general practitioners, specialist practitioners, dentist, radiologist, physiotherapist and any other medical staff generating their own independent patient load.
46	3.12.2010	Removing the Public Use reservation from Lot 9867 (63) Mulligan Drive, Greenwood and zoning the site Urban Development; and changing the density code from R20 to uncoded.
51	8.3.2011	Amending the use class ‘Cinema Complex’ in Table 1 from ‘X’ use to ‘D’ use in the Commercial zone.
50	10.5.2011	Removing the Public Use reservation from Reserve 36690 (34) Currajong Crescent, Craigie, zoning the site Urban Development; and changing the density code from R20 to uncoded.
52	2.9.2011	Recoding Lot 702 (34) Marri Road, Duncraig from R20 to R60.
59	27.1.2012	Adding additional use 1-22 to all lots contained within Strata Plan 27557 (93) Wanneroo Road, Greenwood in Schedule 2 – Section 1 (Clause 3.15) Additional Uses as follows: Showroom, Warehouse.

<b>AMENDMENT NO</b>	<b>DATE OF PUBLICATION</b>	<b>DESCRIPTION</b>
60	27.1.2012	Removing the Parks & Recreation reservation from Lot 95 (2F) Gull Street, Marmion and zoning the site Residential.
48	14.2.2012	Rezoning an 1802m <sup>2</sup> portion of Lot 55 (11) Henderson Drive, Kallaroo from 'Private Clubs/Recreation' to 'Residential'.
54	20.4.2012	Removing the 'Public Use' reservation from Lot 613 (11) Pacific Way, Beldon and zoning the site Residential.
55	15.6.2012	Rezoning Lot 671 (178) Camberwarra Drive, Craigie from 'Civic and Cultural' to 'Residential'.
62	15.6.2012	Recoding Lot 39 (14) Lennard Street, Marmion from R20 to R40.
63	13.7.2012	Adding Additional Use 1-23 to Lot 28 (67) Woodvale Drive, Woodvale in "Schedule 2 – Section 1 (Clause 3.15) – Additional Uses" as follows: Place of Worship, Place of Assembly, Caretaker's Dwelling.
61	21.12.2012	Recoding Lot 23 (77) Gibson Avenue, Padbury from R20 to R40 and including the lot in Schedule 2 – Section 2 – Restricted Uses – Aged Persons' Dwelling.
66	3.5.2013	Deleting and inserting various new clauses; amending Schedule 1, deleting Schedule 3 – Commercial and Centre Zones and renumbering certain clauses due to inclusion of new clauses and cross-referencing of Scheme clauses.
69	18.10.2013	Recoding Lot 921 (98) Ellersdale Avenue, Warwick from R20 to R80 and including the lot in Schedule 2 – Section 2 – Restricted Uses – Aged Persons Dwelling, Retirement Village, Nursing Home
67	24.1.2014	Rezoning Lot 1 (122) Cockman Road, Greenwood from 'Commercial' and 'Service Industrial' to 'Commercial'



<b>AMENDMENT NO</b>	<b>DATE OF PUBLICATION</b>	<b>DESCRIPTION</b>
56	18.3.2014	Rezoning Lot 745 (103) Caridean Street, Heathridge from 'Civic and Cultural' to 'Residential', recoding the site from R20 to R40, and include in Schedule 2 – Section 2 – Restricted Uses – Aged Persons' Dwelling.
70	17.4.2014	Amending the definition of 'Ancillary Accommodation' in Schedule 1 to 'Ancillary Dwelling' and amending Table 1 – Zoning Table to reflect a change to the Use Class title from 'Ancillary Accommodation' to 'Ancillary Dwelling'.
57	26.8.2014	Rezoning portion of Lot 700 and Lot 702 Burlos Court, Joondalup, from 'Civic and Cultural' to 'Residential'. Removing the 'Civic and Cultural' zoning from the 284m <sup>2</sup> portion of Lot 701 Burlos Court, Joondalup, and designating the area as 'Public Use'. Rezoning the remainder of Lot 701 Burlos Court, Joondalup, from 'Civic and Cultural' to 'Residential' and recoding this portion to a density code of R60. Including the portion of Lot 701 Burlos Court, Joondalup, to be zoned 'Residential' in Schedule 2 –Section 2 – Restricted Uses – 'Aged and Dependent Persons' Dwellings'.
71	26.8.2014	Rezoning a portion of Lot 549 (11) Moolanda Boulevard, Kingsley, from 'Civic and Cultural' to 'Residential'.
72	7.10.2014	Adding Additional Use 1-24 to portion of Lot 929 (1244) Marmion Avenue, Currambine in Schedule 2 – Section 1– Additional Uses Vehicle Repairs ("D")
74	30.1.2015	Removing the 'Public Use' reservation from Lot 9021 (3) Lochnagar Way, Kinross, and zoning that portion of the site 'Urban Development'; rezoning portion of the lot from 'Residential' to 'Urban Development' and amending the density code from 'R20' to 'uncoded'.
76	11.8.2015	Zoning portion of Lots 209, 210, 211 and 212 (10, 12, 14, 16) Founders Lane, Hillarys and portion of Founders Lane 'Residential'. Zoning portion of Lot 1(16) Sunlander Drive, Currambine 'Residential'. Zoning portion of

AMENDMENT NO	DATE OF PUBLICATION	DESCRIPTION
76 Cont'd		Lot 1326 (2) Sunlander Drive, Currambine 'Business'. Zoning portion of Merrifield Place Road Reserve adjacent to Northshore Drive, Kallaroo 'Residential'. Rezoning Lot 1 (126) Duffy Terrace, Woodvale from 'Rural' to 'Residential' and coding the lot to R25.
73	12.2.2016	Rezoning various lots from 'Residential' to 'Mixed Use' and dual coding various lots in accordance with the City of Joondalup Local Housing Strategy.
80	26.2.2016	Recoding Lot 1001 (14) Camberwarra Drive, Craigie from R20 to R40 and including the lot in Schedule 2 – Section 2 – Restricted Uses – Aged or Dependent Persons' Dwellings
65	17.6.2016	Omnibus Amendment - implementing 38 separate amendments to the Scheme Text.
85	12.7.2016	Removes or amends scheme provisions and definitions that are superseded by the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
68	2.8.2016	Zoning and rezoning 13 lots that constitute the Whitfords Activity Centre to 'Centre' and removing the residential density code of R20 from the lots, inserting Schedule 10, deleting Additional Uses 1-15, 1-16, 1-17 and 1-18 from Schedule 2 – Section 1 Additional Uses.
82	26.8.2016	Recoding Lots 642 and 643 (57-59) Marri Road, Duncraig from R20 to R40 and including the lots in Schedule 2 – Section 2 – Restricted Uses – Aged or Dependent Persons' Dwellings
83	4.10.2016	Removal of use classes 'Storage yard' and 'Salvage yard' from Table 1. Modify use class 'Warehouse' from Table 1 by inserting '/Storage' after 'Warehouse'. Delete definitions of 'salvage yard' and 'storage yard' from Schedule 1. Replace definition of 'warehouse' with definition of 'warehouse/storage' in schedule 1.

<b>AMENDMENT NO</b>	<b>DATE OF PUBLICATION</b>	<b>DESCRIPTION</b>
78	21.10.2016	Recoding Lots 200, 201 and 202 (24, 22 & 20) Kanangra Crescent, Greenwood from R20/40 to R40 and including the lots in Schedule 2 – Section 2 – Restricted Uses – Aged or Dependent Persons’ Dwellings
84	13.12.2016	Including Lots 5000, 5001, 5002 Delamere Avenue, Portion of Lot 929 Marmion Avenue and Lots 5003, 5004 and 5010 Hobsons Gate Currambine in Schedule 2 – Section 1 – Additional Uses – Shop
77	14.11.2017	Rezoning Lots 148 (136A-136B), 149 (134), 2 (130) 153 (128) West Coast Drive and Lot 154 (1) Raleigh Road, Sorrento from ‘Commercial’ to ‘Centre’, amending the density code from ‘R20’ to ‘uncoded’ and inserting the Sorrento Activity Centre Plan into Schedule 10.
79	14.11.2017	Rezoning Lots 146 (4), 147 (2) Padbury Circle and Lot 145 (2) Drakes Walk, Sorrento from ‘Residential’ to ‘Centre’, amending the density code from ‘R20’ to ‘uncoded’ and inserting the Sorrento Activity Centre Plan into Schedule 10.
87	12.1.2018	Rezone Lot 12223 (12) Blackwattle Parade, Padbury from ‘Civic and Cultural’ to ‘Commercial’ and amend the existing density code from ‘R20’ to ‘uncoded’.

**STRUCTURE PLANS  
APPROVED UNDER THE PROVISIONS OF PART 9**

<b>NO</b>	<b>DESCRIPTION/LOCALITY</b>	<b>DATE APPROVED</b>	<b>DATE LAST MODIFIED</b>
1	Joondalup City Centre Development Plan & Manual Joondalup	22 August 1990	17 March 2008
2	Kinross Neighbourhood Structure Plan Kinross	1 October 2003	23 November 2009
3	Woodlake Retreat Structure Plan Kingsley	11 November 2003	
4	Caridean Street Structure Plan Heathridge	30 April 2004	26 June 2007
5	Cook Avenue Structure Plan Hillarys	28 September 2004	
6	Currambine District Centre Structure Plan Currambine	29 August 2006	
7	Sheppard Way Structure Plan Marmion	22 October 2007	
8	Currambine Village Structure Plan Currambine	18 May 2005	Revoked 29 June 2007
9	Marmion Structure Plan Marmion	10 August 2006	12 February 2008
10	Burns Beach Structure Plan Burns Beach	3 May 2005	10 June 2014
13	Craigie High School Site Local Structure Plan Craigie	15 December 2011	8 August 2014
14	Currambine Local Town Centre Structure Plan Currambine	28 June 1999	23 November 2009
15	Whitfords Activity Centre Structure Plan	27 July 2016	
16	Camberwarra Local Structure Plan Craigie	23 January 2015	
20	Hillarys Structure Plan Hillarys	28 September 1999	23 November 2009
21	Greenwood Local Structure Plan Greenwood	15 February 2016	

<b>NO</b>	<b>DESCRIPTION/LOCALITY</b>	<b>DATE APPROVED</b>	<b>DATE LAST MODIFIED</b>
<b>22</b>	<b>Heathridge Structure Plan Heathridge</b>	<b>21 April 1999</b>	<b>23 November 2009</b>
<b>23</b>	<b>MacNaughton Crescent Structure Plan</b>	<b>1 May 2017</b>	
<b>24</b>	<b>Warwick Structure Plan Warwick</b>	<b>21 June 1999</b>	<b>Revoked 27 April 2004</b>
<b>25</b>	<b>Ocean Reef Structure Plan, Ocean Reef</b>	<b>26 November 1999</b>	<b>Revoked 17 December 2002</b>
<b>26</b>	<b>Iluka Structure Plan Iluka</b>	<b>13 August 2001</b>	<b>23 November 2009</b>

**SCHEME HERITAGE LIST**  
**(Clause 5.2.2.3 of DPS2)**

<b>SITE</b>	<b>PLACE NAME</b>	<b>ADDRESS</b>	<b>LOCALITY</b>
1	Duffy House (Jack)	108 Duffy Terrace	Woodvale