

Proposed Amendment to Local Planning Scheme No. 4

1. Transfer various landholdings within the Pinjarra Secondary Centre as shown on the amending maps from Town Centre, Residential, Rural, Public Purposes Reserve, Special Use, Civic/ Cultural Reserve, Private Clubs and Institutions, Commercial, Major Highway Reserve, Hotel/Motel to Pinjarra Centre Zone and Environmental Conservation Zone.
2. Delineate the extent of the following sub-zones and depict them with the corresponding letter as shown on the amending maps:
 - a. Core – C;
 - b. Mixed Use – MU;
 - c. Residential – R;
 - d. Heritage and Arts – H.
3. Remove the R15, R25, R40 residential density codes from various landholdings within the Pinjarra Secondary Centre and extend the RAC0 residential density code to cover all zoned land within the Pinjarra Secondary Centre as shown on the amending maps.
4. Extend the R2 residential density code to cover all zoned land Environmental Conservation as shown on the amending maps
5. Modify clause 5.1 by including 4. “Pinjarra Centre’ adding '23. Environmental Conservation’ and renumbering the remainder of zones.
6. Delete the existing clauses 5.2.1 to 5.2.4 and replace them with the following:
 - 5.2.1 The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.
 - 5.2.2 The symbols used in the zoning table have the following meanings:

P	means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme;
I	means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme;
D	means that the use is not permitted unless the local government has exercised its discretion by granting development approval;
A	means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions;
X	means that the use is not permitted by this Scheme.

Notes for this clause:

1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land.
2. Under clause 61 of the deemed provisions, certain works and uses are exempt from the requirement for development approval.

3. Clause 67 of the deemed provisions deals with the consideration of applications for development approval by the local government. Under that clause, development approval cannot be granted for development that is a class X use in relation to the zone in which the development is located, except in certain circumstances where land is being used for a non-conforming use.
- 5.2.3 A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.
 - 5.2.4 The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table:
 - (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
 - (b) determine that the use may be consistent with the objectives of a particular zone and advertise under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
 - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.
 - 5.2.5 If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.
 - 5.2.6 If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land:
 - (a) a structure plan;
 - (b) a local development plan.
7. Renumber existing clauses 5.2.5 to 5.2.7 accordingly.
 8. Replace all occurrences of the land use symbols in the zoning table, schedules 4, 5, 7, 10 and 12 and Appendix II from 'AA' to 'D'; 'SA' to 'A'; and 'IP' to 'I'.
 9. Include an additional zone in the key to the zoning table being '4. Pinjarra Centre' and renumbering the remainder of zones.
 10. Include the following annotation for the column 4 corresponding Use Class permissibility: 'Permissibility of land uses in this zone is detailed in Table 1(a)'.
 11. Add a new zone '23. Environmental Conservation' in the key and a new column 23 to the zoning table with the following symbols against the various uses and development classes:

USES AND DEVELOPMENT CLASSES	23
RESIDENTIAL	
Aged or Dependent Persons Dwellings	X

Ancillary Accommodation	D
Attached House	D
Caretaker's Dwelling	X
Grouped Dwelling	X
Home Business	D
Home Office	P
Home Occupation	P
Multiple Dwelling	X
Retirement Village	X
Rural Worker's Dwelling	X
Single House	P
TRAVELLING & VACATIONAL	
Residential Hotel	X
Lodging House	X
Chalet Park	X
Caravan Park	X
Camping Area	X
Bed & Breakfast Accommodation	A
Park Home Park	X
LICENSED PREMISES	
Hotel	X
Motel	X
Tavern	X
Wine Shop	X
Liquor Store	X
Licensed Restaurant	X
Winery	X
COMMERCIAL	
Shop	X
Restaurant/Café	X
Take-away Food Outlet	X
Car, Caravan Hire	X
Car, Boat, Caravan & Agric. Equip Sales	X
Car Park	X
Service Station/Petrol Filling Station	X
Bank	X
Office	X
Consulting Room(s)	X
Medical Clinic	X
Showrooms	X
Warehouse & Storage	X
Dry Cleaning Agency	X
Funeral Parlour	X
Hardware Outlet	X
Hire Outlet	X
Landscape Supplies	X

Garden Centre	X
Open Air Display	X
Laundromat	X
INDUSTRIAL	
Light Industry	X
General Industry	X
Factory Units	X
Service Industry	X
Motor Vehicle Wrecking	X
Extractive Industry	X
Rural Industry	X
Fuel Depot	X
Dry Cleaning Premises	X
Noxious Industry	X
Cottage Industry	X
Hazardous Industry	X
Abattoir	X
Alternative Energy Facility	X
Manure Facility	X
Transport Depot	X
PUBLIC & COMMUNITY	
Boating Facility	D
Child Day Care Centre	X
Kindergarten	X
Health Centre/Studio	X
Infant Welfare Clinic	X
Public Amusement	X
Place of Public Worship	X
Place of Public Assembly	X
Civic Building	X
Public Utility	X
Private Club	X
Family Day Care Centre	D
Educational Establishment	X
Research Centre	X
RURAL	
Piggeries	X
Poultry Farms	X
Rural Pursuit	X
Rural Industry	X
Veterinary Centre	X
Veterinary Hospital	X
Stables	X

Kennels	X
Rural Produce Stalls	X
Intensive Agriculture	X
Cattery	X
Research Centre - Rural	X

12. Insert a new Table I(a) - Pinjarra Centre Zoning Table as set out below:

Use and Development Class	Pinjarra Centre Sub Zones			
	Core	Mixed Use	Residential	Heritage and Arts
	C	MU	R	H&A
Residential				
Ancillary Accommodation	P	P	P	X
Caretaker's Dwelling	D	D	X	D
Commercial Vehicle Parking	X	X	D	X
Family Day Care	D	D	D	X
Grouped Dwelling	D	P	P	X
Holiday Accommodation	P	P	A	D
Home Business	D	D	D	X
Hosted Short Term Rental Accommodation	P	P	P	X
Industry - Cottage	D	D	D	X
Lodging House	P	D	X	X
Multiple Dwelling	D	D	D	X
Single House	D	P	P	X
Serviced Apartment	P	P	D	P
Unhosted Short Term Rental Accommodation	P	P	P	X
Commercial				
Art Gallery	P	P	X	P
Bank	P	P	X	X
Betting Agency	X	X	X	X
Bulky Goods Showroom	X	X	X	X
Car Park	D	D	X	D
Child Care Premises	P	P	D	D
Cinema / Theatre	P	X	X	D
Consulting Rooms	D	D	X	D
Convenience Store	P	P	A	D
Exhibition centre	P	D	X	D
Food outlet	D	D	X	X
Food Outlet with Drive-Through Facility	X	X	X	X
Funeral Parlour	X	X	X	X
Garden Centre	X	X	X	X
Health Centre	P	P	X	D
Health Studio	P	P	X	D
Hire Outlet	X	X	X	X
Home Store	D	D	A	D
Hotel	P	X	X	X
Laundromat	P	P	X	X
Liquor Store - Large	X	X	X	X
Liquor Store - Small	D	D	X	X
Market	D	D	X	D
Medical Centre	P	P	X	X

Use and Development Class	Pinjarra Centre Sub Zones			
	Core	Mixed Use	Residential	Heritage and Arts
	C	MU	R	H&A
Motel	D	D	X	X
Motor vehicle, boat or caravan sales	X	X	X	X
Motor Vehicle Repair	X	X	X	X
Motor vehicle Wash	X	X	X	X
Nightclub	A	X	X	X
Office	P	P	X	P
Public Amusement	P	D	X	X
Reception Centre	D	D	X	D
Retirement Village	X	X	D	D
Restaurant / Café	P	P	X	P
Restricted Premises	A	X	X	X
Service Station	X	X	X	X
Shop - Large	P	X	X	X
Shop - Small	P	P	X	D
Small Bar	P	P	X	P
Tavern	P	X	X	D
Tourist Development	D	X	X	A
Trade Display	X	X	X	X
Trade Supplies	X	X	X	X
Veterinary Centre	X	X	X	X
Public and Community				
Civic Building	P	D	A	P
Club Premises	P	A	X	A
Community Purpose	P	P	P	P
Educational Establishment	P	P	X	D
Hospital	X	X	X	X
Place of Public Assembly	X	X	X	X
Place of Worship	P	D	X	D
Public Utility	P	P	P	P
Telecommunications Infrastructure	P	P	P	P

13. Delete clause number '5.2.4' from column 19 -N of the zoning table and replace with '5.2.6'.
14. Delete the second note following the zoning table which reads 'Any land use not listed in Table No. 1 - Zoning Table shall be considered by the Council in accordance with the "SA" procedures detailed by clause 5.2.2 of the Scheme.'
15. Insert a new clause 6.17 which reads:
 - 6.17 Pinjarra Centre Zone
 - 6.17.1 The objectives of the Pinjarra Centre Zone are:
 - a) To designate land for future development as an activity centre.
 - b) To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.
 - c) To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.

- d) To provide a focal point for accommodating a broad range of land uses to meet the community's district needs for goods and services, community facilities, entertainment and leisure, education, health and tourism, consistent with the centre's level of the activity centre hierarchy as outlined in the applicable State planning policy.
 - e) To ensure that development at the edges of the centre is of a scale which facilitates transition with adjoining residential areas.
 - f) To provide for a pedestrian-dominant streetscape where the primary focus of activity is on the street, the public realm and public open spaces.
 - g) To provide a focus for integrated and well-designed high-density housing and mixed used development.
 - h) To provide for a diverse range of housing options to meet the needs of the community.
 - i) To ensure walking, cycling and public transport access to and within the centre is prioritised whilst ensuring safe and efficient access for service vehicles.
 - j) To ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community
 - k) To ensure development reflects the character and identity of Pinjarra.
- 6.17.2 Subdivision or development should not be commenced or carried out on land within the Pinjarra Centre zone and the local government or Commission should not approve an application for subdivision or development approval on land within the Pinjarra Centre zone until a structure plan has been prepared and approved by the Commission.
- 6.17.3 Subdivision and development of land within the Pinjarra Centre zone should only be commenced or carried out in conformity with a structure plan that has been approved by the Commission.
- 6.17.4 Land within the Pinjarra Centre zone may be divided into sub zones with distinct objectives, development standards, requirements and other provisions under this Scheme. These areas are to be marked on the Scheme Map according to the legend on the Scheme Map.
- 6.17.5 In addition to the objectives at clause 6.17.1, the objectives of the Pinjarra Centre sub zones are as follows:
- a) Core sub zone – To provide the focal point for business, employment and civic activity containing a network of appealing, tree-lined, lively and walkable streets framed by mixed-use buildings of a scale and character that complements the materials and forms of Pinjarra's heritage buildings.
 - b) Mixed Use sub zone – To establish a frame to the Core Precinct that provides for a transition in activity between the Town Centre and the broader residential areas of Pinjarra by providing streets with a diverse range of complementary uses that enable people to work and reside in the same location or live affordably within a five to ten-minute walk from the primary business and employment centre.
 - c) Residential sub zone – To provide for a broad diversity of housing types within a short walk or bike ride of the activity within the core and the adjacent mixed-use areas by providing a residential precinct with

appealing and walkable residential streets with footpaths, street trees and convenient on-street parking, lined with houses that range from single family homes to terraced townhouses, small apartment buildings and clusters of other attached housing.

- d) Heritage and Arts sub zone – To provide a heritage and arts precinct for a relaxing and contemplative place on the banks of the Murray River with a strong landscape theme that provides a setting for Pinjarra’s heritage assets and sensitively designed cultural facilities.

6.17.6 In the Pinjarra Centre zone, subdivision and development for the purpose of grouped or multiple dwellings must only be undertaken in accordance with the R40 or higher residential density codes.

6.17.7 In the Pinjarra Centre Zone, at least 30% of dwellings within a grouped or multiple dwelling development of three or more dwellings, must be one and/or two-bedroom dwellings.

16. Insert a new clause 6.18 which reads:

6.18 Environmental Conservation zone

6.18.1 The objectives of the Environmental Conservation zone are:

- a) To identify land set aside for environmental conservation purposes.
- b) To provide for the preservation, maintenance, restoration or sustainable use of the natural environment.

17. Insert the following land use terms and definitions into 'Appendix 1 - Interpretations' in appropriate alphabetical order:

Adaptive Re-use - means the process of adapting or modifying a heritage place or building for a compatible new use, different from its original or previous use.

Architectural Feature - means a tower element, spires, gable, moulding or awning built into the design and construction of the building.

Betting Agency - means an office or totalisator agency established under the Racing and Wagering Western Australia Act 2003;

Community Purpose - means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;

Convenience Store - means premises —

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 300 m² net lettable area;

Exhibition Centre - means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum;

Food Outlet - means premises, without a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten —

- a) without further preparation; and
- b) primarily off the premises.

Food Outlet with Drive-through Facility – means a food outlet designed or used for the sale and serving of goods direct to persons driving or seated in motor vehicles.

Holiday Accommodation – means two or more dwellings on one lot used to provide short-term rental accommodation but does not include a hosted short-term rental accommodation;

Hosted Short Term Rental Accommodation – means Short-Term Rental Accommodation where the host lives on the property during the short-term stay.

Liquor Store — Large - means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of more than 300 m²;

Liquor Store — Small - means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of not more than 300 m²;

Nightclub means - premises the subject of a nightclub licence granted under the Liquor Control Act 1988; 'reception centre',

Pinjarra Centre - means that portion of the Scheme Area shown and designated on the Scheme Maps as the "Secondary Centre" and which the Pinjarra Precinct Structure Plan applies.

Serviced Apartment - means a group of units or apartments providing –
(a) self-contained short stay accommodation for guests;
(b) any associated reception or recreational facilities;

Shop – Large – means premises greater than 1500m² NLA other than a bulky goods showroom, a liquor store — large or a liquor store — small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

Shop – Small - means no greater than 1500m² NLA other than a bulky goods showroom, a liquor store — large or a liquor store — small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

Short-term Rental Accommodation – means renting out a property or part of a property to paying guests for stays of up to three months in duration.

Small Bar - means premises the subject of a small bar licence granted under the Liquor Control Act 1988; 'tavern',

Tourist Development –means a building, or a group of buildings forming a complex, other than a hosted short-term rental accommodation, a caravan park or holiday accommodation, used to provide –
(a) short-term rental accommodation for guests;
(b) onsite facilities for the use of guests;
(c) facilities for the management of the development;

Unhosted Short Term Rental Accommodation – means Short-Term Rental Accommodation where the guests have exclusive use of the property.

18. Delete the land use terms and interpretations 'Ancillary Accommodation', 'Child Day Care Centre', 'Hotel', 'Park Home Park', 'Public Place of Worship', 'Private Club' and 'Showrooms' in 'Appendix 1 - Interpretations', replace in appropriate alphabetical order with the following and update all occurrences of the replaced terms throughout the Scheme:

Ancillary Dwelling – means self-contained dwelling on the same site as a dwelling which may be attached to, integrated with or detached from the dwelling'

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 children's goods, including play equipment and accessories;
 - (xi) sporting, cycling, leisure, fitness goods and accessories;
 - (xii) 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;

Child Care Premises - means premises where —

- (a) an education and care service as defined in the Education and Care Services National Law (Western Australia) section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the Child Care Services Act 2007 section 4 is provided;

Club Premises - means premises used by a legally constituted club or association or other body of persons united by a common interest;

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

Park Home Park - means premises used as a park home park as defined in the Caravan Parks and Camping Grounds Regulations 1997 Schedule 8;

Place of Worship - means premises used for religious activities such as a chapel, church, mosque, synagogue or temple;

19. Insert a new Clause 7.3.1 c) as follows:

Notwithstanding the car parking requirements specified in Table II – Non-Residential Development Standards, where land is proposed to be developed in the Pinjarra Centre zone for a purpose specified in Table II, the minimum number of car parking bays required, and the maximum number of carparking bays allowable, for the proposed development is to be determined in accordance with the applicable precinct structure plan.

