

PLANNING AND DEVELOPMENT ACT, 2005 RESOLUTION TO AMEND TOWN PLANNING SCHEME

Serpentine Jarrahdale Shire

TOWN PLANNING SCHEME NO. 2

AMENDMENT NO. 171

RESOLVED that the Council, pursuant to Section 72 of the Planning and Development Act 2005, amends the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 (TPS 2) by:

1. Amending clause 3.1.1 of the Scheme to insert the following additional zones after "URBAN DEVELOPMENT":

RURAL-RESIDENTIAL TOWN CENTRE NEIGHBOURHOOD CENTRE HIGHWAY COMMERCIAL NEIGHBOURHOOD NODE MIXED BUSINESS MIXED USE

2. Inserting into the scheme Table 1 the following:

	Rural-	Neighbourho	Town Centre	Highway	Mixed	Mixed Use
USE CLASSES	Residential	od centre		Commercial	Business	
Aged & Dependent Persons	AA					
Dwelling						
Amusement Parlour		AA	AA			AA
Animal Husbandry						
Apiary						
Aquaculture						
Automotive & Marine Sales				AA	Р	SA
Automotive Repairs				AA	AA	
Automotive Vehicle Wash				AA	AA	
Automotive Wrecking						
Caravan or Trailer Hire				AA	Р	AA
Caretaker's Dwelling				AA	AA	
Car Park		AA	AA	AA	AA	Р
Caravan Park						
Cattery						
Cemetery						
Child Minding Centre		Р	Р			AA
Civic Buildings		Р	Р	AA	AA	Р
Club Premises			AA	AA		AA
Commercial Vehicle Parking		AA	AA	AA	AA	SA
Consulting Rooms		Р	Р			Р
Convenience Store		AA	Р	AA	AA	SA
Corner Store						
Craft Workshop	AA				Р	
Dog Kennels						
Dry Cleaning Premises		AA	AA	AA		AA
Educational Establishment		AA	AA			SA
Environmental Research						
Centre						
Equestrian Activity						

USE CLASSESResidentialod centreCommercialBusinessFarriery <td< th=""><th></th><th colspan="8"><u>SD030.1/09/10</u></th></td<>		<u>SD030.1/09/10</u>							
FarrieryImage: state of the stat			-	Town Centre			Mixed Use		
Fast FoodTakeawayAAPAAPFeediotFordicultureFolder and pastureSAP-Foule DepotSAP-Funeral Parlour-AAPAAP-Health Studio-AAPAAP-Hobby FarmHome BusinessAAAAHome BusinessAAAAHome BusinessAAAAHotelAAHotelsIndustry: CottageSASASASAP Stratcive ServiceAAPMarite Collectors YardAAAAAAMarite Collectors YardMotelNgitclubNotel-<		Residential	od centre		Commercial	Business			
Feedot Image: status in the									
Floriculture			AA	Р	AA		Р		
Fodder and pasture									
Fuel Depot									
Funcal ParlourAAAAAAPAAPHealth StudioAAPAAPAAPAAPHoliday Accommodation									
Health Studio AA P AA P Hobby Farm									
Hobby FarmImage leads accommodationImage leads accommodationImage leads accommodationHome BusinessAAAAImage leads accommodationImage leads accommodationHome DoccupationAAAAImage leads accommodationImage leads accommodationHobelPAAAAImage leads accommodationImage leads accommodationHobelPAAImage leads accommodationPImage leads accommodationHydroponicsImage leads accommodationPImage leads accommodationPIndustry:Image leads accommodationImage leads accommodationP- CottageSASASASA- ExtractiveGeneralAAPP- NoxiousImage leads accommodationImage leads accommodationP- NoxiousSarviceAAPP- ServiceAAPPAAMarketAAAAAAAAMotelPPAAImage leads accommodationNurseryImage leads accommodationImage leads accommodationImage leads accommodationPig FarmingImage leads accommodationImage leads accommodationImage leads accommodationPrivate RecreationAAPPPPublic Vintures PImage leads accommodationImage leads accommodationPrivate RecreationAAPImage leads accommodationPublic Vintures PPPPPublic Vintures PImage leads acco			AA		AA		AA		
Holiday AccommodationImage of the second			AA	Р	AA	Р	Р		
Home BusinessAAAAAAHome OccupationAAAAImage: AAAImage: AAAHospitalImage: AAAPAAImage: AAAHotelPAAImage: AAAImage: AAAImage: AAAHotelPAAImage: AAAPImage: AAAImage: AAAHydroponicsImage: AAASASASASAPIndustry:Image: AAASASASAPImage: AAA- CottageSASASASAPP- HazardousImage: AAAPPAAP- NoxiousImage: AAAAAAAPP- ServiceAAAAAAAAAAMarine Collectors YardImage: AAAAAAAAAMotelAAAAAAAAAAMotelImage: AAAAAAAAAImage: AAAImage: AAANurseryImage: AAAAAAAImage: AAAImage: AAAImage: AAAImage: AAAPig FarmingImage: AAAImage: AAAImage: AAAImage: AAAImage: AAAImage: AAAPrivate Tree PlantationImage: AAAAAAAImage: AAAImage: AAAImage: AAAImage: AAAPublic MusementAAAAAAAAImage: AAAImage: AAAImage: AAAImage: AAAImage: AAAPublic MusementImage: AAAAAAImage: AAAImage: AAAImage: AAAImage: AAA									
Home OccupationAAAAAAHospitalAAAAHotelPAAHotelPAAHydroponicsPAAIndustry:SASASA- CottageSASASA- Extractive- GeneralP- HazardousPP- LightPP- NoxiousPAA- RuralAAAA- ServiceAAPMarketAAAAMatketAAMatketAAMatketAAMatketAAPPAAPMotelPNurseryAAOftleePPoutry (Housed)-Protace Store-Protuce Store-Produce Store-Public AmusementAAAAAAPublic Worship - PlaceAAPPublic MussementAAAAAAPublic Worship - PlaceAAAAAAAAPublic MussementAAAAAAAAAAPublic AmusementAAAAAAAAAAAAAAPublic AmusementAAAAAAAAAAAAAAAAAAAAAAAAAAPAAAAAA<	Holiday Accommodation								
HospitalAAPAAHotelPAAPHotelPAAPHydroponicsIndustry: - CottageSASASA- ExtractiveSASASASA- Extractive- GeneralPP- Hazardous- LightPP- Noxious- AAP- Rural- AAAAP- Service- AAPAAMarine Collectors Yard- AAAAAAMedical CentreAAPAAMotel- PAA- PNursery- AAPPAAOfficePPPPiant Nursery	Home Business	AA	AA				AA		
HotelPAAAAHydroponicsAAAIndustry:SASASASA- CottageSASASASA- Extractive-GeneralPP- Hazardous-LightPP- Noxious-RuralPP- NoxiousAAPP- RuralAAAAAAMarine Collectors YardAAPMarketAAPPMarketAAPPMarketAAPPMotelPAAAAMotelPAANurseryPPOrcharding	Home Occupation	AA	AA				AA		
Hydroponics Industry: - Cottage - Extractive - General - Hazardous - Light - Noxious - Noxious - Light - Noxious - Light - Noxious - Light - Noxious - Noxi	Hospital			AA					
Industry: - Cottage - Extractive - General - Hazardous - Light - Noxious - Rural - Noxious - ServiceSASASASA- Rural - Noxious - ServiceP- Noxious - Rural - Service-AAPMarine Collectors Yard-AAAAAAMarket-AAPAAMarket-AAPAAMotel-PAAAANotelAAPNurseryAAAAAAOfficePPPPPOrchardingPoltry (Housed)Private ErcerationAAPPPAAAAPublic Worship-Place of InstallationAAAAAAAAAARadio & TV Communication InstallationAAAAAAAAAAAAReception CentreSAAAAAAAAAAAAAResidential (siee notes 1 and 2): Single HousePAA <td>Hotel</td> <td></td> <td></td> <td>Р</td> <td>AA</td> <td></td> <td>SA</td>	Hotel			Р	AA		SA		
- Cottage - Extractive - General - Hazardous - Light - Noxious - Rural - Noxious - Rural - Noxious - Rural - Noxious - Rural - Noxious - Rural - Noxious - Rural - ServiceSASASA- Service Marine Collectors YardAAPMarketAAAAAAPMarketAAPPAAMotel-SA-NutseryAAAAOffice-PPPIg FarmingPirvate RecreationPrivate RecreationPublic UtilityAAPPAA-Public Worship - Place of InstationPublic Worship - Place of Networship - Place ofReception CentrePublic Worship - Place of Networship - Place ofReception CentreResidential (see notes 1 and 2):Pitote Worshig - Place of Notiging P-AAAAAA-Residential (see notes 1 and 2):Residential (see notes 1 and 2): <td< td=""><td>Hydroponics</td><td></td><td></td><td></td><td></td><td></td><td></td></td<>	Hydroponics								
- Cottage - Extractive - General - Hazardous - Light - Noxious - Rural - Noxious - Rural - Noxious - Rural - Noxious - Rural - Noxious - Rural - Noxious - Rural - ServiceSASASAMarine Collectors Yard									
- Extractive - General - Hazardous - Light - Noxious - Rural - ServiceP- Noxious - Rural - ServiceAAPMarine Collectors YardAAAAPMarketAAAAAAAAMedical CentreAAPAAMotelAAPAAAAMotelAAPPMoreAAPPAANurseryCAAAAOfficePPPPoultry (Housed)CCCPoultry (Housed)CCCPrivate RecreationAAPAAPublic Worship - Place of InstaltationAAAARadio & TV Communication InstallationAAAAReception CentreSAAAAAResidential (see notes 1 and 2):CCC- Single HousePAAAAAAAAAAPAAAAResidential BuildingSAAAAAAAAAPAAAAResidential BuildingSAAAAAAAAAAAAAAAResidential BuildingSAAAAAResidential BuildingSAAAAAResidential BuildingSAAAAAAAAAAAAAAAAAAAAAAAAAAAAARestaurantPPAA	-	SA	SA	SA			SA		
- General - Hazardous - Light - Noxious - RuralP- Noxious - RuralP- ServiceAAMarine Collectors YardAAMarketAAMarketAAMarketAAMarketAAMarketAAMarketAAMarketAAMarketAAMarketAAMarketAAMarketAAMarketAAMarketAAMotelPMusseryAAPig FarmingPig FarmingPPiant NurseryAAPrivate RecreationAAPrivate RecreationAAPublic AmusementAAAAPPublic KorseAAPublic Worship - Place ofReception CentreSAReception CentreSAAAAAAAAAAAAAPPublic UnitityAAAAAAAAAAAAAAAAAAAAAAAAAAAAPPPPPPPPPPPPPPPPPP	_								
· Light · Noxious · Rural · ServicePP· Noxious · Rural · ServicePPMarine Collectors YardAAAAPMarketAAAAAAAAMedical CentreAAPPMotelPAAPAANightclubPAAAANurseryPPPOrchardingPPPPig FarmingPPPPrivate RecreationAAAAAAPrivate RecreationAAAAAAPublic MussementAAAAAAPublic Vorship - Place ofSAAAAARecreation PublicAAAAAARecreation PublicAAAAAAPublic Vorship - Place ofSAAAAARecreation PublicAAPAARecreation PublicAAAAAARecreation PublicAAAAAARecreation PublicAAAAAARecreation PublicAAAAAARecreation PublicAAAAAARecreation PublicAAAAAAPublic Worship - Place ofSAAAAARecreation PublicAAAAAARecreation PublicAAAAAARecreation PublicAAAAAARecreation PublicAAAAAARecreation PublicAAAAAA </td <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>									
· Noxious · Rural · ServiceP- Rural · ServicePMarine Collectors YardAAMarine Collectors YardAAMarketAAAAPMarketAAAAPMarketAAMatelPMarine Collectors YardAAMedical CentreAAMotelPMotelPNightclubPNurseryPPig FarmingPPig FarmingPPoultry (Housed)PPrivate Tee PlantationAAPrivate Tee PlantationAAPublic AmusementAAAAPPublic Worship - Place ofSARecoration PublicAAAAAAAAAAPublic UtilityAAPublic Morship - Place ofSAAAAAPublic Worship - Place ofSAAAAAAAAAPublic MusementAAAAPublic Worship - Place ofSAAAAAAAAAAAPublic MusementAAPublic Worship - Place ofSAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>									
· Noxious · Rural · ServicePP· ServiceAAPMarine Collectors YardAAAAPMarketAAAAAAPMarketAAPPAAMedical CentreAAPPAAMotelPPAAAANurseryAAPPAAOfficePPPPIntrastryPPPPOrcharding	- Light					Р			
ServiceAAPMarine Collectors YardAAAAAAPMarketAAAAAAAAAAMedical CentreAAPPAAMMotelPAAPAAMNightclubPAAAAAAAANurseryPPAAAAAAOfficePPPIPIPOrchardingPPPIPIPPig FarmingPPPIPIPPlant NurseryAAPAAAAPoultry (Housed)AAPAAAAPrivate RecreationAAAAAAIPProduce StorePPPPIPPublic AmusementAAAAAAAAAAReception CentreSAAAAAAAReception CentreSAAAAAAAReception CentreSAAAAAAAResidential (see notes 1 and 2): - Single HousePAAAAAA- Single HousePAAAAAAAA- Ancillary AccommodationIPIPIPIP- Ancillary AccommodationIPIPAAIP- Ancillary AccommodationIPIPAAIP- Ancillary AccommodationIPIPIPIP- Ancillary AccommodationIPIPIPIP <t< td=""><td>_</td><td></td><td></td><td></td><td></td><td></td><td></td></t<>	_								
Marine Collectors YardAAAAAAAAAAMarketAAAAAAAAAAAAMedical CentreAAPPAAAMotelPAAPAAAMightclubPAAAAAAAANurseryAAAAAAAAOfficePPPIPOrchardingPPPIPIntroseryPPIPIPPig FarmingPPIPIPPlant NurseryPPAAIPPoultry (Housed)AAPAAIPPrivate RecreationAAAAAAIPProduce StorePPPIPPublic AmusementAAAAAAAARadio & TV CommunicationAAAAAAAAInstallationAAPIPIPReception CentreSAAAAAAAReception CentreSAAAAAIPSingle HousePAAAAIPIPAntilitionPAAAAIPIPResidential (see notes 1 and 2):SAAAAAIPSingle HousePAAAAIPIPAntilitionPAAAAIPIPResidential BuildingPAAAAIPResidential BuildingSAAAIP <t< td=""><td>- Rural</td><td></td><td></td><td></td><td></td><td>Р</td><td></td></t<>	- Rural					Р			
MarketAAAAAAAAMedical CentreAAPPAAMotelPAAPPNightclubSASAImage: Control of the second secon					AA	Р			
MarketAAAAAAAAMedical CentreAAPPAAMotelPAAPPNightclubSASAImage: Control of the second secon	Marine Collectors Yard				AA	Р	SA		
Medical CentreAAPPAAMotelPAAPPAANightclubSASAImage: Same state			AA	AA			AA		
MotelPAAAANightclubSAAAAANurseryPPPPOrchardingPPPPPig Farming							Р		
NightclubSAAANurseryPAAAAOfficePPPPOrchardingPPPPOrchardingPPPPPig FarmingPPPPPlant NurseryPPPPPoultry (Housed)PAAPAAPrivate RecreationAAPAAPPrivate Tree PlantationPPAAAPPublic AmusementAAAAAAAAPublic UtilityAAPPPPublic UtilityAAPPPPublic Worship - Place ofSAAAAAReception CentreSAAAAARecreation PublicAAPPPAAPAAAARecreation PublicAAPPResidential (see notes 1 and 2):PAAAA- Single HousePAAAA- Grouped DvellingPAAAA- Multiple DwellingPAAAA- Multiple DwellingPAAAA- Residential BuildingSAAAAARestaurantPPAARural UsePPAA			701			,,,,	SA		
NurseryAAAAOfficePPPPOrchardingPPPPIPig FarmingPPPPPlant NurseryPPAAPPoultry (Housed)AAPAAPPrivate RecreationAAPAAPPrivate Tree PlantationPPPPPublic AmusementAAPPPPublic UtilityAAPPPPublic UtilityAAPPPPublic UtilityAAPPPRecreation PublicAAAAAAAARecreation PublicAAPPPublic Worship - Place ofSAAAAARecreation PublicAAPPRecreation PublicAAAAAARecreation PublicAAPPResidential (see notes 1 and 2): Single HousePAAAAAA- Grouped DwellingPAAAA- Multiple DwellingPAAAA- Multiple DwellingPAAAA- Residential BuildingSAAAAARestaurantPPAARural Use							SA		
OfficePPPPIPOrcharding				54		• •	AA		
OrchardingImage: constraint of the sector of th			В	в			P		
Pig FarmingImage: state of the s			P	P P	P	IP	P		
Plant NurseryImage: state of the									
Poultry (Housed)Image: constraint of the sector									
Private RecreationAAPAAPrivate Tree Plantation									
Private Tree PlantationImage: constraint of the symbolic definitionImage: constraint of the symbolic def									
Produce StoreAAAAAAAAPublic AmusementAAPPPPPublic UtilityAAPPPPPublic Worship - Place ofSAPAAAARadio & TV Communication InstallationAAAAAAReception CentreSAAAAARecreation PublicAAPImage: Comparison of the comparison o			AA	Р		AA			
Public AmusementAAAAAAAAPublic UtilityAAPPPPPublic Worship - Place ofSAPAAAARadio & TV Communication InstallationAAAAAAAAReception CentreSAAAAAAARecreation PublicAAPImage: Communication and a communication and a communication and a communication and a communicationAAPImage: Communication and a communication and							-		
Public UtilityAAPPPPPublic Worship - Place ofSAPAAAAAARadio & TV Communication InstallationAAAAAAAAAAReception CentreSAAAAAAAAARecreation PublicAAPResidential (see notes 1 and 2): - Single HousePAAAAAA- Grouped DwellingPAAAAAA- Multiple DwellingPAAAA </td <td>Produce Store</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	Produce Store								
Public Worship - Place ofSAPAAAARadio & TV Communication InstallationAAAAAAAAReception CentreSAAAAAAARecreation PublicAAPImage: Communication and a communica	Public Amusement		AA	AA	AA		Р		
Radio & TV Communication InstallationAAAAAAAAReception CentreSAAAAAAARecreation PublicAAPResidential (see notes 1 and 2):AAAAAAAA- Single HousePAAAAAA- Grouped DwellingPAAAAAA- Multiple DwellingPAAAAAA- Residential BuildingSAAAAAAARestaurantPPAAAARural UseIIIII	Public Utility	AA	Р	Р	Р	Р	AA		
InstallationInstallationInstallationInstallationInstallationReception CentreSASAAAAAAARecreation PublicAAPInstallationInstallationResidential (see notes 1 and 2):AAAAAAInstallationInstallation- Single HousePAAAAAAInstallationInstallation- Grouped DwellingPAAAAAAInstallationInstallation- Multiple DwellingPInstallationInstallationInstallationInstallationInstallationResidential BuildingSAAAAAInstallationInstallationInstallationInstallationInstallationRural UseInstallationInstallationInstallationInstallationInstallationInstallationInstallationInstallation	Public Worship - Place of		SA	Р	AA	AA	SA		
Reception CentreSAAAAAAARecreation PublicAAPResidential (see notes 1 and 2): Single HousePAAAA Grouped DwellingPAAAAAA Multiple DwellingPAAAAAAResidential BuildingSAAAAAAARestaurantPPAAAARural UseRestaurant <td>Radio & TV Communication</td> <td></td> <td>AA</td> <td>AA</td> <td>AA</td> <td>AA</td> <td>AA</td>	Radio & TV Communication		AA	AA	AA	AA	AA		
Recreation PublicAAPImage: Constraint of the second secon	Installation								
Recreation PublicAAPImage: Constraint of the second secon	Reception Centre		SA	AA	AA		Р		
Residential (see notes 1 and 2):PAAAA- Single HousePAAAA- Grouped DwellingPAAAA- Multiple DwellingPAAAA- Ancillary AccommodationIPAAAAResidential BuildingSAAAAARestaurantPPAARural UseII									
2):ConstraintPAAAA- Single HousePAAAA- Grouped DwellingPAAAA- Multiple DwellingP Ancillary AccommodationIPResidential BuildingSAAA-RestaurantPPAARural Use									
Single HousePAAAA- Grouped DwellingPAAAA- Multiple DwellingP Ancillary AccommodationIPResidential BuildingSAAA-RestaurantPPAARural Use	-								
- Grouped DwellingPAAAA- Multiple DwellingPPP- Ancillary AccommodationIPPPResidential BuildingSAAAPRestaurantPPAAPRural UseIIII		Р	AA	AA			AA		
- Multiple Dwelling P - Ancillary Accommodation IP Residential Building SA Restaurant P Rural Use I	-						AA		
- Ancillary Accommodation IP An Residential Building SA AA Restaurant P P Rural Use Image: Commodation of the second s							AA		
Residential Building SA AA Image: Constraint of the sector									
Restaurant P P AA Rural Use Image: Constraint of the second				AA	1		SA		
Rural Use			Р		۵۵	1	P		
			•	•		1	'		
					+				
Rural Workers Dwelling SA SA Service Station SA SA				<u> </u>	C.A.		SA		

			0.1/00/10			
	Rural-	Neighbourho	Town Centre	Highway	Mixed	Mixed Use
USE CLASSES	Residential	od centre		Commercial	Business	
Shop		Р	Р		IP	Р
Shopping Centre		AA	AA			AA
Showroom		AA	AA	Р	Р	AA
Stable						
Stall Wayside						
Tavern		SA	SA	AA		SA
Trade Display				AA	AA	
Transport Depot					AA	
Vehicle Hire				AA	Р	
Veterinary Establishment		SA	AA	AA	AA	
Viticulture						
Warehouse			IP	AA	Р	IP

REPORT

1.	LOCAL AUTHORITY	Serpentine Jarrahdale Shire
2.	DESCRIPTION OF TOWN PLANNING SCHEME:	Town Planning Scheme No. 2
3.	SERIAL NO. OF AMENDMENT:	Amendment No. 171
4.	PROPOSAL:	To insert additional land use zones and permissibility into Table 1 of the scheme amending clause 3.1.1to insert additional landuses.

INTRODUCTION

In an ideal sense, structure plans should be prepared so that the classifications they place on land are consistent with a zone or reserve under the applicable Town Planning Scheme. This then ensures that assessment of development in a structure plan is undertaken in accordance with the Scheme provisions applicable to that zone or reserve.

There are, however, instances where the zones or reserves included in a Scheme are not considered appropriate to achieve a desired development outcome through a structure plan. In this context, structure plans often contain land use classifications which are not reflective of a zone or reserve under the Scheme.

Various land use classifications, not reflective of a zone or reserve under the scheme, were provided in the Byford Structure Plan and various local structure plans within the Byford Structure Plan area. Local Planning Policy No.19 Byford Development Requirements (LPP19) currently provides guidance for these land use classifications, though was only adopted as an interim measure.

The purpose of this Amendment is to incorporate various land use classifications contained within various Byford Structure Plans, into TPS 2.

Background

The Western Australian Planning Commission (WAPC) granted approval (subject to some minor modifications) to the Byford Structure Plan on 30 March 2005. Local structure plans have since been adopted by the Council and WAPC.

Clauses 5.18.6.2 and 5.18.6.3 of Town Planning Scheme No. 2 (the Scheme) state:

- 5.18.6.2 Subject to clause 5.18.6.5, if a Structure Plan imposes a classification on the land included in it by reference to reserves, zones, or *Residential Planning Codes* then:
 - (a) the provisions of the Structure Plan apply to the land within the area as if its provisions were incorporated into the Scheme and it is binding and enforceable in the same way as corresponding provisions incorporated in the Scheme; and
 - (b) provisions in the Scheme applicable to land in those classifications under the Scheme apply to the Development Area.
- 5.18.6.3 Without limiting the generality of clause 5.18.6.2, under a Structure Plan:
 - (a) in the areas designated as zones, the permissibility of uses is to be the same as set out in the Zoning Table as if those areas were zones under the Scheme having the same designation;
 - (b) the standards and requirements applicable to the zones and R Codings under the Scheme apply to the areas having corresponding designations under the Structure Plan;
 - (c) the planning approval procedures, including the procedures for the approval of uses and developments under the Scheme, are to apply as if the land were correspondingly zoned or reserved under the Scheme; and
 - (d) where land is classified as a local reservation, the rights, provisions and procedure, and the obligations of the local government in regard to

compensation set out in clauses 2.3 and 2.4 inclusive apply as if the land was correspondingly reserved under the Scheme; and

(e) any other provision, standard or requirement in the Structure Plan has the same force and effect as if it were a provision, standard or requirement of the Scheme.

As structure plans contained various land use classifications that were not contained within TPS 2, further guidance was necessary to define the permissibility of various land uses within these land use classifications. To provide further guidance, LPP 19 was adopted as an interim measure and Amendment No.148 was progressed. Amendment No.148 proposed to incorporate an additional land use table within TPS 2 to incorporate the required additional zones and permissibility.

At the Ordinary Council Meeting held on 22 August 2005, Council resolved to initiate Amendment 148 to Town Planning Scheme No. 2 as follows:

- 1. Adding the new zones proposed by the Byford Structure Plan to the scheme text.
- 2. Adding a second Land Use/Zoning table to the Scheme to identify the land uses that will be permissible in each of the new zones proposed by the Byford Structure Plan.
- 3. Amending various clauses of the scheme text to tie in with the new Land Use/Zoning table for the Byford urban area.
- 4. Adding a new development requirements table after Table IV of the Scheme for the new Neighbourhood Nodes and Neighbourhood Centre zones within the Byford Structure Plan area.

The statutory advertising and referral process was completed and Council formally adopted Amendment 148 (with modifications) at its meeting on 27 March 2006. The amendment was never referred to the WAPC.

In a subsequent review of Amendment 148 a number of issues with the proposed Amendment 148 were identified as follows:

- the TPS amendment would introduce inconsistencies within TPS 2.
- the TPS amendment is inconsistent with the model scheme text provisions, including zoning and structure planning.

Due to the issues outlined above it was considered that a recommendation should be made to the WAPC not to approve Amendment 148, and that a new Amendment progress in its place to introduce additional zones and land use permissibility into TPS 2. This Amendment does not introduce inconsistencies into TPS 2 and is in accordance with the Model Scheme Text.

PURPOSE OF AMENDMENT

There is a need to incorporate additional zones into TPS 2, as numerous Structure Plans contain the following zones which are currently not included within Table 1 of TPS 2:

Rural-Residential Neighbourhood Centre Town Centre Highway Commercial Mixed Business Mixed Use

There is considerable merit in including the above zones into TPS 2 as follows:

- These zones currently exist within the Byford Structure Plan and various Local Structure Plans.
- LPP 19 is being used as an interim measure, prior to an Amendment being gazetted. A policy is not considered the most appropriate method to address land use permissibility and development control.
- The incorporation of the above zones will provide a broader range of zones Shire wide which will not just apply to the Byford Structure Plan area.
- It will allow TPS 2 to be the only control of land use permissibility resulting in less complication.

This Amendment therefore proposes to accommodate the above zones and land use permissibility within Table 1 of TPS 2.

SCHEME AMENDMENT

PLANNING AND DEVELOPMENT ACT, 2005

SERPENTINE JARRAHDALE SHIRE TOWN PLANNING SCHEME NO 2 AMENDMENT NO. 171

RESOLVED that the Council, pursuant to Section 75 of the Planning and Development Act 2005, amends the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 by:

1. Amending clause 3.1.1 of the Scheme to insert the following additional zones after "URBAN DEVELOPMENT":

RURAL-RESIDENTIAL TOWN CENTRE NEIGHBOURHOOD CENTRE HIGHWAY COMMERCIAL NEIGHBOURHOOD NODE MIXED BUSINESS MIXED USE

2. Inserting into the scheme Table 1 the following:

USE CLASSES	Rural- Residential	Neighbourho od centre	Town Centre	Highway Commercial	Mixed Business	Mixed Use
	AA	ou centre		Commerciai	Dusiness	
Aged & Dependent Persons Dwelling	AA					
Amusement Parlour		AA	AA			AA
Animal Husbandry		AA	AA			
Apiary Aquaculture						
Automotive & Marine Sales				AA	Р	SA
				AA	AA	54
Automotive Repairs Automotive Vehicle Wash					1	
				AA	AA	
Automotive Wrecking						
Caravan or Trailer Hire				AA	P	AA
Caretaker's Dwelling				AA	AA	
Car Park		AA	AA	AA	AA	Р
Caravan Park						
Cattery						
Cemetery		_	_			
Child Minding Centre		Р	Р			AA
Civic Buildings		Р	Р	AA	AA	Р
Club Premises			AA	AA		AA
Commercial Vehicle Parking		AA	AA	AA	AA	SA
Consulting Rooms		Р	Р			Р
Convenience Store		AA	Р	AA	AA	SA
Corner Store						
Craft Workshop	AA				Р	
Dog Kennels						
Dry Cleaning Premises		AA	AA	AA	ļ	AA
Educational Establishment		AA	AA			SA
Environmental Research Centre						
Equestrian Activity						
Farriery						

	<u>SD030.1/09/10</u>							
USE CLASSES	Rural- Residential	Neighbourho od centre	Town Centre	Highway Commercial	Mixed Business	Mixed Use		
Fast Food/Takeaway		AA	Р	AA		Р		
Feedlot								
Floriculture								
Fodder and pasture								
					SA			
Fuel Depot					-			
Funeral Parlour		<u>AA</u>	AA	AA	P	AA		
Health Studio		AA	Р	AA	Р	Р		
Hobby Farm								
Holiday Accommodation								
Home Business	AA	AA				AA		
Home Occupation	AA	AA				AA		
Hospital			AA					
Hotel			Р	AA		SA		
Hydroponics								
Industry:								
- Cottage	SA	SA	SA			SA		
- Extractive								
- General								
- Hazardous								
- Light					Р			
- Noxious								
- Rural					Р			
- Service				AA	Р			
Marine Collectors Yard				AA	Р	SA		
Market		AA	AA	AA	AA	AA		
Medical Centre		AA	P	P	AA	P		
Motel			P	AA		SA		
			SA			SA		
Nightclub			54	-				
Nursery				AA	AA	AA		
Office		Р	Р	Р	IP	Р		
Orcharding								
Pig Farming								
Plant Nursery								
Poultry (Housed)								
Private Recreation		AA	Р		AA			
Private Tree Plantation								
Produce Store								
Public Amusement		AA	AA	AA		Р		
Public Utility	AA	Р	Р	Р	Р	AA		
Public Worship - Place of		SA	P	AA	AA	SA		
Radio & TV Communication		AA	AA	AA	AA	AA		
Installation								
Reception Centre		SA	AA	AA	1	Р		
			P	AA		r		
Recreation Public		AA	<u>Р</u>					
Residential (see notes 1 and								
2): Single Heres	_							
- Single House	P	AA	AA			AA		
- Grouped Dwelling	P	AA	AA			AA		
- Multiple Dwelling	P					AA		
- Ancillary Accommodation	IP							
Residential Building	SA		AA			SA		
Restaurant		Р	Р	AA		Р		
Rural Use								
Rural Workers Dwelling								
Service Station			SA	SA	AA	SA		
Shop		Р	Р		IP	Р		

					00000.1/00/10		
	Rural-	Neighbourho	Town Centre	Highway	Mixed	Mixed Use	
USE CLASSES	Residential	od centre		Commercial	Business		
Shopping Centre		AA	AA			AA	
Showroom		AA	AA	Р	Р	AA	
Stable							
Stall Wayside							
Tavern		SA	SA	AA		SA	
Trade Display				AA	AA		
Transport Depot					AA		
Vehicle Hire				AA	Р		
Veterinary Establishment		SA	AA	AA	AA		
Viticulture							
Warehouse			IP	AA	Р	IP	

ADOPTION

Adopted by resolution of the Serpentine Jarrahdale Shire at the Ordinary Meeting of the **Council** held on ____ day of _____.

SHIIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

(Seal)

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final approval

DELEGATED UNDER S.16 OF PD Act 2005

DATE: _____

Final Approval Granted

MINISTER FOR PLANNING

DATE: _____