



# Consistent local planning schemes consultation outcomes report

May 2024

### Acknowledgement of Country

The Government of Western Australia acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.

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## Executive Summary

The Department of Planning, Lands and Heritage (the Department) drafted the Consistent Local Planning Schemes Stakeholder Consultation Report (Stakeholder Consultation Report) to present proposals aimed at improving the consistency of local planning schemes, a critical initiative under the Action Plan for Planning Reform. The report, shaped by extensive research and preliminary stakeholder engagement, underwent a six-week public consultation process. During the consultation period, 111 submissions were received from different stakeholder types, reflecting the insights and concerns from various perspectives regarding the proposed changes to improve the consistency of local planning schemes.

Overall stakeholders preferred, where appropriate, simpler land use terms, zones and reserves and associated definitions and objectives. The Stakeholder Consultation Report proposed several changes to land uses, zones and reserves of the model provisions. More than 400 individual comments were provided by stakeholders on proposed changes to land uses and more than 200 comments were provided on proposed changes to zones and reserves. Based on comments received, it is recommended that 17 of the proposed changes to land uses and 13 of the proposed changes to zones and reserves be further refined. Following consultation, 19 of the proposed changes to land uses and 16 for zones and reserves are intended to proceed as proposed in the Stakeholder Consultation Report.

As a result of feedback received, 19 of the proposed changes to land uses will be withdrawn and not proceed.

A standardised zoning table for commercial and industrial type zones in the Metropolitan Region and Peel Region scheme areas was recommended in the Stakeholder Consultation Report. Submitters provided 348 individual comments on the proposed zoning table, with a large majority of them suggesting modifications to permissibility recommended in the zoning table. As a result of feedback received, modifications to the recommended zoning table have been proposed.

In support of the recommended zoning table and in recognition of the importance of the zone objectives in determining the permissibility of land uses, modifications to the use class definitions were consulted on. Some concerns were raised about proposed changes to the I, P, D and A use class definitions. As a result, only minor modifications are proposed to be made to the current use class definitions in the Regulations.

A proposal to establish an industrial design code to address development requirements for industrial type zones received limited support, with stakeholders highlighting concerns about why it is needed, potential complexity of such a code and the need to retain flexibility to respond to local context. It is therefore recommended that a discussion paper be developed in consultation with key stakeholders to evaluate its necessity and implementation.

Whilst there was general support for the proposed implementation approach, some refinements are required to address comments and concerns raised about proposed actions relating to a standardised zoning table, industrial design code and deemed local planning scheme. Concerns related mainly to ensuring that local planning schemes are flexible and able to respond to local circumstances, and local government and the Department have the capacity to implement the recommended approach. In response to concerns raised, it is recommended to undertake a staged approach to implementation of more consistent and standardised content into local planning schemes.

In conclusion, the feedback received during consultation has been instrumental in refining the proposals presented in the Stakeholder Consultation Report, which will be presented to the Western Australian Planning Commission (WAPC) for further action, ensuring a more coherent and efficient planning framework in the state.



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# 1 Introduction

More consistent local planning schemes was identified as initiative (C1) within the *Action Plan for Planning Reform* (Action Plan). To assist delivery of initiative C1, the Department of Planning, Lands and Heritage (DPLH) prepared the Consistent Local Planning Schemes Stakeholder Consultation Report (Stakeholder Consultation Report).

The Stakeholder Consultation Report presented:

- background information from audits of local planning schemes, review of policy changes and preliminary consultation with key stakeholders;
- principles and rationale for draft proposals to amend the Regulations; and
- a recommended approach to improving the consistency of local planning schemes.

The Stakeholder Consultation Report was released for public consultation from 14 April until 26 May 2023. This consultation outcomes report has been prepared to provide a summary of feedback received from submissions and based on that feedback, recommend relevant modifications to proposed changes to the Regulations and the recommended implementation approach.

# 2 Engagement Methodology

Engagement with stakeholders was undertaken through preliminary consultation with key stakeholders and formal consultation with interested stakeholders.

Preliminary consultation was undertaken through a series of key stakeholder reference group workshops in September and October 2022. More than 25 organisations and 35 people participated in these workshops. The workshops were utilised to test and refine proposed changes to the Regulations and implementation options and assist preparation of the Stakeholder Consultation Report.

During a six-week consultation period that commenced on 14 April 2023, stakeholders were invited to provide a submission on the Stakeholder Consultation Report. Stakeholders were given the opportunity to make a submission via an online survey through the Department's Consultation Hub, completion of a feedback form, or via email or written correspondence. This information was detailed on the DPLH website, which also included links to the following documents:

- Consistent Local Planning Schemes Stakeholder Consultation Report
- Appendix A – Proposed Changes to Land Uses
- Appendix B – Proposed Changes to Zones and Reserves
- Appendix C – Recommended Zoning Table for Commercial and Industrial Type Zones

- Appendix D – Background Report – Land Use Permissibility and Development Requirements for Commercial and Industrial Type Zones
- Project Background Information and FAQs

To assist with the submission process, the Department delivered three online information sessions and two workshops with the local government and industry stakeholder reference groups during the public consultation period. A total of 125 participants took part in the online information sessions, with a total of 18 participants in the workshops.

The key themes identified during the workshops generally aligned with those raised in the written submissions during the public consultation period, which are detailed in the Key Findings section of this report. There was general support for less prescriptive land use terms and associated definitions, and the need for guidance for resultant non-conforming uses was identified. Concerns relating to the amalgamation of home business, home occupation, home office and home store uses, combining tourism-related uses, and introduction of repurposed and second-hand dwelling use were apparent, as well as support for proposed food outlet use, introduction of food outlet with drive-through facility use, and distinction of shop – small and shop – large.

With regard to Zones and Reserves and associated objectives, stakeholders raised concerns over the deletion of the Commercial zone, objectives of the Local and Neighbourhood Centre zones, modification



of the existing Centre zone, modification of the Mixed Use zone, and the rationalisation of the Public Purpose reserves.

Discussions around land use permissibility in commercial and industrial type zones identified a preference for a staged approach for its inclusion in the model or deemed provisions, concerns over the proposed land use permissibility table being too detailed and prescriptive, and requests for permissibility for liquor-related uses, uses within the Mixed Use zone, single dwellings, and place of worship to be reviewed further.

Stakeholders also requested the following to be included in the guidance for local planning schemes:

- Requirement for preliminary consultation with the Department
- Explanation of the detail and justification needed to vary the model provisions
- Translation and alignment of non-model land uses, zones and reserves with those contained in the model provisions
- Manner and form templates.

## 3 Key Findings

### 3.1 Overview of Submissions

During the consultation period, 111 submissions were received from different stakeholder types, reflecting the insights and concerns from various perspectives regarding the proposed changes to improve the consistency of local planning schemes.

Submissions received were either structured through the completion of an online survey through the Consultation Hub or through the completion of a feedback form, or unstructured through email or written correspondence.

Both the online survey and the feedback form did not require the answering of all questions. Some questions required the answering of a multiple-choice question ranging between 'Support' and 'Do Not Support', whilst others were open-text questions seeking additional comment. There was no word limit to the comment field; the submissions could range from a single word to four pages in length.

Seventy-six submissions were received that are considered detailed submissions, and 35 submissions that are not.

Furthermore, submitters were able to provide more than one comment per question. As a result, a total of 2,075 comments were received.

Table 1 provides a simple and clear summary of the theme and focus of feedback in line with the proposed structure of the report.

**Table 1 – Comments received during consultation**

Theme	Number of comments
<b>Land Use Terms</b>	
Land use terms and definitions being less prescriptive	146
Proposed changes to land use terms and definitions	361
Additional changes to land use terms and definitions	42
<b>Zones and Reserves</b>	
Zones and reserves to be less prescriptive	141
Proposed changes to zones and reserves	191
Additional changes to zones and reserves	11
<b>Land use permissibility and development requirements for commercial and industrial type zones in the Metropolitan Region and Peel Region Scheme areas.</b>	
Standardised zoning table	348
Use class definitions	108
Development requirements	106
<b>Recommended implementation approach</b>	
Short term actions	149
Supporting actions	28
Long term actions	116



Table 2 provides a broad categorisation of submitters by organisation type. As a number of proposals included in the Stakeholder Consultation Report are specific to local governments occurring in the Perth and Peel Region Scheme areas, the local government submitter organisation type is further broken down to those local governments that fall within the Perth and Peel regions and those that do not.

### 3.1.1 Advocacy Issue Submissions

Consultation was open for all interested bodies to participate. A significant number of submissions received are driven by two advocacy issues, namely:

- Bulky goods showroom: 16 per cent or 18 submissions were concerned that this land use term definition and relevant zoning and permissibility proposal will detrimentally affect the large format retail industry.
- Community purpose: 30 per cent or 33 submissions were concerned that the land use term definitions include drugs and alcohol rehabilitation centres and associated implications.

In total, 46 per cent of all submissions related to one of these two advocacy issues only. Of the 66 submitters that responded and included feedback on these two advocacy issues, only 15 submitters also provided feedback on other elements of the engagement, with 41 submissions as single-issue responses.

It is notable that the submissions from members of the public and not-for-profit organisations were strongly focussed on the community purposes land use term

**Table 2 – Submitter organisation types and counts**

Submitter organisation type	Total submissions	Bulky Goods Showroom submissions	Community Purpose submissions	Total excluding advocacy issue submissions
State Government department/agency	8			8
Local government	Perth and Peel	25		25
	Outside of Perth and Peel	8		8
Planner, planning consultancy or professional body	4			4
Member of the public	30		26	4
Not-for-profit	8		7	1
Industry organisation	5	2		3
Development company and retailers	23	16		7
<b>Grand total</b>	<b>111</b>	<b>100%</b>	<b>18</b>	<b>16%</b>
			<b>33</b>	<b>30%</b>
				<b>60</b>
				<b>54%</b>

and definitions; in the absence of this single issue, just five submissions were received from those not using the planning system as a professional or industry user.

This had the potential to alter an objective analysis of relative support for some of the proposals. Instead, for these issues, it is likely that a more focussed assessment of those advocacy issues to seek resolution will benefit the overall project, allowing less contentious proposals to be more clearly analysed.

To better represent the stakeholders and to enable a more accurate review of relative support, this report isolates three sets of survey statistics:

- Total submissions
- Advocacy issue submissions (bulky goods or community purpose)
- Total submissions excluding advocacy issue submissions.

The summary indicates that the local government sector is the largest single respondent group.





## 3.2 Land Use Terms

### 3.2.1 Land Use Terms to be Less Prescriptive

The review process identified that the more specific or prescriptive land uses and associated definitions become, the greater likelihood that more land uses and definitions will need to be added to the Regulations, creating additional levels of complexity. The primary principle forming the basis of proposed changes to land use terms and definitions is the preference to have land uses and associated definitions to be less prescriptive, and therefore less complex and confusing to users.

Feedback on this primary principle was specifically requested in the consultation feedback form, with 77 of 111 submissions indicating whether they supported the principle or not. Of the 77 submissions, around 60 per cent either supported or conditionally supported the principle of having land uses and associated definitions being less prescriptive. When those submissions that were only focused on proposed changes to either the community purpose or bulky goods showroom land uses were removed, the percentage of submissions providing either support or conditional support for the principle increased to around 80 per cent.

In addition to indicating whether they supported the principle, submitters were also asked to provide specific comments regarding the principle. Submissions that either supported or conditionally supported the principle provided the following comments:

- Less prescriptive means more inclusive and adaptable.
- Change of use applications could be minimised, saving time and resources.
- Care needs to be taken not to impact applicability of land uses.
- A need to ensure that the land uses remain distinct.
- Less prescriptive means less complex and provides greater ease for users.

For those submissions that did not support the principle, the main concern raised was that less descriptive definitions could lead to ambiguity and subjective interpretations and make land uses more difficult to distinguish from one another.

Following consultation, it is clear that whilst it is desirable for new or modified land uses to be less prescriptive, in some circumstances, they may need to be prescriptive. It is also acknowledged that further guidance needs to be provided on the interpretation of land uses, particularly where a use that may have been individually defined in past local planning schemes is now covered by broader land use (for example, 'wind farm' is now proposed to be covered by 'renewable energy facility').

### 3.2.2 Proposed Changes to Land Use Terms

The Stakeholder Consultation Report proposed several changes to either modify, delete, replace or add new land uses to the model provisions. Stakeholders were invited to provide comments on any of the proposed changes that they did not support or required modification. An overview of comments received for each proposed change to land use and a recommendation as to whether and how the proposed change is to be progressed is provided in **Appendix A**. Table 3 (page 8) provides a list of the land use changes proposed in the Stakeholder Consultation Report and identifies categories of change based on considerations of submissions provided in **Appendix A**.



**Category 1:** No change from what was proposed in the Stakeholder Consultation Report

**Category 2:** Change from what was proposed in the Stakeholder Consultation Report

**Category 3:** Change proposed in the Stakeholder Consultation Report withdrawn

**Table 3 – Land Use Definitions – Categories of change following consultation**

Modify land use	Delete land use	Replace land use	Add (new) land use
animal husbandry – Intensive	bed and breakfast	art gallery (exhibition centre)	aerodrome
bulky goods Showroom		amusement parlour (recreation private)	aircraft landing area
caravan park		brewery (beverage production facility)	beverage production facility
community purpose		family day care (home business)	camping ground
exhibition centre		fast food outlet / lunch bar (food outlet)	food outlet
freeway service centre		home occupation (home occupation/ home office)	food outlet with drive through facility
home business		home office (home occupation/home office)	independent living complex
hotel		home store (home business)	industry rural
liquor store – large		industry – primary production (industry rural)	nature based park
liquor store – small		motor vehicle repair (vehicle repair/wash)	renewable energy facility
small bar		motor vehicle wash (vehicle repair/wash)	repurposed dwelling
tavern		shop (shop – small, shop – large)	residential care facility
market		winery (beverage production facility)	second hand dwelling
motel		wind farm (renewable energy facility)	shop – small
nightclub			shop –large
park home park			vehicle repair/wash
recreation – private			
restaurant/café			
roadhouse			
rural home business			
service station			
tourist accommodation			
veterinary centre			
warehouse/storage			





### 3.2.3 Additional Changes to Land Uses

Submitters suggested several additional changes to land use that included requests for new land use definitions, as well as modifications to existing land uses. Additional land uses suggested included data storage/centre, education training facility, camping ground, nature based park, student accommodation, third party advertising, industry – noxious, pet day care, vape shop and tobacconist/shisha lounge/restricted premises – smoking. All suggested additional land uses have been reviewed, with the exception of camping ground and nature based park, and all other additional land uses were considered to be adequately covered by existing land uses, proposed new land uses already identified, or are not considered to be widespread and can be addressed as a use not listed.

Of the requested modifications to existing land uses, the suggestion to combine the art gallery and exhibition centre is supported and is included in the table of recommended changes.

## 3.3 Zones and Reserves

### 3.3.1 Zones and Reserves to be Less Prescriptive

The primary principle behind the changes to zones and reserves is that zone names and associated objectives be less prescriptive and more general. The more specific or prescriptive zones and associated objectives become, the greater likelihood that more zones and objectives will need to be added to the Regulations.

Feedback on this primary principle was specifically requested in the consultation feedback form, with 76 of 111 submissions indicating whether they supported the principle or not. Of the 76 submissions, approximately 65 per cent either supported or conditionally supported the principle of having zones and reserves and associated objectives being less prescriptive. When those submissions that were primarily focused on proposed changes to either the community purpose or bulky goods showroom land uses were removed, the percentage of submissions providing either support or conditional support for the principle increased to around 80 per cent.

In addition to indicating whether they supported the principle, submitters were also asked to provide specific comments regarding the principle. Submissions that either supported or conditionally supported the principle provided the following comments:

- Zones and reserves need to be rationalised and standardised within local planning schemes.
- Objectives still need to provide a suitable level of guidance for consideration and determination of planning proposals.

For those submissions that did not support the principle, the main concerns raised related to the potential for less prescriptive objectives leading to increased ambiguity if the intent of the zone or reserve is not clear.

Following consultation, it is clear that while the principle of less prescriptive zones and reserves is generally supported, there are some concerns relating to a lack of certainty for some stakeholders. Some submitters

felt that as they were unable to consider the specific changes proposed to the objectives of the zones and reserves, the resultant definitions may be too ambiguous, potentially creating challenges in approvals or in compliance.

### 3.3.2 Proposed Changes to Zones and Reserves

In the Stakeholder Consultation Report, it was noted that the objectives of some zones refer to a specific State Planning Policy (SPP). It was suggested that any reference to a SPP refer to 'applicable SPP', rather than the specific number and or name of the SPP. Approximately 80 per cent of submissions provided either support or conditional support for zone objectives (where relevant) to refer to the 'applicable SPP' rather than the specific name or number of the SPP.

The Stakeholder Consultation Report proposed several changes to either modify, delete, rationalise or add new zones or reserves to the model provisions. Stakeholders were invited to provide comments on any of the proposed changes that they did not support or required modification. An overview of comments received for each proposed change to zones or reserves and a recommendation as to whether and how the proposed change is to be progressed is provided in **Appendix B**. Table 4 and Table 5 below provide a list of the zone and reserve changes proposed in the Stakeholder Consultation Report and identifies the following categories of change based on considerations of submissions provided in **Appendix B**:



**Category 1:** No change from what was proposed in the Stakeholder Consultation Report

**Category 2:** Change from what was proposed in the Stakeholder Consultation Report

**Table 4 – Zones - Summary of proposals**

Modify zone	Delete zone	Add (new) zone
Centre	Commercial	Local Centre
Mixed Use	Special Residential	Neighbourhood Centre
Urban Development		Priority Agriculture
Residential		Rural Enterprise
Rural		Cultural and Natural Resource Use
Rural Residential		Regional Town / City
Rural Small Holdings		
Service Commercial		
Strategic Industry		
Rural Townsite		
Special Use		

**Table 5 – Reserves - Summary of proposals**

Rationalisation of reserve	Add reserve	Modify reserve
Social Care Facilities (civic and community)	Foreshore	Infrastructure Services
Cultural Facilities (civic and community)		
Medical Services (public purposes)		
Education (public purposes)		
Emergency Services (public purposes)		
Heritage (public purposes)		
Government Services (public purposes)		
Recreational (public purposes)		

### 3.3.3 Additional Changes to Zones and Reserves

Submitters suggested several additional changes to zones and reserves that included requests for new zones and some modifications to an existing zone. Additional zones suggested included Capital City Core, Entertainment, Service Centre, Specialised Centre, Regional Town/City and Water Protection. These suggested new zones have been reviewed; with the exception of Regional Town/City, all other proposed new zones are considered to be adequately covered by existing zones and reserves, proposed new zones and reserves already identified, or are not considered to be widespread and can be addressed through other means, such as special control areas.

There were several suggested modifications to the Private Clubs, Institutions and Places of Worship zone. However, it is considered that these do not sufficiently justify changes to the existing zone name or objectives.

## 3.4 Land Use Permissibility and Development Requirements for Commercial and Industrial Type Zones in the Metropolitan Region and Peel Region Scheme Areas

Land use permissibility and development requirements form a substantial part of a local planning scheme, with model provisions providing only limited direction on the standardisation of the content. Given the vastness and diversity of issues across Western Australia, a staged approach to achieving more consistent land use permissibility and development requirements in Local Planning Schemes is considered appropriate.



Commercial and industrial type zones in the Metropolitan Region and Peel region scheme areas were identified as a priority for improving consistency in the relevant local planning schemes.

### 3.4.1 Standardised Zoning Table

A standardised zoning table for commercial and industrial type zones in the Metropolitan Region and Peel Region Scheme areas was recommended in the Stakeholder Consultation Report. Submitters provided 348 individual comments on the proposed zoning table, with a large majority suggesting modifications to permissibility recommended in the zoning table. An overview of comments received on the proposed zoning table and recommendations as to how it should be modified is provided in **Appendix C**.

### 3.4.2 Use Class Definitions

In support of the recommended zoning table and in recognition of the importance of the zone objectives in determining the permissibility of land uses, modifications to the permissibility definitions contained in the model (clause 18(2)) and deemed (clause 1) provisions were consulted on. Proposed modifications to the permissibility definitions primarily focused on linking each use class definition to consistency with zone objectives. The consultation feedback form specifically asked stakeholders whether they supported the proposed changes to permissibility definitions. Approximately 70 per cent of submitters either supported or conditionally supported the proposed changes. Several comments and concerns were raised about the proposed changes, including:

- The inclusion of a reference to clause 61(2) of the deemed provisions in the modified P use definition was considered to be confusing.
- P use should still comply with all relevant development standards and requirements of the scheme.
- It should not be implied through the use class definition that D and A uses are consistent with zone objectives. Rather, they may be consistent with zone objectives once the local government has exercised its discretion.
- The inclusion of the words ‘regardless of the symbol used’ for all the use class definitions was considered confusing.

To address concerns raised by stakeholders, further consideration was given to the need to modify the use class definitions. Consequently, it is now preferred that only minor modifications are made to the current use class definitions in the Regulations and the linking of use class definitions to consistency with zone objectives is best achieved during the formulation of the zoning table.

The Stakeholder Consultation Report suggested an incidental use is not a separate and distinct use in its own right but rather is a related component of the predominant use, and therefore the definition of the I use class and its designation in a zoning table are not required. However, it was raised by some stakeholders that the I use permissibility is still needed where the local government needs to express when a use is allowed to be incidental. For example, a caretakers dwelling may be an I use in the light industry zone,

meaning it cannot occur unless a predominant Light Industrial use is operating, but it may be an X use in the General Industry zone as a reasonable standard of amenity for human habitation cannot be provided.

The following is therefore recommended in regard to the use class definitions:

- Retain the current use class definitions in clause 1 of the deemed provisions.
- Modify the use class definitions in clause 18(2) of the model provisions of the Regulations to:
  - replace the word ‘any’ with ‘all’ for the P and I use class definition;
  - retain the I use class;
  - change the D use class definition to: means a use that may be consistent with the zone objectives, but is not permitted in the zone unless the local government has exercised its discretion by granting development approval; and
  - change the A use class definition to: means a use that may be consistent with the zone objectives, but is not permitted in the zone 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.
- Local planning scheme guidance acknowledges the importance of considering zone objectives when assigning use classes to land uses in the zoning table.



### 3.4.3 Development Requirements

The proposal that development requirements for industrial-type zones and potentially the service commercial zone will be addressed through an industrial design code was consulted on. Less than 40 per cent of submissions indicated support or conditional support for development of an industrial design code. The main concerns raised by stakeholders regarding an industrial design code included:

- Why is it needed, and what are the benefits?
- Potential complexity of the code.
- Flexibility to respond to local context.

Rather than commencing the preparation of a design code, it is recommended that a discussion paper be developed in consultation with key stakeholders to address:

- the concerns and suggestions raised by stakeholders in response to the inclusion of the proposal in the Stakeholder Consultation Report.
- the opportunities and constraints of a design code;
- the methodology and expected timeframes for drafting a design code; and
- a staged approach to the implementation of a design code.

## 3.5 Recommended Implementation Approach

The Stakeholder Consultation Report recommended an implementation approach to improving the consistency of local planning schemes that included several short-term (1-3 years) and longer-term (3 years+) actions.

Whilst there was a general level of support for the proposed implementation approach, some refinements are required to address comments and concerns raised by stakeholders. The more significant comments and concerns were raised about proposed actions relating to a standardised zoning table, industrial design code and deemed local planning scheme. Those comments and concerns are specifically addressed below.

Additional concerns were raised about resourcing and the capacity of DPLH, local government and the broader planning industry to respond to and implement proposed changes. **Appendix D** provides an overview of comments received on all proposed implementation actions and recommendations as to whether they should be modified.

### 3.5.1 Standardised Zoning Table

The Stakeholder Consultation Report proposed a standardised zoning table for industrial and commercial type zones in the Metropolitan Region and Peel region scheme areas and for it to be implemented through changes to the model provisions. Fourteen local governments in Perth and Peel and four other local

government stakeholders did not support the need for a standardised zoning table for commercial and industrial type zones in Perth and Peel. Conversely, seven local governments in Perth and Peel and 14 other stakeholders did indicate support or conditional support for a standardised zoning table.

Additionally, a number of local governments raised concerns in regard to proposed implementation actions 2 and 11 that proposed the development of a standardised zoning table across all model zones for application state-wide through the model provisions.

Primary concerns raised about a proposed standardised zoning table included that a standardised zoning table constrains local government's consideration of local context, and clarity will need to be provided on the process and criteria for considering variations to the zoning table if implemented through the model provisions.

Given that there is some opposition and concern regarding the implementation of a standardised zoning table, a modified implementation approach is recommended. It is preferred that the recommended zoning table for industrial and commercial type zones in the Metropolitan Region and Peel region scheme areas be introduced through inclusion in the proposed local planning scheme guidance to allow time for zones and land use changes to be formalised through amendments to the model provisions and allow for testing and refinement of the zoning table before its inclusion in the model provisions. A similar approach for the development and implementation of a standardised zoning table across all model zones is recommended.



### 3.5.2 Industrial Design Code

As already discussed in section 3.4.3, there was limited support for the preparation of an industrial design code as proposed in actions 8 and 14 of the Stakeholder Consultation Report. Consequently, it is recommended that a discussion paper is prepared in consultation with key stakeholders to determine the need and process for preparing and implementing an industrial design code.

### 3.5.3 Deemed Local Planning Scheme

Local government stakeholders generally did not support the concept of a deemed local planning scheme, with the main concern being that it would impact the ability of local planning schemes to be flexible and respond to local circumstances. There was some recognition of the need to improve readability and reduce complexity and confusion associated with reading local planning scheme text and the deemed provisions concurrently but as separate documents. It is suggested that some guidance be provided in the proposed local planning scheme guidelines on how local government can package the local planning scheme text and the deemed provisions to assist readability and ease of use.

### 3.5.4 Resourcing and Capacity to Respond to and Implement Change

When given the opportunity to provide further comments, several submitters raised the issue of resourcing and capacity of DPLH and local government. In particular, one submission questioned the ability of DPLH to deliver on multiple planning reform projects and its current delays in assessing new local planning strategies, local planning schemes and scheme amendments. Several others were concerned about the strain on local government to effectively implement the reforms.

The actions and initiatives proposed by the Consistent Local Planning Schemes project will contribute to DPLH assessing these proposals more efficiently in the future.

In relation to the capacity of industry to deliver on proposed changes, the implementation approach will provide for transitional arrangements to assist local government and other stakeholders with implementing and delivering on proposals. A number of other reform initiatives, such as the Planning and Development Amendment Bill 2023 and associated regulations, will also contribute to making planning easier and more efficient, for example, through changing the requirement for local governments to review their schemes from five years to 10 years.

## 4 Next Steps

Based on stakeholder feedback, suggested changes and recommendations presented in this Consultation Outcomes Report, the Consistent Local Planning Schemes Report will be updated and presented to the WAPC.

Following consideration by the WAPC, it is anticipated that approved implementation actions and proposals for change, where relevant, will be progressed through amendments to the Regulations and the development of local planning schemes guidance and other supporting documentation.







## APPENDIX A – Proposed Changes to Land Uses

Land use	Current	Proposed change and justification	Comments	Recommendations
<b>Amusement parlour</b>	Means premises – (a) that are open to the public; and (b) that are used predominantly for amusement by means of amusement machines including computers; and (c) where there are 2 or more amusement machines.	<b>Delete land use</b> The definition of amusement parlour is considered very narrow in scope and it could easily be integrated into the definition of 'recreation-private'.	Two comments. <ul style="list-style-type: none"><li>It was suggested that the land use be renamed and modernised. The removal of the land use and integration into recreation – private will accommodate this.</li></ul>	<b>Support proposed change.</b>
<b>Animal husbandry – intensive</b>	Means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens.	<b>Modify land use</b> Following a review of SPP 2.5 Rural planning, it was suggested that the definition of animal husbandry be expanded to include specific reference to additional animals such as alpacas, beef and dairy cattle, goats and sheep.  Rather than expanding the list of specific animals in the definition, it is considered more pragmatic to provide greater flexibility to accommodate a broader range of relevant animals by modifying the definition to remove reference to specific animals (for example pigs, rabbits etc) and replace with broader reference to animals/livestock.	Three comments. <ul style="list-style-type: none"><li>The Department of Primary Industries and Regional Development (DPIRD) indicated a preference to retain specific reference to pigs, poultry and rabbits.</li><li>DPIRD also suggested that 'livestock' be replaced with animal as it was consistent with the name of the land use and is consistent with the use of the term 'animal' in the <i>Biosecurity and Agricultural Management Act 2007</i>.</li><li>The inclusion of other additional animals such as alpacas, beef and dairy cattle, goats and sheep was not necessary as they could be covered through reference to other animals.</li></ul>	<b>Modify proposed change to retain reference to pigs, poultry and rabbits, but replace 'other livestock' with 'other animals'.</b>
<b>Aerodrome</b>	No current definition in Regulations.	<b>Add land use</b> There have been a number of schemes pre and post Regulations that include a land use term of either aerodrome, airfield or aviation uses.  It is proposed the use aerodrome be introduced to include those areas of land or water certified under the <i>Civil Aviation Act 1988</i> for use as an aerodrome	Seven comments <ul style="list-style-type: none"><li>Four comments suggested that proposed land uses aerodrome and aircraft landing area be either combined or more clarity be provided to distinguish the two land uses.</li><li>Clarity on whether the two land uses accommodate drone use is suggested.</li></ul>	<b>Refine proposed land use to provide greater clarity on difference between the aerodrome and aircraft landing area land uses, and whether those land uses accommodate drone use.</b>



Land use	Current	Proposed change and justification	Comments	Recommendations
<b>Aircraft landing area</b>	No current definition in Regulations.	<p><b>Add land use</b></p> <p>There have been a number of schemes pre and post Regulations that include a land use term of either aerodrome, airfield or aviation uses. It is proposed that the use aircraft landing area be introduced to include those areas of land suitable for the conduct of take-off and landing and associated aircraft operations for private, aerial work or charter activities.</p>	<p>Eight comments.</p> <ul style="list-style-type: none"> <li>• Four comments suggested that proposed land uses aerodrome and aircraft landing area be either combined or more clarity be provided to distinguish the two land uses.</li> <li>• Clarity on whether the two land uses accommodate drone use is suggested.</li> </ul>	<p><b>Refine proposed land use to provide greater clarity on difference between the aerodrome and aircraft landing area land uses, and whether those land uses accommodate drone use.</b></p>
<b>Brewery</b>	Means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the <i>Liquor Control Act 1988</i> .	<p><b>Replace land use</b></p> <p>The current definition of brewery includes other forms of liquor production including distillery and cidery. It is suggested that the land use term brewery and associated definition be replaced with 'Liquor Production Facility'.</p> <p>The definition of 'Liquor Production Facility' aligns with the <i>Liquor Control Act 1988</i> and provides scope to include the full variety of alcohol production facilities (for example winery, brewery, cidery, distillery etc).</p>	<p>Seven comments.</p> <ul style="list-style-type: none"> <li>• Suggested change of terminology from 'liquor' to 'beverage' to further broaden the land use to include non-alcoholic beverages.</li> <li>• Suggested that the proposed definition include reference to sale and consumption of alcohol.</li> </ul>	<p><b>Support proposed change, with change of terminology from 'liquor' to 'beverage'.</b></p>
<b>Liquor store – large, liquor store – small, small bar, tavern, hotel, motel, nightclub, restaurant/café and proposed 'alcohol production facility'</b>	Various.	<p><b>Modify land uses</b></p> <p>To improve clarity regarding the nature of each use in a planning context and remove potential for confusion regarding approval of the land use being dependent on a liquor licence being granted and vice versa, it is proposed to:</p> <ul style="list-style-type: none"> <li>• delete references to the type of liquor licence; and</li> <li>• replace references to a licence being granted with 'capable of being granted a licence'.</li> </ul>	<p>12 comments</p> <ul style="list-style-type: none"> <li>• It is unclear how the new definitions will be worded to remove the reference to a liquor licence.</li> <li>• Concern over how amended definitions will be descriptive enough to differentiate between the land use types as the distinction is currently made through reference to licence type.</li> </ul>	<p><b>Retain existing definitions.</b></p>





Land use	Current	Proposed change and justification	Comments	Recommendations
<p><b>Bulky goods showroom</b></p>	<p>Means premises –</p> <p>(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes –</p> <ul style="list-style-type: none"> <li>(i) automotive parts and accessories;</li> <li>(ii) camping, outdoor and recreation goods;</li> <li>(iii) electric light fittings;</li> <li>(iv) animal supplies including equestrian and pet goods;</li> <li>(v) floor and window coverings</li> <li>(vi) furniture, bedding, furnishings, fabrics, Manchester and homewares;</li> <li>(vii) household appliances, electrical, goods and home entertainment goods;</li> <li>(viii) party supplies;</li> <li>(ix) office equipment and supplies;</li> <li>(x) babies' and children's goods, including play equipment and accessories;</li> <li>(xi) sporting, cycling, leisure, fitness goods and accessories;</li> <li>(xii) swimming pools.</li> </ul> <p>or</p> <p>(b) used to sell goods and accessories by retail if –</p> <ul style="list-style-type: none"> <li>(i) a large area is required for the handling, display or storage of the goods; or</li> <li>(ii) vehicular access is required to the premises for the purpose of collection of purchased goods.</li> </ul>	<p><b>Modify land uses</b></p> <p>The review of SPP 4.2 Activity Centres (March 2022) noted concerns from stakeholders that shops (such as supermarkets and pharmacies) are starting to locate in bulky goods and large format retail precincts (e.g. Service Commercial zone), which undermines the role and function of activity centres.</p> <p>In resolving to endorse the final release of SPP 4.2, the WAPC amongst other things resolved to review the 'shop' and 'bulky goods showroom' land use terms and zones related to activity centres in the Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>It is suggested that the definition of 'bulky goods showroom' be refined to:</p> <ul style="list-style-type: none"> <li>• specify that goods and services are of a bulky nature;</li> <li>• excludes the sale of foodstuffs, alcohol, medicines, footwear or clothing unless their sale is ancillary to the sale of bulky goods; and</li> <li>• remove reference to the specific types of goods and accessories specified in the current definition.</li> </ul>	<p>59 comments.</p> <ul style="list-style-type: none"> <li>• Current definition is widely supported by the large format retailers who strongly oppose removal of the list of goods and accessories and inclusion of specific reference to goods and services being of a bulky nature.</li> <li>• The exclusion of food stuff, footwear and clothing is generally supported.</li> <li>• Proposed changes increase ambiguity in relation to how the bulky nature of goods and services is determined.</li> <li>• Suggest retaining current definition with modifications to exclude food stuff, footwear and clothing unless they are ancillary to the sale of goods and services specified in the current definition, and a potential restriction on floor space allocated to the display or sale of ancillary items.</li> </ul>	<p><b>Do not support proposed change. Retain current definition with modifications to exclude food stuff, footwear and clothing unless they are ancillary to the sale of goods and services specified in the current definition, and consider the introduction of a potential restriction on floor space allocated for the display or sale of ancillary items.</b></p>



Land use	Current	Proposed change and justification	Comments	Recommendations
<b>Caravan park</b>	Means premises that are a caravan park as defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> section 5(1).	<p><b>Modify land uses</b></p> <p>Nine schemes post Regulations and 21 schemes pre Regulations include camping ground as a land use term and definition.</p> <p>Schemes that include camping ground as a land use term refer to the <i>Caravan Parks and Camping Grounds Act 1995</i> for a definition.</p> <p>The provision of ‘Caravan Park/Camping Ground’ as a combined land use term and definition in the model provisions, without reference to the <i>Caravan Parks and Camping Grounds Act 1995</i> provides greater clarity to the use.</p>	<p>Six comments.</p> <ul style="list-style-type: none"> <li>• Concern raised about combining caravan park and camping as the suitability of each use for a particular location may be different.</li> </ul>	<p><b>Do not support proposed change. Retain caravan park land use and add land use and associated definition for camping ground</b></p>
<b>Community purpose</b>	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.	<p><b>Modify land use</b></p> <p>It is proposed the community purpose definition be revised to exclude uses associated with alcohol or other drug rehabilitation services. It is recognised that such land uses could be dealt with as a use not listed.</p>	<p>60 comments.</p> <ul style="list-style-type: none"> <li>• Alcohol or other drug (AOD) rehabilitation service providers are concerned that the proposed changes may: <ul style="list-style-type: none"> <li>– impact on the ability for these services to be provided to the community;</li> <li>– impact the ability to integrate these services with other support services provided by the community services sector; and</li> <li>– result in these services having to be in areas not supported by services such as public transport, commercial, community and medical facilities.</li> </ul> </li> <li>• Some local governments support guidance for this land use being provided, but there is no consensus of the best way to do this, with various suggestions provided.</li> <li>• 29 community members support exclusion of AOD rehabilitation from the community purpose land use, with most suggesting the need for a new definition.</li> </ul>	<p><b>Do not support proposed change. More detailed consideration and consultation on the land use approach for AOD services should be progressed following the Department of Health’s development of a contemporary legislative framework in response to the Education and Health Standing Committee’s “Report of the Inquiry into the Esther Foundation and unregulated private health facilities”.</b></p>



Land use	Current	Proposed change and justification	Comments	Recommendations
			<ul style="list-style-type: none"> <li>Given the range of views, and potential options to deal with the land use approach for the range of AOD rehabilitation services, further work is required to ensure changes to the planning system do not result in any unintended consequences that impact the provision of these services.</li> </ul>	
<b>Family day care</b>	Means premises where a family day care service as defined in the <i>Education and Care Services National Law (WA) Act 2012</i> is provided.	<p><b>Replace land use</b></p> <p>As both 'home business' and 'family day care' are a business operated from a dwelling, there is an opportunity to combine these uses. It is suggested that the 'family day care' use is deleted and integrated into the 'home business' use.</p>	<p>17 comments.</p> <ul style="list-style-type: none"> <li>Numerous concerns were raised by local government including:                             <ul style="list-style-type: none"> <li>Home business size restrictions (50m<sup>2</sup>) not appropriate for family day care</li> <li>Amenity impacts of family day care (parking, traffic, noise)</li> <li>Not appropriate to combine uses in bushfire prone areas</li> <li>Potential need for development approval for family day care in Residential zone where it is generally a P use.</li> </ul> </li> </ul>	<b>Do not support proposed change.</b>
<b>Fast food outlet/ lunch bar</b>	Means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten – <ul style="list-style-type: none"> <li>(a) without further preparation; and</li> <li>(b) primarily off the premises.</li> </ul>	<p><b>Replace land use</b></p> <p>Replace land use with 'food outlet'.</p> <p>It is suggested the definition of food outlet allow for the preparation, sale and serving of food, in a form ready to be consumed without further preparation on and/or off the premises' and explicitly exclude drive-through facility.</p>	<p>20 comments.</p> <ul style="list-style-type: none"> <li>General support to distinguish between food outlets where there are/are not drive-through facilities.</li> <li>Concerns raised around the need to allow lunch bar uses in industrial areas but not allow proliferation of traditional fast food outlets.</li> <li>It was suggested that the definition state that a facility may or may not trade 24 hours per day, seven days per a week. This is not considered necessary as it would require development approval for the use in all circumstances to implement.</li> </ul>	<b>Support proposed change.</b>



Land use	Current	Proposed change and justification	Comments	Recommendations
<b>Food outlet with drive-through facility</b>	No current definition in the Regulations.	<p><b>Add land use</b></p> <p>Currently the Regulations do not distinguish between those food outlets that have a drive through facility and those that do not.</p> <p>It considered that the nature of land use and potential impact of a food outlet will be different depending on whether the food outlet has a drive through facility.</p> <p>To allow distinction between a food outlet that has a drive through facility and those that do not, it is suggested that a new land use 'food outlet with drive-through facility' be introduced.</p>	<p>Eight comments.</p> <ul style="list-style-type: none"> <li>• General support to distinguish between food outlets where there are/are not drive-through facilities.</li> <li>• It was suggested that the definition state that facilities may or may not trade 24 hours per day, seven days a week. This is not considered necessary as it would require development approval for the use in all circumstances to implement.</li> </ul>	<b>Support proposed change.</b>
<b>Freeway service centre and roadhouse</b>	<p>Means premises that has direct access to a freeway and which provides all the following services or facilities and may provide other associated facilities or services but does not provide bulk fuel services –</p> <ul style="list-style-type: none"> <li>(a) service station facilities;</li> <li>(b) emergency breakdown repair for vehicles;</li> <li>(c) charging points for electric vehicles;</li> <li>(d) facilities for cyclists;</li> <li>(e) restaurant, cafe or fast food services;</li> <li>(f) take-away food retailing;</li> <li>(g) public ablution facilities, including provision for disabled access and infant changing rooms;</li> <li>(h) parking for passenger and freight vehicles;</li> <li>(i) outdoor rest stop facilities such as picnic tables and shade areas.</li> </ul>	<p><b>Modify land use</b></p> <p>The definition should be refined to be less prescriptive as the current definition lists a number of specific uses or activities that can be undertaken.</p>	<p>Seven comments.</p> <ul style="list-style-type: none"> <li>• Freeway service centre and road house are separate land uses and should be clearly differentiated. It was not proposed that the two land uses be combined, however, the way in which information was presented in the consistent local planning schemes consultation report, it may have appeared that way.</li> <li>• Need to be careful to not broaden the land use too much as an increase in the range of land use that may occur within a freeway service centre could give rise to it evolving into a centre in its own right.</li> <li>• Suggestion to modify ...'provides all the following services'... to 'provides all or some', as it may be reasonable to carry out only a portion of the items listed, particularly for a roadhouse.</li> </ul>	<p><b>Retain separate land uses for freeway service centre and roadhouse and modify the definition of freeway service centre to be consistent with Development Control Policy 1.10 - Freeway service centres and roadhouses, including signage, and further refine this to change 'provides all' to 'provides all or some' of the listed facilities and services.</b></p>



Land use	Current	Proposed change and justification	Comments	Recommendations
<b>Home business, home occupation, home office, home store</b>	Various.	<p><b>Replace land use</b></p> <p>There are currently four land uses related to the operation of a commercial business from a residential home.</p> <p>There are subtle differences in the definition of each land use, which are essentially development requirements rather than a definition. For example, number of people employed, area occupied etc.</p> <p>To allow for the rationalisation of these uses and to deal with subtle differences through development exemptions, development requirements or local planning policies rather than separate land uses.</p>	<p>18 comments.</p> <ul style="list-style-type: none"> <li>Family day care should not be included.</li> <li>Amalgamation of home business, home occupation, home office and home store uses is generally not supported by local government stakeholders as uses generally have different permissibility and amenity impacts.</li> </ul>	<p><b>Do not support proposed change. Retain separate home business, home occupation, home office and home store land uses.</b></p>
<b>Independent living complex</b>	No current definition.	<p><b>Add land use</b></p> <p>Independent living complex is a term that was introduced in the <a href="#">Position Statement - Residential Accommodation for Ageing Persons</a> (December 2021) and has been approved as a variation to the model provisions through its inclusion in local planning schemes recently approved by the Minister.</p> <p>It is suggested the land use 'Independent Living Complex' and associated definition from the <i>Planning Position Statement - Residential Accommodation for Ageing Persons</i>, be included in the Regulations.</p>	<p>Seven comments.</p> <ul style="list-style-type: none"> <li>Concerns raised about whether use is needed, reference to dwelling and ageing persons in proposed definition.</li> </ul>	<p><b>Support proposed change.</b></p>
<b>Industry – primary production</b>	<p>Means premises used –</p> <p>(a) to carry out a primary production business as that term is defined in the <i>Income Tax Assessment Act 1997</i> (Commonwealth) section 995-1; or</p> <p>(b) for a workshop servicing plant or equipment used in primary production businesses.</p>	<p><b>Replace land use</b></p> <p>Continuous review of the Regulations has identified that stakeholders are more comfortable with the term 'Industry – Rural', than 'Industry – Primary Production'.</p> <p>It is suggested the land use term 'industry – primary production' be replaced with 'industry – rural'.</p> <p>It is also suggested the definition be modified to remove reference to the <i>Income Tax Assessment Act 1997</i>.</p>	<p>Two comments.</p> <ul style="list-style-type: none"> <li>Unclear how the land use will be defined.</li> </ul>	<p><b>Support proposed change.</b></p>



Land use	Current	Proposed change and justification	Comments	Recommendations
<b>Market</b>	Means premises used for the display and sale of goods from stalls by independent vendors.	<p><b>Modify land use</b></p> <p>The review of SPP 4.2 Activity Centres acknowledged that the market land use definition may also require review as it may provide an opportunity for large shops to locate out of Centre zones.</p> <p>It is suggested the definition be modified to make reference to 'temporary' stalls.</p>	<p>11 comments.</p> <ul style="list-style-type: none"> <li>• General support for the need to ensure large shops do not locate out of Centre zones.</li> <li>• No general support for reference to temporary stalls as they can be either permanent or temporary.</li> <li>• Suggest the definition be modified to premises divided into small individual tenancies and used for the display and sale of goods from stalls by independent vendors.</li> </ul>	<p><b>Do not support proposed change. Modify land use to the following:</b></p> <ul style="list-style-type: none"> <li>• <b>premises divided into small individual tenancies and used for the display and sale of goods from stalls by independent vendors.</b></li> </ul>
<b>Motor vehicle repair and motor vehicle wash</b>	<p>Means premises used for or in connection with –</p> <p>(a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or</p> <p>(b) repairs to tyres other than recapping or retreading of tyres.</p> <p>Means premises primarily used to wash motor vehicles.</p>	<p><b>Replace land use</b></p> <p>These uses are likely to result in similar considerations with respect to noise and traffic, and have similar use permissibility in a number of schemes.</p> <p>It is suggested that Motor Vehicle Repair and Motor Vehicle Wash be combined as one use called Vehicle Repair/Wash</p> <p>It is suggested that the definition for Vehicle Repair/Wash address the following:</p> <ul style="list-style-type: none"> <li>• includes electrical, mechanical or tyre repairs or washing of vehicles; and</li> <li>• excludes panel beating, spray painting or chassis reshaping of vehicles or recapping or re-treading of tyres.</li> </ul>	<p>Nine comments.</p> <ul style="list-style-type: none"> <li>• General support to combine the two uses as the impacts of the two are different with motor vehicle repair having more impact and being less permissible than motor vehicle wash.</li> </ul>	<p><b>Do not support proposed change.</b></p>
<b>Park home park</b>	Means premises used as a park home park as defined in the Caravan Parks and Camping Grounds Regulations 1997 Schedule 8.	<p><b>Modify land use</b></p> <p>Reference to schedule 8 of Caravan Parks and Camping Grounds Regulations 1997 should be deleted as that schedule is no longer included in those Regulations.</p>	<p>Four comments.</p> <ul style="list-style-type: none"> <li>• It was suggested that the name be changed to park home complex or facility.</li> </ul>	<p><b>Support proposed change and retain current land use name as this aligns with the Caravan Parks and Camping Grounds Regulations 1997.</b></p>



Land use	Current	Proposed change and justification	Comments	Recommendations
<b>Recreation - private</b>	Means premises that are – (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge.	<b>Modify land use</b> As it is suggested that the land use term 'amusement parlour' and associated definition be deleted, it is also suggested to modify the definition of 'recreation – private' to include reference to 'amusement'.	Five comments. <ul style="list-style-type: none"> <li>Current definition is already broad and the proposed change will further extend the range of potential activities.</li> </ul>	<b>Support proposed change.</b>
<b>Renewable energy facility</b>	Not currently defined in the Regulations.	<b>Add land use</b> The Minister has approved the inclusion of the term 'renewable energy facility' in 21 schemes post Regulations.  The <a href="#">Position Statement – Renewable Energy Facilities</a> (March 2020) proposed a definition for a 'renewable energy facility'. It is suggested that the definition for renewable energy facility be consistent with the definition from the position statement.	Five comments. <ul style="list-style-type: none"> <li>Modify proposed definition to include reference to 'premises used to store energy'.</li> <li>Definition should allow for consideration of facilities that generate power that will not be supplying renewable energy back to the grid.</li> </ul>	<b>Support proposed change and further refine definition to include reference to premises used to store energy, and to allow consideration of facilities that generate power that will not be supplying renewable energy back to the grid.</b>
<b>Repurposed dwelling and second-hand dwelling</b>	Not currently defined in the Regulations.	<b>Add land use</b> Amenity concerns have been raised by various stakeholders with respect to repurposed dwellings and second-hand dwellings being exempt from requiring development approval under the Regulations as they currently fall within the definition of a 'single house' which are normally listed as a 'P' use in schemes.  To allow local governments to control the location of repurposed dwellings and second-hand dwellings, the inclusion of repurposed dwelling and second-hand dwelling' as land uses has been approved as a variation to the model provisions in around 20 local planning schemes post Regulations.  Preliminary consultation with some local governments and industry stakeholders has suggested that repurposed dwelling and second-hand dwelling are a single house and do not warrant inclusion as individual land uses within the Regulations.	21 comments. <ul style="list-style-type: none"> <li>Majority of the comments do not support proposed change.</li> <li>It was generally agreed that neither repurposed dwelling or second-hand dwelling should be a separate land use, rather they should fall under the Single House use.</li> <li>It is recognised that issues about the location and amenity impacts of repurposed and second-hand dwellings are most prevalent in regional local governments for which only a few submissions were received. Further, given that around 20 local planning schemes have approved variations to the model provisions to include those land uses, it is recommended that they be included as land uses in the model provisions.</li> </ul>	<b>Support proposed change.</b>





Land use	Current	Proposed change and justification	Comments	Recommendations
		<p>Those stakeholders suggested that the appearance, condition and built form of a dwelling where necessary could be dealt with through scheme provisions or a local planning policy.</p> <p>Further feedback is sought as to whether repurposed dwelling and second-hand dwelling should be included as separate land uses in the Regulations</p>		
<p><b>Residential care facility</b></p>	<p>Not currently defined in the Regulations.</p>	<p><b>Add land use</b></p> <p>There have been many different land uses and definitions across schemes both pre and post Regulations that have been used to classify or define a facility providing personal and/or nursing care primarily to people who are frail and aged or dependent persons.</p> <p><a href="#">Position Statement - Residential Accommodation for Ageing Persons</a> (December 2021) proposed the use of the land use term 'residential aged care facility' and associated definition.</p> <p>Preliminary consultation with some local governments and industry stakeholders has suggested as people of all ages can require high levels of care, broader reference to residential care is preferred over specific reference to 'aged care'.</p> <p>It is suggested that the proposed land use remove reference to 'aged' and instead be referred to as 'residential care facility'.</p>	<p>Seven comments of general support.</p>	<p><b>Support proposed change.</b></p>





Land use	Current	Proposed change and justification	Comments	Recommendations
<b>Rural home business</b>	<p>Means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation –</p> <ul style="list-style-type: none"> <li>(a) does not involve employing more than 2 people who are not members of the occupier’s household; and</li> <li>(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and</li> <li>(c) does not occupy an area greater than 200m<sup>2</sup>; and</li> <li>(d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and</li> <li>(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and</li> <li>(f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.</li> </ul>	<p><b>Modify land use</b></p> <p>There are a number of schemes pre and post Regulations that have included a diversity of land uses (e.g. wayside stall, produce stall), which generally relate to the sale of produce or commodity grown on the land on which it is sold.</p> <p>To avoid the introduction of a new land use in the model provisions, it is recommended that the definition of rural home business is modified to delete subclause (d) from the existing definition, so as to allow for the sale of goods.</p>	<p>Six comments.</p> <ul style="list-style-type: none"> <li>• Concerns were raised that a proposed change may lead to shop type retail uses occurring on rural land. It was suggested that goods to be sold through a rural home business be limited to those produced on the property or within the locality.</li> </ul>	<p><b>Support proposed change and further refine definition to limit goods to be sold to those produced on the property or within the locality.</b></p>
<b>Service station</b>	<p>Means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for –</p> <ul style="list-style-type: none"> <li>(a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or</li> <li>(b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.</li> </ul>	<p><b>Modify land use</b></p> <p>The definition of service station should be refined to be less prescriptive to allow for the various types of fuel (currently limited to petroleum products) and the charging of vehicles.</p>	<p>11 comments.</p> <ul style="list-style-type: none"> <li>• General support to recognise vehicle charging and various types of fuel, but it is important to recognise exclusion of major vehicle repairs.</li> </ul>	<p><b>Support proposed change.</b></p>



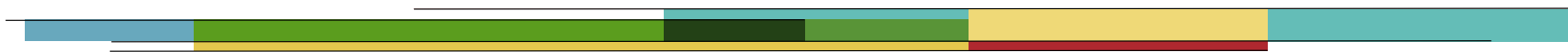


Land use	Current	Proposed change and justification	Comments	Recommendations
<p><b>Shop</b></p>	<p>Means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.</p>	<p><b>Modify land use</b></p> <p>Currently the Regulations includes the land use term 'shop'. Shop means premises 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. The recent review and update of SPP 4.2 Activity Centres provides for two different shop sizes:</p> <ul style="list-style-type: none"> <li>• Shop – small – no greater than 1500m<sup>2</sup> net lettable area (NLA)</li> <li>• Shop – large – greater than 1500m<sup>2</sup> NLA</li> </ul> <p>The intent of specifying shop – small and shop – large is to encourage larger shops (full-line supermarkets) to locate in higher level activity centres (neighbourhood and above). Locating full-line or large supermarkets in higher order centres encourages diversity of land use and housing density around those centres intended to have the largest population catchments.</p> <p>To support implementation of SPP 4.2 and encourage appropriately sized shops in activity centres, it is suggested the current 'shop' land use be separated into two uses 'shop – small' (NLA of less than 1,500m<sup>2</sup>) and 'shop – large' (NLA of more than 1,500m<sup>2</sup>).</p> <p>It suggested that the definitions for shop – small and shop – large exclude other shops and liquor stores.</p>	<p>14 comments.</p> <ul style="list-style-type: none"> <li>• General support for the need to differentiate shop size to ensure larger shops locate in higher order centres.</li> <li>• Concern that 1,500m<sup>2</sup> size threshold for 'shop -small' is too large leading to amenity impacts for local centres.</li> <li>• It was suggested by a number of local governments that the shop land use be split into three land uses: <ul style="list-style-type: none"> <li>– shop – small (&lt;750m<sup>2</sup>)</li> <li>– shop – medium (&gt;750m<sup>2</sup> &lt;1500m<sup>2</sup>)</li> <li>– shop – large (&gt;1500m<sup>2</sup>)</li> </ul> </li> <li>• The 1500m<sup>2</sup> size threshold was chosen for shop – small for the following reasons: <ul style="list-style-type: none"> <li>– Full line supermarkets are well above 1500m<sup>2</sup>, with most generally being 2500m<sup>2</sup> or larger.</li> <li>– Smaller supermarkets vary in size but were generally less than 1500m<sup>2</sup>.</li> </ul> </li> </ul>	<p><b>Support proposed change.</b></p>





Land use	Current	Proposed change and justification	Comments	Recommendations
<p><b>Tourist accommodation related land uses</b></p>	<p>Various definitions.</p>	<p><b>Modify land use</b></p> <p>The <a href="#">draft Position Statement: Planning for Tourism</a> (December 2021) proposes a number of new and modified land uses related to tourist accommodation. Overall, it is proposed that land use definitions that refer to 'short-stay' be amended to refer to the updated terminology used in other jurisdictions, being 'short-term rental accommodation'.</p> <p>Holiday Accommodation, Hotel, Motel, Serviced Apartment and Tourist Development are all uses that offer short stay accommodation, along with varying forms of amenities. The likely impacts of these uses are similar. There is potential to possibly combine these uses. The draft position statement proposes a number of new and modified land uses related to tourist accommodation.</p> <p>For instance, it is noted that 'Holiday Unit' and 'Holiday Apartment' are potentially overlapping definitions and may be either a grouped or multiple dwelling. It is suggested that the well known 'Holiday House' definition as applying to a Single House, be retained. The impacts of a Holiday House on amenity may not be as considerable compared with a Grouped or Multiple Dwelling, due to factors such as the proximity of neighbours, parking and common facilities.</p> <p>It is intended to delete the land use term 'Bed and Breakfast' from the model provisions. With the advent of online platforms listing short-term rental accommodation, 'Bed and Breakfast' as a distinct land use is an out-of-date concept.</p> <p>Tourist development and serviced apartment are similar definitions, and it is likely that both are not required. Further, the definition for Serviced Apartment could be refined if retained to exclude references to a reception.</p>	<p>17 comments.</p>	<p><b>Proposed change to be removed as changes to tourist related land uses will be progressed as a separate project.</b></p>





Land use	Current	Proposed change and justification	Comments	Recommendations
		<p>It is proposed that the term ‘short-term rental accommodation’ be amended to include reference to accommodation provided on a commercial basis.</p> <p>There are two forms of low impact short-term rental accommodation in which it is proposed that they be exempt from the need to obtain development approval. These are as follows:</p> <p>Hosted accommodation: refers to a dwelling or ancillary dwelling, or portion thereof, used for the purpose of short-term rental accommodation, with a permanent resident who is present overnight for the duration of the stay either in the dwelling or ancillary dwelling.</p> <ul style="list-style-type: none"> <li>Unhosted accommodation: refers to a single house, grouped or multiple dwelling where it is let for no more than 60 days per calendar year. The intent is that unhosted accommodation over the 60 days per year would trigger a change of use, which may require the host to obtain development approval, depending on the requirements of the local government.</li> </ul>		
<b>Veterinary Centre</b>	Means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.	<p><b>Modify land use</b></p> <p>Update the land use to be consistent with the <i>Veterinary Practice Act 2021</i>.</p>	Two comments of support.	<b>Support proposed change.</b>
<b>Warehouse/storage</b>	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.	<p><b>Modify land use</b></p> <p>The review of SPP 4.2 – Activity Centres acknowledged that the warehouse/storage land use definition may also require review as the current definition may assist warehouse style supermarkets to locate out of centre.</p> <p>It is suggested that the definition be modified to provide more clarity around the term “wholesale”, whereby the goods sold are to be on sold by a retailer.</p>	Seven comments of general support.	<b>Support proposed change.</b>





Land use	Current	Proposed change and justification	Comments	Recommendations
<b>Winery</b>	Means premises used for the production of viticultural produce and associated sale of the produce.	<b>Replace land use</b> It is suggested the 'Winery' land use be deleted from the Regulations as it would fall under the broader proposed land use of 'Beverage Production Facility' (see proposed new land use above).	Six comments. <ul style="list-style-type: none"> <li>Some concern about grouping winery with other liquor related uses, as winery is a more unique development outcome that provides character, amenity and tourism value to an area. There are other mechanisms within the local planning scheme that can promote and protect viticulture.</li> </ul>	<b>Support proposed change.</b>
<b>Wind Farm</b>	Means premises used to generate electricity by wind force and any associated turbine, building or other structure but does not include anemometers or turbines used primarily to supply electricity for a domestic property or for private rural use.	<b>Replace land use</b> Consistent with the <a href="#">Position Statement – Renewable Energy Facilities</a> (March 2020), it is suggested that the wind farm land use be replaced as it will be incorporated in the proposed new land use Renewable Energy Facility.	Two comments with no concerns raised.	<b>Support proposed change.</b>
<b>Art gallery</b>	Means premises – (a) that are open to the public; and (b) where artworks are displayed for viewing or sale.		<ul style="list-style-type: none"> <li>It was suggested by comments provided by a couple of local governments that the art gallery land use could be deleted and incorporated into Exhibition Centre land use.</li> </ul>	<b>Delete Art Gallery land use and associated definition.</b>
<b>Camping ground</b>	Not currently defined in the Regulations.		<ul style="list-style-type: none"> <li>Comments received suggested that a new land use for camping ground be provided as a combined land use term and the definition for caravan parks and camping ground is not appropriate as both uses have different planning considerations.</li> </ul>	<b>Add land use.</b>
<b>Exhibition centre</b>	Means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.		<ul style="list-style-type: none"> <li>It was suggested that definition be modified to include reference to Art Gallery.</li> </ul>	<b>Modify definition to include reference to Art Gallery.</b>
<b>Nature based park</b>	Not currently defined in the Regulations.		<ul style="list-style-type: none"> <li>Comments received requested a definition be provided for nature based park, as approximately 16 local planning schemes have, or are proposing, a definition for this use.</li> </ul>	<b>Add land use.</b>



## APPENDIX B – Proposed Changes to Zones and Reserves

Zone	Current	Proposed change and justification	Comments	Recommendations
<b>Residential</b>	<ul style="list-style-type: none"> <li>To provide for a range of housing and a choice of residential densities to meet the needs of the community.</li> <li>To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</li> <li>To provide for a range of non-residential uses, which are compatible with and complementary to residential development.</li> </ul>	<p><b>Modify zone objectives</b></p> <p>Review of the objectives is required to assist improved alignment of the zone objectives with the R-Codes. It is suggested this may include clearer reference to the residential density code and objectives of the medium density policy component of the R-Codes.</p>	<p>13 comments.</p> <ul style="list-style-type: none"> <li>Some suggestions for refinements to zone objectives included:                             <ul style="list-style-type: none"> <li>including reference to character, heritage and amenity;</li> <li>not making reference to specific density codes in the objectives; and</li> <li>modifying objective 1 to 'provide for a range of residential densities and a choice of housing to meet the needs of the community'.</li> </ul> </li> </ul>	<p><b>Support proposed change but:</b></p> <ul style="list-style-type: none"> <li><b>include reference to character, heritage and amenity;</b></li> <li><b>make general reference to residential density codes in objective 2; and</b></li> <li><b>modify objective 1 to 'provide for a range of residential densities and a choice of housing to meet the needs of the community'.</b></li> </ul>
<b>Rural</b>	<ul style="list-style-type: none"> <li>To provide for the maintenance or enhancement of specific local rural character.</li> <li>To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul>	<p><b>Modify zone objectives</b></p> <p>It is suggested objectives be modified to:</p> <ul style="list-style-type: none"> <li>refer to amenity rather than character to ensure consistency with the use of amenity in the objectives of other zones and in the deemed provisions;</li> <li>ensure the objectives as currently worded do not imply that rural industry can only occur if it is incidental or ancillary to agricultural activities (such as cropping and grazing); and</li> <li>broaden the scope of the third objective by removing reference to sensitive areas and natural valleys.</li> </ul>	<p>10 comments.</p> <ul style="list-style-type: none"> <li>General concern over removal of 'character'. Suggest proceeding with replacement of 'character' with 'amenity' as objectives for other zones refer to amenity rather than character. Also, amenity is a term defined in the deemed provisions, where 'amenity means all those factors that combine to form the character of an area and include the present and likely future amenity'.</li> <li>Clarify rural industry to include primary production and servicing of plant/equipment.</li> <li>New objectives should protect agricultural activities by restricting sensitive land uses on priority agricultural land.</li> </ul>	<p><b>Support proposed change.</b></p>





Zone	Current	Proposed change and justification	Comments	Recommendations
<b>Rural Residential</b>	<ul style="list-style-type: none"> <li>To provide for lot sizes in the range of 1 ha to 4 ha.</li> <li>To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>	<p><b>Modify zone objectives</b></p> <p>It is suggested objective 1 be modified to make reference to the applicable State Planning Policy as <a href="#">SPP 2.5 Rural Planning</a> provides criteria and controls around subdivision of rural residential lots. The objectives should also recognise that the zone provides for low density residential uses.</p>	<p>Six comments.</p> <ul style="list-style-type: none"> <li>Three comments expressing concern over reference to low density residential</li> <li>Request retention of reference to lot sizes.</li> <li>To provide a distinction between Rural Residential and Rural Smallholdings, DPIRD has suggested the second objective to read:                             <ul style="list-style-type: none"> <li>To provide limited opportunities for rural pursuits/hobby farm uses where these activities preserve residential amenity and do not degrade land, water and vegetation.</li> </ul> </li> </ul>	<p><b>Support proposed change, but:</b></p> <ul style="list-style-type: none"> <li><b>retain reference to lot sizes (in the range of 1 ha to 4 ha); and</b></li> <li><b>remove reference to low density residential.</b></li> </ul>
<b>Rural Smallholdings</b>	<ul style="list-style-type: none"> <li>To provide for lot sizes in the range of 4 ha to 40 ha.</li> <li>To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>	<p><b>Modify zone objectives</b></p> <p>Similar to the above, it is suggested objective 1 be modified to make reference to the applicable State Planning Policy as <a href="#">SPP 2.5 Rural Planning</a> provides criteria and controls around subdivision of rural smallholding lots. The objectives should also recognise that the zone provides for low density residential uses.</p>	<p>Five comments.</p> <ul style="list-style-type: none"> <li>Three comments expressed concern over reference to low density residential</li> <li>Request retention of reference to lot sizes.</li> <li>To provide a distinction between Rural Residential and Rural Smallholdings, DPIRD has suggested the second objective to read:                             <ul style="list-style-type: none"> <li>To provide for rural pursuits/hobby farm uses where these activities preserve residential amenity and do not degrade land, water and vegetation.</li> </ul> </li> </ul>	<p><b>Support proposed change, but:</b></p> <ul style="list-style-type: none"> <li><b>retain reference to lot sizes (in the range of 4 ha to 40 ha); and</b></li> <li><b>to make clear the distinction between Rural Residential and Rural Smallholdings, remove reference to the word 'limited' in objective</b></li> </ul>
<b>Strategic Industry</b>	<p>To designate industrial sites of state or regional significance.</p>	<p><b>Modify zone objectives</b></p> <p>The current objective is not that useful in assisting the assignment of permissibility of land uses to the zone. It is suggested additional objectives consistent with SPP 4.1 Industrial Interface be included to address principles related to:</p> <ul style="list-style-type: none"> <li>accommodating high intensity industries of state significance;</li> <li>accommodating supporting infrastructure;</li> <li>co-locating compatible and complementary land uses; and</li> </ul>	<p>10 comments.</p> <ul style="list-style-type: none"> <li>Query as to why reference to 'Regional' significance is proposed to be removed. This reference should be retained.</li> <li>Support for clarity in the objectives</li> <li>Suggested that high intensity industry be defined.</li> </ul>	<p><b>Support proposed change, but retain reference to both state or regional significance and define 'high intensity industry'.</b></p>



Zone	Current	Proposed change and justification	Comments	Recommendations
		<ul style="list-style-type: none"> <li>incorporating impact areas within the zone that require suitable and appropriate integration with surrounding compatible zones, reserves and land uses.</li> </ul>		
<b>Local Centre</b>	No current zone/objectives.	<p><b>Add zone</b></p> <p>Based on the review of SPP 4.2 Activity Centres, the WAPC has formed a position that a Local Centre warrants an individual zone. It is intended that a Local Centre provide for the incidental and convenience needs of the local community (within a walkable catchment) primarily through land uses such as Convenience Store, Shop – Small, Liquor Store – Small, Fast Food Outlet/Lunch Bar, Restaurant/Café, Small Bar. It is suggested the objectives for the Local Centre zone address principles related to:</p> <ul style="list-style-type: none"> <li>providing for the local community’s incidental and convenience needs of goods and services, consistent with this level of the activity centre hierarchy as outlined in the applicable state planning policy;</li> <li>ensuring that development is of a scale compatible with surrounding development and does not adversely impact on adjoining residential areas;</li> <li>providing for a pedestrian-dominant streetscape where the primary focus of activity is on the street, the public realm and public open spaces;</li> <li>prioritising walking, cycling and public transport access to and within the centre; and</li> <li>ensuring the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.</li> </ul>	<p>15 comments.</p> <ul style="list-style-type: none"> <li>Some suggestions for refinements to zone objectives included:                             <ul style="list-style-type: none"> <li>consider zone for each type of centre;</li> <li>refine scale compatible with surrounding development;</li> <li>add reference to residential development;</li> <li>ensure local centre development does not detract from higher-order centres;</li> <li>to clarify the difference between ‘similar’ zones (Centre, District Centre, Local Centre, Mixed Use);</li> <li>prevention of residential uses in local centre zones; and</li> <li>address principles related to promoting public health.</li> </ul> </li> </ul>	<p><b>Support proposed change, but with modification of zone objectives to:</b></p> <ul style="list-style-type: none"> <li><b>clarify scale; and</b></li> <li><b>make reference to residential development.</b></li> </ul>



Zone	Current	Proposed change and justification	Comments	Recommendations
<p><b>Neighbourhood Centre</b></p>	<p>No current zone/objectives</p>	<p><b>Add zone</b></p> <p>Based on the review of SPP4.2 Activity Centres, the WAPC has formed a position a Neighbourhood Centre warrants an individual zone. It is intended that Neighbourhood Centres provide a local focal point for daily to weekly household shopping needs, community facilities and a small range of other convenience services. A Neighbourhood Centre may provide for land uses allowed in a Local Centre, plus the additional land uses of Shop – Large, Liquor Store – Large, Market, Restricted Premises, Amusement Parlour, Educational Establishment, Recreation – Private, Small Bar, Tavern, Office – Small, Medical Centre, Art Gallery.</p> <p>It is suggested the objectives for the Neighbourhood Centre zone address the following principles:</p> <ul style="list-style-type: none"> <li>• Providing a focal point for accommodating the local community’s daily to weekly household shopping needs, community facilities, small range of convenience services and local employment consistent with this level of the activity centre hierarchy as outlined in the applicable state planning policy.</li> <li>• Ensuring that development is of a scale compatible with surrounding development and does not adversely impact on adjoining residential areas.</li> <li>• Providing for a pedestrian-dominant streetscape where the primary focus of activity is on the street, the public realm and public open spaces.</li> <li>• Providing a focus for integrated and well-designed medium density housing and mixed used development.</li> </ul>	<p>15 comments.</p> <ul style="list-style-type: none"> <li>• General support for zones which align with SPP 4.2 Activity Centres.</li> <li>• Suggestion for passive commercial land uses to be located on upper floors.</li> <li>• Two comments relate to requests for clarification on ‘scale compatible with surrounding development’ (as mentioned in the suggested objectives).</li> <li>• Concern that residential development is not appropriate in this zone.</li> </ul>	<p><b>Support proposed change and further refine zone objectives to clarify the meaning of ‘compatible’ scale.</b></p>





Zone	Current	Proposed change and justification	Comments	Recommendations
		<ul style="list-style-type: none"> <li>• Prioritising walking, cycling and public transport access to and within the centre.</li> <li>• Ensuring the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.</li> </ul>		
<b>Centre</b>	<ul style="list-style-type: none"> <li>• To designate land for future development as a town centre or activity centre.</li> <li>• 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.</li> </ul>	<p><b>Modify zone objectives</b></p> <p>Based on the review of SPP 4.2 Activity Centres, it is generally agreed that the differences between District, Secondary and Strategic Centres, as identified in SPP 4.2, is a matter relating to the area of land zoned rather than land use permissibility and so a separate zone is not necessarily required for each of the three centres of District, Secondary and Strategic. It is therefore suggested that any District, Secondary or Strategic centres be zoned 'Centre'.</p> <p>It is suggested the current objectives of the 'Centre' zone under clause 16 of the Model Provisions be modified to address the following principles:</p> <ul style="list-style-type: none"> <li>• Providing a focal point for accommodating a broad range of land uses to meet the community's district and/or sub-regional 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.</li> <li>• Facilitating a broad range of employment to contribute towards the sub-region's employment self-sufficiency, consistent with the centre's level of the activity centre hierarchy.</li> </ul>	<p>18 comments.</p> <ul style="list-style-type: none"> <li>• General support for modifications to the current objectives.</li> <li>• Concern over grouping several centre zones together.</li> <li>• Should include prefixes (district, secondary, etc)</li> <li>• Needs to better align with centre definitions in SPP 4.2,</li> <li>• Uncertain how centres in regional/rural areas will be defined and zoned.</li> <li>• Should there be reference to precinct plans.</li> </ul>	<p><b>Support proposed change, but consideration needs to be given to:</b></p> <ul style="list-style-type: none"> <li>• <b>further breakdown of Centre zone to reflect hierarchy in SPP 4.2 (District, Secondary, Strategic); and</b></li> <li>• <b>inclusion of reference to Precinct Plans as they are required for District Centres and above.</b></li> </ul>



Zone	Current	Proposed change and justification	Comments	Recommendations
		<ul style="list-style-type: none"> <li>• Providing a basis for detailed planning in accordance with any relevant state planning policy.</li> <li>• Ensuring that development at the edges of the centre is of a scale that facilitates transition with adjoining residential areas.</li> <li>• Providing for a pedestrian-dominant streetscapes where the primary focus of activity is on the street, the public realm and public open spaces.</li> <li>• Providing a focus for integrated and well-designed high density housing and mixed used development.</li> <li>• Providing for a diverse range of housing options to meet the needs of the community.</li> <li>• Providing public open space and other infrastructure needed to serve residents, workers and visitors.</li> <li>• Ensuring walking, cycling and public transport access to and within the centre is prioritised whilst ensuring safe and efficient access for service vehicles.</li> <li>• Ensuring the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.</li> </ul>		





Zone	Current	Proposed change and justification	Comments	Recommendations
<b>Mixed Use</b>	<ul style="list-style-type: none"> <li>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.</li> <li>To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities, which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.</li> </ul>	<p><b>Modify zone objectives</b></p> <p>SPP 4.2 encourages the use of a 'Mixed Use' zone for the frame of Strategic, Secondary and District centres. The frame is the area of land used to transition from the core of the activity centre to surrounding residential areas. Modification to the objectives of the Mixed Use zone is required to recognise the role of the Mixed Use zone in providing for the frame of activity centres. It suggested that an objective be included for the Mixed Used zone that provides for a transition in the scale of development from a Centre zone to surrounding areas.</p> <p>As Mixed Use zones are also used in local governments that do not fall in the Metropolitan, Peel or Bunbury Region Scheme areas and/or do not include a Centre zone, it is suggested that a note be included in brackets to acknowledge that the objective only applies where a Centre zone exists.</p>	<p>14 comments.</p> <ul style="list-style-type: none"> <li>Main concerns raised related to a perception that the proposed modification to objectives of the Mixed Use zone would result in the zone only being used to transition from a Centre zone to surrounding areas.</li> <li>It is suggested that any refinements to the objectives to the Mixed Use zone do not constrain application of the zone to just being a transition between Centre zones and surrounding areas.</li> </ul>	<p><b>Support proposed change, and further refine objectives so they do not constrain application of the zone to just being a transition between Centre zones and surrounding areas.</b></p>
<b>Service Commercial</b>	<ul style="list-style-type: none"> <li>To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.</li> <li>To provide for a range of wholesale sales, showrooms, trade and services, which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.</li> </ul>	<p><b>Modify zone objectives</b></p> <p>To support implementation of SPP 4.2, it is suggested that the objectives of the Service Commercial zone are modified to make appropriate reference to proposed Centre zone(s) and reinforce the importance of the Service Commercial zone not impacting on the role and function of Centre zone(s).</p>	<p>18 comments.</p> <ul style="list-style-type: none"> <li>Concerns raised mainly related to changes identified in Appendix D. The majority of changes identified in Appendix D were not formalised in this table and therefore were not intended to be further progressed.</li> </ul>	<p><b>Support proposed change.</b></p>



Zone	Current	Proposed change and justification	Comments	Recommendations
<b>Commercial</b>	<ul style="list-style-type: none"> <li>To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.</li> <li>To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.</li> <li>To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.</li> </ul>	<p><b>Delete zone</b></p> <p>With the addition of the Local and Neighbourhood Centre zones and modification to objectives of the Centre zone, it is unlikely that a Commercial zone is required. Out-of-centre developments should not really be happening and if they are, an additional use or Special Use zone is the most appropriate way to do it so that it can be conditioned.</p> <p>It is suggested that the Commercial zone and associated objectives be deleted from the Regulations.</p>	<p>Eight comments.</p> <ul style="list-style-type: none"> <li>Concerns raised mainly related to transitional arrangements for removing the zone and the need for guidance on that.</li> </ul>	<b>Support proposed change.</b>
<b>Rural Enterprise</b>	No current zone/objectives.	<p><b>Add zone</b></p> <p>SPP 2.5 Rural Planning (approved December 2016) recognised the need to support economic opportunities in small rural communities by providing for Rural Enterprise zones that combine light industry and housing, provided they are carefully planned; in general proximity to urban areas; serviced; and have design features that address buffers and amenity.</p> <p>It is suggested objectives for the Rural Enterprise zone address the following principles:</p> <ul style="list-style-type: none"> <li>Providing for light industrial and ancillary residential development on one lot.</li> <li>Providing for lot sizes in the range of 1 ha to 4 ha.</li> <li>Carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light industrial land uses.</li> </ul>	<p>Seven comments</p> <ul style="list-style-type: none"> <li>Zone will only be suitable for some places, not all. Guidance on appropriate use of the zone will need to be provided.</li> <li>Need to ensure that the light industry and residential component do not become detached from each other.</li> </ul>	<b>Support proposed change.</b>







Zone	Current	Proposed change and justification	Comments	Recommendations
<p><b>Priority Agriculture</b></p>	<p>No current zone/objectives.</p>	<p><b>Add zone</b></p> <p>As a result of the review of SPP 2.5 Rural Planning, it has been suggested a 'Priority Agriculture' zone be included in the Regulations for land of state, regional or local significance for food production.</p> <p>It is suggested the objectives for a 'Priority Agriculture' zone address following principles:</p> <ul style="list-style-type: none"> <li>• Identify land of state, regional or local significance for food production purposes.</li> <li>• Retain priority agricultural land for agricultural purposes.</li> <li>• Limit the introduction of land uses that may compromise existing, future and potential agricultural production.</li> </ul>	<p>Nine comments.</p> <ul style="list-style-type: none"> <li>• High quality or priority agricultural land will need to be mapped to support implementation.</li> <li>• A couple of local governments question the need for zone and suggest the intent of the zone can be achieved through the rural zone.</li> <li>• It is suggested to proceed with zone as the inclusion of the zone will be dependent on whether it is relevant to the local government and that it can be mapped and distinguished from other rural zoned land.</li> </ul>	<p><b>Support proposed change.</b></p>
<p><b>Cultural and Natural Resource Use</b></p>	<p>No current zone/objectives.</p>	<p><b>Add zone</b></p> <p>A new 'Cultural and Natural Resource Use' zone is proposed. It is expected the zone would typically cover Aboriginal Lands Trust land where a variety of land use rights and interests apply over the land as part of indigenous land use agreements under the <i>Native Title Act 1993</i>, such as traditional hunting and camping, management of land and economic ventures.</p> <p>It is suggested the objectives for a 'Cultural and Natural Resource Use' zone address the following principles:</p> <ul style="list-style-type: none"> <li>• Ensure the preservation of Aboriginal heritage and culturally significant areas.</li> <li>• Provide for the conservation of significant landscape and environmental areas and values.</li> <li>• Allow for low impact tourism and economic development opportunities.</li> <li>• Allow land uses associated with Aboriginal heritage, traditional law and culture.</li> </ul>	<p>Seven comments.</p> <ul style="list-style-type: none"> <li>• Suggestion to undertake further stakeholder consultation to refine the proposed objectives.</li> </ul>	<p><b>Support proposed change, subject to further discussion with stakeholders to refine the zone objectives.</b></p>





Zone	Current	Proposed change and justification	Comments	Recommendations
<b>Urban Development</b>	<ul style="list-style-type: none"> <li>To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> <li>To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</li> <li>To provide an intermediate transitional zone following the lifting of an urban deferred zoning within the Metropolitan Region Scheme.</li> </ul>	<b>Modify zone objectives</b> The fourth objective is specific to the Metropolitan Region Scheme so it is suggested the objectives for the zone are modified to replace the reference to the Metropolitan Region Scheme with 'a region planning scheme' so the objective can be applied to those schemes that fall within a region scheme area.	Four comments. <ul style="list-style-type: none"> <li>Suggestion that the fourth objective may not apply and is not relevant to local governments that are not subject to a region scheme.</li> <li>Growth requires coordinated infrastructure provision and the zone's objectives are critically used in State Administrative Tribunal and other appeal situations to establish whether a proposal is prejudicial.</li> </ul>	<b>Support proposed change.</b>
<b>Special Residential</b>	<ul style="list-style-type: none"> <li>To provide for lot sizes in the range of 2,000m<sup>2</sup> and 1 ha.</li> <li>To ensure development is sited and designed to achieve an integrated and harmonious character.</li> <li>To set aside areas where the retention of vegetation and landform or other features, which distinguish the land, warrant a larger residential lot size than that expected in a standard residential zone.</li> </ul>	<b>Delete zone</b> In 2021, the WAPC released a position statement <a href="http://www.wa.gov.au">Planning Position Statement - Special residential zone</a> (www.wa.gov.au) outlining the WAPC's intent to discontinue the special residential zone in local planning schemes. Consistent with the intent of the WAPC's position statement, it is suggested the special residential zone is removed from the Regulations.	Five comments. <ul style="list-style-type: none"> <li>Further guidance is required on how to consider existing Special Residential zones when local planning schemes are reviewed.</li> </ul>	<b>Support proposed change.</b>
<b>Rural Townsite</b>	To provide for a range of land uses that would typically be found in a small country town	<b>Modify zone name</b> For consistency with other zone names listed, remove the word 'zone' from the zone name in cl.2 of Schedule 3 and from the zone name listed in cl.16 of the model provisions.	One comment. <ul style="list-style-type: none"> <li>Guidance requested on what is a small country town.</li> </ul>	<b>Support proposed change.</b>





Zone	Current	Proposed change and justification	Comments	Recommendations
<b>Special Use</b>	<ul style="list-style-type: none"> <li>To facilitate special categories of land uses which do not sit comfortably within any other zone.</li> <li>To enable the Council to impose specific conditions associated with the special use.</li> </ul>	<p><b>Modify zone name</b></p> <p>For consistency with other zone names listed, remove the word 'zone' from the zone name in cl.2 of Schedule 3 and from the zone name listed in cl.16 of the model provisions.</p> <p>To ensure consistency throughout the Regulations, in the second objective change 'Council' to 'local government'.</p>	No comment	<b>Support proposed change.</b>
<b>Foreshore</b>	N/A	<p><b>Add reserve</b></p> <p>The need for a new reserve called 'foreshore' has previously been identified to assist with the implementation of SPP 2.6 Coastal Planning.</p> <p>It is suggested that the objectives for a 'foreshore' reserve address the following principles:</p> <ul style="list-style-type: none"> <li>Set aside areas for foreshore reserved abutting a body of water or water course.</li> <li>Provide for the protection of natural values and processes, including a coastal retreat.</li> <li>Accommodate a range of active and passive recreational uses capable of relocation or rehabilitation.</li> </ul>	<p>Eight comments.</p> <ul style="list-style-type: none"> <li>Greater clarity is required in regard to when the reserve is used, especially in relation to Parks and Recreation regional reservation.</li> <li>It was suggested reserve objectives allow for some low impact commercial activity to occur.</li> </ul>	<b>Support proposed change and further refine reserve objectives to allow for some low impact commercial activity to occur.</b>
<b>Civic and Community, Social Care Facilities, Cultural Facilities</b>	N/A	<p><b>Rationalise reserves</b></p> <p>Remove 'Social Care Facilities' and 'Cultural Facilities' reserves and retain the 'Civic and Community' reserve.</p> <p>It is suggested the objectives for the 'Civic and Community' reserve address the following principles:</p> <ul style="list-style-type: none"> <li>Provide for a range of community facilities and services that are compatible with surrounding land use and development.</li> <li>Provide for public facilities and other services by organisations involved in activities for community benefit.</li> </ul>	<p>Five comments.</p> <ul style="list-style-type: none"> <li>Concern was raised that rationalising reserves may be potentially too broad in some circumstances.</li> <li>It was suggested the objectives of the proposed reserve clearly distinguish it from the Public Purpose reserve.</li> <li>The use of local government reserves is primarily governed by management orders created under the <i>Land Administration Act 1997</i> and therefore it is not expected that any conflicts will arise from the rationalisation of civic and community reserves.</li> </ul>	<b>Support proposed change, and further refine reserve objectives to clearly distinguish it from the Public Purpose reserve.</b>



Zone	Current	Proposed change and justification	Comments	Recommendations
<b>Public Purpose, Medical Purposes, Education, Emergency Services, Heritage, Government Services and Recreational</b>	N/A	<b>Rationalise reserves</b> Rationalise the number of Public Purpose reserves by grouping them together under the reserve 'Public Purposes'.  It is suggested the objectives for the 'Public Purpose' reserve address the following principle: <ul style="list-style-type: none"> <li>• Provide for a range of essential public services and facilities.</li> <li>• Prior to proceeding with the suggested changes above, further consideration will be given to the implications for exemptions for public works if the list of public works reserves were to be rationalised.</li> </ul>	Seven comments. <ul style="list-style-type: none"> <li>• Concern was raised that rationalising reserves may be potentially too broad in some circumstances.</li> <li>• The use of local government reserves is primarily governed by management orders created under the <i>Land Administration Act 1997</i> and therefore it is not expected that any conflicts will arise from the rationalisation of Public Purpose reserves.</li> </ul>	<b>Support proposed change.</b>
<b>Infrastructure Services</b>	N/A	<b>Modify reserve</b> Preliminary consultation with local government and industry stakeholders indicated a preference for retaining 'Infrastructure Services' as a specific reserve.  It is suggested the objectives for 'Infrastructure Services' reserve address the following principle: <ul style="list-style-type: none"> <li>• Provide for a range of essential public infrastructure services.</li> </ul>	One comment of support.	<b>Support proposed change.</b>
<b>Private Clubs, Institutions and Places of Worship</b>	<ul style="list-style-type: none"> <li>• To provide sites for privately owned and operated recreation, institutions and places of worship.</li> <li>• To integrate private recreation areas with public recreation areas wherever possible.</li> <li>• To separate potentially noisy engine sports from incompatible uses.</li> <li>• To provide for a range of privately owned community facilities, and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development.</li> </ul>	N/A	Three comments. <ul style="list-style-type: none"> <li>• Consider a simplified zone name</li> <li>• Should be changed to 'Private Community Purpose' consistent with Tranche 2 Regulations amendments and has already been applied to a number of new LPSs, and consistent with the principle to be less prescriptive/more flexible and provide consistency across LPSs.</li> <li>• Reviewed to ensure all land uses within this zone are complementary – i.e. remove reference to noisy engine sports as this has greater amenity impacts.</li> </ul>	<b>No change.</b> <b>DPLH response:</b> <ul style="list-style-type: none"> <li>• <b>Private Community Purpose uses would fall under current definition for 'Community Purpose'.</b></li> <li>• <b>Reference to noisy engine sports within objective already refers to separation from incompatible uses.</b></li> </ul>





Zone	Current	Proposed change and justification	Comments	Recommendations
	<ul style="list-style-type: none"> <li>To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.</li> </ul>		<ul style="list-style-type: none"> <li>Request to include reference to 'education'.</li> </ul>	<ul style="list-style-type: none"> <li><b>Education-related uses already catered for under other existing zones/reserves.</b></li> </ul>
<b>Capital City Core</b>	N/A	N/A	One comment (City of Perth). <ul style="list-style-type: none"> <li>New zone proposed.</li> <li>Unique approach needed for Capital City.</li> </ul>	<b>No change, would only apply to the City of Perth.</b>
<b>Entertainment</b>	N/A	N/A	One comment. <ul style="list-style-type: none"> <li>New zone proposed.</li> <li>Entertainment zone created for Special Entertainment Precincts to protect entertainment uses and manage land use conflicts within these areas.</li> </ul>	<b>No change, a process for protecting special entertainment precincts has already been established through draft Position statement: special entertainment precincts.</b>
<b>Regional Town/ City</b>	N/A	N/A	<ul style="list-style-type: none"> <li>Comment received has requested a commercial-type zone that can be applied to regional towns and cities and is not linked to SPP 4.2 Activity Centres. The zone name proposed is 'Regional Town/City' (delete as required).</li> </ul>	<b>Add zone 'Regional Town/City'.</b>
<b>Service Centre</b>	N/A	N/A	<ul style="list-style-type: none"> <li>New zone that would be a strategically located/ designed node within a Business/ Activity Centre Cluster.</li> </ul>	<b>No change, addressed via other zones.</b>
<b>Private Community Uses</b>	N/A	N/A	<ul style="list-style-type: none"> <li>Inappropriate, should be a special use zone.</li> </ul>	<b>No change.</b>
<b>Special Industry</b>	N/A	N/A	<ul style="list-style-type: none"> <li>Additional guidance and clarity needed in relation to the permissible land uses within this zone.</li> </ul>	<b>No change.</b>
<b>Water Protection</b>	N/A	N/A	<ul style="list-style-type: none"> <li>Consider inclusion of this zone to reflect MRS water protection zone.</li> </ul>	<b>No change.</b>



## APPENDIX C – Recommended Zoning Table for Commercial and Industrial Type Zones in the Metropolitan Region and Peel Region Scheme Areas

### LEGEND:

Proposed changes to land uses identified in **Appendix A** are acknowledged in the table below as follows:

- **Land uses** coloured green are those that were proposed new land uses in the Stakeholder Consultation Report.
- **Land uses** coloured blue are those where the definition was proposed to be modified in the Stakeholder Consultation Report.
- **Land uses** coloured red are those that were proposed to be deleted and/or replaced by another land use in the Stakeholder Consultation Report.

Proposed changes to zones identified in **Appendix B** are acknowledged in the table below as follows:

- **Zones** coloured green are those that were proposed as new zones in the Stakeholder Consultation Report.
- **Zones** coloured blue are those where the objectives of the zone were proposed to be modified in the Stakeholder Consultation report.

Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
<b>abattoir</b>	Proposed zoning table	X	X	X	X	X	X	A	X	Concern with this use is limited. Proceed as proposed.
	Submissions							X (1)		
<b>agriculture – extensive</b>	Proposed zoning table	X	X	X	X	X	X	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions						X (1)	X (1)		
<b>agriculture – intensive</b>	Proposed zoning table	X	X	X	X	X	D	D	A	Concern with this use is limited. Proceed as proposed.
	Submissions						X (1)	X (1)		
<b>amusement parlour</b>	Proposed zoning table	A	D	D	A	P	X	X	X	Use to be deleted/replaced. Proceed as proposed.
	Submissions			P (2)		D (2)				



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
animal establishment	Proposed zoning table	X	X	X	X	X	X	X	A	
	Submissions		A (2)	A (2)	A (4)	A (2) D (1)	A (2) D (2)	A (1)		Several submissions received requesting greater permissibility in some zones to allow for pet day care facilities.
	Recommended zoning table	A	A	A	X	A	X	X	A	Changed permissibility from X to A in Centre zones, and Service Commercial zone to allow consideration of pet day care activities.
animal husbandry – intensive	Proposed zoning table	X	X	X	X	X	X	X	X	No submissions received. Proceed as proposed.
art gallery	Proposed zoning table	X	P	P	P	D	X	X	X	Use to be deleted/replaced. Proceed as proposed.
	Submissions	D (4) P (1)								Some submitters consider the art gallery use to be consistent with the objectives of a Local Centre, as they are a low impact use and similar to other Local Centre type land uses.
	Recommended zoning table – no change	X	P	P	P	D	X	X	X	Art gallery use not consistent with objectives of Local Centre zone. Could be dealt with via additional use provisions if considered appropriate in a particular location.
aerodrome	Proposed zoning table	X	X	X	X	X	X	X	X	Concern with this use is limited. Proceed as proposed.
aircraft landing area	Proposed zoning table	X	X	X	X	X	X	X	X	Concern with this use is limited. Proceed as proposed.
bed and breakfast	Proposed zoning table	P	P	P	P	X	X	X	X	Use to be deleted/replaced. Proceed as proposed.
	Submissions	? (1)	? (1)	? (1)	? (1)					
betting agency	Proposed zoning table	A	A	D	A	D	X	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions	D (2)	D (1)							





Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
<b>brewery</b>	Proposed zoning table	X	X	D	X	D	D	P	D	Use to be deleted/replaced. Proceed as proposed.
	Submissions		D/A (2)	D/A (1)				D/A (1)		
<b>bulky goods showroom</b>	Proposed zoning table	X	X	D	D	P	X	X	X	
	Submissions	D/A (5)	D/A (5) D (1)	P (8) X (3)	P (2) X (2)		P/D (2) D/A (6) D (4) P (2)	P/D (2) D/A (5) D (2)		Some submitters were concerned with bulky goods showroom only being a permitted use within the Service Commercial zones. Many wanted to see increased permissibility across most other zones, in particular Centre and Industry zones
	Recommended zoning table	X	D	D	D	P	X	X	X	Bulky goods showroom within a Local Centre could be dealt with via additional use provisions if considered appropriate in a particular Local Centre. Small showrooms with particular uses (pet care, etc) are appropriate in Neighbourhood Centres. The use has been modified from X to D in the recommended zoning table. Bulky goods showroom use is not consistent with objectives in Industrial zones. Could be dealt with via additional use provisions if considered appropriate in a particular location.
<b>car park</b>	Proposed zoning table	D	D	D	D	P	P	D	X	Concern with this use is limited. Proceed as proposed.
	Submissions					D/A/X (1)	D/A/X (1)			
<b>caravan park / camping ground</b>	Proposed zoning table	X	X	X	X	X	X	X	X	No submissions received. Proceed as proposed.
<b>child care premises</b>	Proposed zoning table	D	P	P	D	D	X	X	X	
	Submissions	A (1)	D/A (3)	D/A (3)			D (1)			Concerns over the use being P within Neighbourhood Centre and Centre zones relate to the use being sensitive and potential for amenity impacts from other uses in these zones
	Recommended zoning table – no change	D	P	P	D	D	X	X	X	There is a need to encourage this use within centres. The use is not appropriate within Industrial zones.



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
<b>cinema/theatre</b>	Proposed zoning table	X	P	P	X	X	X	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions		D (2)							
<b>civic use</b>	Proposed zoning table	D	P	P	D	D	X	X	X	Flexibility requested in industrial zones to allow for appropriate government uses Appropriate in Industrial zones if use includes local authority or other agency depots.
	Submissions		D (1)				D (1)	D (1)	D (1)	
	Recommended zoning table	D	P	P	D	D	A	A	X	
<b>club premises</b>	Proposed zoning table	X	A	A	A	A	X	X	X	Concern with this use is limited. Proceed as proposed.
<b>commercial vehicle parking</b>	Proposed zoning table	X	X	X	X	D	P	P	D	Concern with this use is limited. Proceed as proposed.
<b>community purpose</b>	Proposed zoning table	D	P	P	D	D	X	X	X	Flexibility requested in Industrial zones to allow for men's shed type uses. Change from X to A use in Light Industry zone would allow for men's shed type uses.
	Submissions						D/A (1)	D/A (1)		
	Recommended zoning table	D	P	P	D	D	A	X	X	
<b>consulting room</b>	Proposed zoning table	P	P	P	P	D	X	X	X	Concern over potential impact to adjacent residential areas. Development approval in Local Centre to ensure adequate parking.
	Submissions		D (1)							
	Recommended zoning table	D	P	P	P	D	X	X	X	





Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
<b>container deposit recycling centre</b>	Proposed zoning table	X	X	X	X	D	P	P	D	
	Submissions			D (1)			D (1)		X (1)	Submissions received have requested D use in light industry to consider amenity impacts on adjoining residential properties, X use in Rural Enterprise, and D use in centre zones to allow for reverse vending machines.
	Recommended zoning table	X	X	X	X	D	D	P	A	It is appropriate for a change of use application within the Light Industry zone to be subject to a development application so the local authority can consider whether there are any implications. Change from P to D use in this zone. Given the inclusion of residential uses within the Rural Enterprise zone, it is appropriate that advertising occur. Change from D to A use in this zone. This use is not appropriate within a Centre.
<b>convenience store</b>	Proposed zoning table	P	P	P	D	D	D	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions	A/X (1)	A/X (1)	A/X (1)	A/X (1)	A/X (1)	A/X (1)			
<b>corrective institution</b>	Proposed zoning table	X	X	X	X	X	X	X	X	No submissions received. Proceed as proposed.
<b>educational establishment</b>	Proposed zoning table	D	P	P	D	D	A	A	X	
	Submissions		D (2)	D (1)			X (1)	X (1)		Submissions received have identified concerns relating to potential amenity impacts.
	Recommended zoning table	A	D	D	D	A	A	A	X	Whilst the use is appropriate in the Industrial zones for workforce training/vocational training type uses (as an example), it is not an appropriate use if it is a school.
<b>exhibition centre</b>	Proposed zoning table	X	P	P	D	D	X	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions	D (3)	D (2)							



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
family day care	Proposed zoning table	P	P	P	P	X	X	X	X	
	Submissions	D/A (1)	D/A (3)	D/A (3)	D/A (2)					Several submissions received concerned over P use in Centre and Mixed Use zones, due to amenity impacts. Suggestion that family day care should ever only be a D or A use as it is a sensitive use.
	Recommended zoning table	D	P	P	D	X	X	X	X	Changed from a P to a D use in Local Centre and Mixed Use zones to allow consideration of amenity.
fast food outlet/ lunch bar	Proposed zoning table	P	P	P	D	D	D	X	X	
	Submissions	A/X (1) D/A (1) D (1)	A/X (1) D (1)	A/X (1)	A/X (1)	A/X (1)	A/X (1)	P (1)		Use to be deleted/replaced. Proceed as proposed.
food outlet	Proposed zoning table	P	P	P	D	D	D	X	X	
	Submissions	D (1)	D (1)					D (1)		Request for D use in General Industry as lunch bars are still prevalent in these zones
	Recommended zoning table	P	P	P	D	D	D	A	X	Changed X to A use in General Industry to allow consideration of lunch bar type uses.
food outlet with drive-through facility	Proposed zoning table	A	P	P	X	D	X	X	X	
	Submissions	X (2) A/X (1)	X (1) A/X (1) D/A (2) D (3)	X (1) A/X (1) D/A (1) D (3)	A (1) A/X (1)	X (1) A/X (1) P (1)	A/X (1)	A/X (1)	A/X (1)	Some submissions received with wide-ranging comments. The land use is widely considered across the suggested zones in existing schemes. Proceed as proposed.
freeway service centre	Proposed zoning table	X	X	X	X	X	X	X	X	No submissions received. Proceed as proposed.
fuel depot	Proposed zoning table	X	X	X	X	X	A	P	X	No submissions received. Proceed as proposed.
funeral parlour	Proposed zoning table	X	D	P	D	D	D	X	X	
	Submissions		A (1) X (3)	X (2)	A (1)					Some submissions received expressing concern of use in Centres. Impacts are less likely than a supermarket, proceed as proposed.



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
<b>garden centre</b>	Proposed zoning table	D	D	D	D	P	D	X	X	Some submissions received requested consideration of use within General Industry zone. Should be retained as X use in General Industry as the use does not align with zone objectives. Proceed as proposed.
	Submissions					D (1)		D/A (1) D (1)		
<b>grouped dwelling</b>	Proposed zoning table	P	D	D	D	X	X	X	X	Concerns raised over P use in Local Centre as low density/ scale development is not appropriate. General concerns over underdevelopment of areas as a result of allowing this use.  Appropriate to require a development application in all Centre zones. Acceptability will be dependent on location. Change from P to D in Centre zone.
	Submissions	D (4) D/A (1) X (3)	X (3)	X (3)	X (1)					
	Recommended zoning table	D	D	D	D	X	X	X	X	
<b>holiday accommodation</b>	Proposed zoning table	D	D	D	D	X	X	X	X	Concern with this use is limited. Proceed as proposed.
<b>holiday house</b>	Proposed zoning table	D	D	D	D	X	X	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions		X (1)	X (1)	X (1)					
<b>home business</b>	Proposed zoning table	D	D	D	D	X	X	X	D	Concern with this use is limited. Proceed as proposed.
	Submissions		D/A (1)	D/A (1)	D/A (1)					
<b>home occupation</b>	Proposed zoning table	P	P	P	P	X	X	X	P	Home occupation would be incidental to single house, grouped dwelling or multiple dwelling and therefore does not need to be listed in zoning table.
<b>home office</b>	Proposed zoning table	P	P	P	P	X	X	X	P	Home office would be incidental to single house, grouped dwelling or multiple dwelling and therefore does not need to be listed in zoning table.



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
<b>home store</b>	Proposed zoning table	P	P	P	P	X	X	X	P	
	Submissions	X (1)	X (2)	X (2)	X (1)					Not considered appropriate in Centre and Mixed Use zones.
	Recommended zoning table	D	D	D	D	X	X	X	D	Should be a D use rather than a P use in Centre zones, Mixed Use and Rural Enterprise zones to consider whether location is appropriate.
<b>hospital</b>	Proposed zoning table	X	D	D	A	D	X	X	X	
	Submissions		A (1) X (2)	X (2)	X (1)	X (1)				Some submitters concerned with use in Neighbourhood Centre as not considered to service daily/weekly needs.
	Recommended zoning table	X	A	D	A	A	X	X	X	There may be proposals worthy of advertising in lower order centres. Change from D to A.
<b>hotel</b>	Proposed zoning table	A	D	D	A	X	X	X	X	
	Submissions	X (1)								A use of this scale is not considered appropriate in lower order centres.
	Recommended zoning table	X	D	D	A	X	X	X	X	Changed A to an X in the Local Centre as hotel does not meet daily needs as outlined in zone objectives.
<b>independent living complex</b>	Proposed zoning table	D	D	D	D	X	X	X	X	
	Submissions	X (1)								Concern with this use is limited. Proceed as proposed.
<b>industry</b>	Proposed zoning table	X	X	X	X	X	X	P	X	
	Submissions						D (2)			Several submissions received requesting permissibility in the Light Industry zone. It is not considered appropriate for an Industry use to be located within the Light Industry zone, hence the distinction between the two. Proceed as proposed.
<b>industry - Extractive</b>	Proposed zoning table	X	X	X	X	X	X	A	X	
	Submissions							X (1)		Concern with this use is limited. Proceed as proposed.



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
industry - light	Proposed zoning table	X	X	X	X	D	P	P	P	
	Submissions						D (1)	D (1)	D (3)	Submitters request D to allow for assessment of amenity impacts.
	Recommended zoning table	X	X	X	X	D	P	D	P	Prioritisation of Industrial uses is important. Change of P to D in General Industry zone.
industry – primary production	Proposed zoning table	X	X	X	X	X	D	P	D	Use to be deleted/replaced. Proceed as proposed.
industry - rural	Proposed zoning table	X	X	X	X	X	D	P	D	Concern with this use is limited. Proceed as proposed.
	Submissions						X (1)			
liquor production facility	Proposed zoning table	X	X	D	X	D	D	P	D	
	Submissions	A (2) D/A (1)	A (2) D/A (1)	D/A (1)	A (2) D/A (1)			D (1)	A (1)	Several submissions stating the use may be appropriate depending on the scale and surrounding uses. Should be able to recognise the trend of small scale liquor production, like microbreweries.
	Recommended zoning table – no change	X	X	D	X	D	D	P	D	Small scale liquor production is able to be approved where incidental to the predominant use. Proceed as proposed.
liquor store - large	Proposed zoning table	D	P	P	A	X	X	X	X	
	Submissions	X (5) A (1)	A (3) D/A (2) D (1)	D/A (2) D (1)						General concerns relating to potential size/scale of a large liquor store.
	Recommended zoning table – no change	D	P	P	A	X	X	X	X	Likely to have fewer impacts (traffic) than a supermarket. Shops are generally not consistent with the objectives of the Service Commercial zone. Proceed as proposed.





Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
liquor store - small	Proposed zoning table	P	P	P	A	X	X	X	X	Concern over liquor store being a P use in centre zones. Small shops are appropriate in Local Centres. Proceed as proposed.
	Submissions	D/A (1)	D/A (1) D (1)	D/A (1) D (1)						
marina	Proposed zoning table	X	X	X	X	X	X	X	X	One submission received requesting consideration for centres in waterfront settings. It is considered that Marina should either be separately zoned or dealt with via additional use provisions. Proceed as proposed
marine filling station	Proposed zoning table	X	X	X	X	D	A	D	X	No submissions received. Proceed as proposed.
market	Proposed zoning table	X	P	P	A	D	X	X	X	
	Submissions	D (3)	D (1)	D (1)						Submissions requesting D in Local Centre to allow for pop-up style markets, and other small scale markets
	Recommended zoning table	D	P	P	A	D	X	X	X	Smaller scale developments are consistent with the Local Centre zone. Proceed with change to Local Centre to D.
medical centre	Proposed zoning table	D	P	P	D	D	X	X	X	No submissions received. Proceed as proposed.
mining operations	Proposed zoning table	X	X	X	X	X	X	A	X	Concern with this use is limited. Proceed as proposed.
	Submissions							X (1)		
motel	Proposed zoning table	X	D	D	A	X	X	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions		X (1)	X (1)						
motor vehicle, boat or caravan sales	Proposed zoning table	X	X	D	A	P	X	X	X	
	Submissions			X (3)	A (1) X (3)		D (1) P (1)	P (1)		
	Recommended zoning table – no change	X	X	D	A	P	X	X	X	Development application within the larger centres is appropriate to control the form of development. Proceed as proposed.
motor vehicle repair	Proposed zoning table	X	A	A	X	A	D	P	D	Concern with this use is limited. Proceed as proposed.
	Submissions				A (1)					



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
<b>motor vehicle wash</b>	Proposed zoning table	X	D	P	X	P	P	P	D	Concern with this use is limited. Proceed as proposed.
	Submissions				A (1)					
<b>multiple dwelling</b>	Proposed zoning table	P	P	P	P	X	X	X	X	Concern with this use is limited. Proceed as proposed, however objectives of the Centre zones need to include residential development promotion.
	Submissions	D (2)	D (2)	D (1) D/A (1)	D (1) D/A (1)					
<b>nightclub</b>	Proposed zoning table	X	X	D	X	X	X	X	X	Concern for potential impact on amenity.
	Submissions		A (1)	A (1)						
	Recommended zoning table	X	X	A	X	X	X	X	X	Advertising of any development application is appropriate. Change from D to A in Centre zone
<b>office</b>	Proposed zoning table	D	D	P	P	D	X	X	X	Submission requesting P use for all Centre zones. Permissibility requested for Industrial zones to allow for ancillary office use.  Able to be approved in Industrial zones if incidental to predominant use. Proceed as proposed.
	Submissions	P (1)	P (1)				D (1) P (2)	D (1) P (2)		
	Recommended zoning table – no change	D	D	P	P	D	X	X	X	
<b>park home park</b>	Proposed zoning table	X	X	X	X	X	X	X	X	No submissions received. Proceed as proposed.
	Proposed zoning table	X	D	P	A	D	X	X	X	
<b>place of worship</b>	Submissions		P (1) X (1)	D (1)			D (2) P (1) D/A (1)	D/A (1)	D/A (1)	Some submission suggested that place of worship can operate outside business hours in other zones, without amenity impacts.
	Recommended zoning table	A	D	P	A	D	X	X	X	Can be dealt with via additional use provisions if a particular proposal is worthy of approval in Light Industry zone. Smaller scale developments are consistent with the Local Centre zone. Change from X to A use in local centre.
<b>reception centre</b>	Proposed zoning table	X	D	P	A	D	X	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions			D (1)						



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
recreation – private	Proposed zoning table	A	D	D	A	P	X	X	X	Some submissions requesting permissibility in Light Industry zone. Use is not consistent with the objectives of this zone. Proceed as proposed.
	Submissions					D (2)	D (1) D/A (1) P (1)			
renewable energy facility	Proposed zoning table	A	A	A	A	D	D	P	A	Concerns over impacts in Local Centre zone
	Submissions	X (2)	X (1)	X (1)	X (1)	X (1)				
	Recommended zoning table	X	A	A	A	D	D	P	A	Changed from A to X use in Local Centre as not consistent with zone objectives.
repurposed dwelling	Proposed zoning table	D	D	D	D	X	X	X	D	Concern with this use is limited. Proceed as proposed.
residential care facility	Proposed zoning table	D	D	D	D	X	X	X	X	No submissions received. Proceed as proposed.
residential building	Proposed zoning table	D	D	D	D	X	X	X	X	No submissions received. Proceed as proposed.
resource recovery centre	Proposed zoning table	X	X	X	X	X	A	A	X	Submission received expressing concern over managing amenity impacts in Light Industry zone. It is possible for this use to be consistent with the amenity expectations of the Light Industry. Proceed as proposed.
	Submissions						X (1)			
restaurant/café	Proposed zoning table	P	P	P	D	X	X	X	X	Several submissions requesting permissibility in service commercial and Light Industry zones, to service surrounding workers, generate activity and contribute to general amenity of area.  Not consistent with the objectives of the Service Commercial or Industrial zones.  Could be dealt with via additional use provisions if considered appropriate in a particular location.  Proceed as proposed.
	Submissions	D (1)				P (1) D (1) D/A (4)	P (1) D/A (1)	P (1)		
	Recommended zoning table – no change	P	P	P	D	X	X	X	X	
restricted premises	Proposed zoning table	A	A	D	A	D	X	X	X	Concern with this use is limited. Proceed as proposed.



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
<b>road house</b>	Proposed zoning table	X	X	X	X	X	X	X	X	No submissions received. Proceed as proposed.
<b>rural home business</b>	Proposed zoning table	X	X	X	X	X	X	X	P	Concern with this use is limited. Proceed as proposed.
	Submissions								D (1)	
<b>rural pursuit/ hobby farm</b>	Proposed zoning table	X	X	X	X	X	X	X	P	Concern with this use is limited. Proceed as proposed.
	Submissions								A/X (1)	
<b>second-hand dwelling</b>	Proposed zoning table	D	D	D	D	X	X	X	D	Concern with this use is limited. Proceed as proposed.
<b>service station</b>	Proposed zoning table	A	D	D	X	P	D	D	X	Some submissions received with wide-ranging comments. This use class has additional legislative compliance. Proceed as proposed.
	Submissions	A/X (1) X (3)	A/X (1) A (2) X (1)	A/X (1)	A/X (1) A (3)	A/X (1)	A/X (1)	A/X (1)	A/X (1)	
<b>serviced apartment</b>	Proposed zoning table	A	A	D	D	X	X	X	X	No submissions received. Proceed as proposed.
<b>shop</b>	Proposed zoning table	D	P	P	D	X	X	X	X	Use to be deleted/replaced. Proceed as proposed.
<b>shop – large</b>	Proposed zoning table	D	D	P	A	X	X	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions	X (2)		X (1)	X (1) P (1)	D/A (2)				
<b>shop – small</b>	Proposed zoning table	P	P	P	A	X	X	X	X	Concern with this use is limited. Proceed as proposed.
	Submissions				D (1)					
<b>single house</b>	Proposed zoning table	P	D	D	D	X	X	X	D	Submitters raised concerns relating to P use in Local Centre, as not consistent with intent of zone.
	Submissions	D (6) A (1) X (3)	X (3)	X (4)	X (2)					
	Recommended zoning table	D	D	D	D	X	X	X	P	



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
small bar	Proposed zoning table	D	P	P	D	X	X	X	X	
	Submissions	A (1)	A (1) D (1)							Concern with this use is limited. Proceed as proposed.
tavern	Proposed zoning table	A	D	D	A	X	X	X	X	
	Submissions	X (1)	A (1)		X (1)	D (1) D/A (1)				Concern with this use is limited. Proceed as proposed.
telecommunications infrastructure	Proposed zoning table	D	P	P	D	P	P	P	P	
	Submissions	A (2) D/A (1)	A (2) D (3) D/A (1)	A (2) D/A (1)	A (2) D/A (1)	A (2) D/A (1)	A (1) D (1) D/A (1)	A (1) D (1) D/A (1)	A (1) D (1) D/A (1)	Most submissions concerned with amenity impacts and community objection.
	Recommended zoning table	D	P	P	A	P	P	P	A	It is considered that where the predominant or significant use will be residential then advertising is appropriate. Change from D to A in both Mixed Use and Rural Enterprise zones.
tourist development	Proposed zoning table	A	A	D	D	X	X	X	X	
	Submissions	X (1)								Concern with this use is limited. Proceed as proposed.
trade display	Proposed zoning table	X	X	X	X	D	P	P	X	
	Submissions									Submitter queries the appropriateness of trade display in any of the zones as it encourages third party advertising.
	Recommended zoning table	X	X	X	X	D	P	X	X	Use not consistent with General Industry zone objectives unless it is incidental to another approved use. Change from P to X in this zone.
trade supplies	Proposed zoning table	X	X	X	X	D	P	P	D	
	Submissions	A (2) D/A (1)	A (3) D/A (2)	A (2) D/A (3) P (1)	A (1) D/A (2) D (3)	P (5)	D/A (1)	D/A (1)		Submissions raised concerns over permissibility in Centre zones, and that the definition includes a variety of development typologies.
	Recommended zoning table	X	X	A	X	A	A	A	A	Changed permissibility across the Centre, Service Commercial, Light Industry and General Industry zones to reflect the variety of uses covered by trade supply definition that may be consistent with zone objectives.



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
transport depot	Proposed zoning table	X	X	X	X	X	D	P	A	
	Submissions						X/A (1) X (1)			Concerns over not aligning with objectives of Light Industry zone.
	Recommended zoning table	X	X	X	X	X	A	D	A	It is appropriate to advertise a proposal in the Light Industry zone. Change from D to A in this zone, and from P to D in General Industry zone.
tree farm	Proposed zoning table	X	X	X	X	X	X	X	A	Concern with this use is limited. Proceed as proposed.
	Submissions								X (1)	
vehicle repair/wash	Proposed zoning table	X	A	A	X	D	P	P	D	Concern with this use is limited. Proceed as proposed.
	Submissions		X (3)	X (1)	A (3)					
veterinary premises	Proposed zoning table	D	P	P	D	P	X	X	X	
	Submissions		D (1) D/A (1)	D (2)	D/A (1)		D/A (1) P (1)		A (1)	Submissions concerned over amenity impacts in Centre Zones, that the use may be appropriate in Light Industry zone, and Rural Enterprise zone to accommodate large animal treatment.
	Recommended zoning table	D	D	D	D	P	X	X	X	Has potential to cause impacts, as such appropriate that development application be required. Change from P to D use in Neighbourhood Centre and Centre zones. Not consistent with the Light Industrial zone objectives. Could be dealt with via additional use provisions if considered appropriate in a particular Rural Enterprise zone.
warehouse / storage	Proposed zoning table	X	X	D	X	P	P	P	D	
	Submissions			A (1) D (1)						Some submissions raising concerns over use in Centre zone. It is considered appropriate that a development application be required in larger centres. Proceed as proposed.
waste disposal facility	Proposed zoning table	X	X	X	X	X	X	A	X	No submissions received. Proceed as proposed.



Land use	Zones	Local Centre	Neighbourhood Centre	Centre	Mixed Use	Service Commercial	Light Industry	General Industry	Rural Enterprise	Comments
<b>waste storage facility</b>	Proposed zoning table	X	X	X	X	X	A	D	X	Concern with this use is limited. Proceed as proposed.
	Submissions						X (1)	A (1)		
<b>wind farm</b>	Proposed zoning table	A	A	A	A	D	D	P	A	Use to be deleted/replaced. Proceed as proposed.
	Submissions	X (1)	X (1)	X (1)	X (1)	A (1)	A (1)	A (1)		
<b>winery</b>	Proposed zoning table	X	X	D	X	D	D	P	D	Use to be deleted/replaced. Proceed as proposed.
<b>workforce accommodation</b>	Proposed zoning table	X	D	D	D	X	X	X	X	
	Submissions	A (1)	A (1)	A (1)	A (1)	A (1)				Submission recommended A use in all Centre zones due to potential impact on amenity.
	Recommended zoning table	A	D	D	D	X	X	X	X	Residential uses are appropriate within Centre zones. Change from X to A in Local Centre zone







## APPENDIX D – Implementation Actions

No.	Action	Comments	Recommendation
1(a)	Update model provisions to include proposed changes identified in Appendix A for zones, reserves and land uses and associated definitions and objectives.	Two comments. <ul style="list-style-type: none"> <li>• Submitters support updating model provisions for zones, reserves, land uses and use class definitions.</li> </ul>	<b>Support action.</b>
1(b)	Update model provisions to include recommended zoning table and primary development controls for commercial and industrial type zones in the model provisions (Appendix C) with recognition that it only applies to those local governments located in the Metropolitan Region and Peel Region scheme areas.	Eight comments. <ul style="list-style-type: none"> <li>• General concern relating to its implication to local government autonomy, local character, and context, ability to resource changes properly and lack of guidance.</li> </ul>	<b>Remove action.</b> <b>Update action 7 to include recommended zoning table from Appendix C in local planning scheme guidance.</b>
1(c)	Update model provisions to include modified use class definitions for P, D, A and X to recognise consistency with zone objectives.	One comment. <ul style="list-style-type: none"> <li>• Concerned with Model Provisions, but support standardisation if worded appropriately.</li> </ul>	<b>Modify action to:</b> <b>Modify the use class definitions in clause 18(2) of the model provisions of the Regulations to:</b> <ul style="list-style-type: none"> <li>• Replace the word 'any' with 'all' for the P and I use class definitions.</li> <li>• Retain the I use class.</li> <li>• Change the D use class definition to: means a use that may be consistent with the zone objectives, but is not permitted in the zone unless the local government has exercised its discretion by granting development approval.</li> <li>• Change the A use class definition to: means a use that may be consistent with the zone objectives, but is not permitted in the zone 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.</li> </ul> <b>Update action 7 to include acknowledgement of the importance of considering zone objectives when assigning use classes to land uses in the zoning table.</b>
2	Prepare a standardised zoning table and primary development controls for all model zones.	Six comments. <ul style="list-style-type: none"> <li>• General concern relating to its implication to local government autonomy, local character, and context.</li> </ul>	<b>Remove action. To be undertaken as part of the local planning scheme guidance.</b>



No.	Action	Comments	Recommendation
3	Undertake a review of supplemental provisions included in local planning schemes (gazetted after 19 October 2015) to identify those that might have broader application to other local governments (for example significant tree register) through inclusion in either model or deemed provisions.	One comment of support	<b>Support action.</b>
4(a)	Local governments located in the Metropolitan Region and Peel region scheme areas to commence amending their schemes to be consistent with the updated model provisions.	Five comments (four support, one does not support). <ul style="list-style-type: none"> <li>• General support for consistency with the Model Provisions.</li> </ul>	<b>Support action but acknowledge the role of transitional arrangements.</b>
4(b)	Local governments located in the Metropolitan Region and Peel region scheme areas to incorporate development provisions for commercial and industrial type zones consistent with guidance provided in the local planning scheme guidelines.	<ul style="list-style-type: none"> <li>• Suggest some flexibility in early years.</li> </ul>	<b>Modify action to:</b> <b>Local governments located in the Metropolitan Region and Peel region scheme areas to commence amending their schemes to be consistent with local planning scheme guidance.</b>
5(a)	Update the deemed provisions to include model provisions relating to non-conforming uses and restrictive covenants.	Seven comments (one in support, five do not support, one suggestion). General concern relating to its implication to local government autonomy, local character, and context.	<b>Support action.</b>
5(b)	Update the deemed provisions to include provisions for the establishment and maintenance of a significant tree register.	Do not support a significant tree register at this point in time due to a number of unresolved proposed amendments to local planning schemes.	<b>Do not support action.</b>
5(c)	Update the deemed provisions to include separation of land use terms in the deemed provisions from other terms defined in the deemed provisions.	Concern with resource implications.	<b>Support action.</b>
5(d)	Update the deemed provisions to include a requirement for the decision maker of an Application for Development Approval to include the land use definition(s) of all approved land use(s) as an advice note on a decision.		<b>Support action.</b>
6	Investigate the elements of the model provisions that could be included in the deemed provisions and the appropriateness of a 'deemed local planning scheme' that would include combining all elements of the model and deemed provisions.	Eight comments (six do not support, two unclear). <ul style="list-style-type: none"> <li>• Concerning the lack of flexibility and community input in deemed provisions.</li> <li>• Suggest the need for further review and consultation – potential implications for landowners and developers.</li> <li>• Requires greater guidance in implementation.</li> </ul>	<b>Modify action to integrate it as part of a broader action that seeks to undertake a 10 year review of the model and deemed provisions.</b>



No.	Action	Comments	Recommendation
7	<p>Prepare local planning scheme guidelines to provide:</p> <ul style="list-style-type: none"> <li>guidance on the process of preparing and amending a local planning scheme;</li> <li>greater transparency on the process for varying model provisions and for sharing information on approved variations to the model provisions;</li> <li>translation and alignment of non-model land uses, zones and reserves with those contained in the model provisions;</li> <li>guidance for the preparation of development provisions for industrial and commercial type zones;</li> <li>improved guidance on the inclusion in schemes of additional uses, restricted uses, special use zones, non-conforming uses and special control areas; and</li> <li>improved guidance and updated manner and form for undertaking reports of review and amendments to local planning schemes.</li> </ul>	<p>28 comments (12 support, 10 suggestions, three unclear, three concern/query).</p> <ul style="list-style-type: none"> <li>Interested in clear guidance, resources, checklists and support from the State.</li> <li>Case studies and guidance on transition.</li> <li>Examples available of old land uses and where they would 'fit' in the new model.</li> </ul>	<p><b>Modify action to include additional detail to be addressed by local planning scheme guidance, including:</b></p> <ul style="list-style-type: none"> <li><b>Zoning table and primary development controls for commercial and industrial type zones in the Metropolitan Region and Peel region scheme areas.</b></li> <li><b>Zoning table for all zones to be prepared and incorporated into local planning scheme guidance (likely it will require amendment to the local planning scheme guidance as it is anticipated that it will be prepared following release of the local planning scheme guidance).</b></li> <li><b>Guidance on how local government can package up the local planning scheme text and the deemed provisions to assist readability and ease of use.</b></li> </ul>
8	<p>Commence the preparation of a design code for industrial zones, and potentially the service commercial zone</p>	<p>Four comments (two do not support, two concern/query).</p> <ul style="list-style-type: none"> <li>Recommend code be applied cautiously, consideration of regional variation.</li> <li>Review of case studies to ensure accuracy.</li> </ul>	<p><b>Modify action to:</b></p> <ul style="list-style-type: none"> <li><b>Consider preparing, for consultation with key stakeholders, a discussion paper to identify the need for and process for the preparation of a design code for industrial zones, and potentially the service commercial zone.</b></li> </ul>
9	<p>Preparation and assessment of local planning schemes and amendments to be consistent with local planning scheme guidelines.</p>	<p>No comment.</p>	<p><b>Support action.</b></p>
10	<p>Publish approved variations to the model provisions, along with justification for their approval and applicability to other local governments.</p>	<p>One comment.</p> <ul style="list-style-type: none"> <li>Suggests publishing guidance not variations to Model Provisions.</li> </ul>	<p><b>Modify action to integrate within a broader action for the ongoing review and update of local planning scheme guidance.</b></p>
11	<p>Update the model provisions to include a standardised zoning table and primary development controls for all model zones, to be applied statewide (with consideration of regional variations).</p>	<p>13 comments (one in support, two unclear, eight do not support, two concern/query).</p> <ul style="list-style-type: none"> <li>Guidance preferred over deemed provisions/standardised table.</li> <li>General concern relating to its implication to local context.</li> </ul>	<p><b>Include a modified action for the regular review of the model provisions.</b></p>



No.	Action	Comments	Recommendation
12	Update the deemed provisions to include relevant elements from the model provisions.	Two comments (one does not support, one suggestion). <ul style="list-style-type: none"> <li>• Consider how to enable use of the definitions immediately.</li> <li>• Concern relating to its implication to local context.</li> </ul>	<b>Include a modified action for the regular review of the deemed provisions.</b>
13	Subject to the findings of the investigation in relation to the appropriateness of a 'deemed scheme', the WAPC to consider implementation options.	Seven comments (three support, two unclear, two do not support). <ul style="list-style-type: none"> <li>• Support for objectives and definitions in Deemed Provisions.</li> <li>• General queries about social and environmental implications if local context is not provided for.</li> </ul>	<b>Include modified actions for the regular review of the deemed provisions and the local planning scheme guidance.</b>
14	Release and implement a design code for industrial zones and potentially the service commercial zone	Four comments (one does not support, three concern/query). <ul style="list-style-type: none"> <li>• Concern for consideration of regional variation.</li> <li>• Concern that code may overcomplicate assessment.</li> </ul>	<b>Modify action to:</b> <b>Subject to outcomes of the discussion paper on a industrial design code, prepare and implement design code.</b>
15	Conduct an ongoing review of the implementation of the standardised zoning objectives and table for the industrial and commercial zones.	No comment.	<b>Include modified actions for the regular review of the model and deemed provisions and the local planning scheme guidance.</b>

