



Shire of  
**Esperance**  
*We make it happen!*

**SHIRE OF ESPERANCE**

**LOCAL PLANNING SCHEME NO. 24**

**AMENDMENT NO. 2**

**PLANNING AND DEVELOPMENT ACT 2005**

**RESOLUTION TO ADOPT AMENDMENT  
TO LOCAL PLANNING SCHEME**

**SHIRE OF ESPERANCE  
LOCAL PLANNING SCHEME NO. 24  
AMENDMENT NO. 2**

Resolved that the local government, in pursuance of Section 75 of the *Planning and Development Act, 2005* amend the above local planning scheme by;

1. Amending the Scheme Map by reclassifying Lot 55 on Plan 14436 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
2. Amending the Scheme Map by reclassifying Lot 55 on Plan 21354 and Lot 56 on Plan 9537 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
3. Amending the Scheme Map by reclassifying Lot 42 on Plan 20900 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
4. Amending the Scheme Map by reclassifying Reserve 41524 from 'Residential' to 'Drainage / Waterway' as depicted on the Amendment Map.
5. Amending the Scheme Map by reclassifying Reserve 36283 to 'Local Road' from 'Residential' as depicted on the Amendment Map.
6. Amending the Scheme Map by reclassifying Reserve 36284 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
7. Amending the Scheme Map by rezoning the truncation of Matthews Street from 'Residential' adjacent to Lot 18 Mitchell Street to 'Local Road' as depicted on the Amendment Map.
8. Amending the Scheme Map by rezoning Lot 67 on Diagram 53908 and Lot 68 on Diagram 36921 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
9. Amending the Scheme Map by reclassifying Lot 55 on Diagram 51917 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
10. Amending the Scheme Map by reclassifying Reserve 36285 from 'Residential' to 'Local Road' as depicted on the Amendment Map.



11. Amending the Scheme Map by reclassifying Reserve 36286 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
12. Amending the Scheme Map by reclassifying Lot 55 on Plan 13085 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
13. Amending the Scheme Map by reclassifying Lot 56 on Diagram 54354 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
14. Amending the Scheme Map by reclassifying Reserve 51247 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
15. Amending the Scheme Map by reclassifying Lot 55 on Plan 23781 and Lot 1037 on Plan 39959 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
16. Amending the Scheme Map by reclassifying Lot 132 on Plan 9468 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
17. Amending the Scheme Map by reclassifying Lot 155 on Plan 13851 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
18. Amending the Scheme Map by reclassifying Lot 155 on Plan 9200 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
19. Amending the Scheme Map by reclassifying Lot 157 on Plan 13851 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
20. Amending the Scheme Map by reclassifying Lot 55 on Plan 9296 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
21. Amending the Scheme Map by reclassifying Lot 0 on Plan 2339 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
22. Amending the Scheme Map by reclassifying a portion of Lot 166 on Plan 2260 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
23. Amending the Scheme Map by reclassifying Lot 162 on Plan 28909 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
24. Amending the Scheme Map by reclassifying Lot 55 on Plan 21242 and Lot 220 on Plan 22657 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
25. Amending the Scheme Map by reclassifying Lot 221 on Plan 22657 from 'Residential' to 'Local Road' as depicted on the Amendment Map.

26. Amending the Scheme Map by reclassifying Lot 222 on Plan 22657 and Lot 115 on Plan 20600 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
27. Amending the Scheme Map by reclassifying Lot 156 on Plan 13884 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
28. Amending the Scheme Map by reclassifying Lot 205 on Plan 20600 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
29. Amending the Scheme Map by reclassifying Lot 207 on Plan 21242 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
30. Amending the Scheme Map by reclassifying Lot 155 on Plan 12765 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
31. Amending the Scheme Map by reclassifying Lot 55 on Plan 13885 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
32. Amending the Scheme Map by reclassifying Lot 56 on Plan 13543 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
33. Amending the Scheme Map by reclassifying Lot 57 on Plan 13534 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
34. Amending the Scheme Map by reclassifying a Portion of Reserve 38163 from 'Rural Residential' to 'Public Open Space' as depicted on the Amendment Map.
35. Amending the Scheme Map by reclassifying a Portion of Reserve 21557 from 'Urban Development' and 'Local Road' to 'Public Open Space' as depicted on the Amendment Map.
36. Amending the Scheme Map by reclassifying a portion of South Coast Highway from 'Environmental Conservations' to 'Important Distributor Road' as depicted on the Amendment Map.
37. Amending the Scheme Map by replacing 'SCA4C' with 'SCA4C – P1, SCA4C – P2 and SCA4C – P3' as depicted on the Amendment Map.
38. Amending the Scheme Map by replacing 'SCA4G' with 'SCA4G – P1, SCA4G – P2 and SCA4G – P3' as depicted on the Amendment Map.
39. Amending the Scheme Map by inserting 'SCA4 – WHPZ' as depicted on the Amendment Map.
40. Amend Schedule 2 Clause 5 (g)(ix) by replacing it with:

'For the purposes of this Scheme the groundwater reserves will be deemed to be as per the relevant Drinking Water Source Protection Plan and a wellhead protection zone of with a 500 metres radius around each production bore in a Priority 1 area and a 300 metres radius around each production bore in Priority 2 and Priority 3 and where a wellhead protection zone from a drinking water production bore in a Priority 1 area extends into a Priority 2 or Priority 3 area the wellhead protection zone will be generally circular with a 300m radius within the Priority 2 or Priority 3 area will apply unless the Department of Water and Environmental Regulation indicates otherwise.

41. Amending the Scheme Map by applying SCA7F to Lot 70 Stewart Street and Lots 76, 77, 79 and 81 Twilight Beach Road as depicted on the Amendment Map.
42. Amending the Scheme Map by amending the boundary of SCA9 as depicted on the Amendment Map.
43. Amending the Scheme Map by amending the alignment of the 'Primary Distributor Road' in Reserve 32259 and Lots 214, 282 and 850 Norseman Road as depicted on the Amendment Map.
44. Amending the Scheme Map by reclassifying the portion of road at the intersection of Fisheries and Merivale Road from 'Special Use' to 'Local Distributor Road' as depicted on the Amendment Map.
45. Amend the Scheme Map by amending the Road Widening on DP 75548 from 'Rural Smallholdings' to 'Primary Distributor Road' as depicted on the Amendment Map.
46. Amending Clause 14 Table No. 1 Reserve objectives by inserting after the first dot point with the Local Road reserve 'To set aside land for use as a pedestrian access way.'
47. Amending Schedule 2 Clause 7 by inserting a new clause 7.6 as follows:

#### **'7.6 Special Control Area 7F**

In addition to the general development requirements in clause 7(d) of Schedule 2, the following apply specifically to lots as indicated on the Scheme Map as SCA 7F –

- (i) Prior to the subdivision of this land, a Structure Plan will be required to be prepared for the area and approved by the local government and the WAPC. The Structure Plan is to include road widening or the provision of a service road to limit access to Twilight Beach Road.

(ii) Front Setback

- i. Minimum of 7.5 metres to Twilight Beach Road;
- ii. Where fronting any road other than Twilight Beach Road, a minimum front setback of 7.5 metres applies unless otherwise varied under a Structure Plan.

(iii) Side and Rear Setbacks

In accordance with the requirements of R10 as specified in the Residential Design Codes unless otherwise assigned a different density under a Structure Plan.'

48. Amending Schedule 2 Clause 9.(d) by removing 'and' at the end of subclause (i).

49. Amending Schedule 2 Clause 9.(d) by renumbering subclause (ii) to subclause (iii).

50. Amending Schedule 2 Clause 9.(d) by inserting the following as subclause (ii):

'(ii) Esperance Coastal Hazard Adaptation Strategy by BMT JFA Consultants; and'

51. Amending Schedule 3 Additional Use A6 by inserting 'Art Gallery' as a 'D' use.

52. Amending Schedule 3 Additional Use A6 by amending the permissibility of 'Holiday Accommodation' to an 'A' use.

53. Amending Schedule 3 Additional Use A6 by inserting 'Holiday House' as a 'D' use.

54. Amending Schedule 3 Additional Use A6 by inserting 'Office' as a 'D' use.

55. Amending Schedule 3 and the Scheme Map by adding an Additional Use with the following:

No.	Location	Base Zone	Additional Use(s)	Development Standards/Conditions
A20	Lot 1 Dempster Street, Esperance	Residential	As a 'D' use: <ul style="list-style-type: none"><li>• Shop</li><li>• Reception Centre</li></ul> As an 'I' use: <ul style="list-style-type: none"><li>• Restaurant/café</li></ul>	<ol style="list-style-type: none"><li>1. The shop is not to have a net Floor Area in excess of 44m<sup>2</sup>.</li><li>2. The use of the shop is limited to no more than 28 times per year.</li><li>3. The Restaurant/café use is incidental to the</li></ol>

				<p>Shop.</p> <p>4. The use of the Reception Centre is limited to no more than 14 times per year.</p> <p>5. The additional uses are not permitted to cause, require or result in permanent works on the site.</p>
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56. Amending Schedule A Clause 61 (1) by replacing 'unless located in a Special Control Area' with 'irrespective of it being located in a Special Control Area unless otherwise specified'.

57. Amending Schedule A Clause 61 (1) (l) by deleting 'dams and soaks'.

58. Amending Schedule A Clause 61 (1) by inserting after (l) and renumbering the clause accordingly 'The construction of dams and soaks in the Rural zone in compliance with the setback standards contained in Schedule 6 and located outside of any Special Control Area'.

59. Amending Schedule A Clause 61 (1) (m) by deleting 'Rural Smallholdings and'.

60. Amending Schedule A Clause 61 (1) (o) by inserting 'in the Residential and Rural Townsite zone' after 'dwelling'.

61. Amending Schedule A Clause 61 (1) (s) by inserting 'Rural zone;' before 'Rural Residential'.

62. Amending Schedule A Clause 61 (1) (t) by inserting after requirements 'and located outside of any Special Control Area'.

63. Amending Schedule A Clause 61 (1) (u) by inserting after site 'and certified by a qualified Engineer as being suitable for surcharge loads where applicable'.

64. Amending Schedule A Clause 61 (1) (w) by deleting 'in a zone where the R Codes do not apply'.

65. Amending Schedule A Clause 61 (1) (x) by inserting after levels 'and certified by a qualified Engineer as being suitable for surcharge loads where applicable'.

66. Amending Schedule 1 Clause 6 (a) by inserting 'and development' after 'All subdivision'.

67. Amending Schedule 1 Clause 16 by inserting a new clause (c) as follows:

- '(c) On site effluent disposal systems will not be permitted within SCA4-WHPZ unless it is consistent with a relevant Government Sewerage Policy.'

68. Amending Schedule 1 Clause 16 by inserting a new clause (d) as follows:

- '(d) On a site identified as being located within the Priority 2 within a public drinking water source area only one on site effluent disposal is permitted and furthermore effluent disposal is limited by Water Quality Protection Note 25 Land Use Compatibility in Public Drinking Water Source Areas.'

69. Amending Schedule 5 Special Use SU4 by inserting a new clause 1.4 as follows:

- '1.4 Minor variations to the development standards of the Subdivision and Development Guide Plan may be approved by the local government subject to clause 3.0 and clause 64 of the deemed provisions'

70. Amending Schedule 5 Special Use SU3 by renumbering subclause b)(ii) to b)(iii) and the second b)(i) to b)(ii).

71. Amending Schedule 2 SCA 6 (b)(i) by adding ' and' after ';

72. Amending Schedule 2 SCA 6 (b)(ii) by replacing ' ; and' with ' ;

73. Amending Schedule 2 SCA 6 (d)(vi) by adding ' and' after ';

74. Amending Schedule 2 SCA 6 (d)(vii) by replacing ' ; and' with ' ;

75. Amending Schedule 1 Clause 35 (a) by replacing it with:

- '(a) In addition to Clause 61 of the deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015* where a mining operation in the rural zone is proposed development approval of the local government is not required subject compliance with subclause (b).
- (b) In considering proposals to commercially extract minerals, the Local Government will exercise its discretion to inform the Minister for Mines and the Minister for Planning in writing that the granting of a mining lease or general purpose lease is either consistent with or contrary to the provisions of the Scheme and the Local Planning Strategy.'

76. Amending the Scheme by updating all numbering so that the Scheme is internally consistent.

## 2. AMENDMENT PROPOSAL

### 2.1 Amend the Scheme Map by rezoning Lot 55 on Plan 14436 to 'Local Road'

This modification is proposed as Lot 55 on Plan 14436 is a Section 20A reserve for the purposed of Pedestrian Access Way.



To resolve this error it is proposed to rezone the subject lot to 'Local Road.

### 2.2 Amend the Scheme Map by rezoning Lot 55 on Plan 21354 and Lot 56 on Plan 9537 to 'Local Road'

This modification is proposed as Lot 55 on Plan 21354 and Lot 56 on Plan 9537 are Section 20A reserve for the purposed of Pedestrian Access Way.

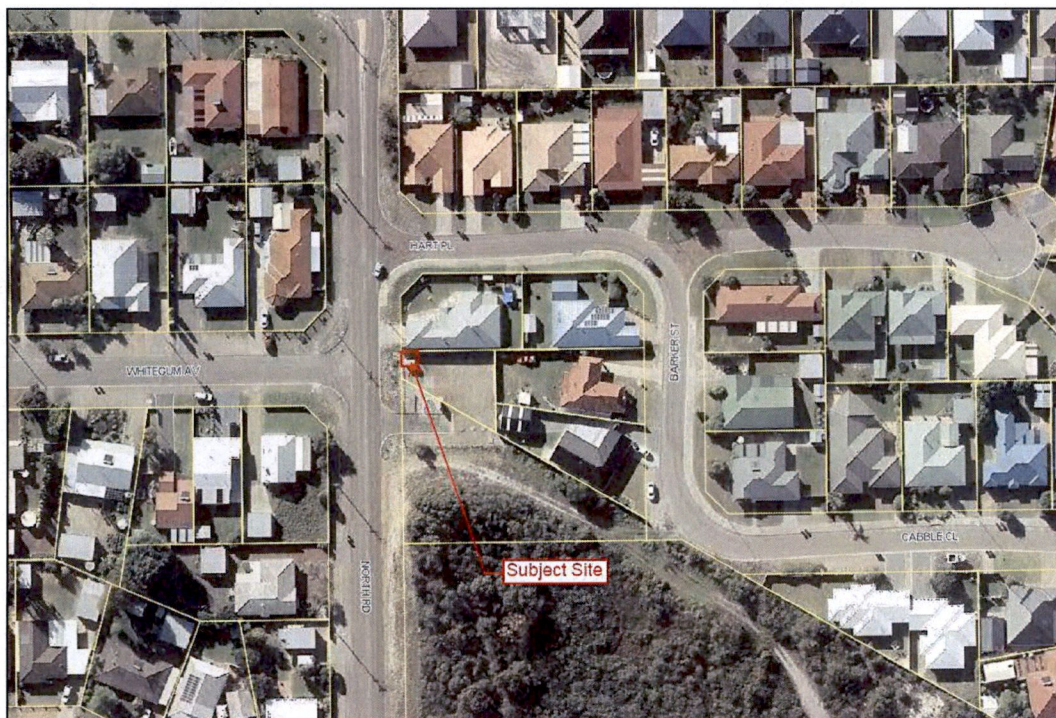




To resolve this error it is proposed to rezone the subject lots to 'Local Road.

### 2.3. Amend the Scheme Map by rezoning Lot 42 on Plan 20900 to 'Infrastructure Services'

This modification is proposed as Lot 42 on Plan 20900 is owned by Horizon Power and has been developed for power infrastructure.





To resolve this error it is proposed to rezone the subject lot to 'Infrastructure Services'.

**2.4. Amend the Scheme Map by rezoning Reserve 41524 to 'Drainage / Waterway'**

This modification is proposed as Reserve 41524 is a Shire managed reserve with a purpose of 'Drainage'.



To resolve this error it is proposed to rezone the subject lot to 'Drainage / Waterways'.

**2.5. Amend the Scheme Map by rezoning Reserve 36283 to 'Local Road'**

This modification is proposed as Reserve 36283 (formerly known as Lot 752 on Plan 214231) is a Shire managed reserve with a purpose of 'Pedestrian Access Way'





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

## 2.6. Amend the Scheme Map by rezoning Reserve 36284 to 'Local Road'

This modification is proposed as Reserve 36284 (formerly known as Lot 752 on Plan 214231) is a Shire managed reserve with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.7. Amend the Scheme Map by rezoning the truncation of Matthews Street adjacent to Lot 18 Mitchell Street to 'Local Road'**

This modification is proposed as the truncation at the corner of Mathews Street and Mitchell Street was accidentally zoned 'Residential'.



To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.8. Amend the Scheme Map by rezoning Lot 67 on Diagram 53908 and Lot 68 on Diagram 36921 to 'Local Road'**

This modification is proposed as Lot 67 on Diagram 53908 and Lot 68 on Diagram 36921 are Section 20A reserves with a purpose of 'Right of Way'.





To resolve this error it is proposed to rezone the subject lots to 'Local Road'.

## 2.9. Amend the Scheme Map by rezoning Lot 55 on Diagram 51917 to 'Local Road'

This modification is proposed as Lot 55 on Diagram 51927 is a Section 20A reserves with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

#### **2.10. Amend the Scheme Map by rezoning Reserve 36285 to 'Local Road'**

This modification is proposed as Reserve 36285 is a reserve with a purpose of 'Pedestrian Access Way'.



To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

#### **2.11. Amend the Scheme Map by rezoning Reserve 36286 to 'Local Road'**

This modification is proposed as Reserve 36286 is a reserve with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

## 2.12. Amend the Scheme Map by rezoning Lot 55 on Plan 13085 to 'Local Road'

This modification is proposed as Lot 55 on Plan 13085 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.13. Amend the Scheme Map by rezoning Lot 56 on Diagram 54354 to 'Local Road'**

This modification is proposed as Lot 56 on Diagram 54354 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'.



To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.14. Amend the Scheme Map by rezoning Reserve 51247 to 'Infrastructure Services'**

This modification is proposed as Reserve 51247 is managed by Water Corporation and has a purpose of 'Water Supply'.





To resolve this error it is proposed to rezone the subject lot to 'Infrastructure Services'.

**2.15. Amend the Scheme Map by rezoning Lot 55 on Plan 23781 and Lot 1037 on Plan 39959 to 'Local Road'**

This modification is proposed as Lot 55 on Plan 23781 and Lot 1037 on Plan 39959 are Section 20A reserves with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.16. Amend the Scheme Map by rezoning Lot 132 on Plan 9468 to 'Infrastructure Services'**

This modification is proposed as Lot 132 on Plan is a freehold lot in the ownership of the Shire that is used for drainage infrastructure.



To resolve this error it is proposed to rezone the subject lot to 'Infrastructure Services'.

**2.17. Amend the Scheme Map by rezoning Lot 155 on Plan 13851 to 'Local Road'**

This modification is proposed as Lot 155 on Plan 13851 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

## 2.18. Amend the Scheme Map by rezoning Lot 155 on Plan 9200 to 'Local Road'

This modification is proposed as Lot 155 on Plan 9200 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.19. Amend the Scheme Map by rezoning Lot 157 on Plan 13851 to 'Local Road'**

This modification is proposed as Lot 157 on Plan 13851 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'.



To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.20. Amend the Scheme Map by rezoning Lot 55 on Plan 9296 to 'Local Road'**

This modification is proposed as Lot 55 on Plan 9296 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

## 2.21. Amend the Scheme Map by rezoning Lot 0 on Plan 2339 to 'Local Road'

This modification is proposed as Lot 0 on Plan 2339 is a 'Right of Way' under the Public Works Act, 1902 – 1953.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.22. Amend the Scheme Map by rezoning a portion of Lot 166 on Plan 2260 to 'Local Road'**

This modification is proposed as the subject portion of Lot 166 on Plan 2260 is the only section of the lot that is not currently shown as a 'local road' and the current zoning of 'Residential' is inappropriate.



To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.23. Amend the Scheme Map by rezoning Lot 162 on Plan 28909 to 'Infrastructure Services'**

This modification is proposed as Lot 162 on Plan 28909 is owned by Water Corporation.





To resolve this error it is proposed to rezone the subject lot to 'Infrastructure Services'.

**2.24. Amend the Scheme Map by rezoning Lot 55 on Plan 21242 and Lot 220 on Plan 22657 to 'Local Road'**

This modification is proposed as Lot 55 on Plan 21242 and Lot 220 on Plan 22657 are Section 20A reserves with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.25. Amend the Scheme Map by rezoning Lot 221 on Plan 22657 to 'Local Road'**

This modification is proposed as Lot 221 on Plan 22657 (Part of Reserve 44013) is a 'Pedestrian Access Way'.



To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.26. Amend the Scheme Map by rezoning Lot 222 on Plan 22657 and Lot 115 on Plan 20600 to 'Local Road'**

This modification is proposed as Lot 222 on Plan 22657 and Lot 115 on Plan 20600 are Section 20A reserves with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

## 2.27. Amend the Scheme Map by rezoning Lot 156 on Plan 13884 to 'Local Road'

This modification is proposed as Lot 156 on Plan 13884 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.28. Amend the Scheme Map by rezoning Lot 205 on Plan 20600 to 'Infrastructure Services'**

This modification is proposed as Lot 205 on Plan 20600 is owned by Horizon Power.



To resolve this error it is proposed to rezone the subject lot to 'Infrastructure Services'.

**2.29. Amend the Scheme Map by rezoning Lot 207 on Plan 21242 to 'Infrastructure Services'**

This modification is proposed as Lot 207 on Plan 21242 is owned by Horizon Power.





To resolve this error it is proposed to rezone the subject lot to 'Infrastructure Services'.

### 2.30. Amend the Scheme Map by rezoning Lot 155 on Plan 12765 to 'Local Road'

This modification is proposed as Lot 155 on Plan 12765 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.31. Amend the Scheme Map by rezoning Lot 55 on Plan 13885 to 'Local Road'**

This modification is proposed as Lot 55 on Plan 13885 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'. It should be noted that the lot consists of two parcels.



To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.32. Amend the Scheme Map by rezoning Lot 56 on Plan 13543 to 'Local Road'**

This modification is proposed as Lot 56 on Plan 13543 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'. It should be noted that the lot consists of three parcels.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

### 2.33. Amend the Scheme Map by rezoning Lot 57 on Plan 13534 to 'Local Road'

This modification is proposed as Lot 57 on Plan 13543 is a Section 20A reserve with a purpose of 'Pedestrian Access Way'. It should be noted that the lot consists of four parcels.





To resolve this error it is proposed to rezone the subject lot to 'Local Road'.

**2.34. Amend the Scheme Map by rezoning a Portion of Reserve 38163 to 'Public Open Space'**

This modification is proposed as a portion of Reserve 38163 was zoned 'Rural Residential' in error.



To resolve this error it is proposed to rezone a portion of the subject reserve to 'Public Open Space'.

**2.35. Amend the Scheme Map by rezoning a Portion of Reserve 21557 to 'Public Open Space'**

This modification is proposed as the subject portions of Reserve 21557 are incorrectly shown on the Scheme Map as 'Local Road' and 'Urban Development'.





To resolve this error it is proposed to rezone these portions of the subject reserve to 'Public Open Space'.

**2.36 Amend the Scheme Map by reclassifying a portion of South Coast Highway from 'Environmental Conservations' to 'Important Distributor Road'**

This modification is proposed as the subject site is part of the South Coast Highway road reserve and it is incorrectly shown as 'Environmental Conservation' reserve on the Scheme Map





**2.37 Amend the Scheme Map by replacing 'SCA4C' with 'SCA4C – P1, SCA4C – P2 and SCA4C – P3'**

This modification is proposed as the Department of Water and Environmental Regulation has recently completed the Condingup drinking water source protection review for the Condingup town water supply and in line with SCA4 (h) will trigger a basic amendment. It should be noted that the inclusion of this modification within this Amendment will result in it being dealt with as part of a standard amendment.

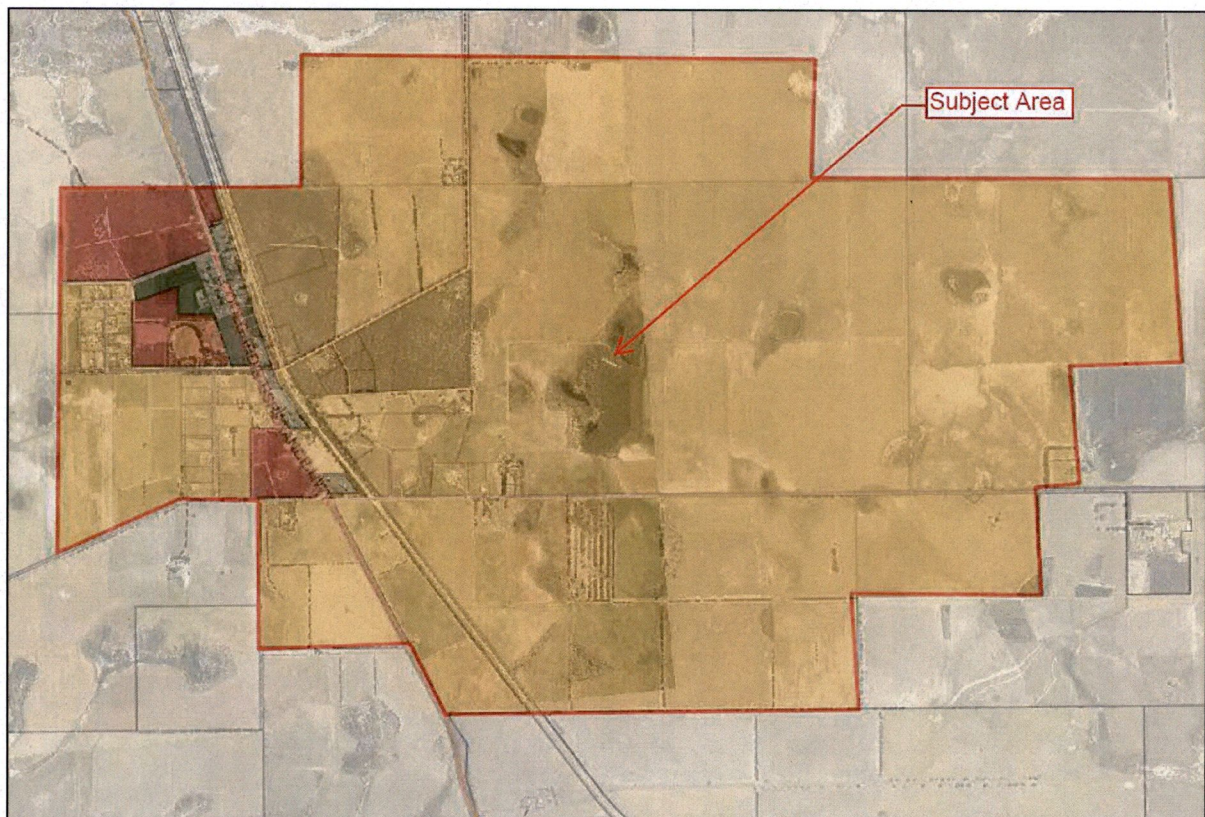




The proposed modification placed the priority water classification onto the Scheme map.

**2.38 Amend the Scheme Map by replacing 'SCA4G' with 'SCA4G – P1, SCA4G – P2 and SCA4G – P3'**

This modification is proposed as the Scheme does not reflect the Gibson Water Reserve drinking water source protection plan for the Gibson town water supply and in line with SCA4 (h) will trigger a basic amendment. It should be noted that the inclusion of this modification within this Amendment will result in it being dealt with as part of a standard amendment.



**2.39 Amend the Scheme Map by inserting 'SCA4 – WHPZ'**

The Water Reserve drinking water source protection plans for Esperance, Gibson and Condingup, as well as the Department of Water and Environmental Regulations Water Quality Protection Note 25 place wellhead protection zones around each of the production bores.

As with the earlier water reserve amendments whilst this could be a basic amendment in line with SCA4 (h) however the inclusion of it into this Amendment will result in it being dealt with as part of a standard amendment.

**2.40. Amend Schedule 2 Clause 5 (g)(ix) by replacing it with:**

The introduction of SCA4-WHPZ into the Scheme requires a minor variation to Schedule 2



Clause 5 (g)(ix). The mapped area is as per the Department of Water and Environmental Regulations requirements however the instances of where a bore is located in a Priority 1 area but the buffer extends into a Priority 2 or Priority 3 area the current provision is inconsistent as it does not identify that the reduced buffer applies in the Priority 2 or Priority 3 areas. The proposed modification addresses this issue.

#### **2.41. Amend the Scheme Map by inserting new SCA7F.**

This modification is proposed as it has been noted that there is no setback provisions within the 'Urban Development' zone and as development that will not prejudice the Structure Planning process can be approved there needs to be a framework created to ensure sufficient setbacks are achieved.



It is proposed to reintroduce a Special Control Area over these lots consistent with the approach that was taken under the previous Scheme.

#### **2.42. Amend the Scheme Map by amending the boundary of SCA9**

As referred to in Table No. 5, State Planning Policy 2.6 – State Coastal Planning Policy forms part of the Scheme by reference. As part of SPP2.6 where a coast hazard risk is identified it should be disclosed to those likely to be affected.

The Esperance Coastal Hazard and Vulnerability Assessment by BMT JFA Consultants established the levels for the 100 in 100 year inundation event and as such a notification needs to be placed on certificates of title.

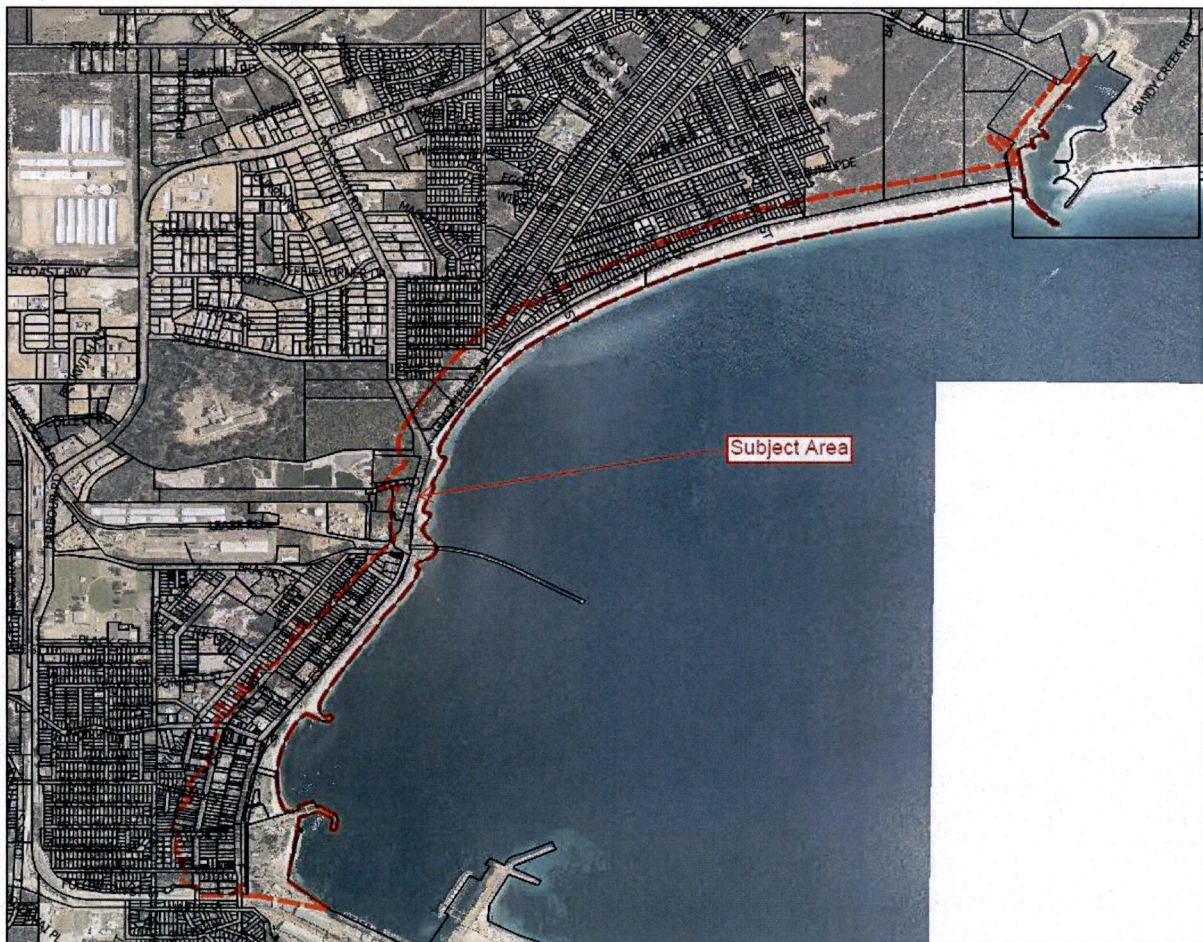


Further to this study a second study entitled the Esperance Coastal Hazard Adaptation Strategy by BMT JFA Consultants established the potential erosion over a 100 year planning horizon and as such a notification needs to be placed on certificates of title.

*'VULNERABLE COASTAL AREA – This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years'.*

It should also be noted that, in addition to the standards in SCA9, the expanded notification is currently being applied under the provisions of State Planning Policy 2.6.

The areas affected by the widened area of the Special Control Area needs to be shown on the Scheme Map. The new extent of the Special Control Area is shown on the following map:



The amendment of this Special Control Area is consistent with the requirements of State Planning Policy 2.6 – State Coastal Planning Policy.

**2.43 Amend the Scheme Map by amending the alignment of the 'Primary Distributor Road' in Reserve 32259 and Lots 214, 282 and 850 Norseman Road.**

Since the gazettal of Local Planning Scheme No. 24 it has become apparent that the









**2.46 Amend Clause 14 Table No. 1 Reserve objectives by inserting after the first dot point with the Local Road reserve 'To set aside land for use as a pedestrian access way.'**

This modification is proposed to identify that this reserve is appropriate for pedestrian access ways. The majority of pedestrian access ways (note some pedestrian access ways are already shown as local roads) are proposed to be shown as 'Local Road'.

The addition of a new objective to the 'Local Road' reserve makes it clear that pedestrian access ways fall within this reserve classification.

This is further supported by the process that is required to close a pedestrian access ways being closely aligned with the process that applies to the closure of a road.

**2.47. Amend Schedule 2 Clause 7 by inserting a new clause 7.6**

As introduced to the Scheme Map under Clause 2.38 this modification introduces provisions into the Special Control Area relating to Structure Planning and setback requirements.

**2.48 Amend Schedule 2 Clause 9.(d) by removing 'and' at the end of subclause (i)**

This modification is formatting to allow the insertion of a new subclause under 2.46.

**2.49. Amend Schedule 2 Clause 9.(d) by renumbering subclause (ii) to subclause (iii)**

This modification is formatting to allow the insertion of a new subclause under 2.46.

**2.50. Amend Schedule 2 Clause 9.(d) by inserting a new subclause**

As referenced in 2.42 a new study entitled the Esperance Coastal Hazard Adaptation Strategy by BMT JFA Consultants established the potential erosion over a 100 year planning horizon and as such a notification needs to be placed on certificates of title. The proposed new subclause references this study.

**2.51. Amend Schedule 3 Additional Use A6 by inserting 'Art Gallery' as a 'D' use**

'Art Gallery' is currently only listed in Table 4 - Zoning and Land Use Table as an 'A' use in the 'Residential' zone. Given the nature of Additional Use A6 it is considered appropriate to insert this use as a 'D' use.

In making this modification it should be noted that under the previous Scheme an 'arts and crafts studio' which is the use most related to the definition of 'Art Gallery' under Local Planning Scheme No. 24 was a 'D' use in the area where Additional Use A6 applies. It



should also be noted that a current approval that was issued under Local Planning Scheme No. 23 for an 'arts and crafts studio' would fall under the 'Art Gallery' definition in Scheme No. 23.

**2.52. Amend Schedule 3 Additional Use A6 by amending the permissibility of 'Holiday Accommodation' to an 'A' use**

'Holiday Accommodation' is currently a 'D' use in Additional Use A6. Given the potential impact of this form of development on adjoining properties it is considered appropriate to assign an 'A' permissibility requiring advertising.

**2.53. Amend Schedule 3 Additional Use A6 by inserting 'Holiday House' as a 'D' use**

'Holiday House' is currently only listed in Table 4 - Zoning and Land Use Table as an 'A' use in the 'Residential' zone. Given the nature of Additional Use A6 it is considered appropriate to insert this use as a 'D' use.

**2.54. Amend Schedule 3 Additional Use A6 by inserting 'Office' as a 'D' use.**

'Office' is currently only listed in Table 4 - Zoning and Land Use Table as an 'X' use in the 'Residential' zone. Given the nature of Additional Use A6 it is considered appropriate to insert this use as an 'D' use which is the same permissibility as allowed on the land within Additional Use A6 under the previous Scheme.

**2.55 Amend Schedule 3 and the Scheme Map by adding an Additional Use A20**

This modification introduces a limited additional use to allow the semi-regular use of the Dempster Homestead and surrounding grounds for a range of low impact land uses generally associated with heritage buildings. Lot 1 Dempster Street is a Permanent Entry on the Heritage Council of Western Australia Register of Heritage Places (Site 822). An extract from the register entry states 'Dempster Homestead (fmr), Esperance, a single storey, stone and iron residence in the Victorian Regency style set in landscaped gardens'.





The proposed uses are a 'Shop' to not more than 44m<sup>2</sup>, a 'Restaurant/Café' incidental to the 'Shop' and a 'Reception Centre'. All the uses have restrictions on how frequently they can occur and no permanent works are permitted. The restrictions on the proposed uses will ameliorate any potential impact on the heritage building and its curtilage.

**2.56 Amend Schedule A Clause 61 (1) by replacing 'unless located in a Special Control Area' with 'irrespective of it being located in a Special Control Area unless otherwise specified'.**

The Scheme currently exempts a range of uses except for where they are located in a Special Control Area. This creates issues with very minor development that would ordinarily be exempt requiring development approval. The proposed wording will exempt the listed land uses in Schedule A irrespective of the developments location being within a Special Control Area.

**2.57 Amend Schedule A Clause 61 (1) (I) by deleting 'dams and soaks'.**

The modification to Schedule A Clause 61 (1) has resulted in several uses being exempted where they are located in a Special Control Area. The proposed deletion is reinserted into the Scheme under 2.53 below.

**2.58 Amend Schedule A Clause 61 (1) by inserting after (I) and renumbering the clause accordingly 'The construction of dams and soaks in the Rural zone in compliance with the setback standards contained in Schedule 6 and located outside of Special Control Area 4 and/or 5'.**

This modification inserts dam and soaks in the 'Rural' zone where they meet the setback standards contained in Schedule 6 and located outside of any Special Control Area. This is



a result of the modification that was made under 2.52. The use should generally exempt in the 'Rural' zone but where they are located in a Special Control Area No. 4 or 5 they will require approval due to the potential impact of the Special Control Areas.

**2.59 Amend Schedule A Clause 61 (1) (m) by deleting 'Rural Smallholdings and'.**

This modification deletes the exemption for farm buildings in the 'Rural Smallholdings' zone. The entire 'Rural Smallholdings' zone is in Special Control Area No. 5 which requires development to obtain development approval.

**2.60 Amend Schedule A Clause 61 (1) (o) by inserting 'in the Residential or Rural Townsite zones' after 'dwelling'.**

This modification relates the exemption to the 'Residential' zone which is something that is currently implied but not specifically stated in the current exemption. It is also proposed to extend this to the 'Rural Townsite' zone.

**2.61 Amend Schedule A Clause 61 (1) (s) by inserting 'Rural zone;' before 'Rural Residential'.**

This modification extends the extension for water tanks to the 'Rural' zone.

**2.62 Amend Schedule A Clause 61 (1) (t) by inserting after requirements 'and located outside of any Special Control Area'.**

The modification to Schedule A Clause 61 (1) has resulted in several uses being exempted where they are located in a Special Control Area. Where an outbuilding is proposed in a Special Control Area approval is required.

**2.63 Amend Schedule A Clause 61 (1) (u) by inserting after site 'and certified by a qualified Engineer as being suitable for surcharge loads where applicable'.**

This modification is required as the Scheme currently exempts all retaining wall no higher than 500mm located behind the building associated with the primary use of the site. As these walls are often on property boundaries it is considered appropriate to tighten the exemption so that surcharge loads are taken into account.

**2.64 Amend Schedule A Clause 61 (1) (w) by deleting 'in a zone where the R Codes do not apply'.**

This modification is required as the Scheme currently exempts boundary fences where the R Codes do not apply. It is proposed to extend this to all boundary fences as they can be adequately controlled by the Fencing Local Law and the Building Code of Australia. This will also resolve the issue of boundary fences requiring planning approval in several Special Control Areas which is considered superfluous given the control applied by the Fencing Local Law and the Building Code of Australia.



**2.65 Amend Schedule A Clause 61 (1) (x) by inserting after levels 'and certified by a qualified Engineer as being suitable for surcharge loads where applicable'.**

This modification is required as the Scheme currently exempts all replacement retaining walls no higher than 900mm with masonry materials and no change to ground levels. As these walls are often on property boundaries it is considered appropriate to tighten the exemption so that surcharge loads are taken into account.

**2.66 Amend Schedule 1 Clause 6 (a) by inserting 'and development' after 'All subdivision'.**

This modification corrects an oversight in Schedule 1 Clause 6(a) where controls were placed on subdivision but no control was placed on development.

**2.67 Amend Schedule 1 Clause 16 by inserting a new clause (c)**

This modification proposes to apply the standards of Water Quality Protection No. 25 in relation to effluent disposal within the Wellhead Protection Zone (which is proposed to be formally reflected in the Scheme as SCA4-WHPZ).

**2.68 Amend Schedule 1 Clause 16 by inserting a new clause (d)**

This modification proposes to apply the standards of Water Quality Protection No. 25 in relation to effluent disposal within the Priority 2 Public Drinking Source Water Protection Area.

**2.69 Amend Schedule 5 Special Use SU4 by inserting a new clause 1.4**

This modification proposes to amend Schedule 5 Special Use SU4 by inserting a new clause 1.4 as follows 'Minor variations to the development standards of the Subdivision and Development Guide Plan may be approved by the local government subject to clause 3.0 and clause 64 of the deemed provisions'

**2.70 Amend Schedule 5 Special Use SU3 by renumbering subclauses with b)**

This modification is required to correct a numbering error within Special Use SU3.

**2.71 Amend Schedule 2 SCA 6 (b)(i) by adding ' and' after ';**

This modification is to correct a formatting error.

**2.72 Amend Schedule 2 SCA 6 (b)(ii) by replacing ' ; and' with ' .**

This modification is to correct a formatting error.



**2.73 Amend Schedule 2 SCA 6 (d)(vi) by adding ' and' after ';**

This modification is to correct a formatting error.

**2.74 Amend Schedule 2 SCA 6 (d)(vii) by replacing ' ; and' with '.**

This modification is to correct a formatting error.

**2.75 Amend Schedule 1 Clause 35(a)**

This modification is required as 'Mining Operations' is currently listed as a 'D' use in Table No. 4 - Zoning and Land Use Table. The requirement for approval under the Scheme is in error as Section 120 of the *Mining Act 1978* exempts 'Mining Operations' from the requirement for development approval and will be determined in accordance with the *Mining Act 1978*.

Current planning practice is to apply an asterisk against the '\*D' use stating:

\*'Mining operations' covered by the *Mining Act 1978* is exempt from the requirement for development approval and will be determined in accordance with the *Mining Act 1978*.

It is considered that this is a flawed approach as it does not address the fact that the land use is not exempted by either the Scheme or Clause 61 of the Deemed Provisions. This amendment provides an opportunity to review this clause in the absence of the Asterisk's.

The proposed modification exempts this use but mandates that the shire is consulted with regards to the Local Planning Scheme and Local Planning Strategy. The proposed is legally valid and represents an improvement in the manner that 'Mining Operations' are dealt with in the Scheme.

**2.76 Amend the Scheme by updating all numbering so that the Scheme is internally consistent.**

This is a modification is required so that should any numbering requiring amendment it can be corrected by this amendment.

**3. LOCAL PLANNING STRATEGY**

The proposed amendment is consistent with the Local Planning Strategy.

**4. CONCLUSION**

This omnibus amendment details numerous modifications to the Scheme text.



The modifications fall into seven broad categories:

1. Amending the Scheme map to reflect reserve and Public Access Way tenure;
2. Amending the Barney Hill realignment based on MRWA advice;
3. Updating Special Control Areas;
4. Modifying permissibility's in Additional Use A6;
5. Amending the Permitted Development provision as they relate to Special Control Areas;
6. Amending the Requirement for Consultation to Commence Mining clause; and
7. Correcting omissions and oversights in the original drafting of the Scheme.

The proposed provisions are consistent with the Local Planning Strategy.



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**PLANNING AND DEVELOPMENT ACT 2005**

**SHIRE OF ESPERANCE**

**LOCAL PLANNING SCHEME NO. 24**

**AMENDMENT NO. 2**

The Shire of Esperance under and by virtue of the power conferred upon it in that behalf by the *Planning and Development Act, 2005*, hereby amends the above local planning scheme by:

1. Amending the Scheme Map by reclassifying Lot 55 on Plan 14436 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
2. Amending the Scheme Map by reclassifying Lot 55 on Plan 21354 and Lot 56 on Plan 9537 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
3. Amending the Scheme Map by reclassifying Lot 42 on Plan 20900 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
4. Amending the Scheme Map by reclassifying Reserve 41524 from 'Residential' to 'Drainage / Waterway' as depicted on the Amendment Map.
5. Amending the Scheme Map by reclassifying Reserve 36283 to 'Local Road' from 'Residential' as depicted on the Amendment Map.
6. Amending the Scheme Map by reclassifying Reserve 36284 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
7. Amending the Scheme Map by rezoning the truncation of Matthews Street from 'Residential' adjacent to Lot 18 Mitchell Street to 'Local Road' as depicted on the Amendment Map.
8. Amending the Scheme Map by rezoning Lot 67 on Diagram 53908 and Lot 68 on Diagram 36921 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
9. Amending the Scheme Map by reclassifying Lot 55 on Diagram 51917 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
10. Amending the Scheme Map by reclassifying Reserve 36285 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
11. Amending the Scheme Map by reclassifying Reserve 36286 from 'Residential' to 'Local Road' as depicted on the Amendment Map.



12. Amending the Scheme Map by reclassifying Lot 55 on Plan 13085 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
13. Amending the Scheme Map by reclassifying Lot 56 on Diagram 54354 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
14. Amending the Scheme Map by reclassifying Reserve 51247 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
15. Amending the Scheme Map by reclassifying Lot 55 on Plan 23781 and Lot 1037 on Plan 39959 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
16. Amending the Scheme Map by reclassifying Lot 132 on Plan 9468 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
17. Amending the Scheme Map by reclassifying Lot 155 on Plan 13851 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
18. Amending the Scheme Map by reclassifying Lot 155 on Plan 9200 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
19. Amending the Scheme Map by reclassifying Lot 157 on Plan 13851 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
20. Amending the Scheme Map by reclassifying Lot 55 on Plan 9296 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
21. Amending the Scheme Map by reclassifying Lot 0 on Plan 2339 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
22. Amending the Scheme Map by reclassifying a portion of Lot 166 on Plan 2260 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
23. Amending the Scheme Map by reclassifying Lot 162 on Plan 28909 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
24. Amending the Scheme Map by reclassifying Lot 55 on Plan 21242 and Lot 220 on Plan 22657 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
25. Amending the Scheme Map by reclassifying Lot 221 on Plan 22657 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
26. Amending the Scheme Map by reclassifying Lot 222 on Plan 22657 and Lot 115 on Plan 20600 from 'Residential' to 'Local Road' as depicted on the Amendment Map.



27. Amending the Scheme Map by reclassifying Lot 156 on Plan 13884 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
28. Amending the Scheme Map by reclassifying Lot 205 on Plan 20600 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
29. Amending the Scheme Map by reclassifying Lot 207 on Plan 21242 from 'Residential' to 'Infrastructure Services' as depicted on the Amendment Map.
30. Amending the Scheme Map by reclassifying Lot 155 on Plan 12765 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
31. Amending the Scheme Map by reclassifying Lot 55 on Plan 13885 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
32. Amending the Scheme Map by reclassifying Lot 56 on Plan 13543 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
33. Amending the Scheme Map by reclassifying Lot 57 on Plan 13534 from 'Residential' to 'Local Road' as depicted on the Amendment Map.
34. Amending the Scheme Map by reclassifying a Portion of Reserve 38163 from 'Rural Residential' to 'Public Open Space' as depicted on the Amendment Map.
35. Amending the Scheme Map by reclassifying a Portion of Reserve 21557 from 'Urban Development' and 'Local Road' to 'Public Open Space'.
36. Amending the Scheme Map by reclassifying a portion of South Coast Highway from 'Environmental Conservation' to 'Primary Distributor Road' as depicted on the Amendment Map.
37. Amending the Scheme Map by replacing 'SCA4C' with 'SCA4C – P1, SCA4C – P2 and SCA4C – P3' as depicted on the Amendment Map.
38. Amending the Scheme Map by replacing 'SCA4G' with 'SCA4G – P1, SCA4G – P2 and SCA4G – P3' as depicted on the Amendment Map.
39. Amending the Scheme Map by inserting 'SCA4 – WHPZ' as depicted on the Amendment Map.
40. Amend Schedule 2 Clause 4 (f)(ix) by replacing it with:

'For the purposes of this Scheme the groundwater reserves will be deemed to be as per the relevant Drinking Water Source Protection Plan and a wellhead protection zone of with a 500 metres radius around each production bore in a Priority 1 area and a 300 metres radius around each production bore in Priority 2 and Priority 3 and where a wellhead protection zone from a drinking water production bore in a Priority



1 area extends into a Priority 2 or Priority 3 area the wellhead protection zone will be generally circular with a 300m radius within the Priority 2 or Priority 3 area will apply unless the Department of Water and Environmental Regulation indicates otherwise.

41. Amending the Scheme Map by applying SCA7F to Lot 70 Stewart Street and Lots 76, 77, 79 and 81 Twilight Beach Road as depicted on the Amendment Map.
42. Amending the Scheme Map by amending the boundary of SCA9 as depicted on the Amendment Map.
43. Amending the Scheme Map by amending the alignment of the 'Primary Distributor Road' in Reserve 32259 and Lots 214, 282 and 850 Norseman Road as depicted on the Amendment Map.
44. Amending the Scheme Map by reclassifying the portion of road at the intersection of Fisheries and Merivale Road from 'Special Use' to 'Local Distributor Road' as depicted on the Amendment Map.
45. Amend the Scheme Map by amending the Road Widening on DP 75548 from 'Rural Smallholdings' to 'Primary Distributor Road' as depicted on the Amendment Map.
46. Amending Clause 14 Table No. 1 Reserve objectives by inserting after the first dot point with the Local Road reserve 'To set aside land for use as a pedestrian access way.'
47. Amending Schedule 2 Clause 7 by inserting a new clause 7.6 as follows:

#### **'7.6 Special Control Area 7F**

In addition to the general development requirements in clause 7(d) of Schedule 2, the following apply specifically to lots as indicated on the Scheme Map as SCA 7F –

- (i) Prior to the subdivision of this land, a Structure Plan will be required to be prepared for the area and approved by the local government and the WAPC. The Structure Plan is to include road widening or the provision of a service road to limit access to Twilight Beach Road.
- (ii) Front Setback
  - i. Minimum of 7.5 metres to Twilight Beach Road;
  - ii. Where fronting any road other than Twilight Beach Road, a minimum front setback of 7.5 metres applies unless otherwise varied under a Structure Plan.
- (iii) Side and Rear Setbacks

In accordance with the requirements of R10 as specified in the Residential Design Codes unless otherwise assigned a different density under a Structure Plan.'

48. Amending Schedule 2 Clause 9.(d) by removing 'and' at the end of subclause (i).
49. Amending Schedule 2 Clause 9.(d) by renumbering subclause (ii) to subclause (iii).
50. Amending Schedule 2 Clause 9.(d) by inserting the following as subclause (ii):
- '(ii) Esperance Coastal Hazard Adaptation Strategy by BMT JFA Consultants; and'
51. Amending Schedule 3 Additional Use A6 by inserting 'Art Gallery' as a 'D' use.
52. Amending Schedule 3 Additional Use A6 by amending the permissibility of 'Holiday Accommodation' to an 'A' use.
53. Amending Schedule 3 Additional Use A6 by inserting 'Holiday House' as a 'D' use.
54. Amending Schedule 3 Additional Use A6 by inserting 'Office' as a 'D' use.
55. Amending Schedule 3 and the Scheme Map by adding an Additional Use with the following:

No.	Location	Base Zone	Additional Use(s)	Development Standards/Conditions
A20	Lot 1 Dempster Street, Esperance	Residential	<p>As a 'D' use:</p> <ul style="list-style-type: none"> <li>• Shop</li> <li>• Reception Centre</li> </ul> <p>As an 'I' use:</p> <ul style="list-style-type: none"> <li>• Restaurant/café</li> </ul>	<ol style="list-style-type: none"> <li>1. The shop is not to have a net Floor Area in excess of 44m<sup>2</sup>.</li> <li>2. The Restaurant/café use is incidental to the Shop.</li> <li>3. The additional uses are not permitted to cause, require or result in permanent works on the site.</li> </ol>

56. Amending Schedule A Clause 61 (1) by replacing 'unless located in a Special Control Area' with 'unless required by a Special Control Area or other provision of the Scheme.'
57. Amending Schedule A Clause 61 (1) (l) by deleting 'dams and soaks'.
58. Amending Schedule A Clause 61 (1) by inserting after (l) and renumbering the clause accordingly 'The construction of dams and soaks in the Rural zone in compliance with the setback standards contained in Schedule 6 and located outside of any Special Control Area;'
59. Amending Schedule A Clause 61 (1) (m) by deleting 'Rural Smallholdings and'.
60. Amending Schedule A Clause 61 (1) (o) by inserting 'in the Residential and Rural Townsite zones' after 'dwelling'.



61. Amending Schedule A Clause 61 (1) (s) by inserting 'Rural zone;' before 'Rural Residential'.
62. Amending Schedule A Clause 61 (1) (t) by inserting after requirements 'and located outside of any Special Control Area'.
63. Amending Schedule A Clause 61 (1) (u) by inserting after site 'and certified by a qualified Engineer as being suitable for surcharge loads where applicable'.
64. Amending Schedule A Clause 61 (1) (w) by replacing 'in a zone where the R Codes do not apply' with 'in accordance with an adopted Fencing Local Law'.
65. Amending Schedule A Clause 61 (1) (x) by inserting after levels 'and certified by a qualified Engineer as being suitable for surcharge loads where applicable'.
66. Amending Schedule 1 Clause 6 (a) by inserting 'and development' after 'All subdivision'.
67. Amending Schedule 1 Clause 17 by inserting a new clause (c) as follows:
  - '(c) On site effluent disposal systems will not be permitted within SCA4-WHPZ unless it is consistent with a relevant Government Sewerage Policy.'
68. Amending Schedule 1 Clause 17 by inserting a new clause (d) as follows:
  - '(d) On a site identified as being located within the Priority 2 or 3 area within a public drinking water source area only one on site effluent disposal system is permitted and furthermore effluent disposal is limited by Water Quality Protection Note 25 Land Use Compatibility in Public Drinking Water Source Areas and Water Quality Protection Note No. 70 – Wastewater treatment and disposal – domestic systems.'
69. Amending Schedule 5 Special Use SU4 by inserting a new clause 1.4 as follows:
  - '1.4 Minor variations to the development standards of the Subdivision and Development Guide Plan may be approved by the local government subject to clause 3.0 Land Use and clause 64 of the deemed provisions.'
70. Amending Schedule 5 Special Use SU3 by renumbering subclause b)(ii) to b)(iii) and the second b)(i) to b)(ii).
71. Amending Schedule 2 SCA 6 (b)(i) by adding ' and' after ';
72. Amending Schedule 2 SCA 6 (b)(ii) by replacing ' ; and' with ' ;'.

73. Amending Schedule 2 SCA 6 (d)(vi) by adding ' and' after ';

74. Amending Schedule 2 SCA 6 (d)(vii) by replacing ' ; and' with ' ;

75. Amending Schedule 1 Clause 36 (a) by replacing it with:

(a) In addition to Clause 61 of the deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015* where a mining operation in the rural zone is proposed development approval of the local government is not required subject compliance with subclause (b).

(b) In considering proposals to commercially extract minerals, the Local Government will exercise its discretion to inform the Minister for Mines and the Minister for Planning in writing that the granting of a mining lease or general purpose lease is either consistent with or contrary to the provisions of the Scheme and the Local Planning Strategy.'

76. Amending the Scheme by updating all numbering so that the Scheme is internally consistent.

77. Amending Schedule 1 Clause 11 (iii) by replacing the word 'or' after 'half' with 'of'.

78. Amending Schedule A Clause 61 by inserting as point 2:

(2) Development approval of the local government is not required for the following uses:

(g) Street trading and outdoor eating facilities on public places in accordance with the local laws on trading in thoroughfares and public places (as amended).'

79. Amending the Scheme Map by reclassifying a portion of Lot 100 (4) Giles Street, West Beach from 'Public Open Space' to 'Education'.

80. Amending the Scheme Map by reclassifying Reserve 19874 from 'Rural' and 'SCA 10' to 'Infrastructure Services'.

81. Amending the Scheme Map by reclassifying Reserves 2788 and 20044 from 'Rural' and 'SCA 10' to 'Environmental Conservation'.

82. Amending Clause 7 (1)(a) by deleting 'including any supplementary provisions as outlined in Schedule A of the scheme text'.



83. Amending Table 4 by adding the land use of 'Outbuilding' as follows:

USES	ZONES											
	1	2	3	4	5	6	7	8	9	10	11	12
	Residential	Rural	Rural Residential	Rural Smallholdings	Rural Townsite	Light Industry	General Industry	Commercial	Local Centre	Mixed Use	Tourism	Private Community Purposes
Outbuilding	I	P	I	P	I	X	X	X	X	X	X	X

84. Amending Schedule 1 Clause 30(a) by replacing 'Erection of' with 'Irrespective of the classification of an outbuilding as an I use in Table No. 4 the erection of'.

85. Amending Schedule 1 Clause 30(a) by replacing '.' with ';'. .

86. Amending Schedule 1 Clause 30 by inserting:

- (b) Where an outbuilding has been constructed in accordance with subclause (a) it is not to be used for commercial or industrial purposes; and
- (c) Where an outbuilding has been constructed in accordance with subclause (a) it is not to be used for human habitation.'

87. Amending the title of Schedule 1 Clause 30 from 'Outbuildings in the Residential and Rural Residential Zones' to 'Outbuildings'.

88. Amending the Scheme map by reclassifying Reserve 37460 from 'Rural' to 'Local Road'.

89. Amending the Scheme by inserting a new clause after Clause 4.(d)(ii) in Schedule 2 stating:

- (iii) Despite any other provision of the Scheme planning approval cannot be issued for a development that contains the storage of fuel or chemicals without referral to the Department of Water and Environmental Regulation and the Local Government is to have due regards to recommendations and advice received from that authority when determining applications.'

90. Amending the Scheme by inserting the ' , Department of Primary Industries and Regional Development' after 'Department of Biodiversity Conservation and Attractions' in SCA 10 (d)(i).

91. Amending the Scheme by inserting a new clause into SCA 10(d) stating 'Guidelines of the Commissioner of Soil and Land Conservation (WA) for the protection of landscapes including but not limited to maintenance of soils.' Note that this modification will require the 'and' to be removed from SCA 10(d)(iii) and the '.' replaced with '; and' in SCA 10(d)(iv).
92. Amending the Scheme by inserting 'and the Commissioner of Soil and Land Conservation (WA)' after 'Department of Water and Environmental Regulation' in SCA 10 (f)(i).
93. Amend the Scheme by replacing the 'and the' after 'Department of Biodiversity Conservation and Attractions' in SCA 10 (f)(i) with ','.
94. Amending the Scheme Map to show Lot 185 (37) Foy Street, Esperance as 'Residential' with a density of 'R30'.
95. Amending the Scheme Map to show SCA4C as per Figure A4 in the Condingup Water Reserve Drinking Water Source Protection Review (Report WRP 164 October 2017).
96. Amending the Scheme Map to show SCA4-WHPZ for bore 6-83 as per Figure A4 in the Condingup Water Reserve Drinking Water Source Protection Review (Report WRP 164 October 2017).
97. Amending the Scheme Map reclassifying portions of Reserves 25891 and 31540 from 'Public Open Space' to 'Local Distributor Road'.
98. Amending Schedule 1 Clause 30 by inserting before the full stop 'or a single house, grouped dwelling or multiple dwelling is constructed on the lot'.
99. Amending the Scheme Map to show SCA4SG-P1 as per Figure A3 in the Salmon Gums Catchment Area Drinking water source protection plan (Report WRP 143 September 2013).
100. Amending Table 4 by modifying the permissibility of 'Art Gallery' to an 'I' use in the 'Residential' zone.
101. Amending Clause 27.(b) in Schedule 1 by inserting 'in Schedule A' after '61 (k)'.
102. Amending Clause 26. By inserting a new clause after Clause (6)(d) stating:  

(e) The height limit as outlined in subclause (b) may be varied by a special control area or other applicable clause within the Scheme.'
103. Amending Clause 37.(1) by inserting '*eco-tourism* means ecologically sustainable tourism with a primary focus on experiencing natural areas that fosters environmental and cultural understanding, appreciation and conservation.' and sorting the list alphabetically.
104. Amending the definition in Clause 16.(2) for the 'Cultural and Natural Resource Zone' by inserting 'Allow land uses that are associated with the reserve purpose.' before the last dot point.



105. Amending the Scheme Map to show the portion of Reserve 53170 currently reserved as 'Environmental Conservation', Reserve 53171, and the portion of Reserve 53177 currently reserved as 'Environmental Conservation' as 'Cultural and Natural Resource Zone'.

106. Amending the Scheme by inserting the following into Table No. 2 in Clause 15:

No.	Description of land	Additional use	Conditions
AR9	Portion of Reserve 53177	In accordance with the Conditions	1. Development is to be in accordance the objectives of the Cultural and Natural Resource Zone as per Clause 18.(7)(d).

107. Amending the Scheme Map to show the portion of Reserve 53177 currently reserved 'Public Open Space' as 'Additional Use Reserve' with a label of AR9.

108. Amending Schedule 4 Restricted Use R2 by inserting ' and Lot 502 South Coast Highway' after 'Lot 15 Harbour Road' in the Description of land.

109. Amending Schedule A Clause 61 (1) (m) by replacing 'Zones' with 'zone'.

110. Amending A15 in Schedule 3 by replacing 'Portion Lot 35 Fisheries Road, Myrup' with 'Portion Lot 35 Merivale Road, Myrup'.

111. Amending Schedule 1 Cl 16(a) by replacing it with:

- (a) No person shall park within the Residential zone a commercial vehicle without the development approval of the local government. Where the commercial vehicle parking use is proposed in the Residential zone and it complies with the following it will be exempt from development approval:

112. Amending Schedule 1 Cl 16(a) by inserting a new subclause (viii) stating:

- (viii) Compliance with the *Environmental Protection (Noise) Regulations 1997*.

113. Amending Schedule 1 Cl 16(a)(vi) by replacing '; and' with '; '.

114. Amending Schedule 1 Cl 16(a)(vii) by replacing '.' with '; and'.

115. Amending Clause 38 by amending with the meaning for the land use of 'Rural home business' by replacing within (d) 'be' with 'by'.

116. Amending Clause 38 by replacing the meaning for the land use 'park home park' with:

**'park home park'** means premises used as a park home park as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Regulation 3;.

117. Amending SU5 in Schedule 5 by inserting 'Park home park' as a 'D' use.

118. Amending the Scheme by replacing all references to 'Planning Approval' with 'Development Approval'.

119. Amending Schedule A Clause 61 (l) - (cc) to be consistent with punctuation set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

120. Amending Table No. 4 – Zoning and Land Use Table by applying In the 'mining operations' land use in the Rural zone an asterisk against the '\*D' and a footnote on Table No. 4 stating:

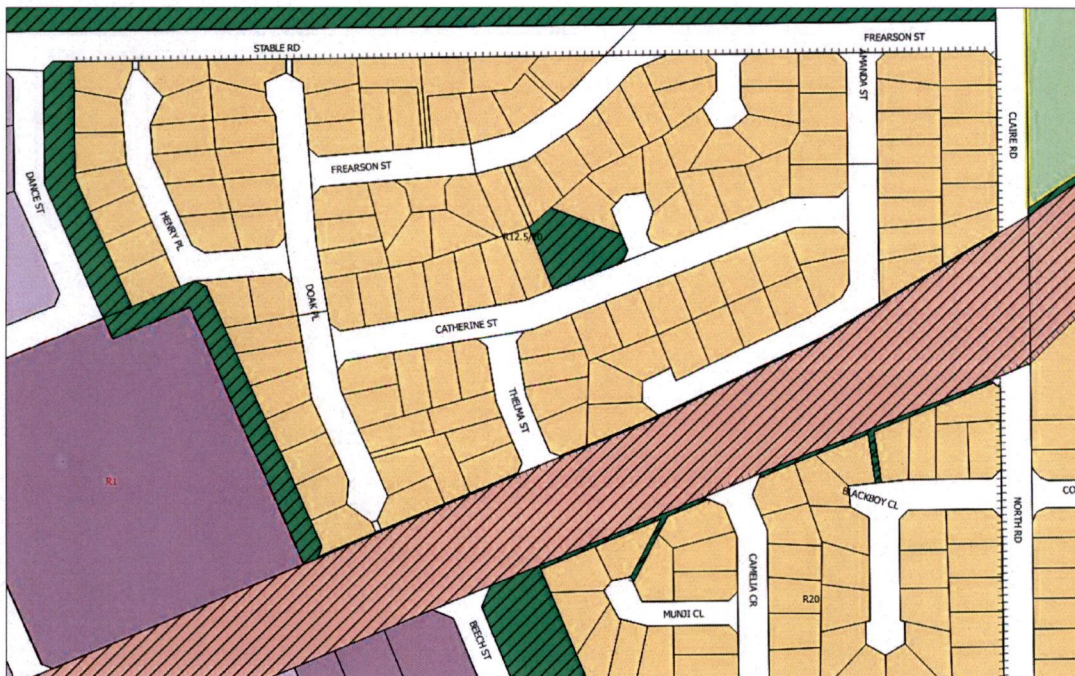
'\*Mining operations covered by the *Mining Act 1978* is exempt from the requirement for development approval and will be determined in accordance with the *Mining Act 1978*.'

121. Amending Clause 18(2) by replacing the 'any' with 'all'.

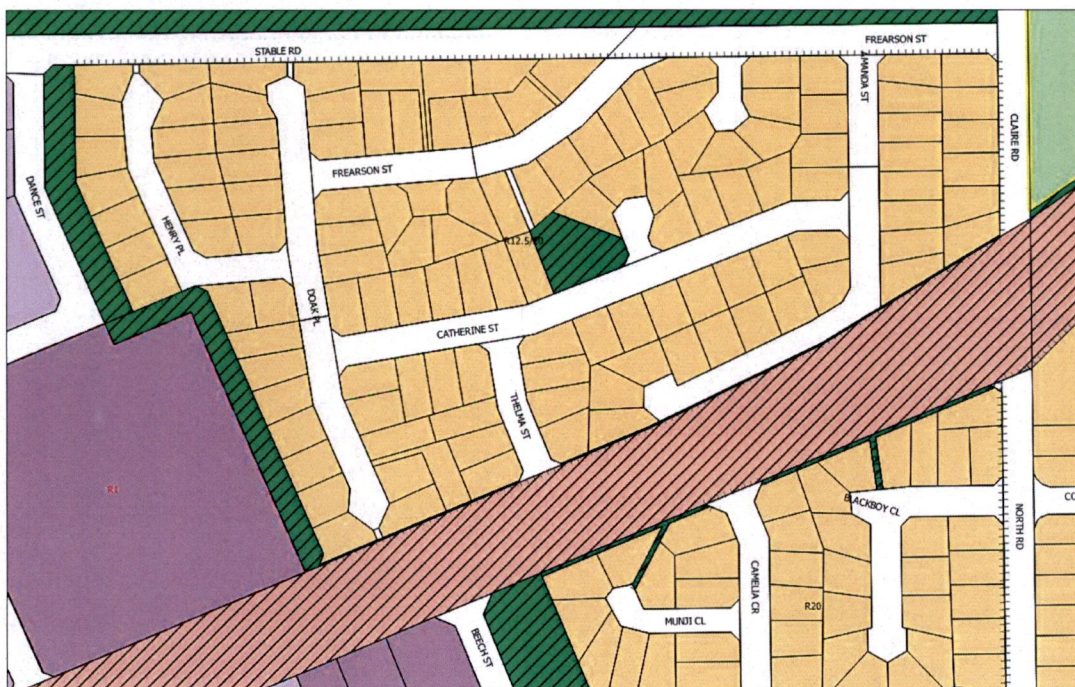
122. Amending Schedule 5 SU3 Clause b)i by replacing '2006' with '2008'.

123. Amend Schedule 10 Temporary Signs - Dwellings (b) by replacing 'One sign' with 'Two signs' and 'Each sign is not to exceed an area of 2m<sup>2</sup>' with 'The total area of signs is not to exceed 2m<sup>2</sup>'.





Current Zoning



Proposed Zoning

#### LEGEND

##### Zones

- Residential
- General Industry
- Light Industry
- Rural Residential

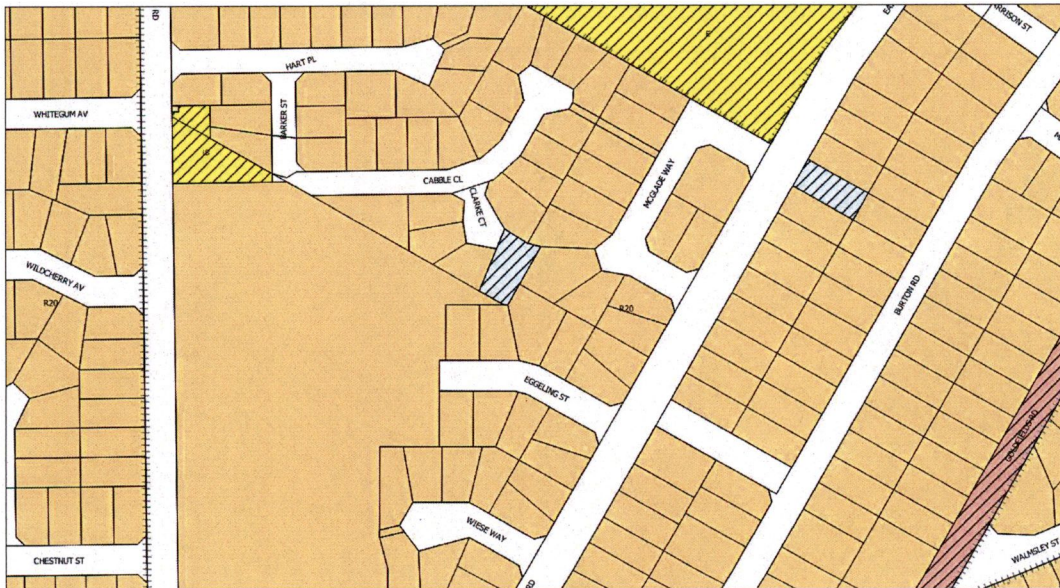
##### Reserves

- Public Open Space
- Local Distributor Road
- Local Road

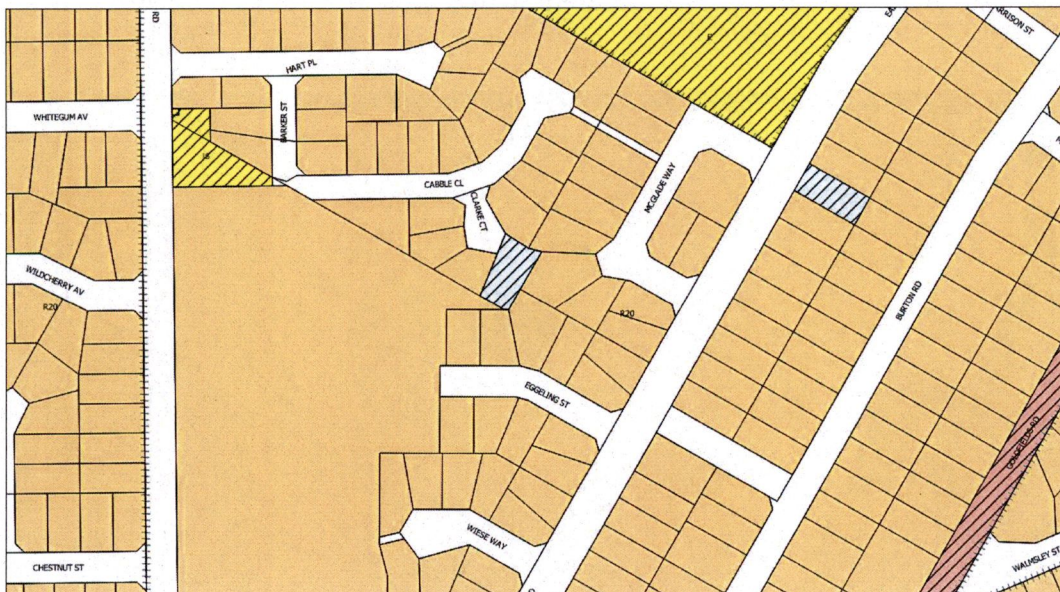
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2





Current Zoning




Proposed Zoning


# LEGEND

## Zones


 Residential


## Reserves


 Public Open Space

 E - Education

 IS - Infrastructure Services

 Drainage / Waterway

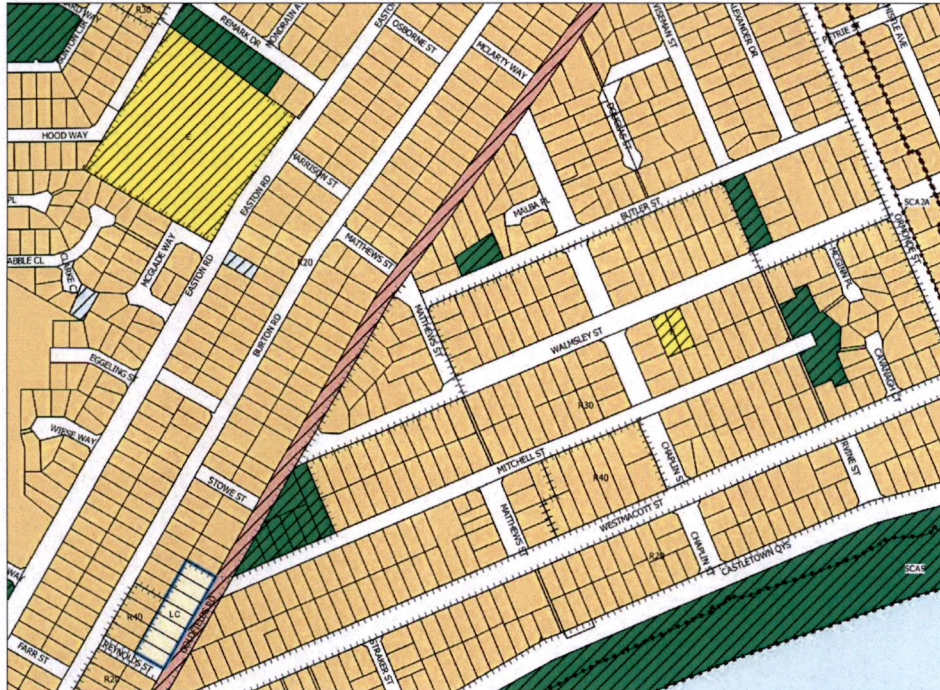
 Local Distributor Road

 Local Road

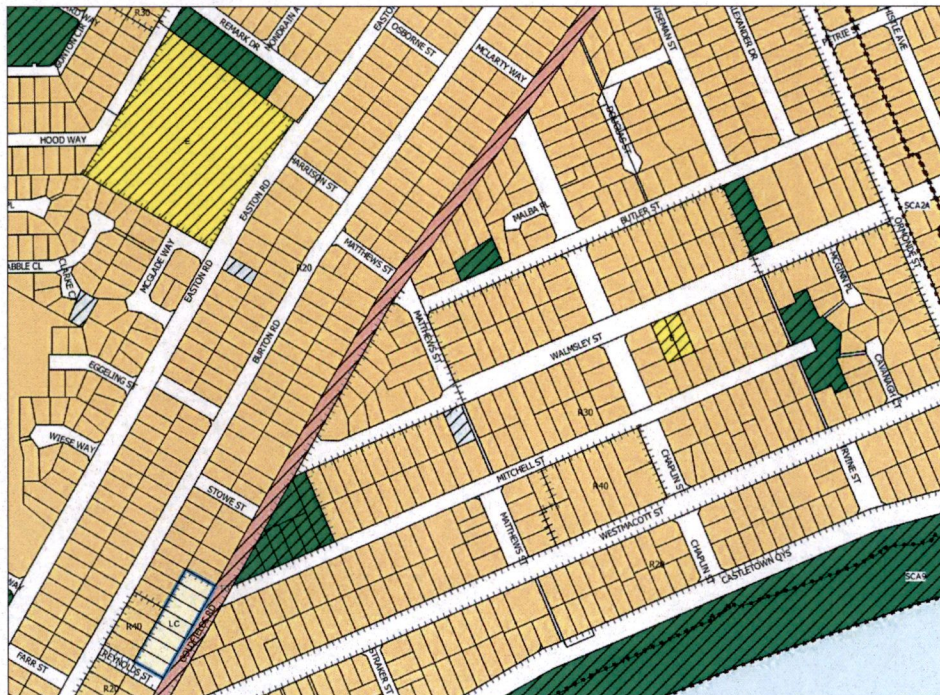
SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2





Current Zoning



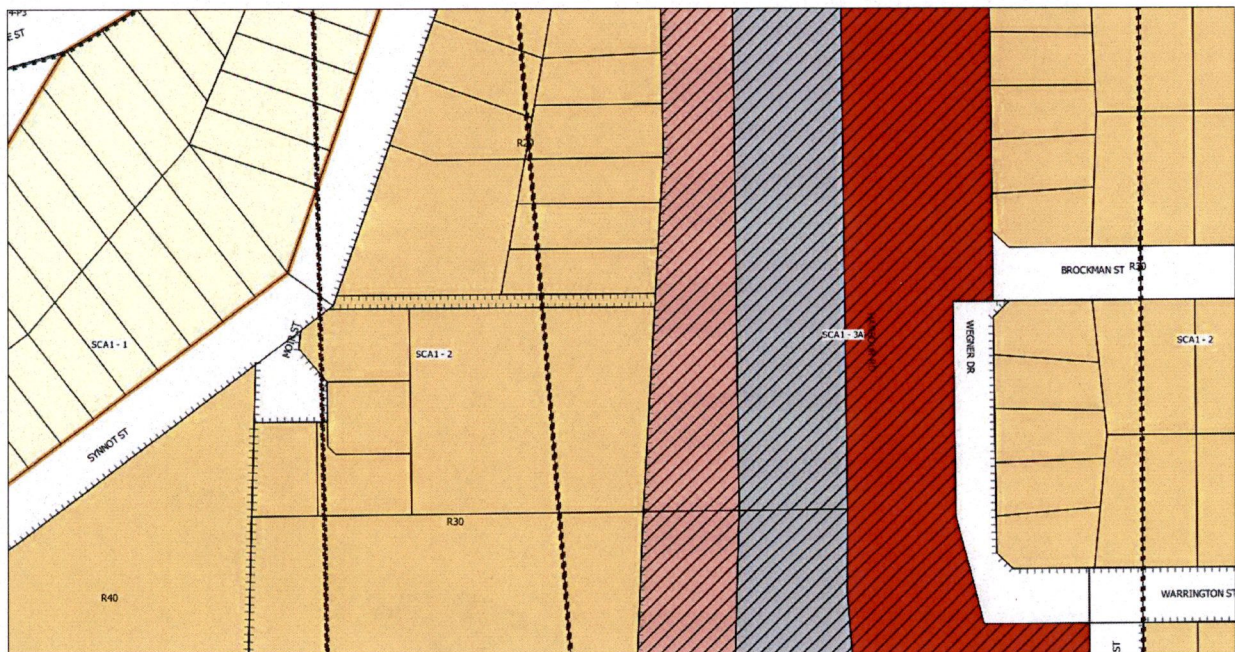
Proposed Zoning

LEGEND		
Zones	Reserves	Others
Residential	Public Open Space	Special control area
Local Centre	E - Education	
	Drainage / Waterway	
	Local Distributor Road	
	Local Road	

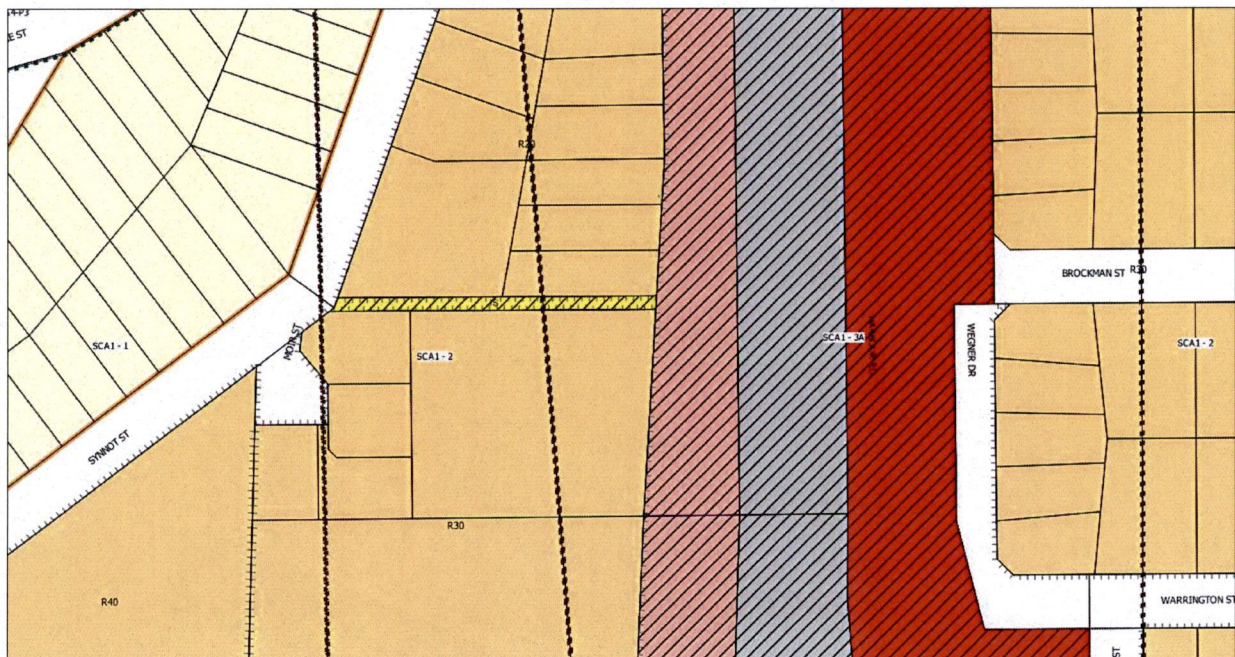
SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2





Current Zoning



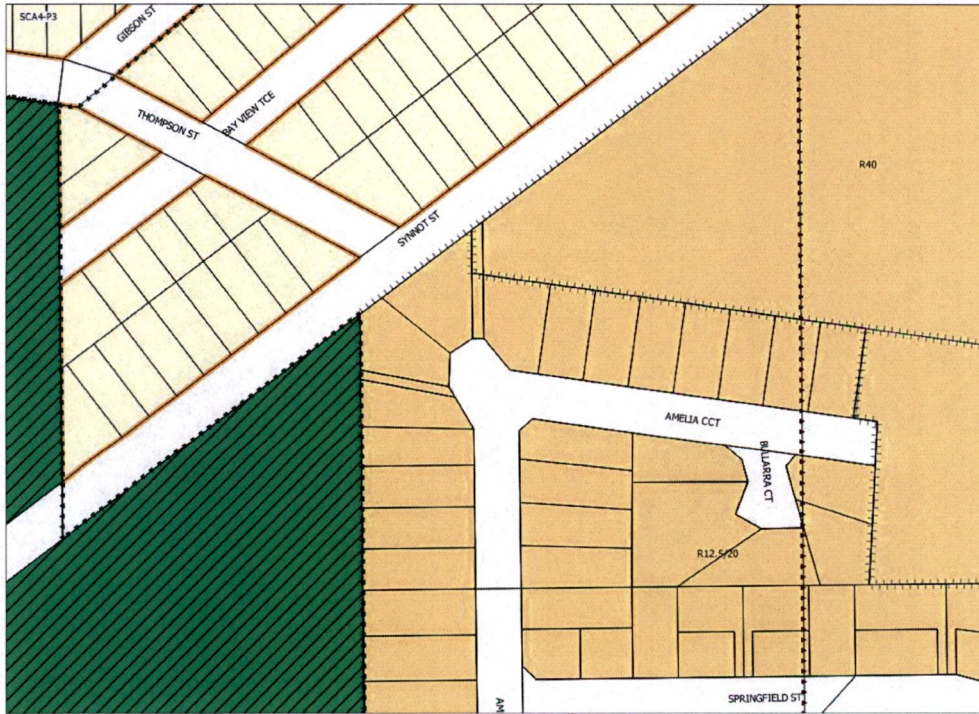
Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Residential	 Primary Distributor Road	 Special control area
 Urban Development	 Local Distributor Road	
	 IS - Infrastructure Services	
	 Local Road	

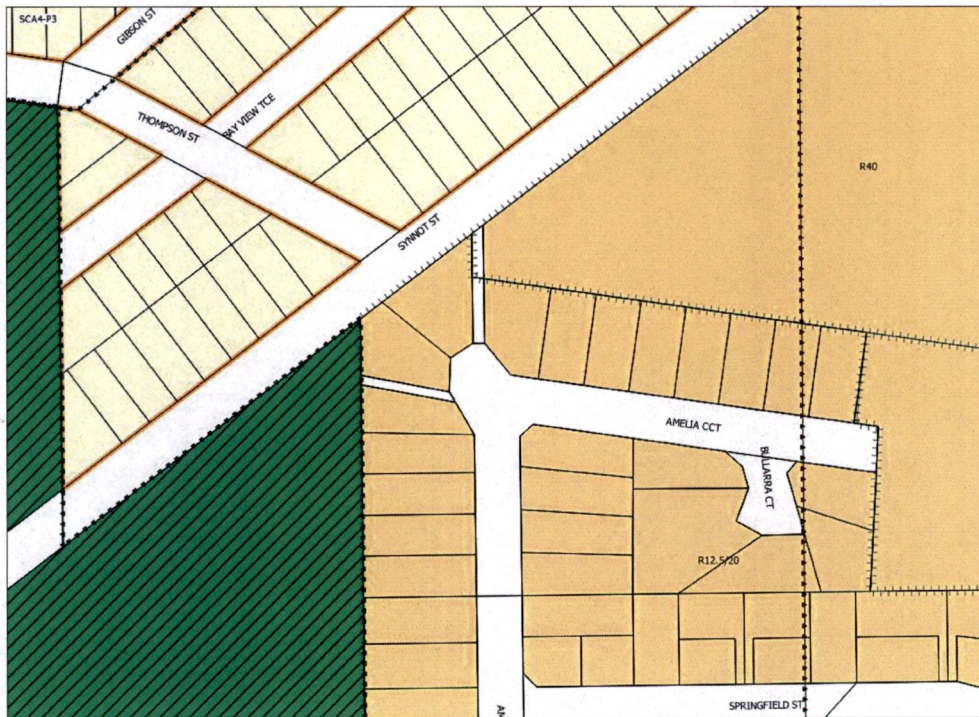
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2










Current Zoning



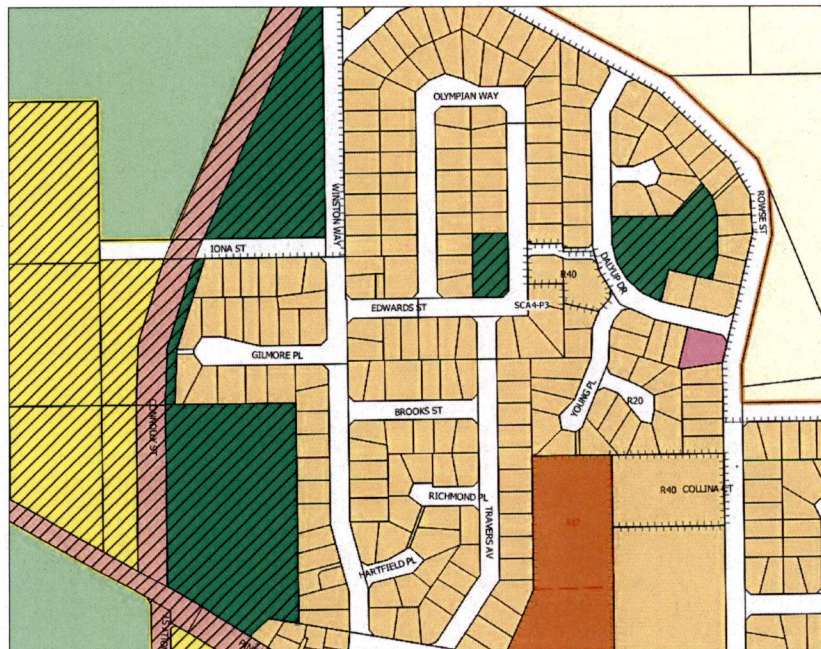
Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Residential	 Public Open Space	 Special control area
 Urban Development	 Local Road	

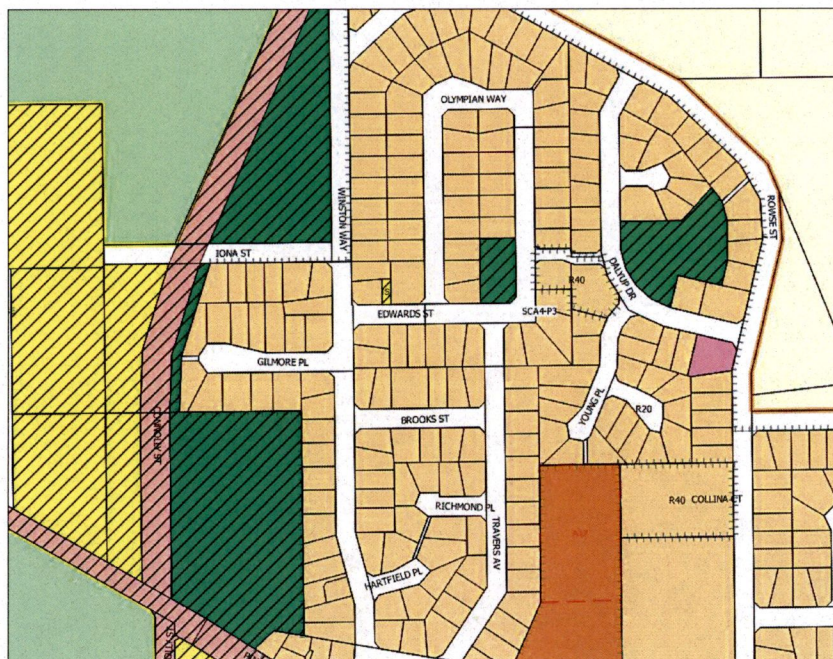
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2





Current Zoning



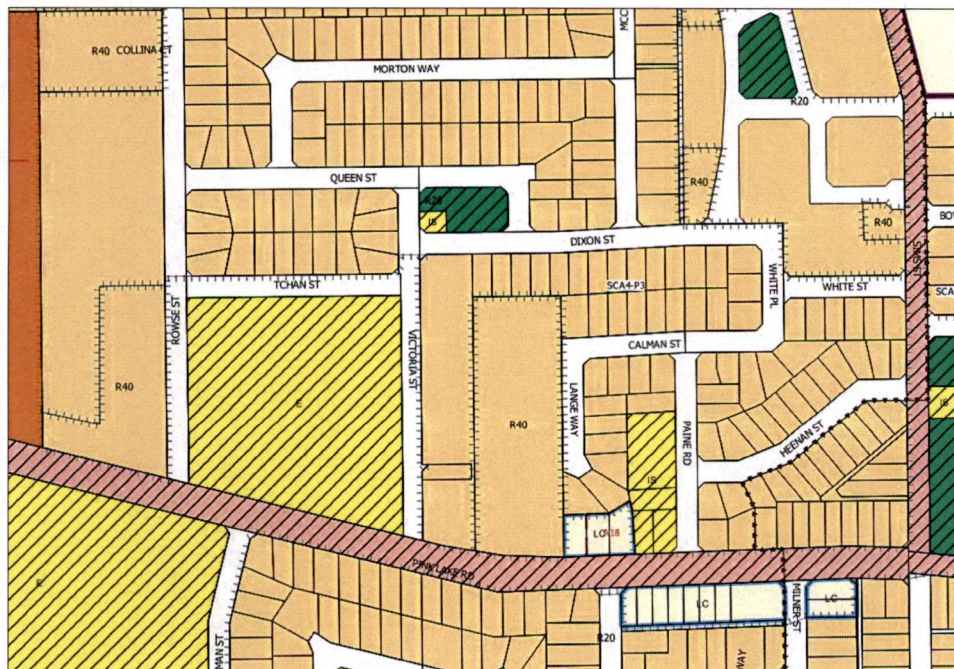
Proposed Zoning

LEGEND	
Zones	
	Residential
	Tourism
	Local Centre
	Urban Development
	Mixed Use
	Rural Residential
Reserves	
	Public Open Space
	IS - Infrastructure Services
	CE - Cemetery
	Drainage / Waterway
	Local Distributor Road
	Local Road

SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2





Current Zoning



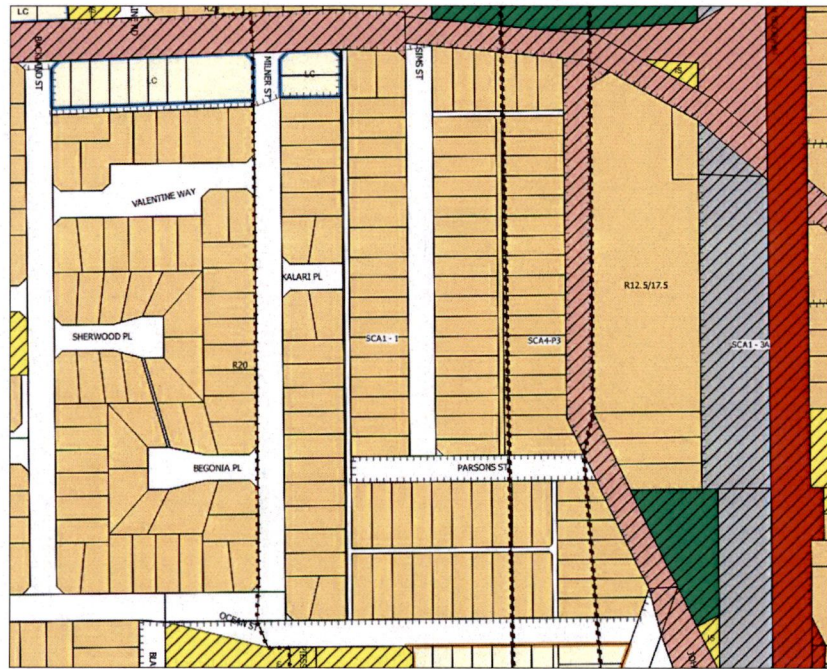
Proposed Zoning

LEGEND		
Zones	Reserves	Others
Residential	Public Open Space	Special control area
Tourism	E - Education	
Local Centre	IS - Infrastructure Services	
Urban Development	Local Distributor Road	
	Local Road	

SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2





Current Zoning



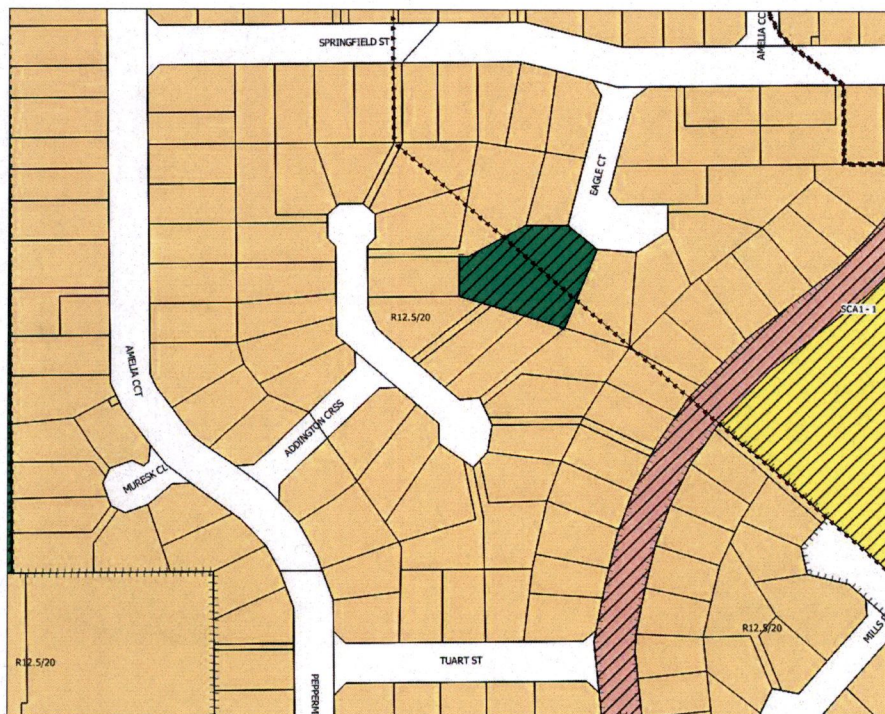
Proposed Zoning

LEGEND		
Zones	Reserves	Others
Residential	Public Open Space	Special control area
Tourism	E - Education	
Local Centre	IS - Infrastructure Services	
Urban Development	Primary Distributor Road	
	Local Distributor Road	
	Local Road	
	Railways	

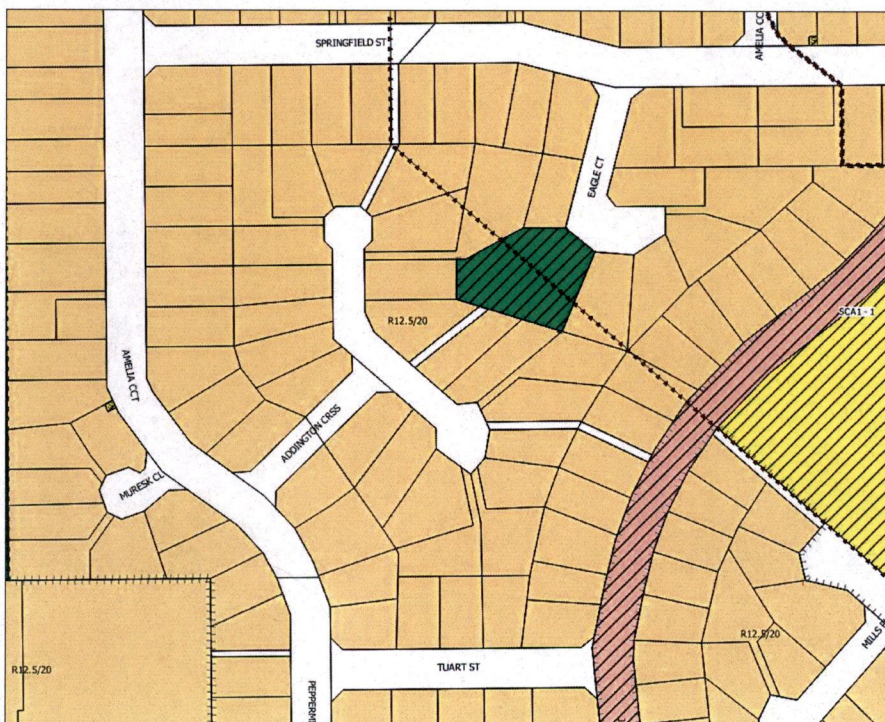
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2






Current Zoning




Proposed Zoning


#### LEGEND

##### Zones


 Residential

##### Reserves


 Public Open Space

 E - Education

 Local Distributor Road

 Local Road

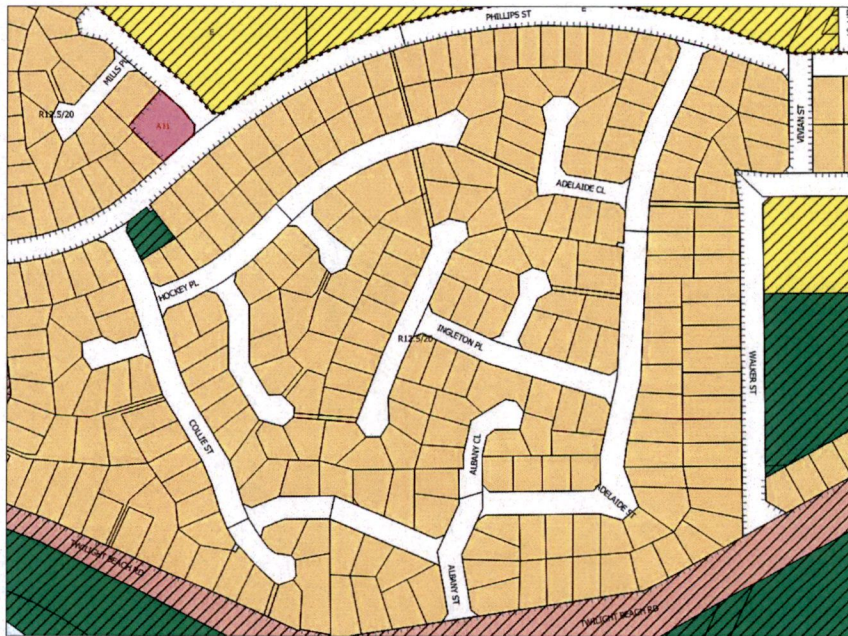
##### Others

 Special control area

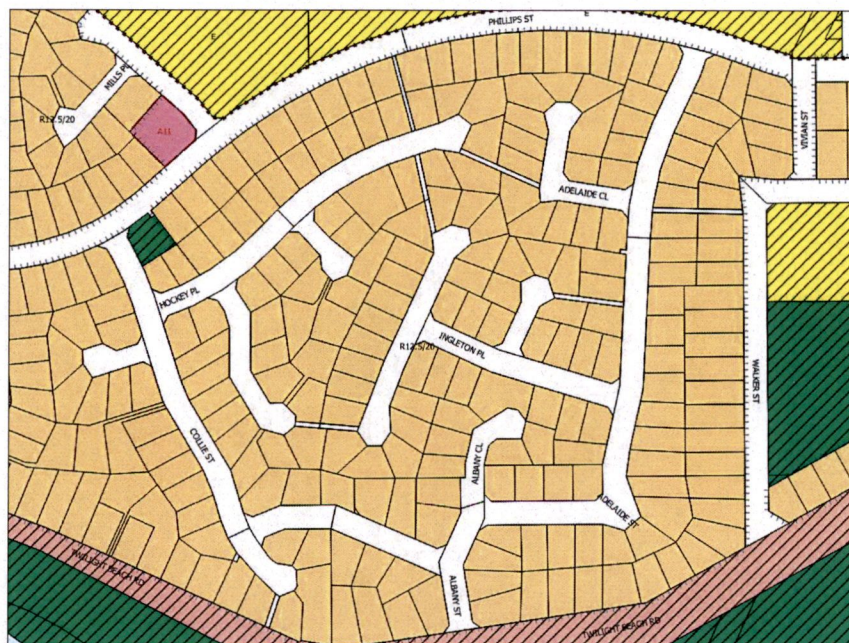
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2











Current Zoning



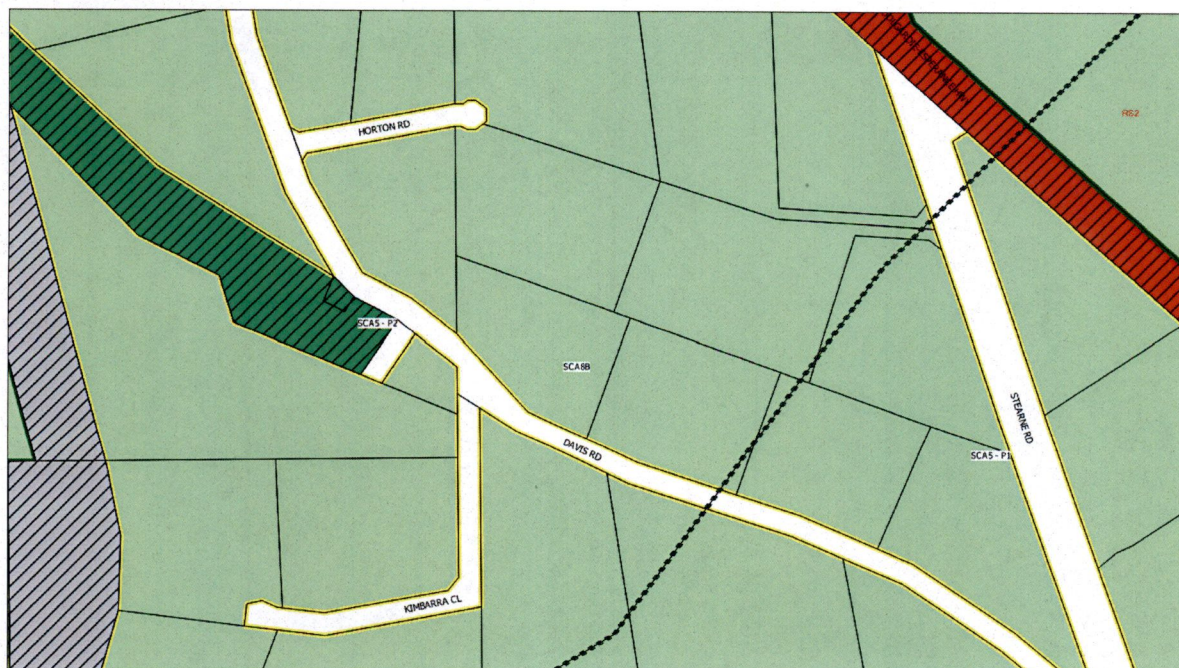
Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Residential	 Public Open Space	 Special control area
	 E - Education	
	 Local Distributor Road	
	 Local Road	

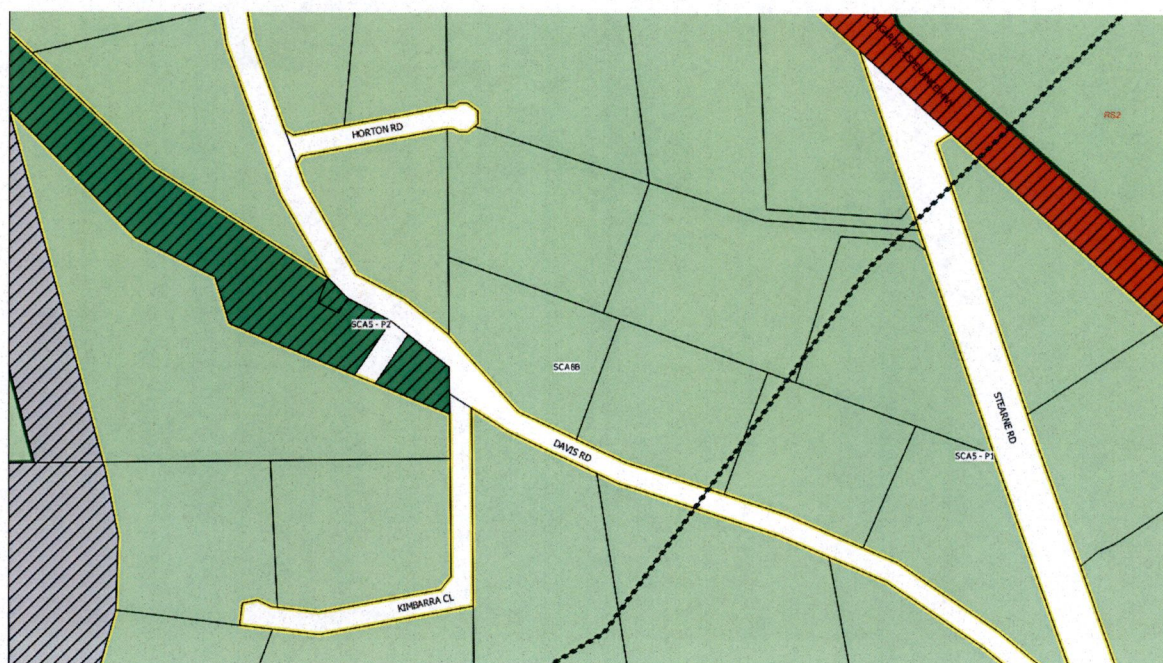
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2












Current Zoning



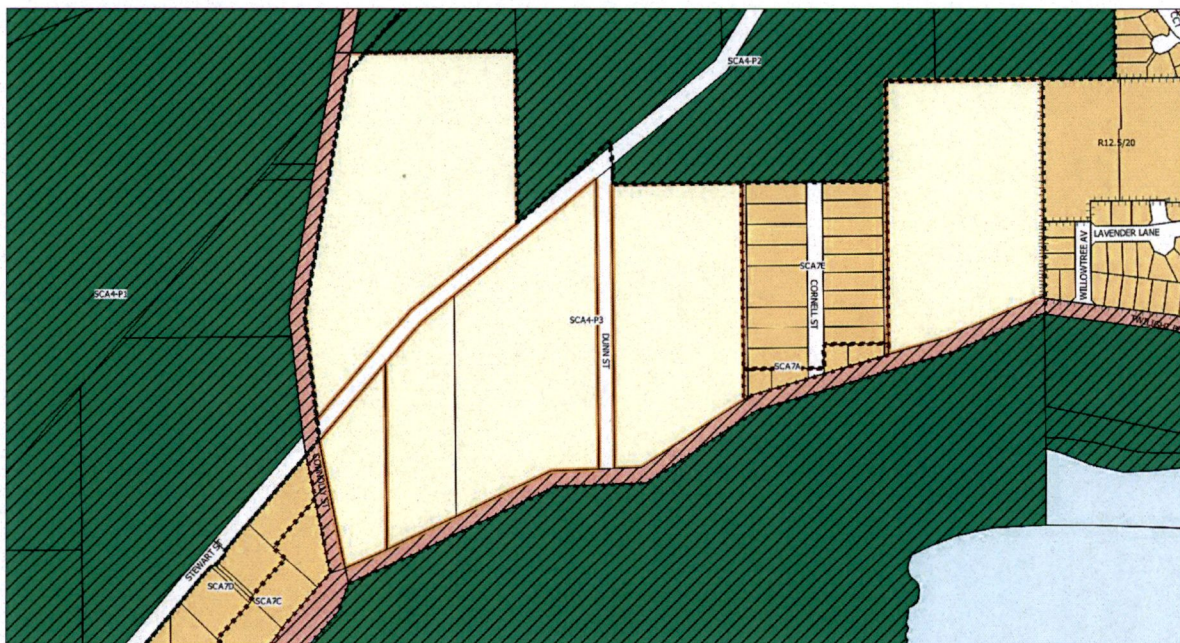
Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Rural Residential	 Public Open Space	 Special control area
 Rural Smallholdings	 Primary Distributor Road	
	 Local Road	
	 Railways	

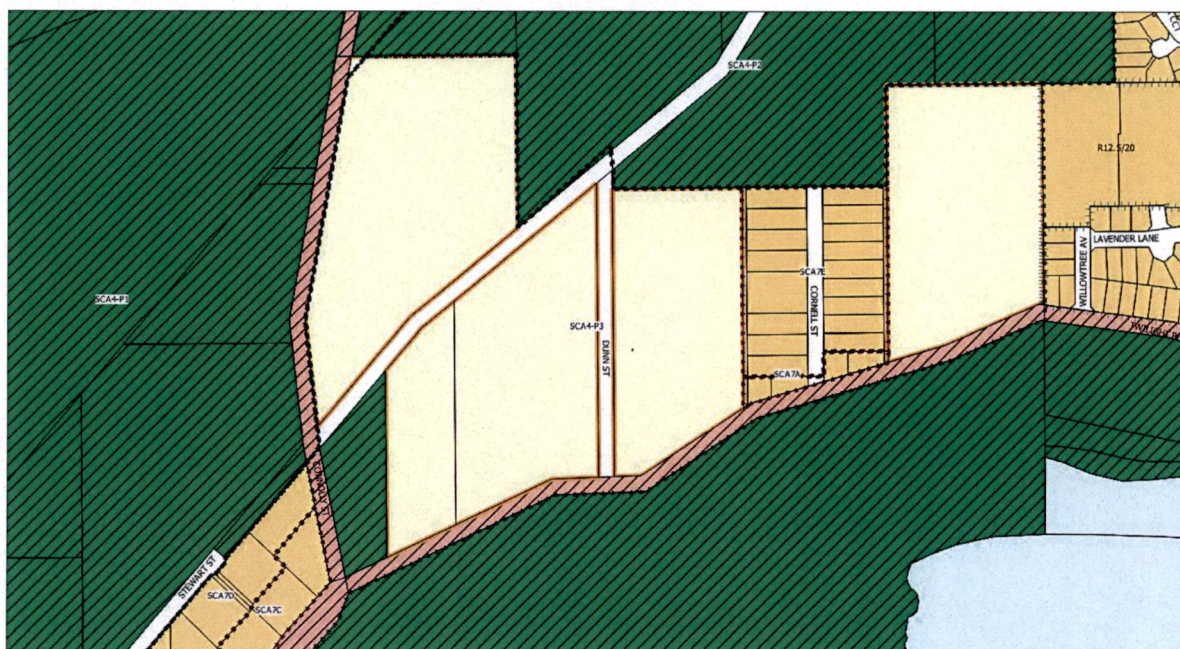
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2







Current Zoning



Proposed Zoning

## LEGEND



### Zones

-  Residential
-  Urban Development

### Reserves

-  Public Open Space
-  Local Distributor Road
-  Local Road

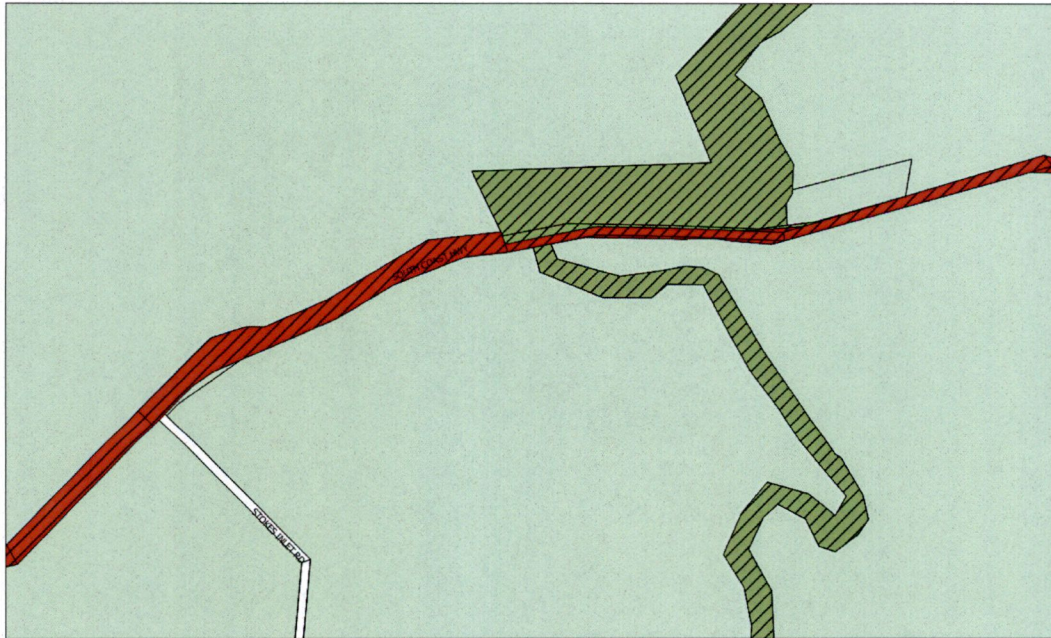
### Others

-  Special control area
-  Special control area - Environment

SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2





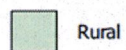
Current Zoning



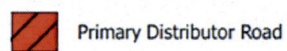
Proposed Zoning

#### LEGEND

##### Zones



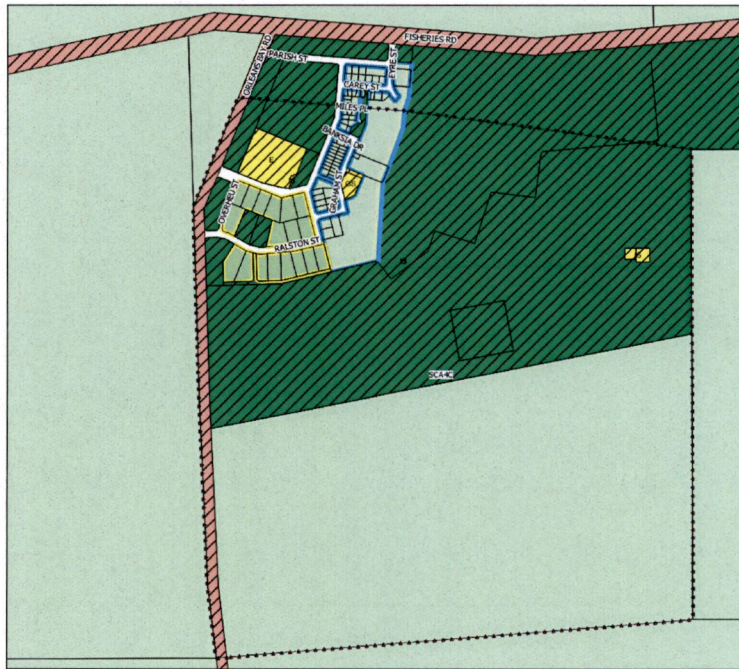
##### Reserves



**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2





Current Zoning



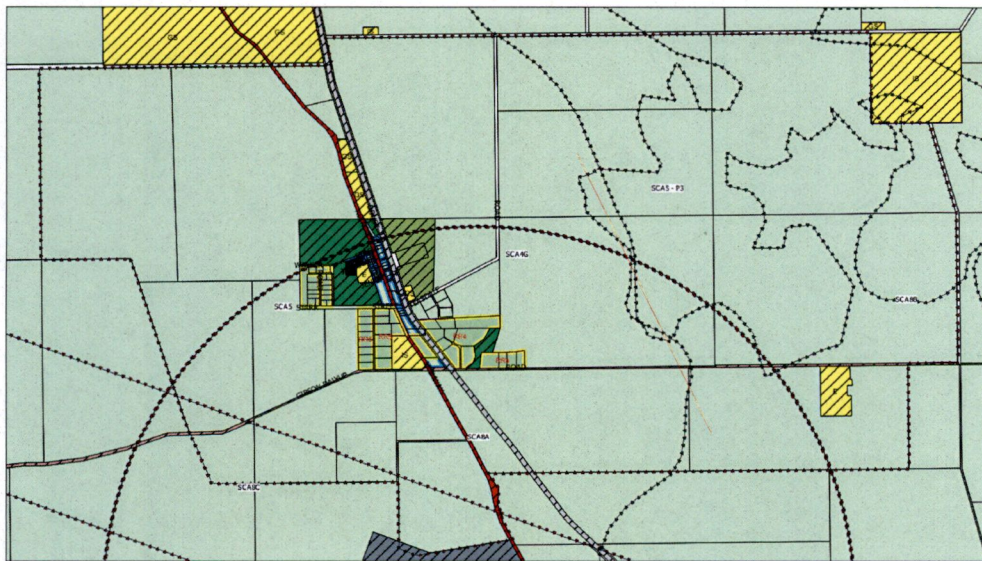
Proposed Zoning

LEGEND		
Zones	Reserves	Others
Rural Townsite Zone	Public Open Space	Special control area
Rural Residential	Local Distributor Road	<b>Additional Uses</b>
Rural	Local Road	A1 See Scheme Text
	IS - Infrastructure Services	
	GS - Government Services	
	E - Education	
	ES - Emergency Services	

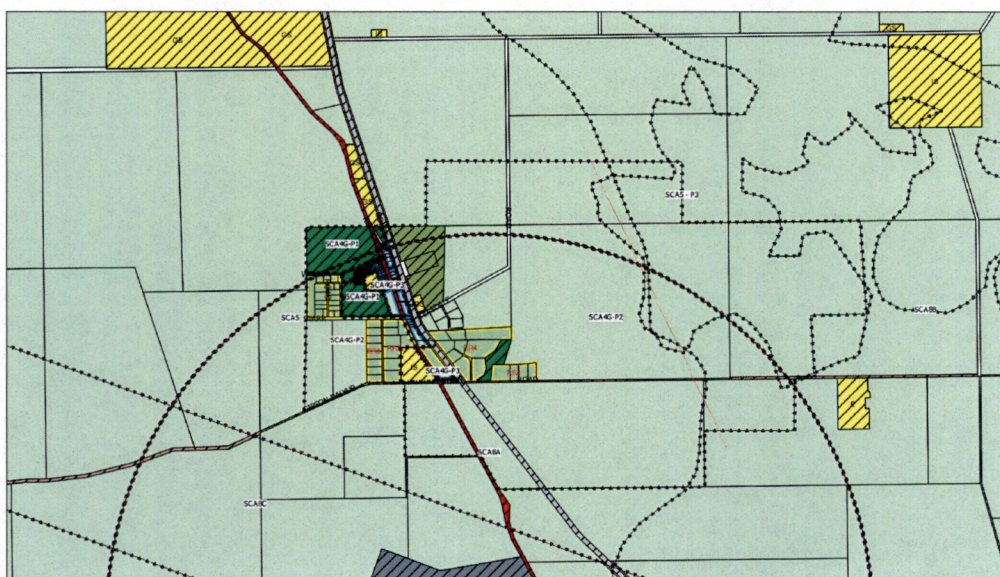
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 4





Current Zoning



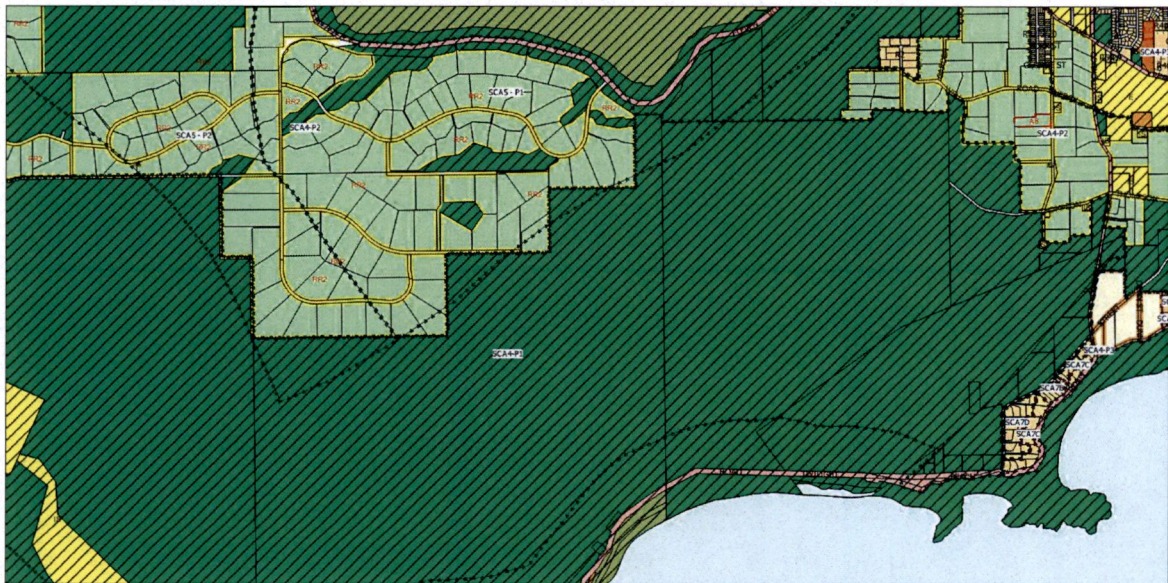
Proposed Zoning

LEGEND		
Zones	Reserves	Others
Rural Townsite Zone	Public Open Space	Special control area
Rural Residential	Environmental Conservation	Special control area
Rural	Primary Distributor Road	
	Local Road	
	Railways	
	IS - Infrastructure Services	
	GS - Government Services	
	E - Education	
	ES - Emergency Services	

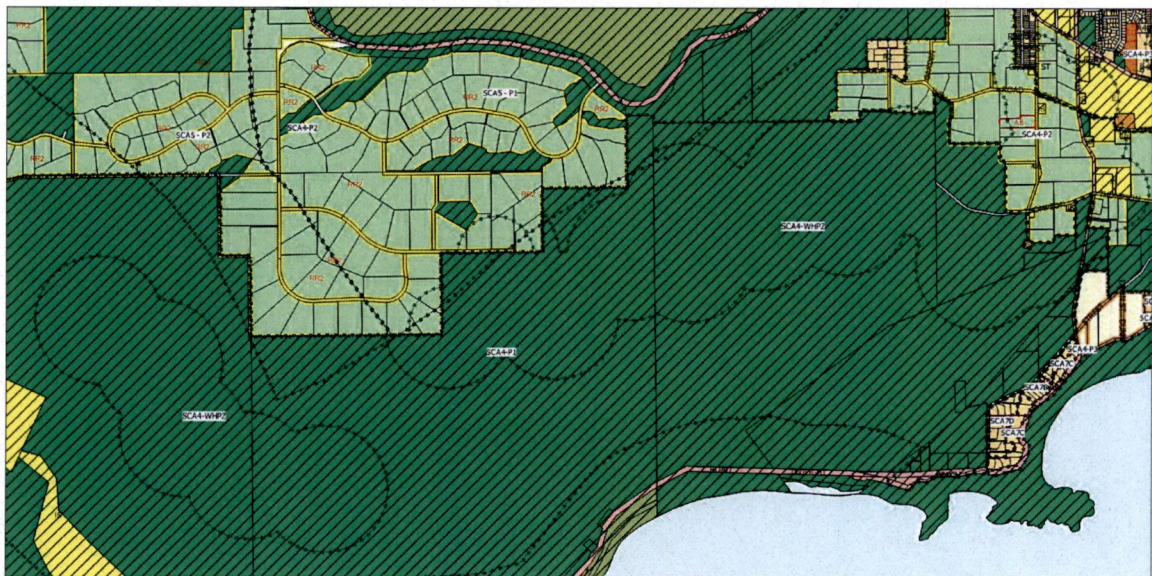
SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2





Current Zoning



Proposed Zoning

#### LEGEND

##### Zones

- Rural Residential
- Residential
- Urban Development
- Tourism

##### Reserves

- Environmental Conservation
- Public Open Space
- Local Distributor Road
- IS - Infrastructure Services
- GS - Government Services
- E - Education

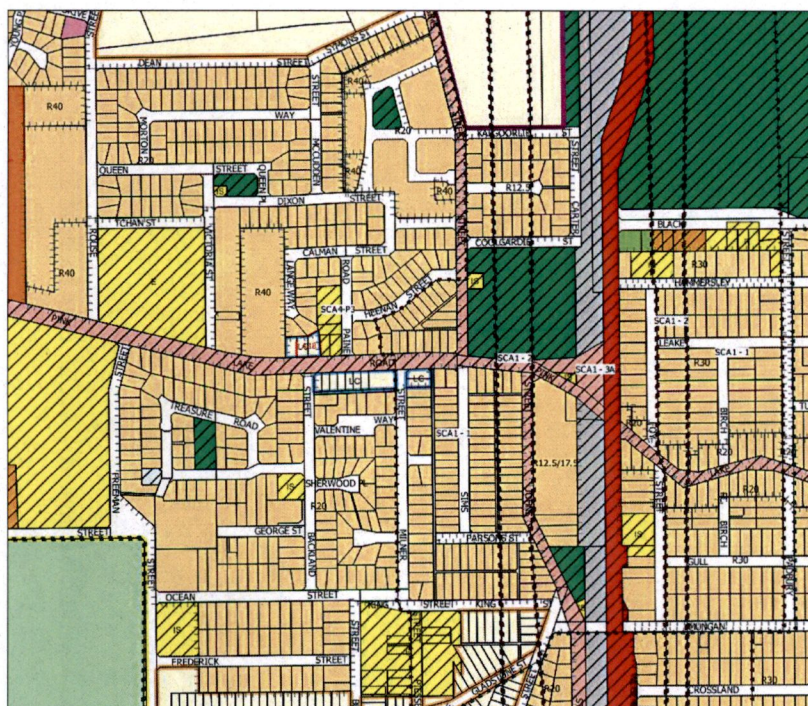
##### Others

- Special control area


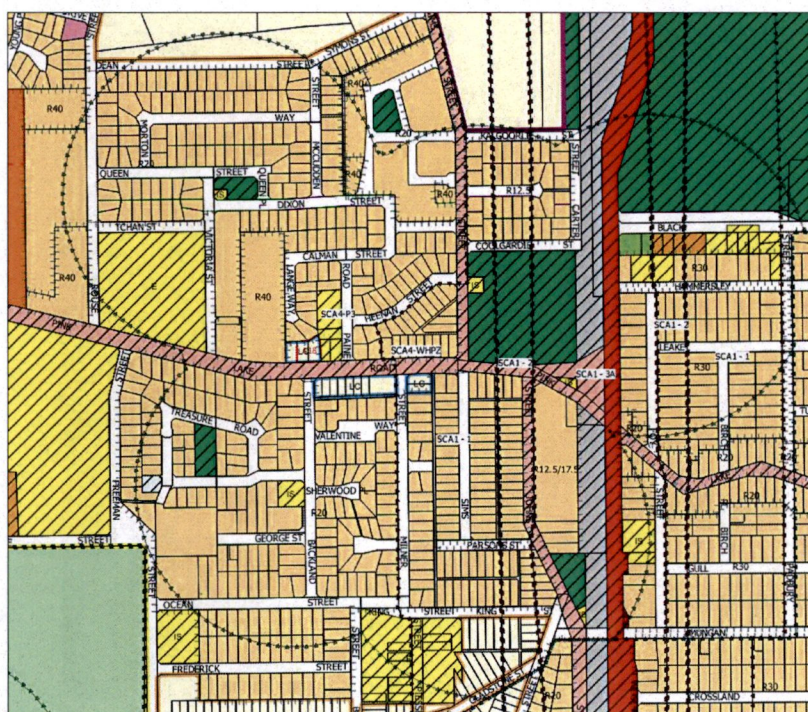
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2




















### Current Zoning



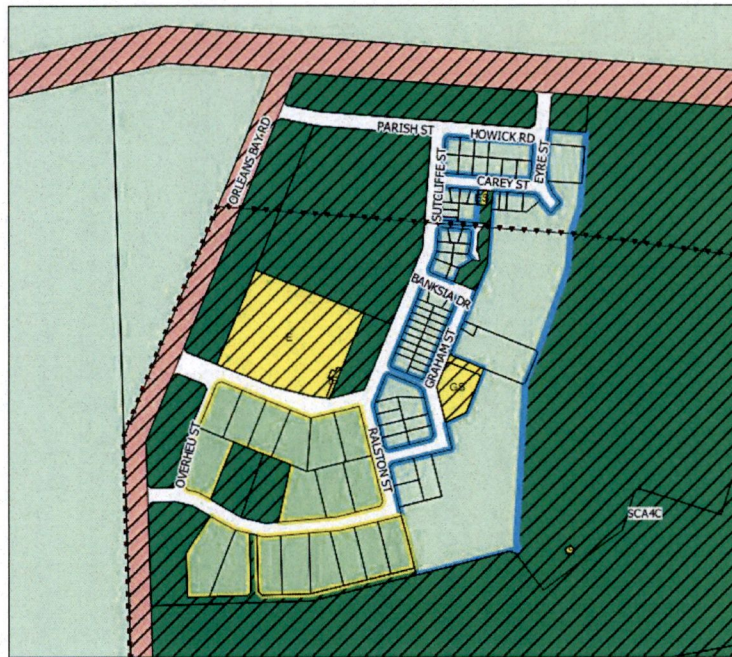
**Proposed Zoning**

LEGEND		
Zones	Reserves	Others
 Rural Residential	 Public Open Space	 Special control area
 Residential	 Primary Distributor Road	 Special control area
 Urban Development	 Local Distributor Road	<b>Additional Uses</b>
 Tourism	 IS - Infrastructure Services	 A1 See Scheme Text
 Local Centre	 GS - Government Services	
 Private Community Purposes	 E - Education	

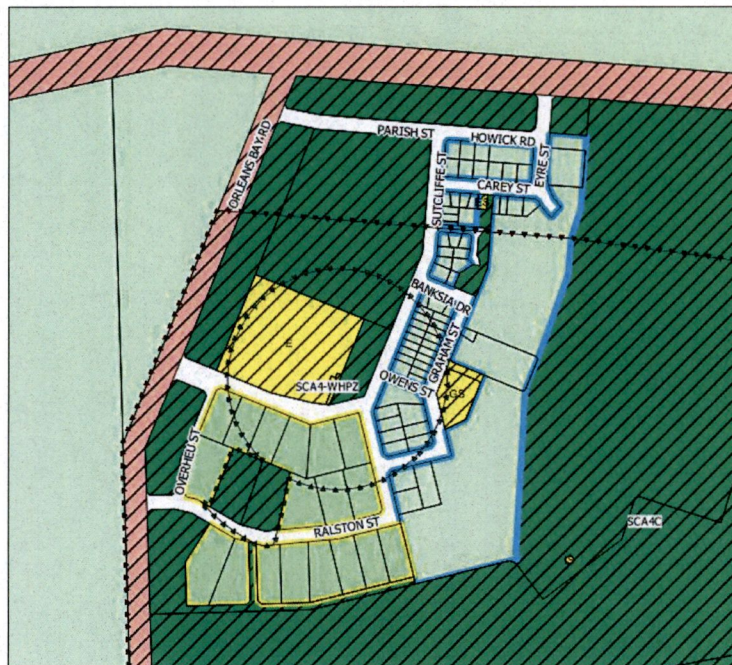
## SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

**AMENDMENT NO. 2**








Current Zoning



Proposed Zoning

#### LEGEND

##### Zones

-  Rural Townsite Zone
-  Rural Residential
-  Rural

##### Reserves

-  Public Open Space
-  Local Distributor Road
-  Local Road
-  IS - Infrastructure Services
-  GS - Government Services
-  E - Education
-  ES - Emergency Services

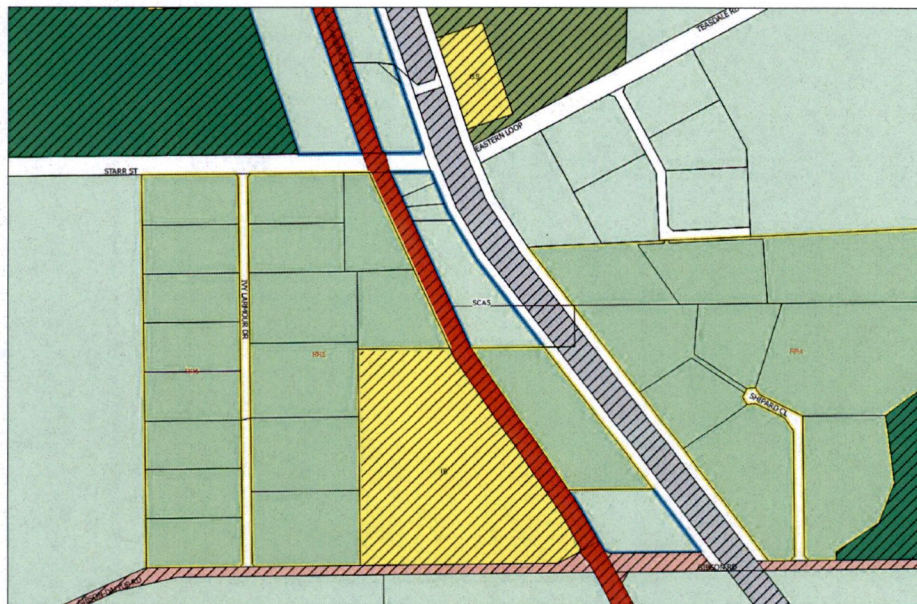
##### Others

-  Special control area
-  Additional Uses
-  A1 See Scheme Text

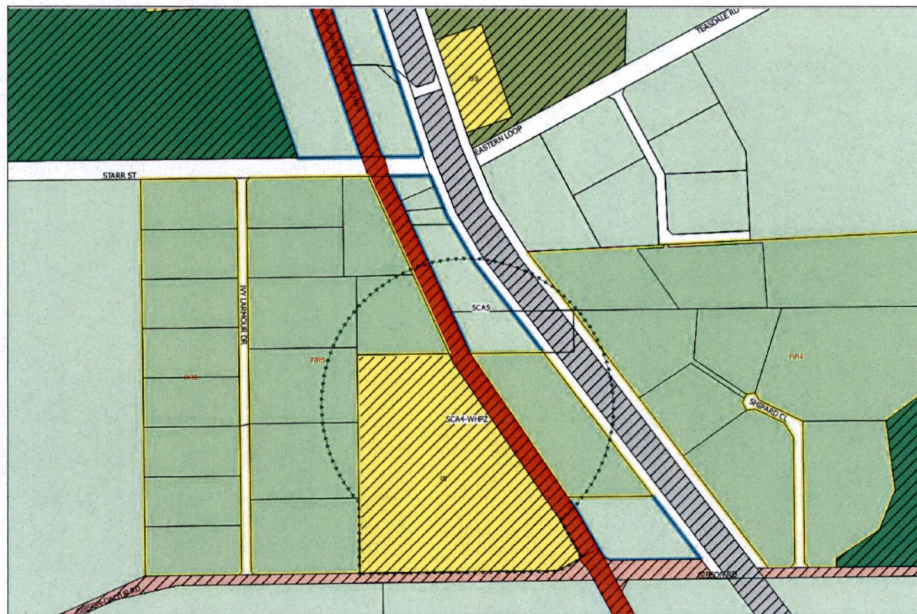
SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 4








Current Zoning








Proposed Zoning

#### LEGEND



##### Zones

-  Rural Townsite Zone
-  Rural Residential
-  Rural

##### Reserves

-  Public Open Space
-  Environmental Conservation
-  Primary Distributor Road
-  Local Distributor Road
-  Local Road
-  Railways
-  IS - Infrastructure Services
-  GS - Government Services

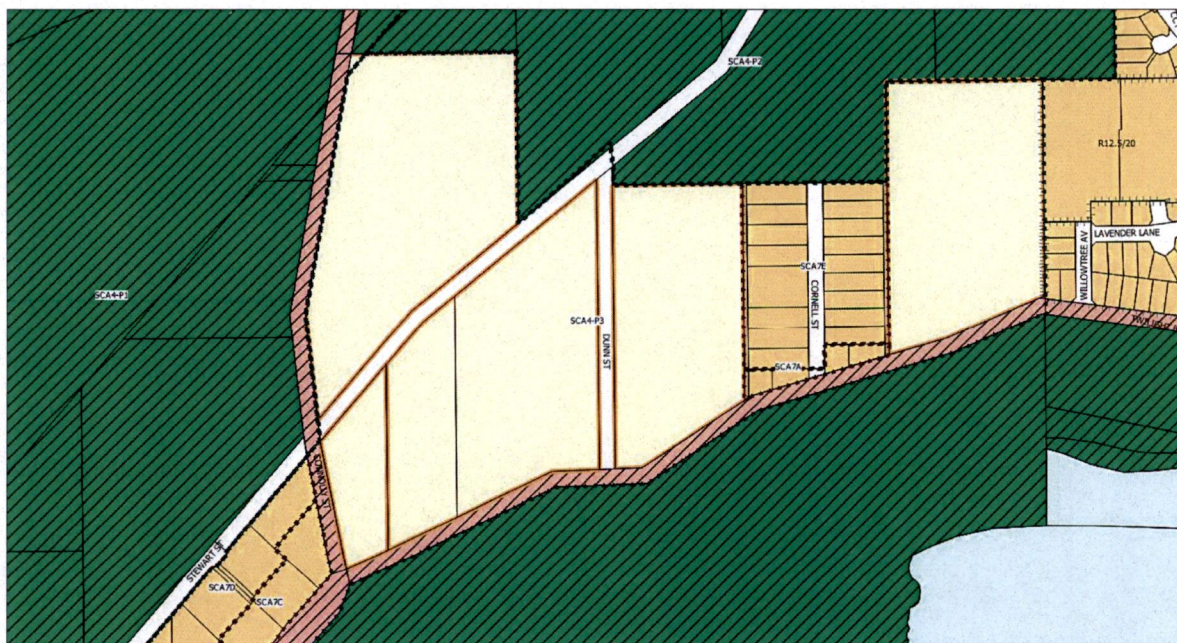
##### Others

-  Special control area
-  Special control area

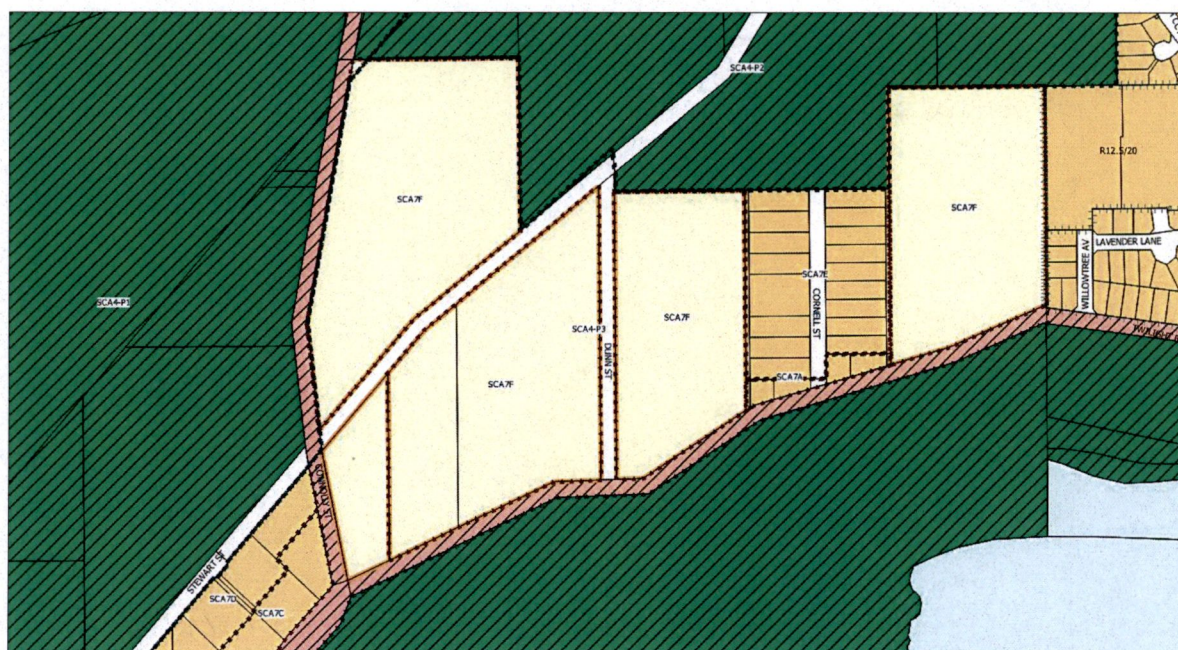
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2





Current Zoning



Proposed Zoning

## LEGEND

### Zones

- Residential
- Urban Development

### Reserves

- Public Open Space
- Local Distributor Road
- Local Road

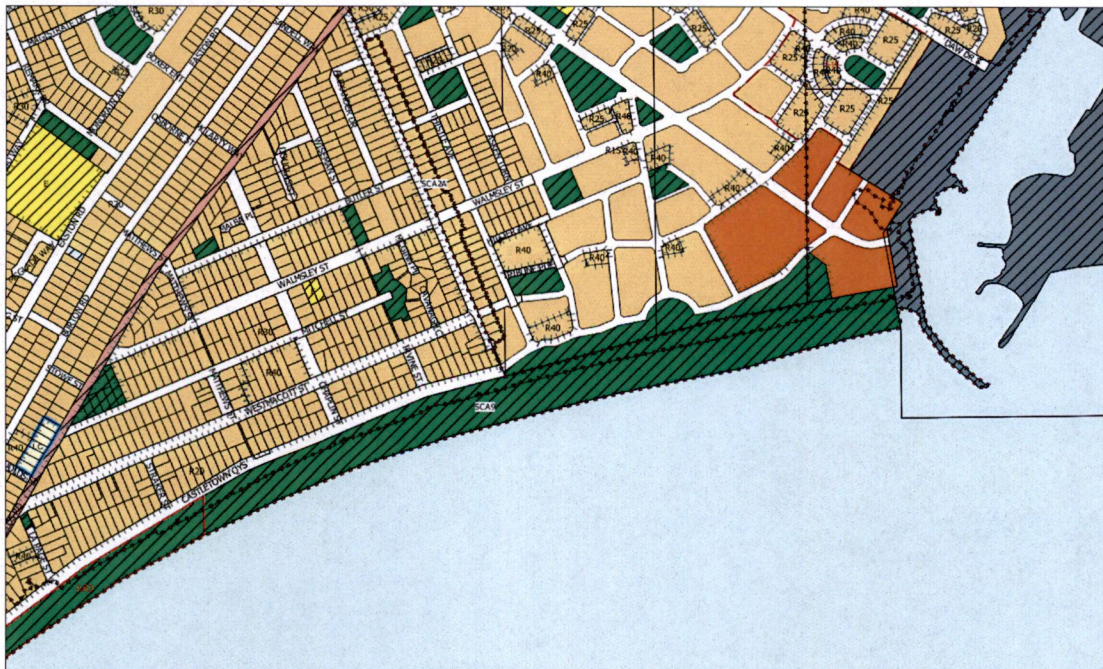
### Others

- Special control area
- Special control area - Environment

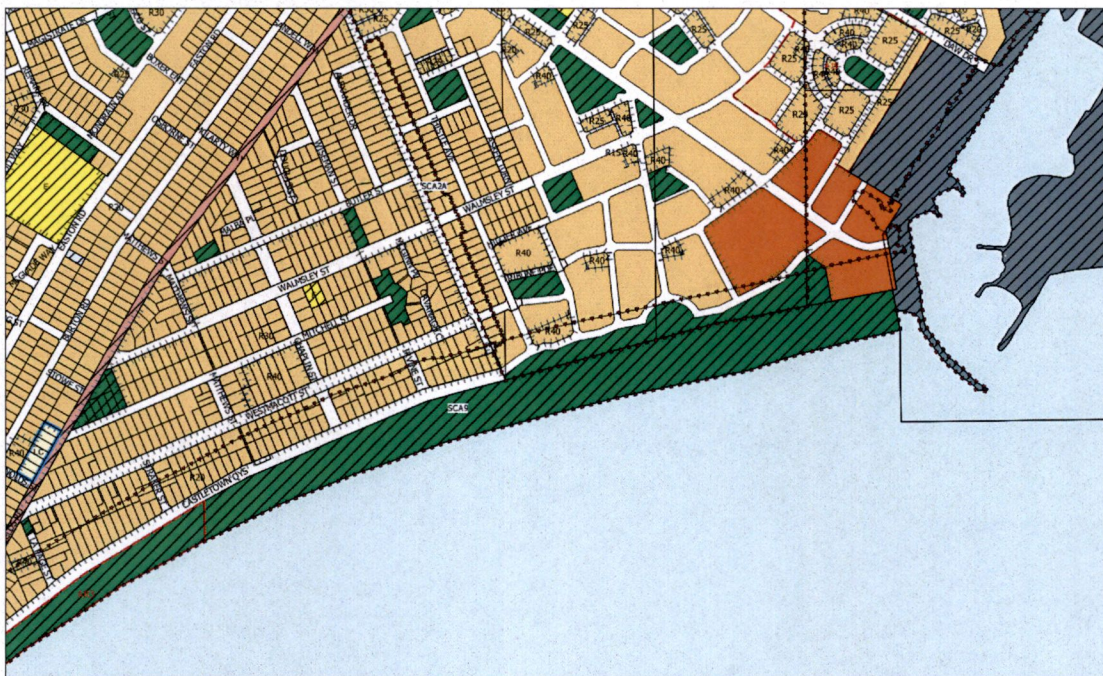
SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2













Current Zoning



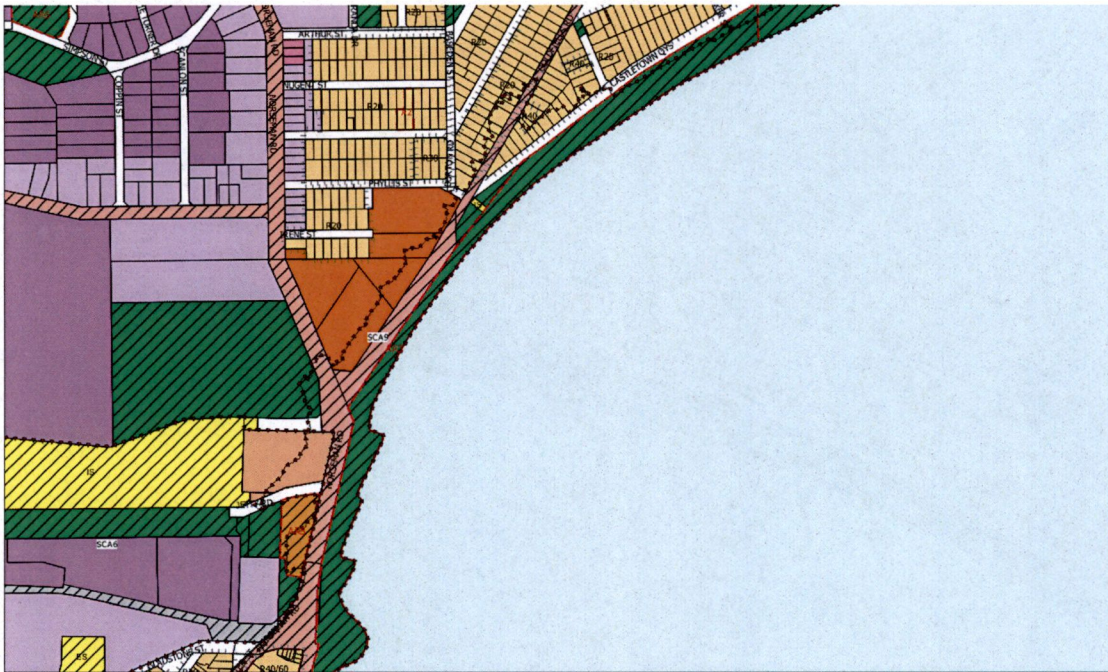
Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Residential	 Public Open Space	 Special control area
 Tourism	 E - Education	
 Local Centre	 Local Distributor Road	
	 Strategic Infrastructure	

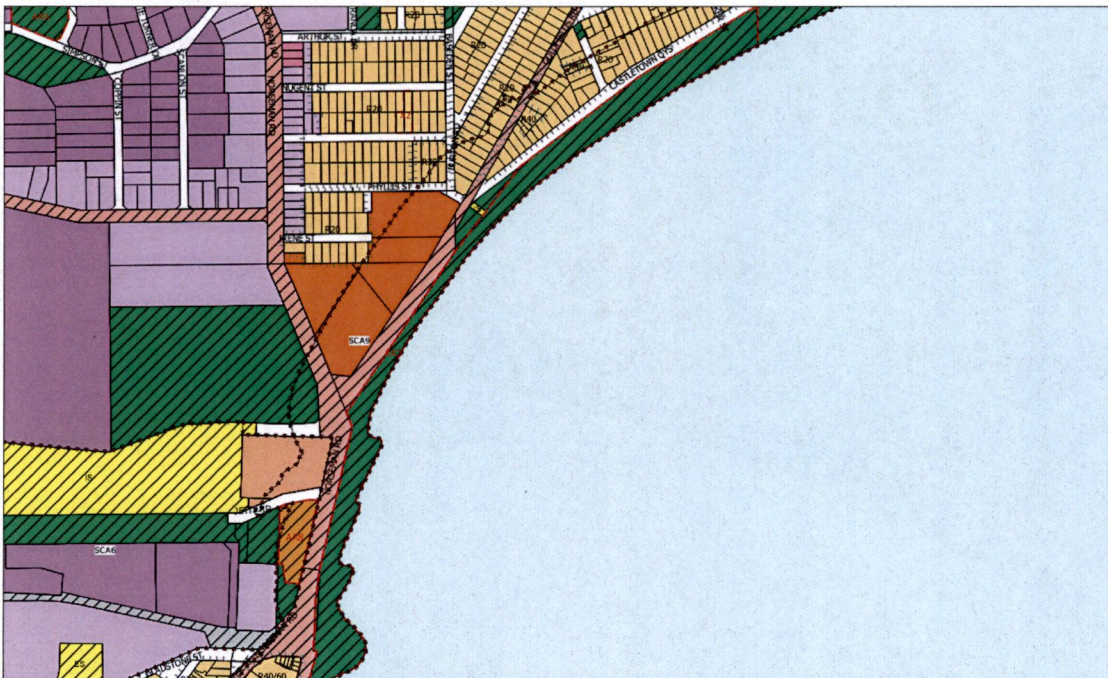
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2
















Current Zoning



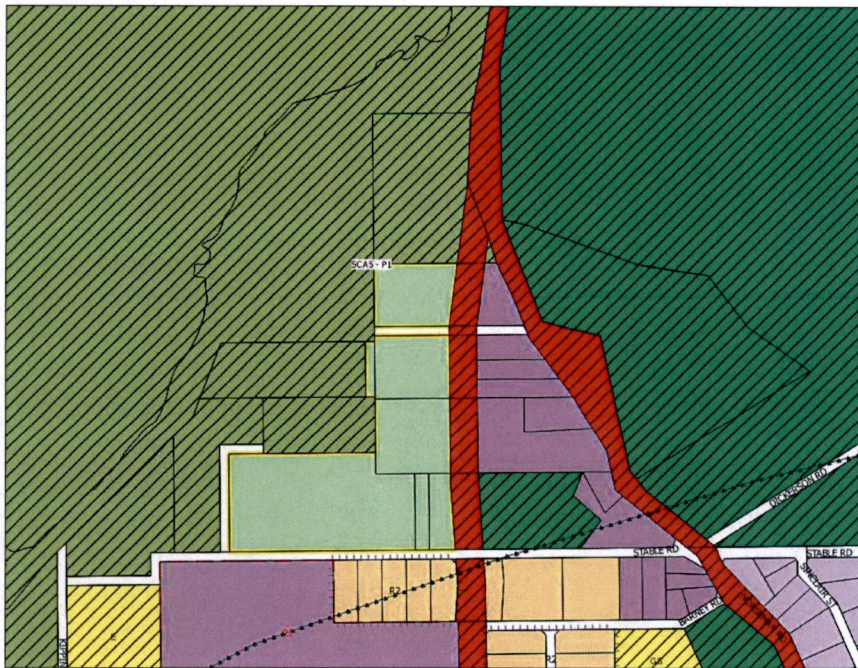
Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Residential	 Public Open Space	 Special control area
 Light Industry	 IS - Infrastructure Services	Additional Uses Reserves
 General Industry	 ES - Emergency Services	 AR1 - See Scheme Text
 Tourism	 Local Distributor Road	
 Cultural and Natural Resource Zone		

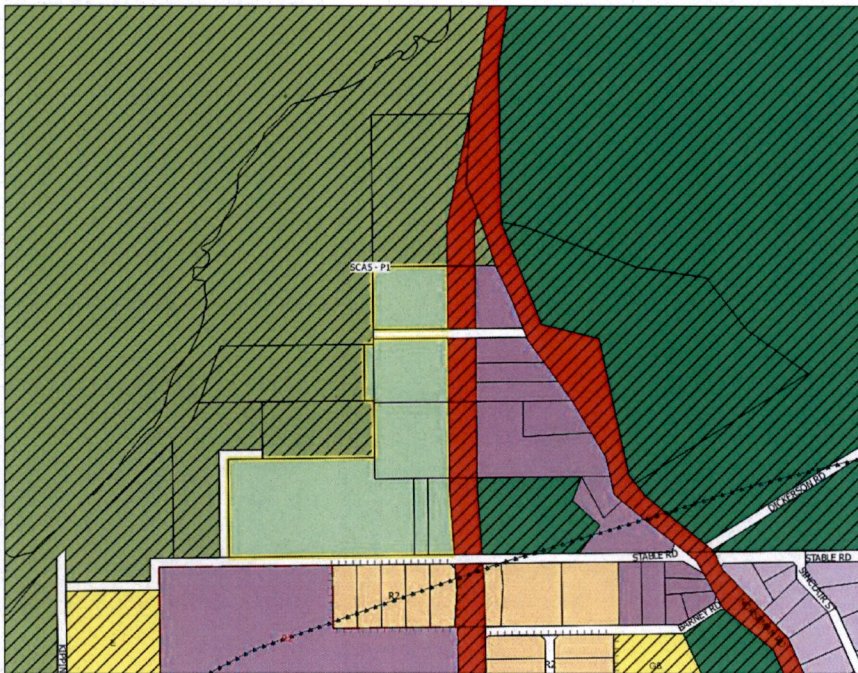
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2







Current Zoning



Proposed Zoning

**LEGEND**



**Zones**

-  Residential
-  Light Industry
-  General Industry
-  Rural Residential

**Reserves**

-  Public Open Space
-  Environmental Conservation
-  Primary Distributor Road
-  Local Road
-  GS - Government Services
-  E - Education

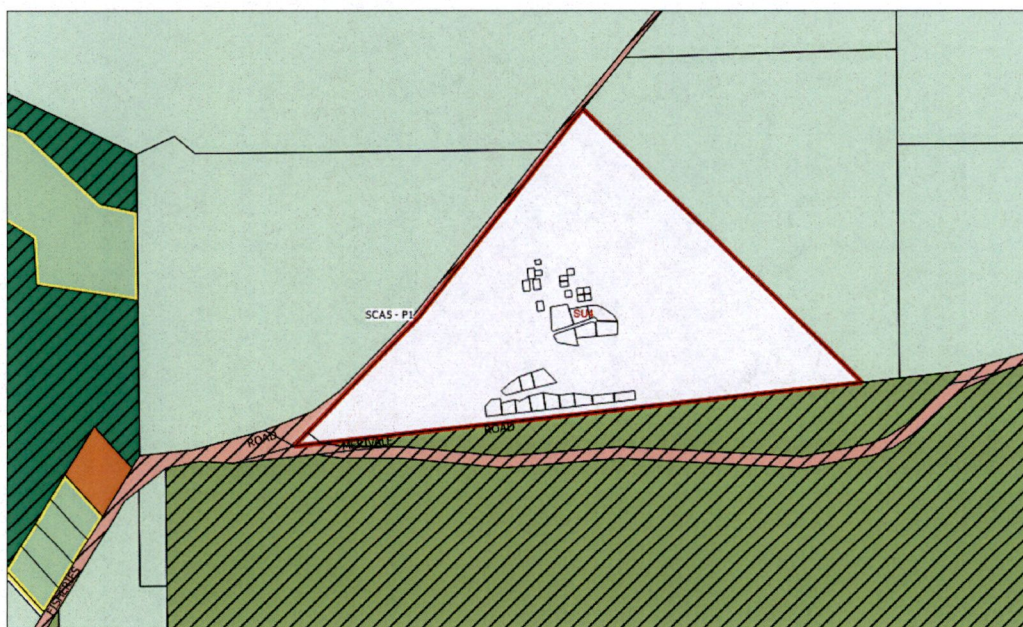
**Others**

-  Special control area
- Restricted Uses**
-  R1 - See Scheme Text

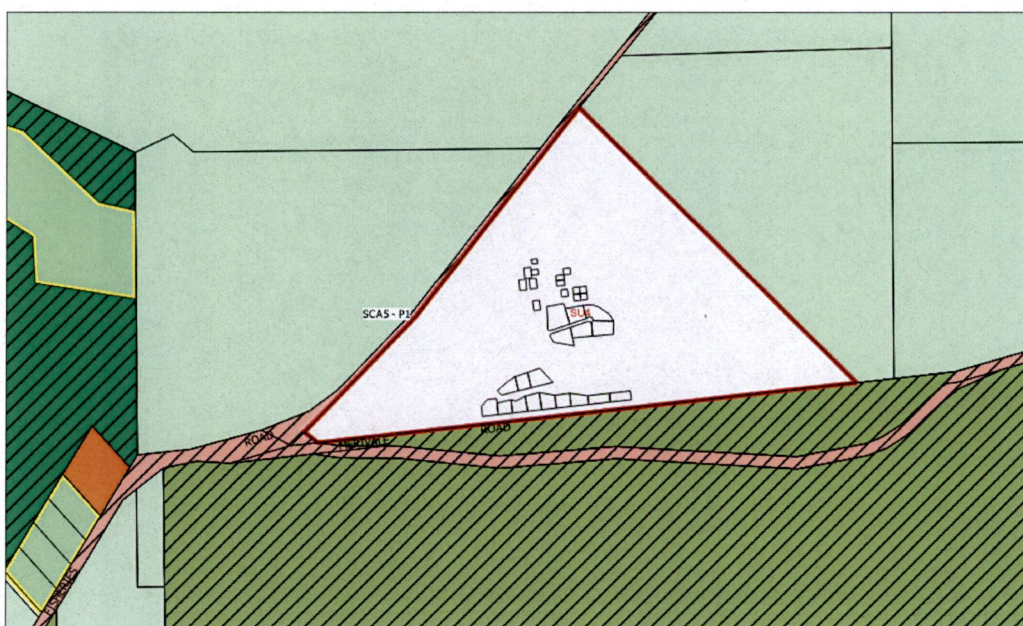
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2











Current Zoning



Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Rural Residential	 Public Open Space	Special Uses
 Rural	 Environmental Conservation	 SU1 - See Scheme Text
	 Local Distributor Road	

**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2





Current Zoning



Proposed Zoning

#### LEGEND

##### Zones

- Rural Residential
- Rural Smallholdings
- Rural

##### Reserves

- Environmental Conservation
- Public Open Space
- Primary Distributor Road
- Railways

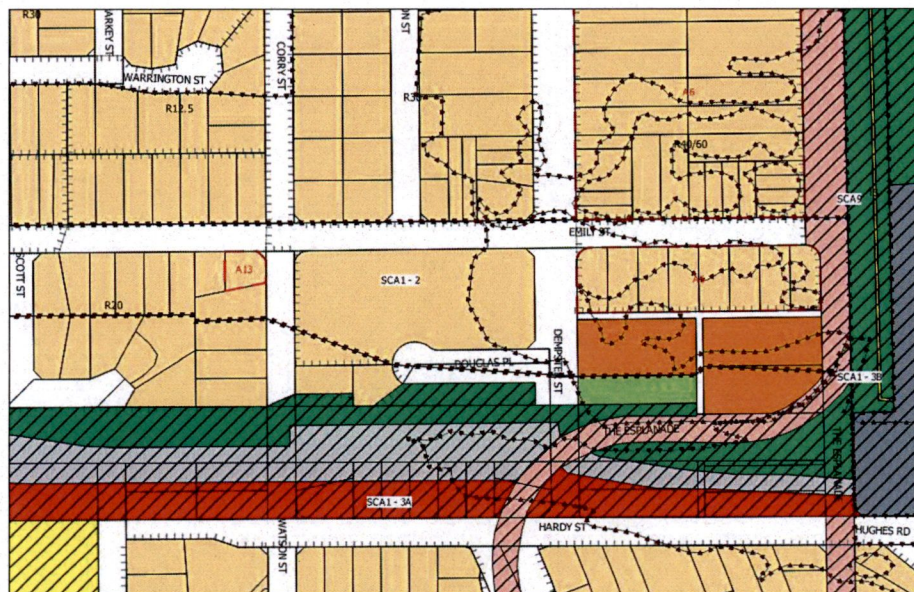
##### Others

- Special control area

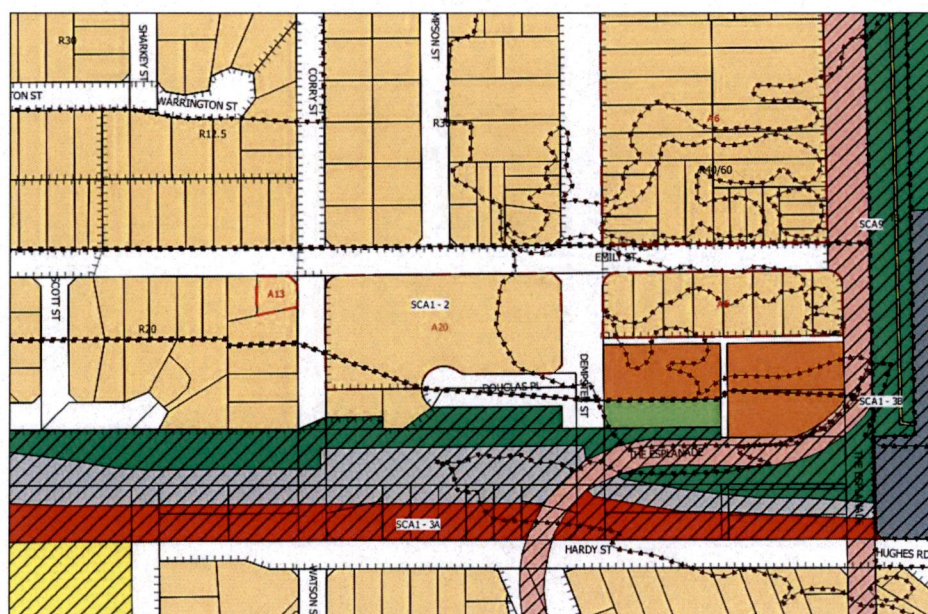
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2





Current Zoning



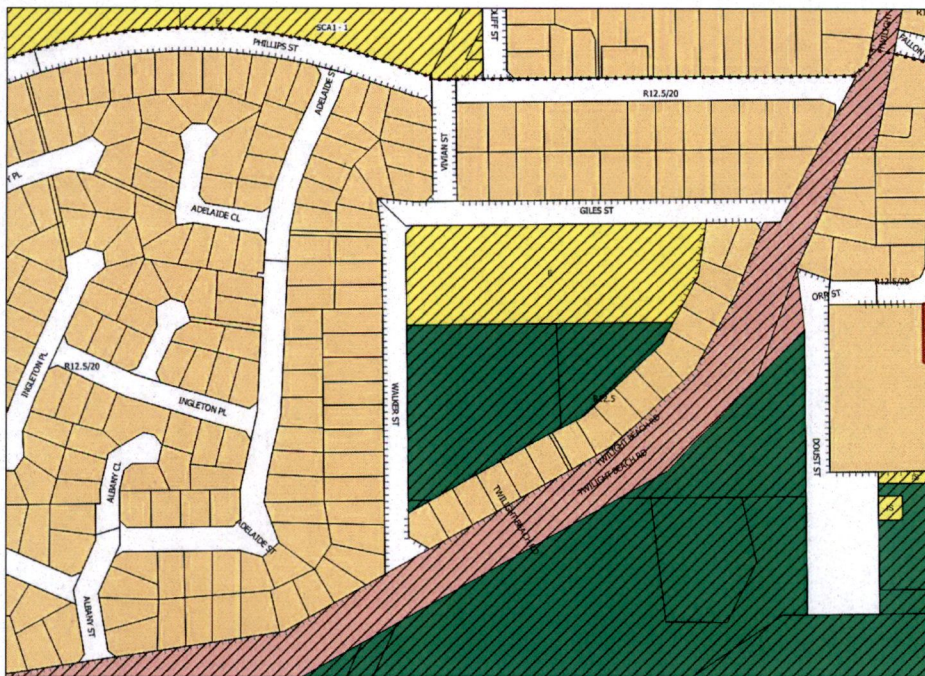
Proposed Zoning

LEGEND		
Zones	Reserves	Others
Residential	E - Education	Special control area
Tourism	Strategic Infrastructure	<b>Additional Uses</b>
Private Community Purposes	Railways	A1 See Scheme Text
	Public Open Space	
	Local Distributor Road	
	Primary Distributor Road	
	Local Road	

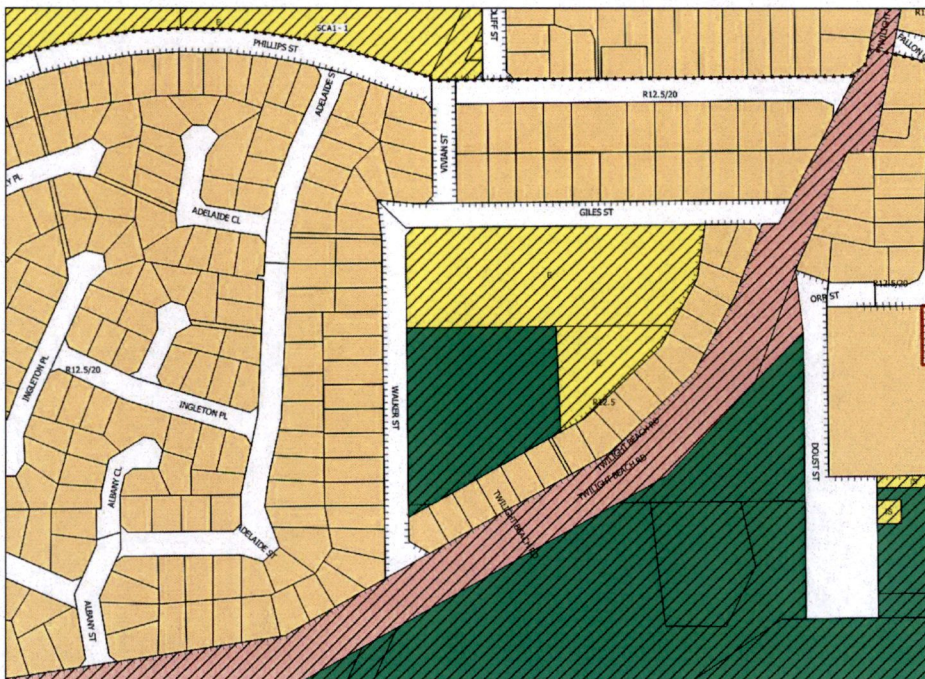
SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2





Current Zoning



Proposed Zoning


#### LEGEND

##### Zones


 Residential

##### Reserves

 Public Open Space


 E - Education

 IS - Infrastructure Services

 Local Distributor Road

 Local Road

##### Others

 Special control area

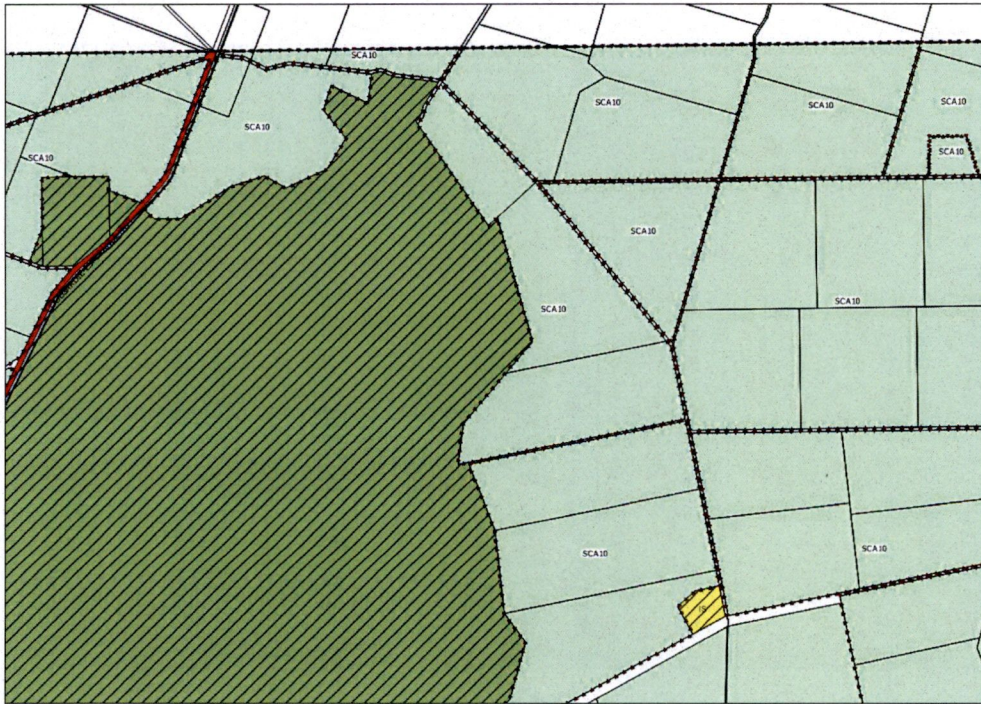
##### Special Uses

 SU1 - See Scheme Text

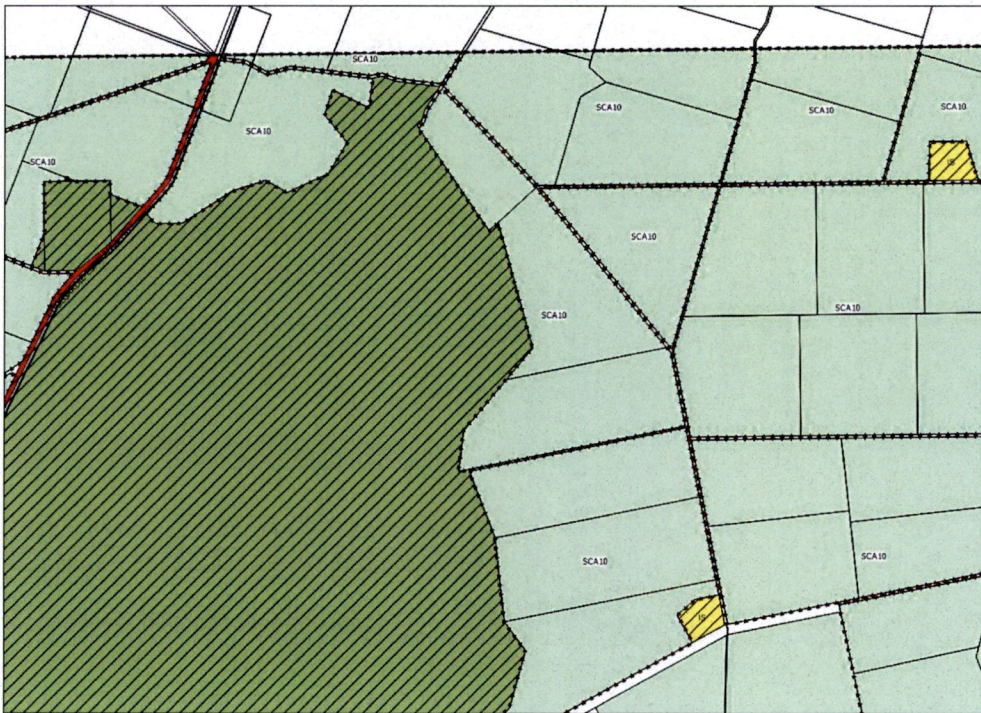
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2












Current Zoning



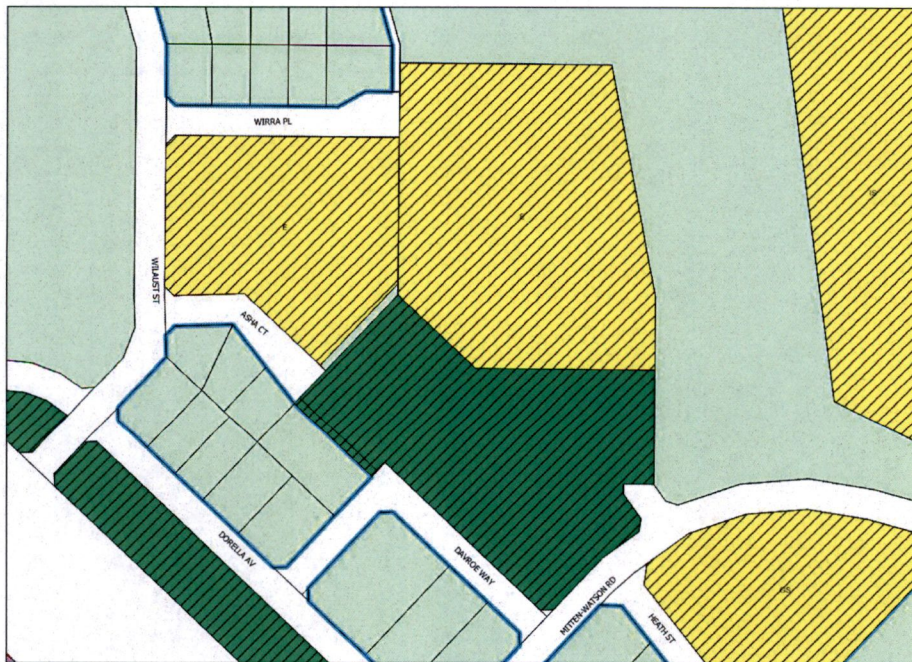
Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Rural	 Primary Distributor Road	 Special control area
	 Local Road	 Scheme Boundary
	 IS - Infrastructure Services	
	 Environmental Conservation	

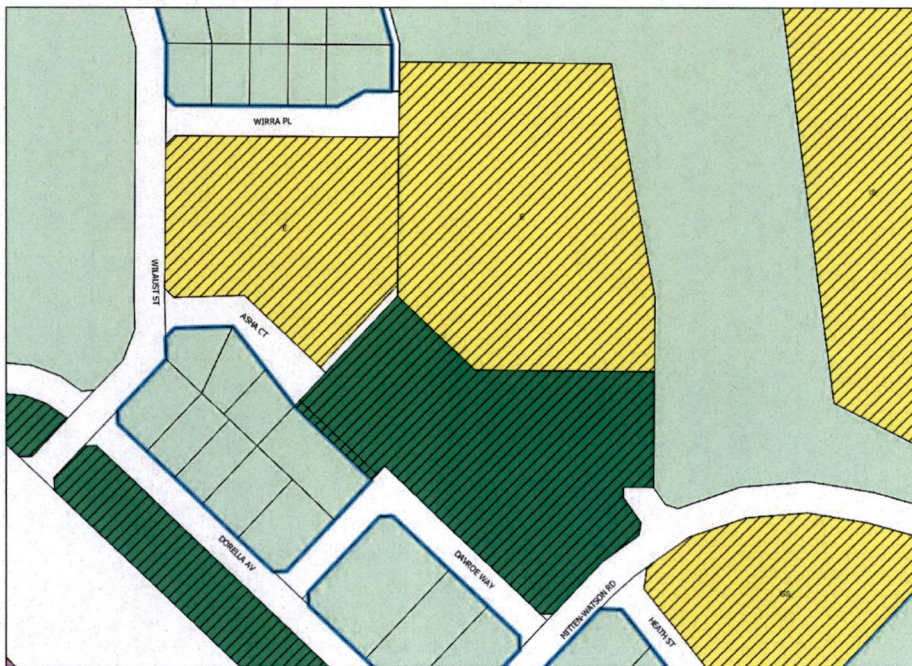
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2





Current Zoning



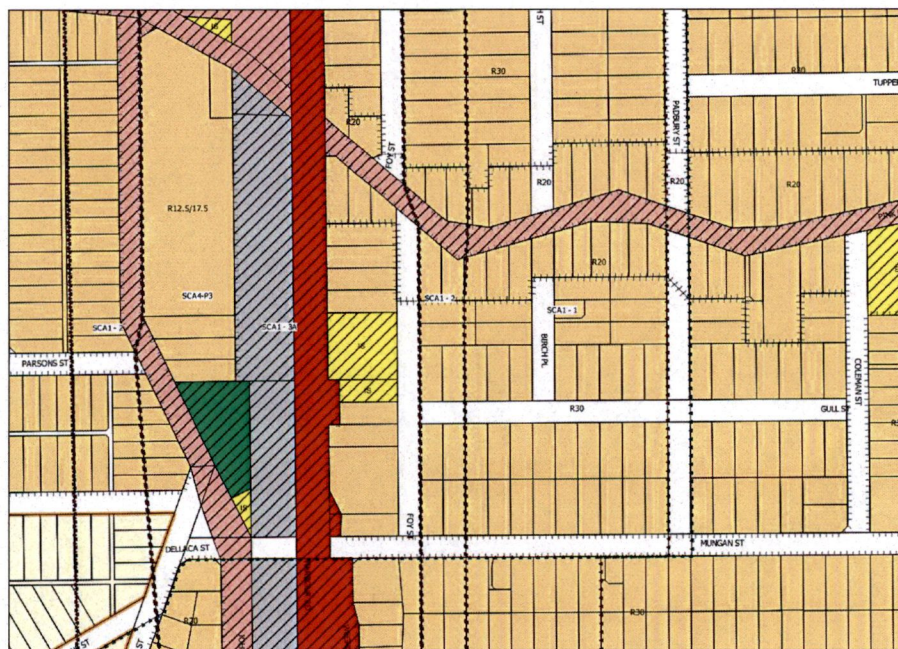
Proposed Zoning

LEGEND		
Zones	Reserves	Others
Rural	Environmental Conservation	Restricted Uses
Rural Townsite Zone	Public Open Space	R1 - See Scheme Text
General Industry	GS - Government Services	
	E - Education	
	IS - Infrastructure Services	
	Local Road	

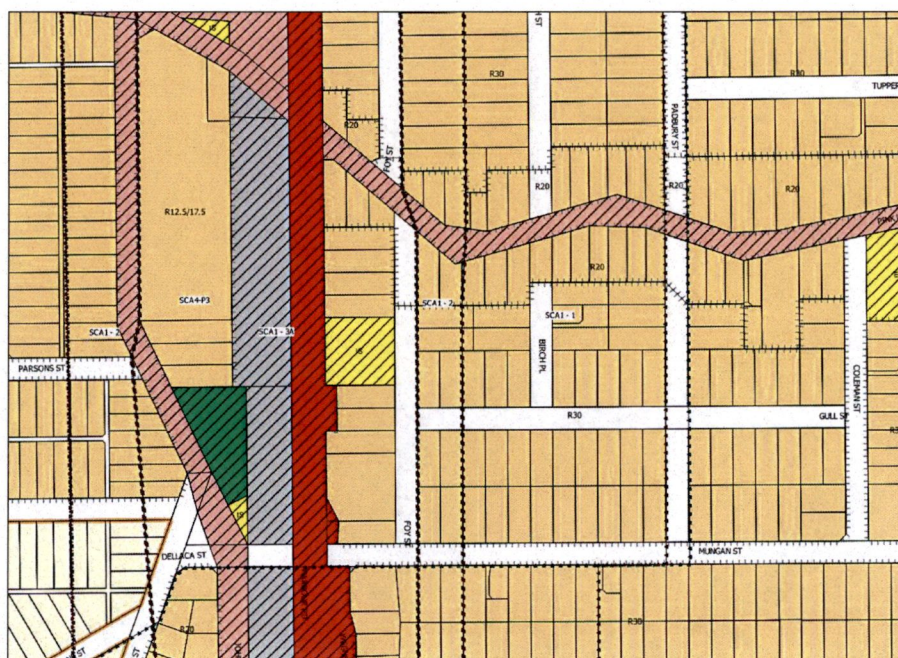
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2
















### Current Zoning



**Proposed Zoning**

**LEGEND**

Zones	Reserves	Others
 Residential	 Public Open Space	 Special control area
 Urban Development	 Railways	 Special control area - Environment
	 E - Education	
	 IS - Infrastructure Services	
	 Primary Distributor Road	
	 Local Distributor Road	
	 Local Road	

## SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

**AMENDMENT NO. 2**











Current Zoning



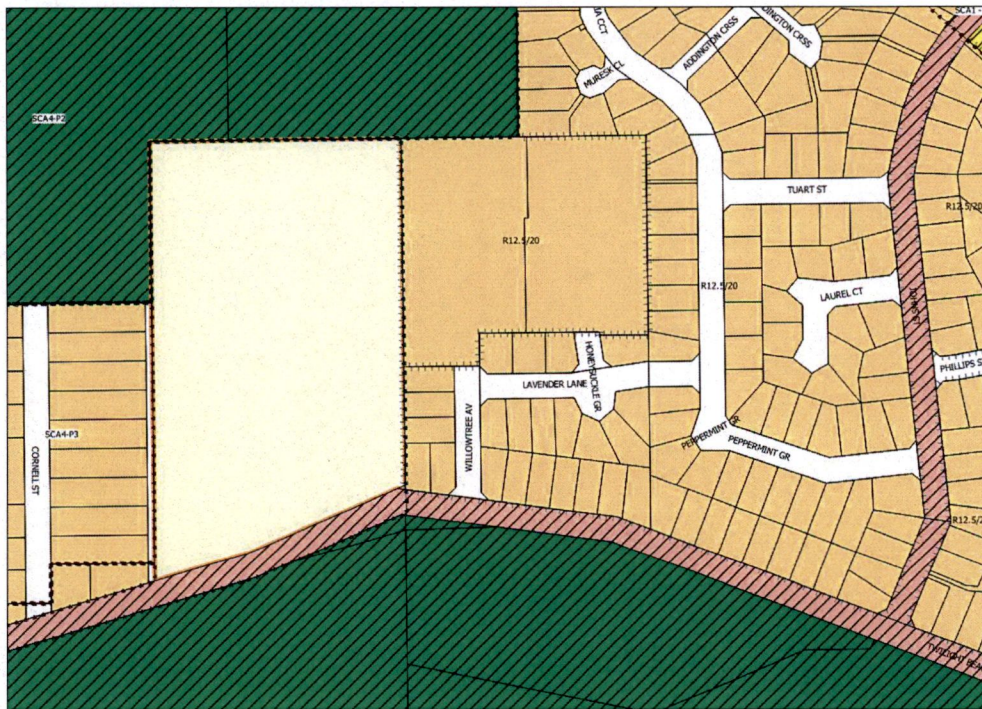
Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Rural	 Primary Distributor Road	 Special control area
	 Local Road	 Scheme Boundary
	 Environmental Conservation	

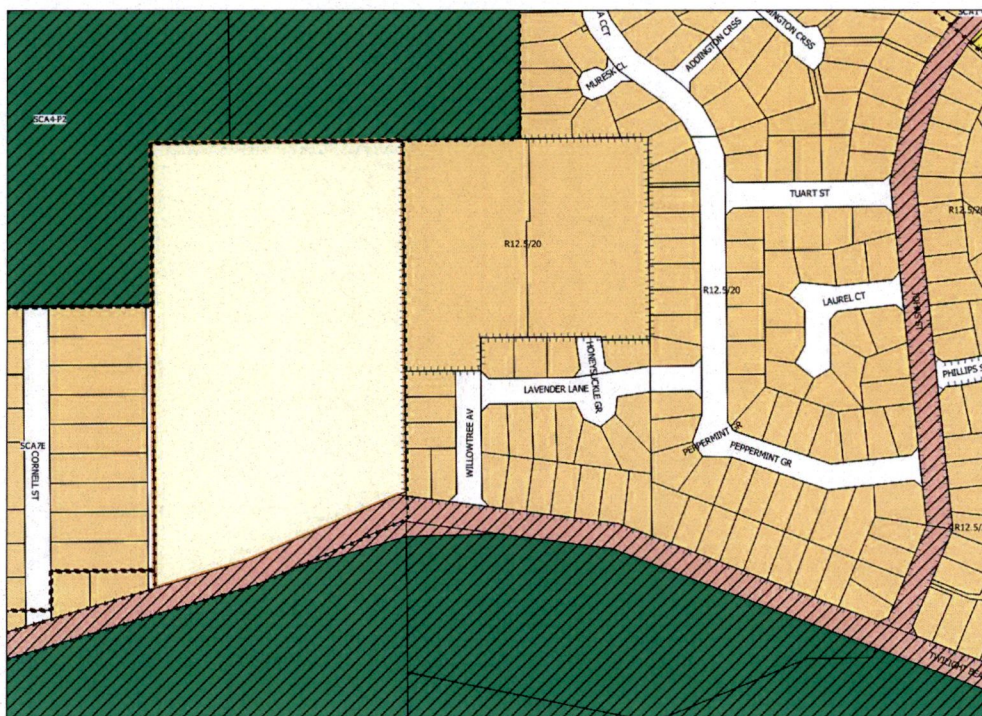
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2













Current Zoning



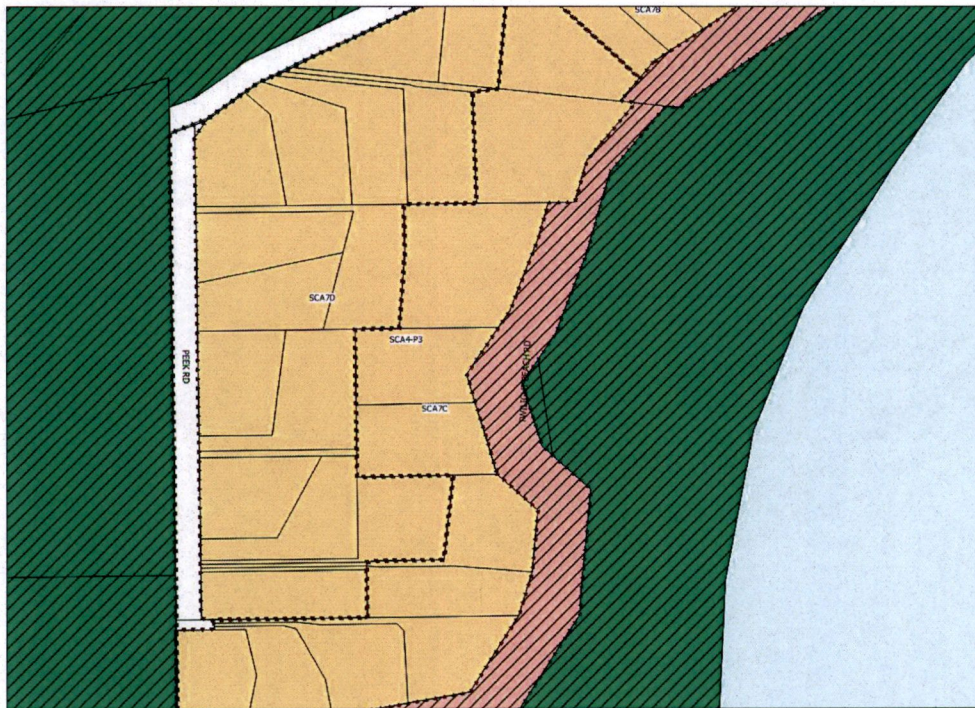
Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Residential	 Public Open Space	 Special control area
 Urban Development	 E - Education	 Special control area - Environment
	 Local Distributor Road	
	 Local Road	

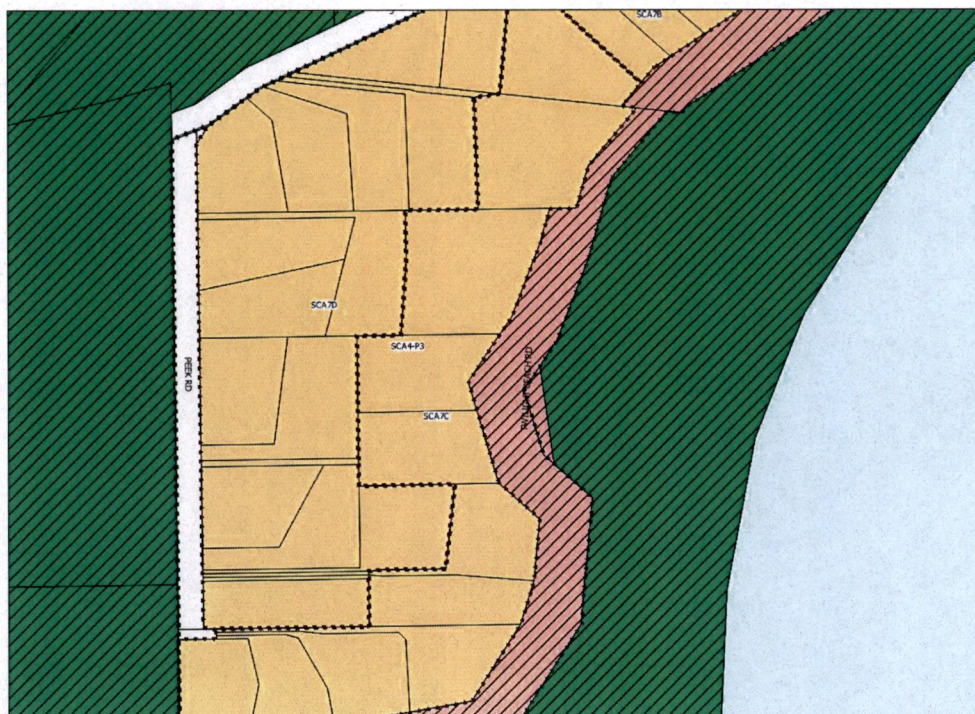
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

**AMENDMENT NO. 2**






Current Zoning



Proposed Zoning


**LEGEND**


**Zones**

 Residential


**Reserves**

 Public Open Space

 Local Distributor Road

 Local Road

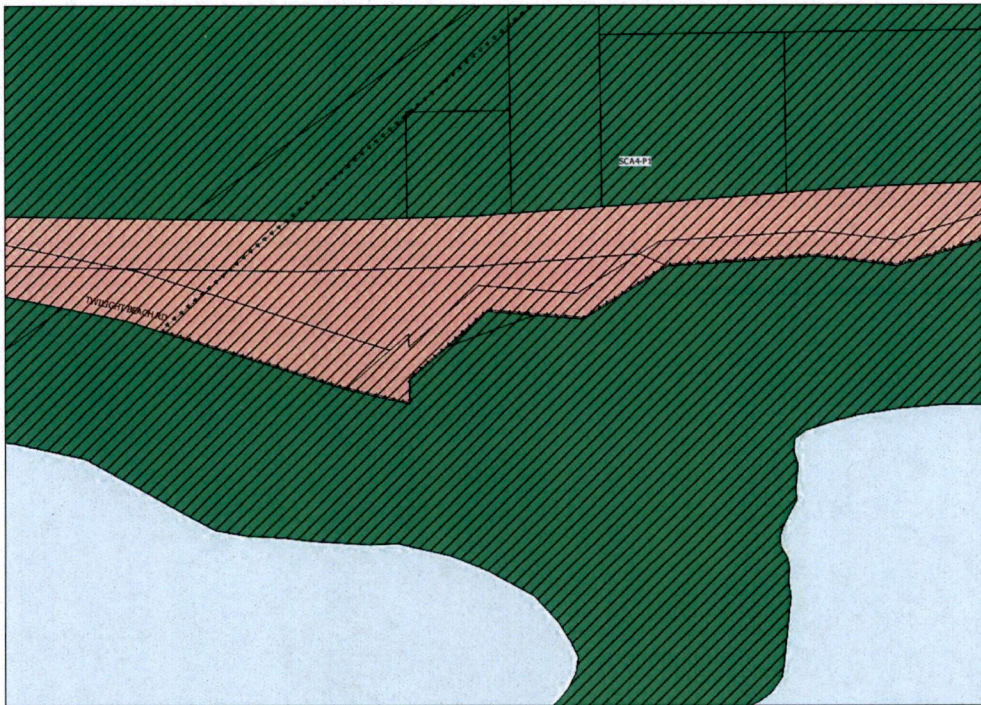
**Others**

 Special control area

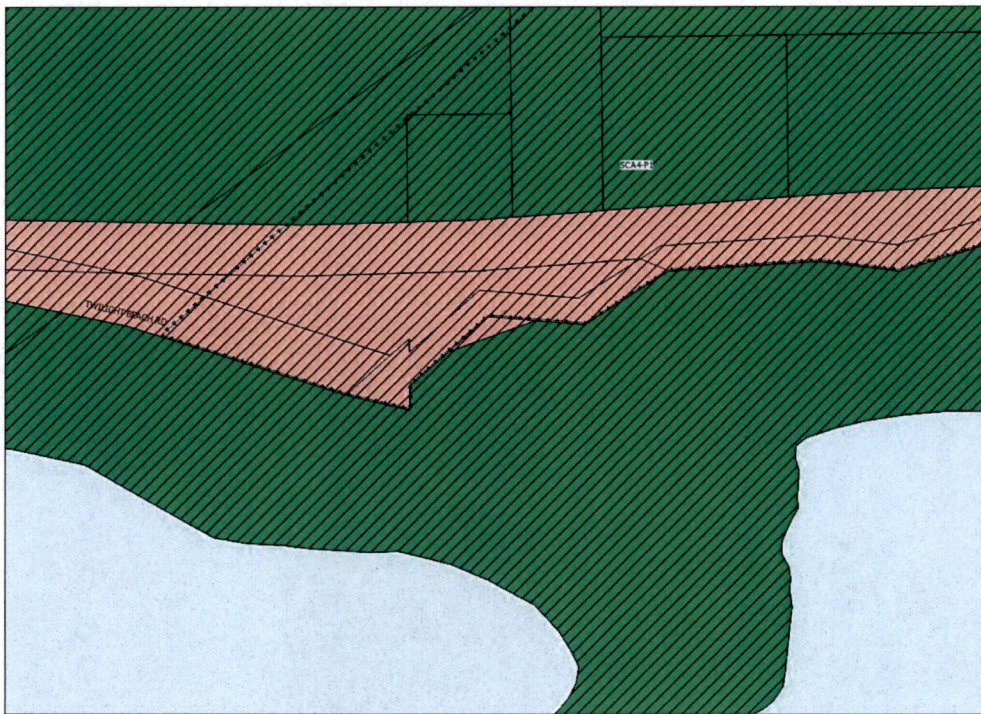
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2







Current Zoning





Proposed Zoning

#### LEGEND

##### Reserves

-  Public Open Space
-  Local Distributor Road

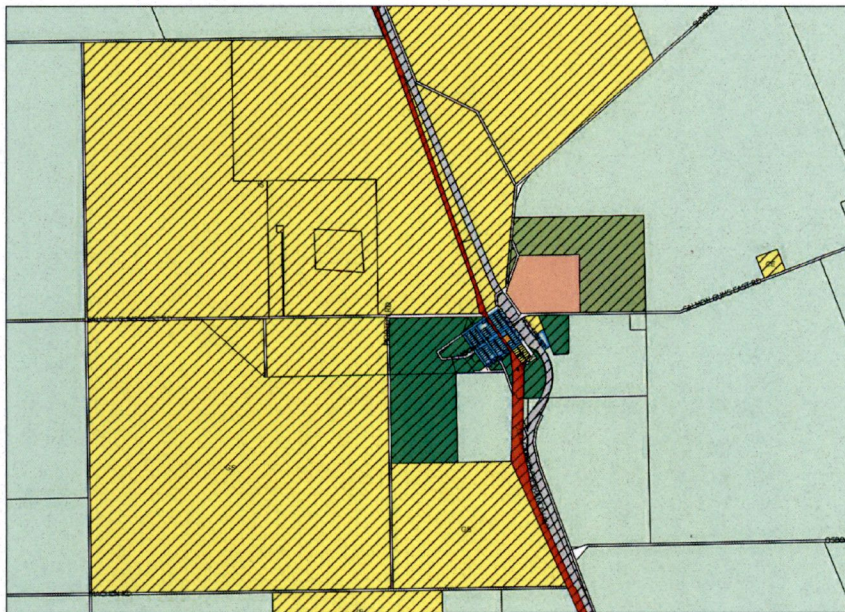
##### Others

-  Oceans/Waterways
-  Special control area - Environment

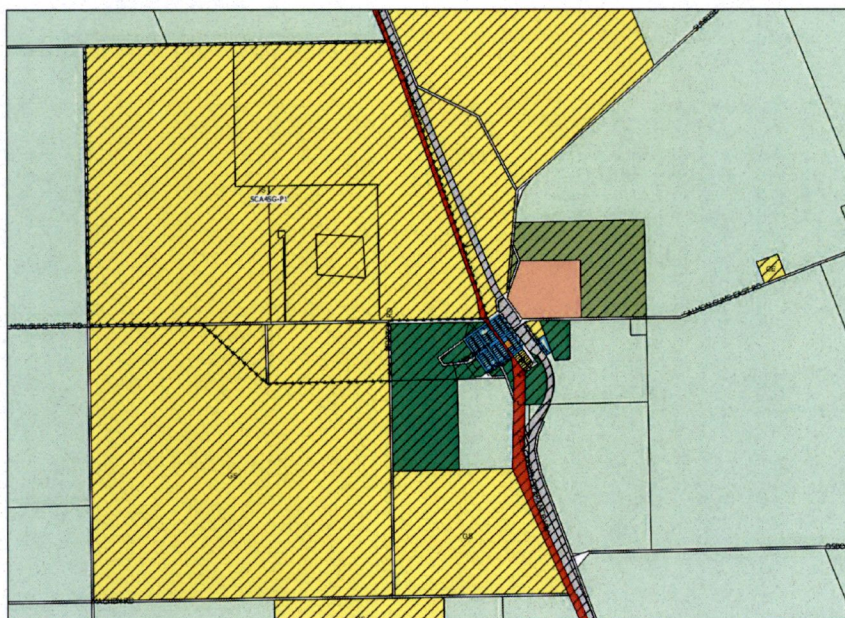
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2





Current Zoning



Proposed Zoning

LEGEND		Reserves	Others
Zones		Public Open Space	Special control area
Rural		Civic and Community	
Rural Townsite Zone		IS - Infrastructure Services	
Cultural and Natural Resource Zone		GS - Government Services	
		CE - Cemetery	
		E - Education	
		Railways	
		Primary Distributor Road	
		Local Road	

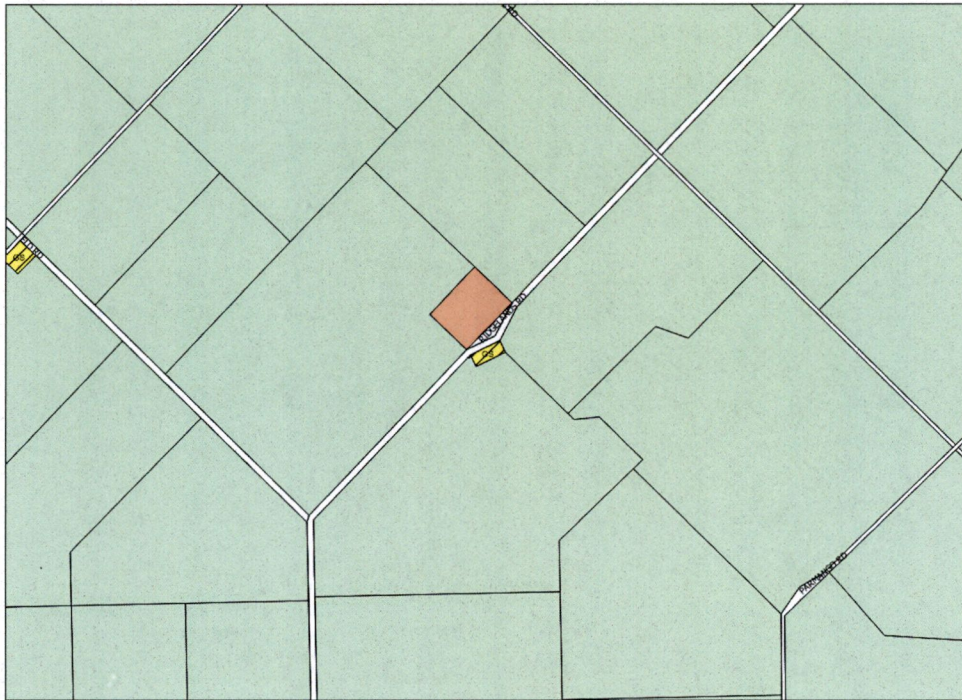
SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2







Current Zoning






Proposed Zoning

# **LEGEND**

## **Zones**

-  Rural
-  Cultural and Natural Resource Zone

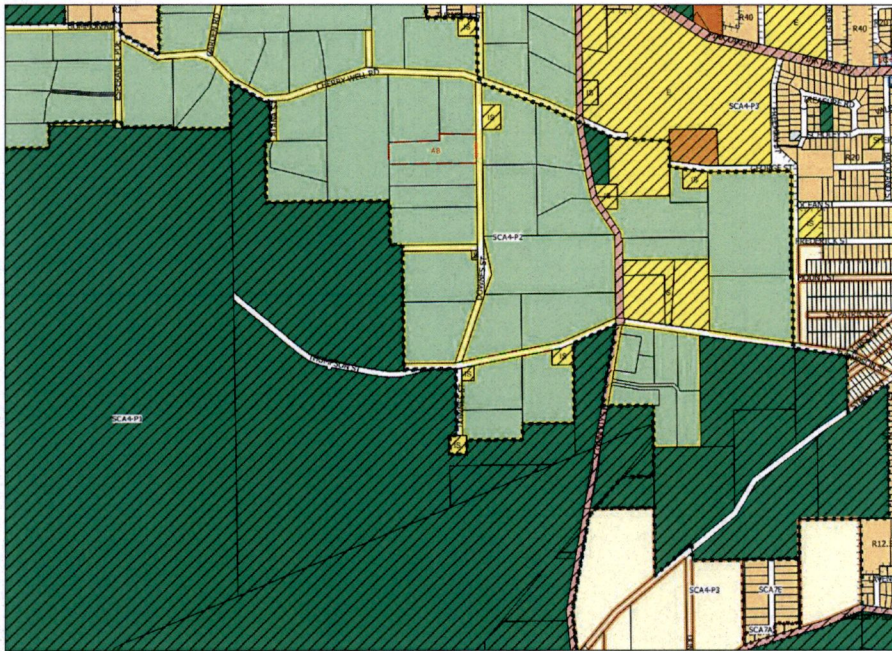
## **Reserves**

-  Environmental Conservation
-  GS - Government Services
-  Local Road

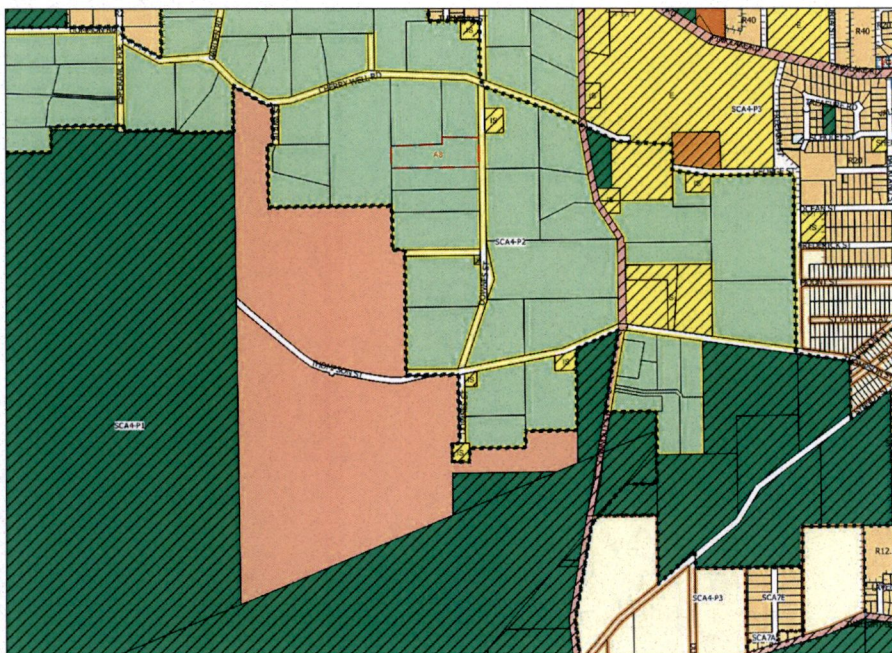
**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2





Current Zoning



Proposed Zoning

# LEGEND




## Zones

-  Rural Residential
-  Residential
-  Cultural and Natural Resource Zone
-  Local Centre
-  Tourism
-  Urban Development

## Reserves

-  Public Open Space
-  Civic and Community
-  IS - Infrastructure Services
-  E - Education
-  Local Distributor Road
-  Local Road

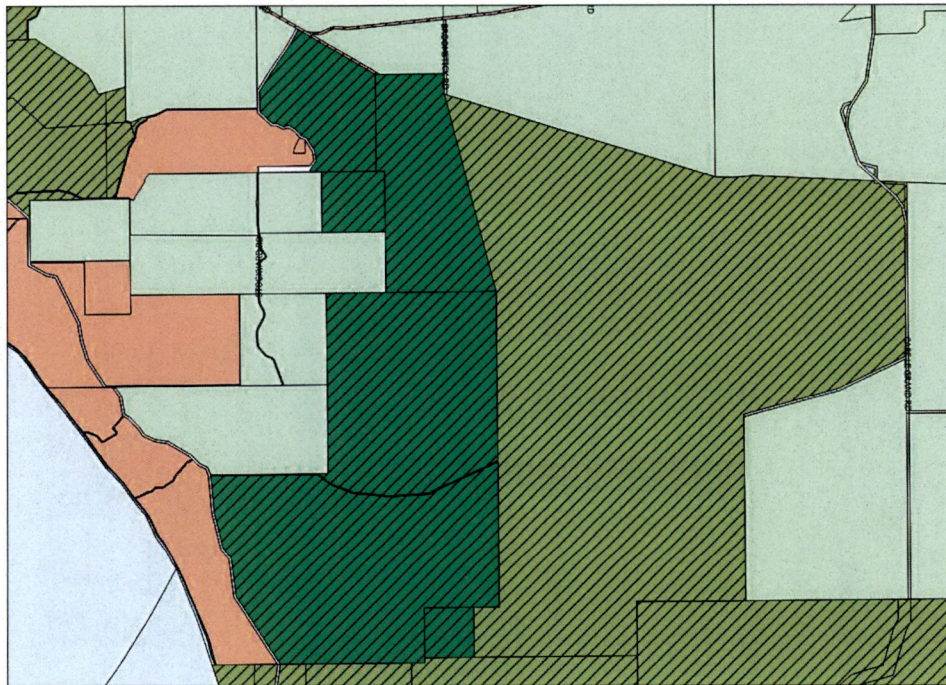
## Others

-  Special control area
-  Additional Uses
-  A1 See Scheme Text

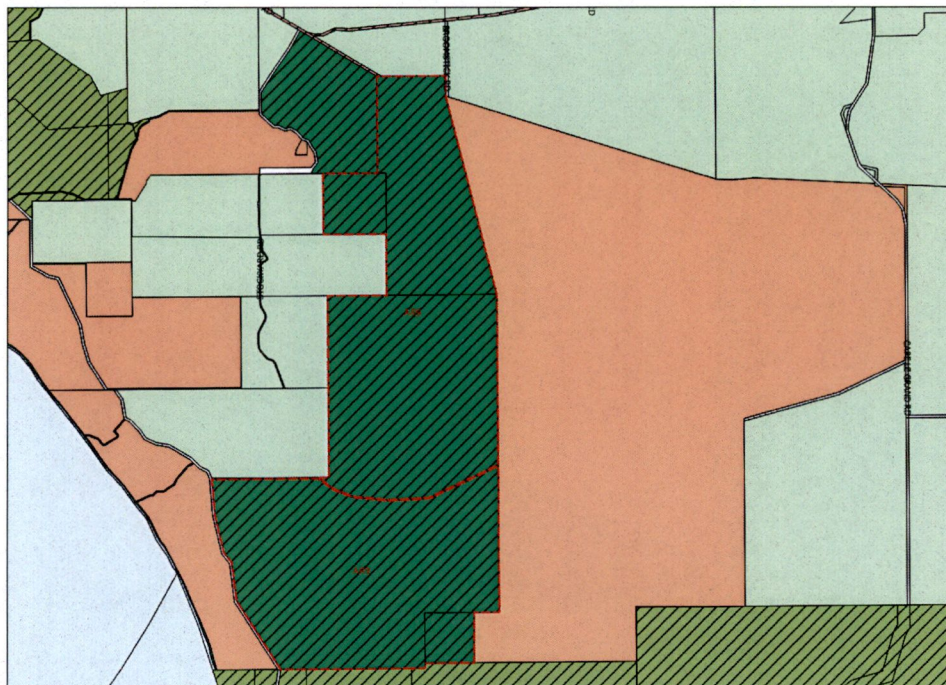
SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24

AMENDMENT NO. 2












Current Zoning



Proposed Zoning

LEGEND		
Zones	Reserves	Others
 Rural	 Public Open Space	Additional Uses Reserves
 Cultural and Natural Resource Zone	 Environmental Conservation	 AR1 - See Scheme Text
	 Local Distributor Road	
	 Local Road	

**SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 24**

AMENDMENT NO. 2




APPROVAL GRANTED

.....  
MINISTER FOR PLANNING

DATE.....

It is hereby certified that this is a true copy of the  
~~Scheme~~/Amendment, final approval to which was  
endorsed by the Minister for Planning on 9/1/19.

Certified by ..... 

Officer of the Commission Duty authorised pursuant  
to Section 24 of the Planning and Development Act  
2005 and Regulation 32(3) Scheme and Regulation  
63(3) (Amendment) of the Planning and Development  
(Local Planning Scheme) Regulations 2015.



Form 6A

### COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Esperance at the Ordinary Meeting of the Council held on the 27 day of February, 2018

Victoria Brown  
SHIRE PRESIDENT

[Signature]  
CHIEF EXECUTIVE OFFICER

### COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Shire of Esperance at the Ordinary Meeting of the Council held on the 27 day of February, 2018, proceed to advertise this Amendment.

Victoria Brown  
SHIRE PRESIDENT

[Signature]  
CHIEF EXECUTIVE OFFICER

### COUNCIL RECOMMENDATION

This Amendment is recommended for approval by resolution of the Shire of Esperance at the Ordinary Meeting of the Council held on the 24 day of July, 2018 and the Common Seal of the Shire of Esperance was hereunto affixed by the authority of a resolution of the Council in the presence of:



Victoria Brown  
SHIRE PRESIDENT

[Signature]  
CHIEF EXECUTIVE OFFICER

### WAPC ENDORSEMENT (r.63)

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

DATE 07.12.18