



Shire of Wyndham-East Kimberley

Amendment No. 1 to Local Planning Scheme No. 9 - Omnibus Amendment

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

SHIRE OF WYNDHAM-EAST KIMBERLEY LOCAL PLANNING SCHEME NO. 9

AMENDMENT NO.1

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Correction of Minor Text Errors and Omissions

- 1.1 Throughout Scheme Text modify "Wyndham East Kimberley" to read "Wyndham-East Kimberley".
- 1.2 Delete the first cover page that appears in the text immediately after the Text Amendments Schedule.
- 1.3 In Table 1 Reserve Objectives, insert Reserves for Education, Cemetery, Heritage and Medical Services, and Objectives for each Reserve.
- 1.4 In Table 3 - Zone Objectives, remove 'Zone' from each name.
- 1.5 In Table 3 - Zone Objectives, in the second dot point under Residential zone objectives, "built from" to be modified to "built form".
- 1.6 In Table 4 - Zoning Table, remove 'Zone' from each name.
- 1.7 In Table 4 - Zoning Table, modify the font colour of 'A' for the 'Hotel' use within the 'Rural' zone to black.
- 1.8 In Table 4 - Zoning Table, modify "PMITTED" to "PERMITTED" within the Settlement zone.
- 1.9 In Part 3 - Zones and Use of Land, modify Clause 21 - Special Use Zones by adding sub-clause (2) "A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use. Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme".
- 1.10 In Part 3 - Zones and Use of Land, modify Clause 24 - Register of non-conforming uses by deleting clause 24 (3) (d), and including it as clause 24 (4) "An entry in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved".
- 1.11 In Table 7 - Special Control Areas, SCA1, in the Purpose and Objectives column delete the second dot point "To coordinate subdivision, land use and development in areas requiring comprehensive planning".
- 1.12 In Table 7 - Special Control Areas, SCA3, in the Application Requirements column add "and Wyndham" after "Kununurra".
- 1.13 In Part 6 - Terms referred to in Scheme, under Terms Used:

1.13.1 Frontage - delete the duplicate words "in relation to a ".

1.14 In Part 6 - Terms referred to in Scheme, under Land Use Terms:

1.14.1 Bulky goods showroom - after (a) (xii) swimming pools, delete "and" and replace with "or".

1.14.2 Hospital – amend so that it reads ... 'but does not include a nursing home or residential aged care facility'.

1.14.3 Industry – service – in clause (a) delete "front premises" and replace with "from premises"; and delete "solid" and replace with "solid".

1.14.4 Park home park – replace the existing definition with "means a caravan park at which park homes, but not any other caravans or camps, are situated for habitation as defined in the Caravan Parks and Camping Grounds Regulations Part 1 Clause 3".

1.14.5 Restricted premises - in clause (b) delete "article" and replace with "articles"

1.14.6 Rural pursuit / hobby farm – the words "if carrying of" to be replaced by "if carrying out of".

1.15 In Schedule A Supplemental Provisions to the Deemed Provisions:

Delete Clause 61(1)(l) and Clause 61(1)(m) to reflect that the *Heritage of Western Australia Act 1990* has been repealed and replaced by the *Heritage Act 2018*, and insert the following:

- Clause 61(1)(l)(i)** the erection or extension of a single house on a lot if a single house is a permitted ("P") use in the zone where the R Codes do not apply, in which that lot is located and where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is -entered in the State Register of Heritage Places under the *Heritage Act 2018*; or
- (ii) the subject of an order under Part 4 of the *Heritage Act 2018* and *Heritage Regulations 2019*; or
- (iii) included on a heritage list prepared in accordance with this Scheme; or
- (iv) within an area designated under the Scheme as a heritage area; or
- (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90.

- Clause 61(1)(m)** the erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a permitted ("P") in the zone where the R Codes do not apply and where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is -
- (i) entered in the State Register of Heritage Places under the *Heritage Act 2018*; or

- (ii) the subject of an order under Part 4 of the *Heritage Act 2018 and Heritage Regulations 2019*; or
- (iii) included on a heritage list prepared in accordance with this Scheme; or
- (iv) within an area designated under the Scheme as a heritage area; or
- (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90.

1.16. In Schedule 1 Additional Uses:

- 1.16.1 In row A1, within 'Conditions' column - modify the first sentence by adding "approval" after "development".
- 1.16.2 In row A2, within 'Conditions' column - modify the first sentence by adding "approval" after "development".
- 1.16.3 Add a new row, No. A15. In Description of Land column, insert "Lot 238 Research Station Road, Kununurra, as indicated on the Scheme Maps". In Additional Use column, insert "Airstrip". In Conditions column, insert "The additional use shall be considered an 'I' use - the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards or requirements of this Scheme".

1.17 In Schedule 2 Special Use Zones:

- 1.17.1 In the row containing SU15, modify "Lot 501" to "Lot 504".
- 1.17.2 In the row containing SU15, modify "Airport" to "Airfield".
- 1.17.3 Delete the row containing SU17, Special Use Airport.
- 1.17.4 Renumber the row containing SU18 Special Use Medical Centre, to SU17.

1.18 In Schedule 3 Additional Site and Development Standards:

- 1.18.1 Table 9 Development Standards, Hotel - Parking column - modify '6m2' to '6m²'.
- 1.18.2 Table 9 Development Standards, Office - Bicycle parking column - modify '200m2' to '200m²'.
- 1.18.3 Table 10 Zone Development Requirements, Commercial Zone and Rural Townsite Zone, modify wording within clause 3 from "Towniste" to "Townsite".
- 1.18.4 Table 10 Zone Development Requirements, modify "ural Enterprise Zone" to "Rural Enterprise Zone".
- 1.18.5 Table 10 Zone Development Requirements, General Industry Zone - in parking column and class 1 (a), modify '100m2' to '100m²'.

1.19 In Schedule 4 Signage and Advertisements for which development approval not required:

- 1.19.1 Within 'Land use / development' column - Row 5 - Modify "Town Centre" to "Commercial".
- 1.19.2 Within 'Exempted Sign' column - Row 9 - Modify "Advertisement" to "Advertisements".
- 1.19.3 Within 'Temporary Signs' column - Row 1 - Exempted sign column - sub-clause (iii) to be modified to "Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 4 storeys in height, and rural

properties in excess of 5 ha: One sign as for (i) above". Corresponding value in Maximum size column to be modified from "5m²" to "10m²".

1.19.4 Within 'Temporary Signs' column - Delete Unnamed Row 3.

2. Zoning Table

Amend Table 4 - Zoning Table:

2.1 Within the Agriculture - State or Regional Significance zone, modify:

2.1.1 'Home Business' to 'A'

2.1.2 'Home Occupation' to 'D'

2.1.3 'Industry - Cottage' to 'D'

2.1.4 'Workforce Accommodation' to 'A'

2.2 Within the Mixed use zone, modify:

2.2.1 'Home Business' to 'D'

2.2.2 'Home Occupation' to 'P'

2.3 Within the 'Rural' zone, modify:

2.3.1 'Home Business' to 'D'

2.3.2 'Home Occupation' to 'P'

2.4 Within the Light Industrial zone, modify:

2.4.1 'Caretakers Dwelling' to 'I'

2.5 Within the Local Horticulture zone, modify:

2.5.1 'Agriculture Intensive' to 'P'

2.5.2 'Workforce Accommodation' to 'A'

2.6 Within the Residential, General Industry, Agriculture - State or Regional Significance, Local Horticulture, Rural, Rural Residential, and Rural Smallholding zones, modify:

2.6.1 'Telecommunications Infrastructure' to 'A'

3. Correction of Minor Mapping Errors and Omissions

Amending the Scheme Maps as follows:

Modification Number	Address	Proposed Modification
3.1	Lot 238 DP209467 Research Station Road, Kununurra (Map 13)	Amend from Special Use 17 (SU 17) zone to Agriculture - State or Regional Significance zone.
3.2	Lot 1125 DP175486, Ironwood Drive, Kununurra (Map 24)	Amend from Special Use 18 (SU18) to Special Use 17 (SU17).
3.3	Lots 201 and 202 DP64435, Research Station Road, Kununurra (Oolrui Road) (Map 13)	Amend from Agriculture - State or Regional Significance zone to Rural Enterprise zone.
3.4	Land opposite Whimbrel Road and Pardalote Close, Kununurra (Portion of Lot 356)	Modify zoning from Agriculture - State or Regional Significance zone to Rural zone.

Modification Number	Address	Proposed Modification
	DP 61849); and below Whimbrel Road (Lot 581 DP215033, and (Lot 300 DP47472) (Map 16)	
3.5	Lot 584 DP413232 (1269) Packsaddle Road, Kununurra (Map 22)	Modify the zoning of the portion of the lot classified Environmental Conservation Reserve to Local Horticulture zone.
3.6	Warlarring (White Gum) Park (Lot 74 DP208699 (R29220) Coolibah Drive, Kununurra) (Map 25)	Amend the zoning of the park from Commercial zone to Public Open Space.
3.7	Jimbilum / Yirrallalm Aboriginal Settlement A – lot 859, DP 026369, freehold B – lot 937, DP 035246, freehold C - lot 936, DP 035245, freehold D – lot 5012, unallocated crown land (Map 21)	A – Amend from Agriculture – State or Regional Significance zone to Settlement zone. B – Amend from Agriculture – State or Regional Significance zone to Settlement zone. C – Amend from Agriculture – State or Regional Significance zone to Settlement zone. D – Amend from Settlement zone to Agriculture – State or Regional Significance zone.
3.8	Juwurlinji (Bow River) Aboriginal Settlement A – part of lot 65, pastoral lease PL N049619 (Map 4)	A – Amend from Rural zone to Settlement Zone.
3.9	Kalumburu Aboriginal Settlement A – lot 44 P195034, freehold (RC Bishop of Broome) B – lot 44 P195034, freehold (RC Bishop of Broome) (Map 2)	A – Amend from local distributor road to Settlement zone. B – Amend from local distributor road to Settlement zone.
3.10	All land within Warmun Aboriginal Settlement zoned Rural A - Portion of Lot 394 DP 37394; Portion of lot 65 DP 238079 (Map 4)	A - Amend from Rural zone to Settlement zone.

Modification Number	Address	Proposed Modification
3.11	Wuggubun Aboriginal Settlement A – Settlement scheme zone does not align with northern boundary of Crown Reserve 1602 (polygon ID number 640056), as intended. (Map 4)	A – Modify current Settlement scheme zone to match northern boundary of Crown Reserve 1602 (polygon ID number 640056).
3.12	Dodnun Aboriginal Settlement A – lot 34 Crown Reserve 42999 B – lot 34 Crown Reserve 42999 C – lot 34 Crown Reserve 42999 D – lot 34 Crown Reserve 42999 (Map 3)	Re-align adjacent polygons to lot 34 Crown Reserve 42999.

4. The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a) It is consistent with the Shire's Local Planning Strategy
- b) It will have minimal impacts on land in the scheme area that is not subject to the amendment; and
- c) it will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this _____ day of _____ 20 ____

Chief Executive Officer

AMENDMENT REPORT

1.0 Purpose

On 19 February 2019 the Shire of Wyndham-East Kimberley Local Planning Scheme No. 9 (LPS 9) was published in the *Government Gazette* and came into operation. LPS 9, which incorporates the Scheme text and Scheme maps, controls and guides development and growth within the Shire of Wyndham-East Kimberley.

It is common practice to undertake a periodic, relatively minor review of local planning schemes. These reviews are usually undertaken as an 'omnibus amendment' to the scheme and in response to a number of matters which, amongst other things, include changes brought about by ongoing strategy and policy formulation, and/or to effect general improvements for administration purposes.

This amendment proposes a number of changes to LPS 9 to correct minor textual and mapping errors.

2.0 Background

The intent and scope of the changes proposed in the amendment can be broadly grouped into the following categories:

- Correction of minor text errors and omissions that were not identified when LPS 9 was first gazetted;
- Updating the zoning table to review the permissibility of certain land uses;
- Address a number of mapping corrections that have been identified through the process of adopting LPS 9 and other minor modifications to the Scheme maps.

This report has been structured to reflect the categories above and provides the rationale for each amendment.

3.0 Planning Considerations

3.1 Shire of Wyndham-East Kimberley Local Planning Strategy

The Shire's Local Planning Strategy was endorsed by the Western Australian Planning Commission in 2019. The Local Planning Strategy sets out the medium to long term planning directions for the Shire over the next 10-15 years, and provides the rationale for the zones and other provisions of LPS 9. The majority of the changes proposed through this Amendment are minor in nature and do not impact any of the strategic recommendations within the Local Planning Strategy.

4.0 Planning Rationale for Proposed Scheme Amendment Changes

The changes proposed in this Amendment fall into main categories as follows:

- Correction of minor text errors and omissions that were not identified when LPS 9 was first gazetted;
- Updating the zoning table to review the permissibility of certain land uses;
- Address a number of mapping corrections that have been identified through the process of adopting LPS 9 and other minor modifications to the Scheme maps.

This report has been structured to reflect each of these categories and the rationale for each amendment is provided under the headings below.

4.1 Correction of Minor Text Errors and Omissions

The majority of these changes are of a typographical nature. The table below sets out the proposed amendment and the rationale for the change proposed.

Proposed Amendment	Rationale
Wherever "Wyndham East Kimberley" appears in the scheme text, amend it to read "Wyndham-East Kimberley"	This is an administrative correction that will ensure the legally correct spelling of the Shire's name appears throughout the scheme text.
Delete the first cover page that appears in the text immediately after the Text Amendments Schedule	This is an administrative correction to delete pages that are substantially the same as the cover page.
In Table 1 Reserve Objectives, insert Reserves for Education, Cemetery, Heritage and Medical Services, and Objectives for each Reserve.	This is an administrative correction to ensure consistency with Clause 14 - Local Reserves, of the Model Provisions under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
In Table 3 - Zone Objectives, remove 'Zone' from each name.	This is an administrative correction to ensure consistency with Clause 16 - Zones, of the Model Provisions under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
In Table 3 Zone Objectives, in the second dot point under Residential zone objectives, "built from" to be amended to "built form"	This is an administrative correction to address a spelling error.
In Table 4 - Zoning Table, remove 'Zone' from each name.	This is an administrative correction to ensure consistency with Clause 16 - Zones, of the Model Provisions under the <i>Planning and Development</i>

Proposed Amendment	Rationale
	<i>(Local Planning Schemes) Regulations 2015.</i>
In Table 4 - Zoning Table, modify the font colour of 'A' for the 'Hotel' use within the 'Rural' zone to black	This is an administrative correction to address a typing error.
In Table 4 - Zoning Table, modify "PMITTED" to "PERMITTED" in within the Settlement zone	This is an administrative correction to address a spelling error.
In Part 3 - Zones and Use of Land, modify Clause 21 - Special Use Zones by adding sub-clause (2) "A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use. Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme".	To ensure consistency with Clause 21- Special Use Zones, of the Model Provisions under the <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i>
In Part 3 - Zones and Use of Land, modify Clause 24 - Register of non-conforming uses by deleting clause 24 (3) (d), and including it as clause 24 (4) "An entry in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved".	To ensure consistency with Clause 24 - Register of non-conforming uses, of the Model Provisions under the <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i>
In Table 7 - Special Control Areas, SCA1, in the Purpose and Objectives column delete the second dot point "To coordinate subdivision, land use and development in areas requiring comprehensive planning".	This is an administrative correction to delete what amounts to a duplicated purpose and objective.
In Table 7 - Special Control Areas, SCA3, in the Application Requirements column add "and Wyndham" after "Kununurra".	This is an administrative correction to ensure consistency of application requirements in the towns of Kununurra and Wyndham.
In Part 6 - Terms referred to in Scheme, under Terms Used: Frontage - delete the duplicate words "in relation to a ".	This is an administrative correction to address a typing error.
In Part 6 - Terms referred to in Scheme, under Land Use Terms: Bulky goods showroom - after (a) (xii) swimming pools, delete "and" and replace with "or".	This is an administrative correction to ensure consistency with definition of Bulky Goods Showroom in the Model Provisions under the <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i>
In Part 6 - Terms referred to in Scheme, under Land Use Terms: Hospital – amend so that it reads ... 'but does not include a nursing home or residential aged care facility'.	This is an administrative correction to address an incomplete sentence.
In Part 6 - Terms referred to in Scheme, under Land Use Terms:	This is an administrative correction to address spelling errors.

Proposed Amendment	Rationale
Industry – service – in clause (a) delete “front premises” and replace with “from premises”; and delete “solid” and replace with “sold”.	
In Part 6 - Terms referred to in Scheme, under Land Use Terms: Park home park – replace the existing definition with “means a caravan park at which park homes, but not any other caravans or camps, are situated for habitation as defined in the Caravan Parks and Camping Grounds Regulations Part 1 Clause 3”.	To ensure consistency with Part 1 Clause 3 of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> .
In Part 6 - Terms referred to in Scheme, under Land Use Terms: Restricted premises - in clause (b) delete “article” and replace with “articles”.	This is an administrative correction to address spelling and grammatical errors.
In Part 6 - Terms referred to in Scheme, under Land Use Terms: Rural pursuit / hobby farm – the words “if carrying of” to be replaced by “if carrying out of”.	This is an administrative correction to address spelling and grammatical errors.
In Schedule A Supplemental Provisions to the Deemed Provisions: Clause 61(1)(l) and Clause 61(1)(m) to be deleted and replaced with text to reflect that the <i>Heritage of Western Australia Act 1990</i> has been repealed and replaced by the <i>Heritage Act 2018</i> .	This is an administrative correction to reflect current legislation.
In 'Schedule 1 Additional Uses': In row A1, within 'Conditions' column - modify the first sentence by adding "approval" after "development".	This is an administrative correction to address a grammatical error.
In 'Schedule 1 Additional Uses': In row A2, within 'Conditions' column - modify the first sentence by adding "approval" after "development".	This is an administrative correction to address a grammatical error.
In 'Schedule 1 Additional Uses': Add a new row, No. A15. In Description of Land column, insert "Lot 238 Research Station Road, Kununurra, as indicated on the Scheme Maps". In Additional Use column, insert "Airstrip". In Conditions column, insert "The additional use shall be considered an 'I' use - the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards or requirements of this Scheme".	The proposed amendment is to reflect the correct status of the existing "Airstrip" land use.
In 'Schedule 2 Special Use Zones': In the row containing SU15, modify "Lot 501" to "Lot 504".	This is an administrative correction to address a typographical error.
In 'Schedule 2 Special Use Zones' In the row containing SU15, modify "Airport" to "Airfield".	This is an administrative correction to reflect the correct status of the land use.
In 'Schedule 2 Special Use Zones': Delete the row containing SU17 Special Use Airport.	This is an administrative correction to reflect the correct Special Uses.

Proposed Amendment	Rationale
In 'Schedule 2 Special Use Zones': Renumber the row containing SU18 Special Use Medical Centre, to SU17.	This is an administrative correction to reflect the correct numbering of Special Uses.
In 'Schedule 3 Additional Site and Development Standards': Within Table 9 Development Standards, Hotel Parking column - Modify '6m2' to '6m²'.	This is an administrative correction to address a spelling error.
In 'Schedule 3 Additional Site and Development Standards': Within Table 9 Development Standards, Office - Bicycle parking column - modify '200m2' to '20m²'.	This is an administrative correction to address a spelling error.
In 'Schedule 3 Additional Site and Development Standards': Within Table 10 Zone Development Requirements, 'Commercial Zone' and 'Rural Townsite Zone' - correct spelling error in clause 3 - "Towniste" to be modified to "Townsite".	This is an administrative correction to address a spelling error.
In 'Schedule 3 Additional Site and Development Standards': Within Table 10 Zone Development Requirements, modify "ural Enterprise Zone" to "Rural Enterprise Zone".	This is an administrative correction to address a spelling error.
In 'Schedule 3 Additional Site and Development Standards': Within Table 10 Zone Development Requirements, General Industry Zone - in parking column and class 1 (a), modify '100m2' to '100m²'.	This is an administrative correction to address a spelling error.
In Schedule 4 Signage and Advertisements for which development approval not required: - Within 'Land use / development column' - Row 5 - modify "Town Centre" to "Commercial".	This is an administrative correction to address an error with the use of terminology.
In Schedule 4 Signage and Advertisements for which development approval not required: Within 'Exempted Sign column' - Row 9 - Modify "Advertisement" to "Advertisements".	This is an administrative correction to address a spelling error.
In Schedule 4 Signage and Advertisements for which development approval not required: Within the 'Temporary Signs' column - Row 1 - Exempted sign column - sub-clause (iii) to be modified to "Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 4 storeys in height, and rural properties in excess of 5 ha: One sign as for (i) above". - Corresponding value in Maximum size column to be modified from "5m²" to "10m²".	This is an administrative correction to ensure height and area parameters are accurately recorded.
In Schedule 4 Signage and Advertisements for which development approval not required: Within 'Temporary Signs' column - Delete Unnamed Row 3.	This is an administrative correction to delete a redundant and superfluous row from the schedule.

4.2 Zoning Table

The table below sets out the proposed amendment and the rationale for the change proposed.

Proposed Amendment	Rationale
Within the 'Agriculture - State or Regional Significance' zone, modify: - 'Home Business' from 'D' to 'A' - 'Home Occupation' from 'A' to 'D' - 'Industry - Cottage' from 'A' to 'D' - 'Workforce Accommodation' from 'X' to 'A'	The proposed amendments are informed by a review of land use permissibilities, taking into account the purpose of the zone, the nature of the land use, land use impacts, local government experiences and advice, and approaches taken in comparable local governments.
Within the 'Mixed use' zone, modify: - 'Home Business' from 'P' to 'D' - 'Home Occupation' from 'D' to 'P'	The proposed amendments are informed by a review of land use permissibilities, taking into account the purpose of the zone, the nature of the land use, land use impacts, local government experiences and advice, and approaches taken in comparable local governments.
Within the 'Rural' zone, modify: - 'Home Business' from 'P' to 'D' - 'Home Occupation' from 'D' to 'P'	The proposed amendments are informed by a review of land use permissibilities, taking into account the purpose of the zone, the nature of the land use, land use impacts, local government experiences and advice, and approaches taken in comparable local governments.
Within the 'Light Industrial' zone, modify: - 'Caretakers Dwelling' from 'A' to 'I'	The proposed amendment is informed by a review of land use permissibilities, taking into account the purpose of the zone, the nature of the land use, land use impacts, local government experiences and advice, and approaches taken in comparable local governments.
Within the 'Local Horticulture' zone, modify: - 'Agriculture Intensive' from 'D' to 'P'	The proposed amendments are informed by a review of

Proposed Amendment	Rationale
- 'Workforce Accommodation' from 'X' to 'A'	land use permissibilities, taking into account the purpose of the zone, the nature of the land use, land use impacts, local government experiences and advice, and approaches taken in comparable local governments.
Within the 'Residential', 'General Industry', 'Agriculture - State or Regional Significance', 'Local Horticulture', 'Rural', 'Rural Residential', and 'Rural Smallholding' zones, modify: 'Telecommunications Infrastructure' to 'A'	To reflect and be consistent with State planning policy.

4.3 Correction of Minor Mapping Errors and Omissions

A copy of amended Scheme maps can be found in the appendices.

Address	Proposed Modification	Rationale
Lot 238 DP209467 Research Station Road, Kununurra (Map 13)	Amend from Special Use 17 (SU 17) zone to Agriculture - State or Regional Significance zone.	The proposed amendment is to reflect that the predominant land use is farming / agriculture, and that the airstrip is a <i>de facto</i> additional use.
Lot 1125 DP175486, Ironwood Drive, Kununurra (Map 24)	Amend from Special Use 18 (SU18) to Special Use 17 (SU17).	The proposed amendment is an administrative correction to ensure correct numbering of Special Uses.
Lots 201 and 202 DP64435, Research Station Road, Kununurra (Oolrui Road) (Map 13)	Amend from Agriculture - State or Regional Significance zone to Rural Enterprise zone.	The proposed amendment is an administrative correction to ensure the zoning reflects existing on-ground land use and land size requirements.
Land opposite Whimbrel Road and Pardalote Close, Kununurra (Portion of Lot 356 DP 61849); and below Whimbrel Road (Lot 581 DP215033, and (Lot 300 DP47472)	Modify zoning from 'Agriculture - State or Regional Significance' zone to 'Rural zone'.	The proposed amendment is to reflect that land that has for the most part, a low suitability rating for agricultural purposes, is appropriately zoned. Furthermore, the Local Planning Strategy identifies the land for the purpose of Long-term townsite expansion.

Address	Proposed Modification	Rationale
(Map 16)		
Lot 584 DP413232 (1269) Packsaddle Road, Kununurra (Map 22)	Modify the zoning of the portion of the lot classified 'Environmental Conservation Reserve' to 'Local Horticulture' zone.	The proposed amendment is to ensure consistency with the way in which other amalgamated land within the Packsaddle area was rezoned as part of the broader Packsaddle and River Farm Road Lot Payment Deed land release.
Warlarring (White Gum) Park (Lot 74 DP208699 (R29220) Coolibah Drive, Kununurra) (Map 25)	Amend the zoning of the park from 'Commercial' zone to 'Public Open Space'.	The proposed amendment is an administrative correction to ensure the zoning reflects existing on- ground land use.
Jimbilum / Yirrallelm Aboriginal Settlement Lot 859 (DP 026369), lot 937 (DP 035246), lot 936 (DP 035245) & lot 5012.	Amend the zoning over Lot 859 (DP 026369), 937 (DP 035246) and 936 (DP 035245) from 'Agriculture - State or Regional Significance' to 'Settlement' and amend the zoning of Lot 5012 from 'Settlement' to 'Agriculture - State or Regional Significance'.	The proposed amendment is an administrative correction to ensure the zoning reflects existing on- ground land use and the operating layout plan.
Juwurlinii (Bow River) Aboriginal Settlement Part of lot 65, pastoral lease PL N049619	Amend zoning over Part of Lot 65, Pastoral Lease PL N049619 from 'Rural' to 'Settlement'	The proposed amendment is an administrative correction to ensure the zoning reflects existing on- ground land use and the operating layout plan.
Kalumburu Aboriginal Settlement lot 44 P195034, lot 44 P195034,	Include the local distributor road running through the settlement as part of the land zoned settlement	The proposed amendment is to ensure that the road running through the settlement is zoned settlement, consistent with the approach taken in other similar settlements.
All land within Warmun Aboriginal Settlement zoned Rural A - Portion of Lot 394 DP 37394; Portion	Amend zoning over Portion of Lot 394 DP 37394 and Portion of lot 65 DP 238079 from 'Rural' to 'Settlement'	The proposed amendment is an administrative correction to ensure the zoning reflects existing on- ground land use and the operating layout plan

Address	Proposed Modification	Rationale
of lot 65 DP 238079		
Wuggubun Aboriginal Settlement Crown Reserve 1602 (polygon ID number 640056)	Amend zoning over northern portion of Crown Reserve 1602 from 'Rural' to 'Settlement'	The proposed amendment is an administrative correction to ensure the zoning reflects existing on- ground land use and the operating layout plan
Dodnun Aboriginal Settlement Lot 34 Crown Reserve 42999	Amend eastern portion of Lot 34 Crown Reserve 42999 from 'Environmental Conservation' to 'Settlement'	The proposed amendment is an administrative correction to ensure the zoning reflects existing on- ground land use and the operating layout plan. Also to Re-align adjacent polygons to lot 34 Crown Reserve 42999

5.0 Conclusion

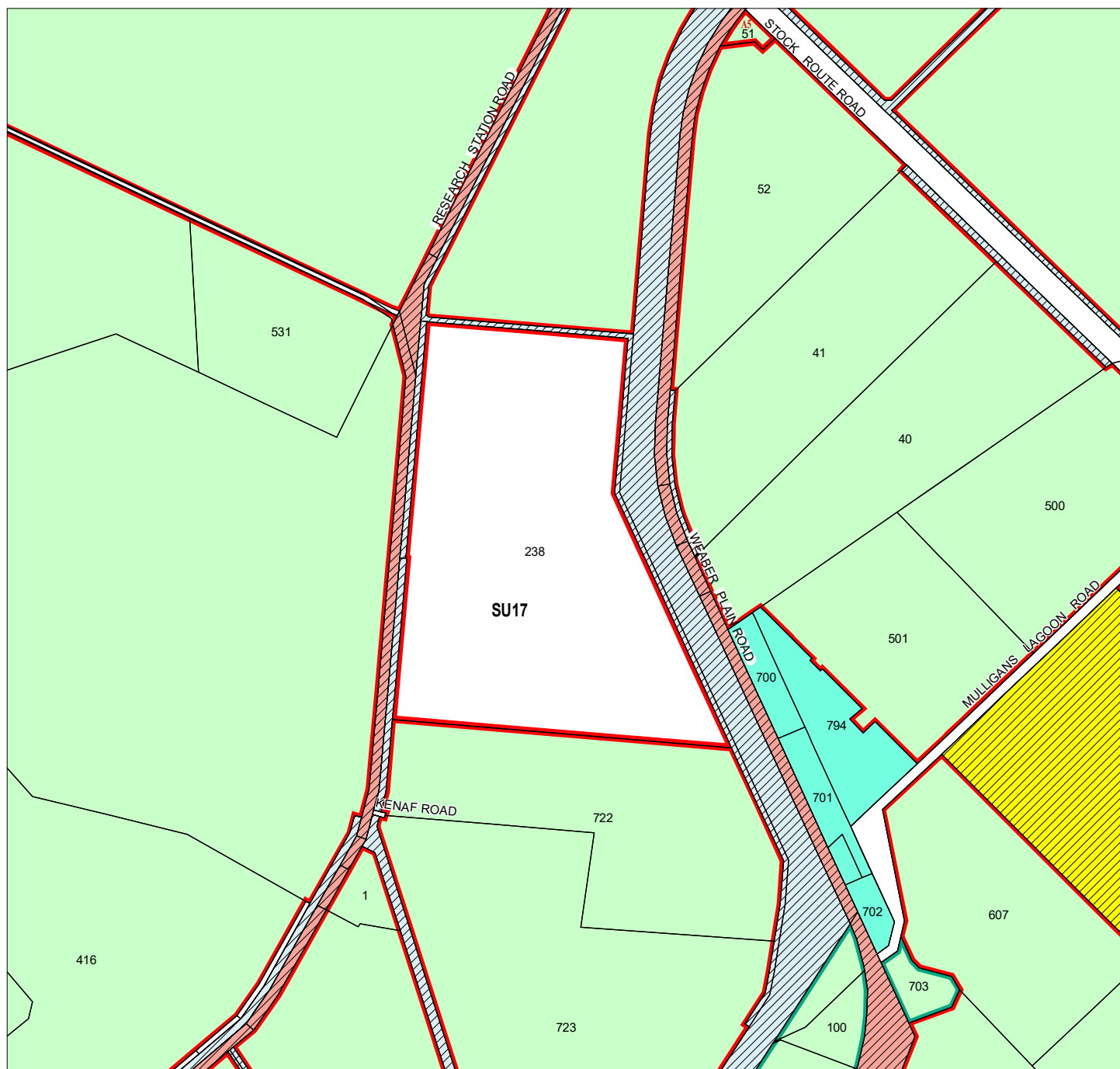
This amendment is a standard amendment under the provisions of *the Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a) It is consistent with the Shire's Local Planning Strategy
- b) It will have minimal impacts on land in the Scheme area that is not subject to the amendment; and
- c) it will not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

The proposed amendment is considered to be consistent with all relevant elements of the State and local planning frameworks.

On the basis of the information contained in this report, it is recommended that the amendment be supported.

AMENDMENT MAPS



EXISTING SCHEME MAP - MODIFICATION 1

Legend

	Cadastre with Lot number		Local Distributor Road
LPS Zones			Local Road
	Agriculture – State or Regional Significance		Public Purposes
	Local Horticulture		
	Rural Enterprise		
	Special Use		
LPS Reserves			
	Drainage/Waterway		



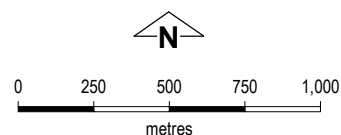
Department of Planning,
Lands and Heritage

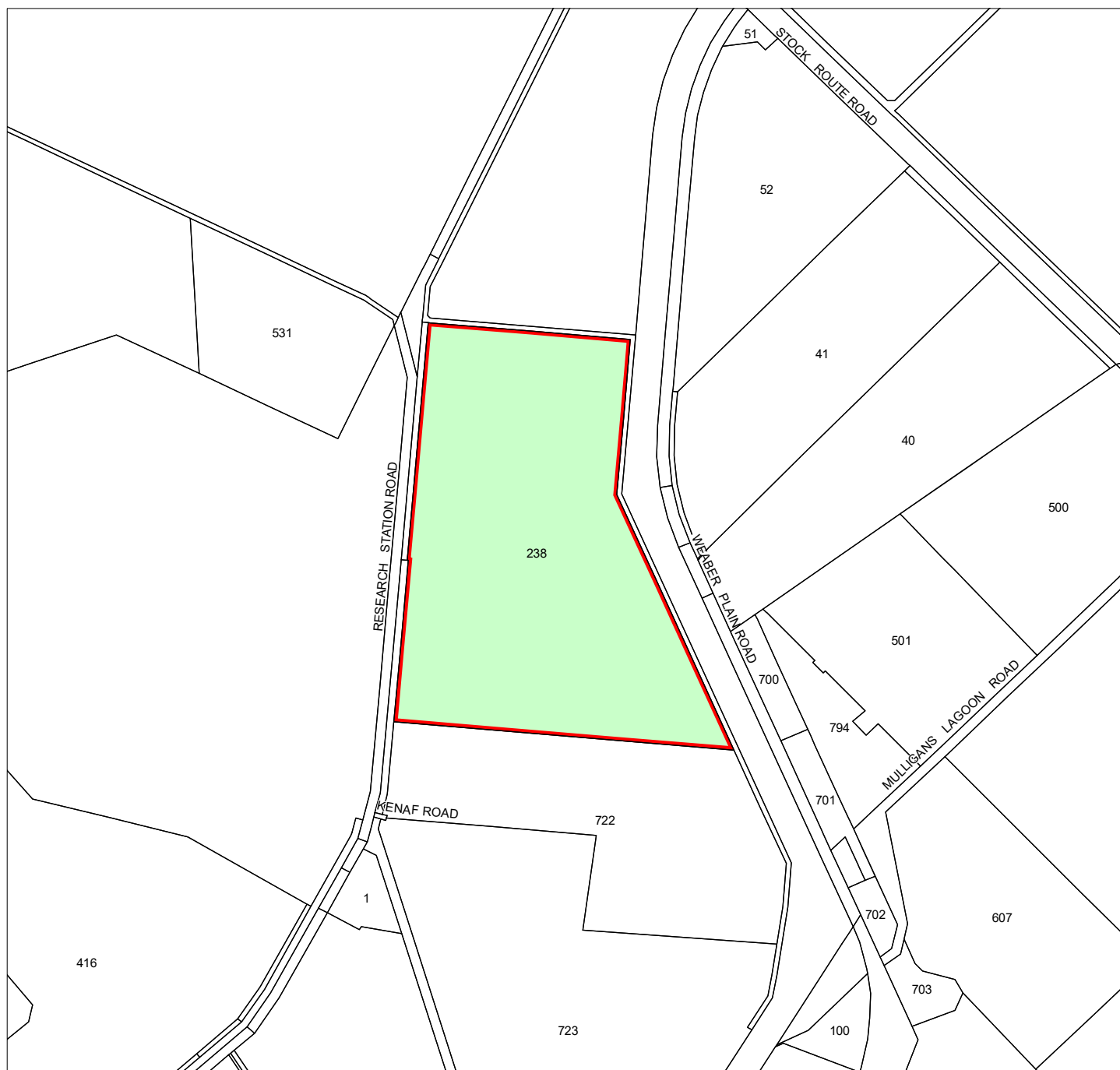
Shire of Wyndham-East Kimberley

Local Planning Scheme No. 9

Amendment No. 1

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Land Information Authority SLIP 1180-2020-1





PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 1

Legend



Cadastre with Lot number

LPS Zones and Reserves Amendments



Agriculture – State or Regional Significance



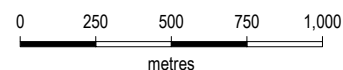
Department of Planning,
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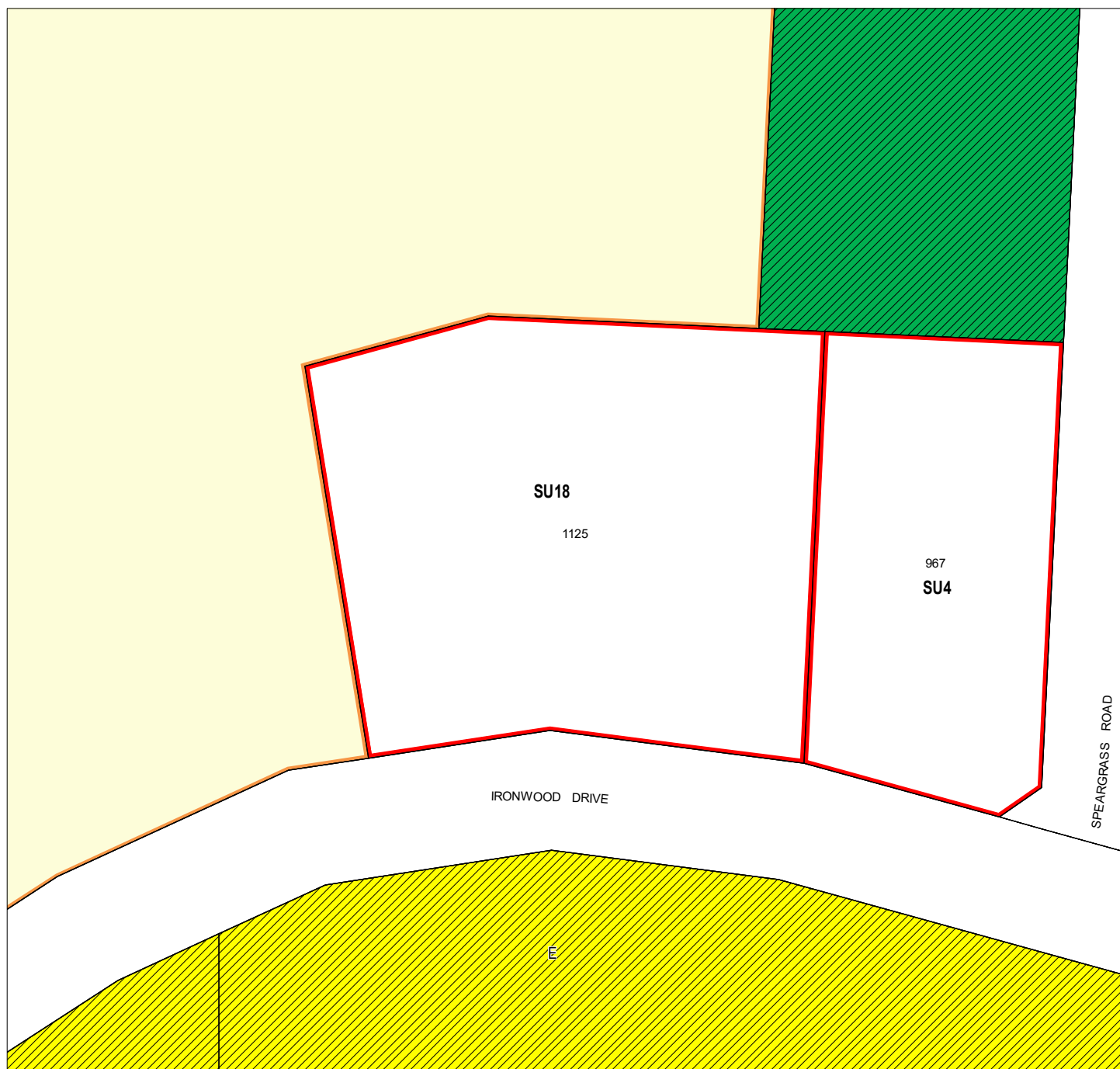
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EXISTING SCHEME MAP - MODIFICATION 2

Legend

Cadastre with Lot number

LPS Zones

Special Use

Urban Development

LPS Reserves

Education

Local Road

Public Open Space



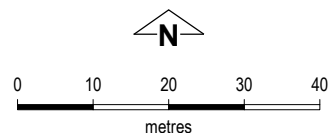
**Department of Planning,
Lands and Heritage**

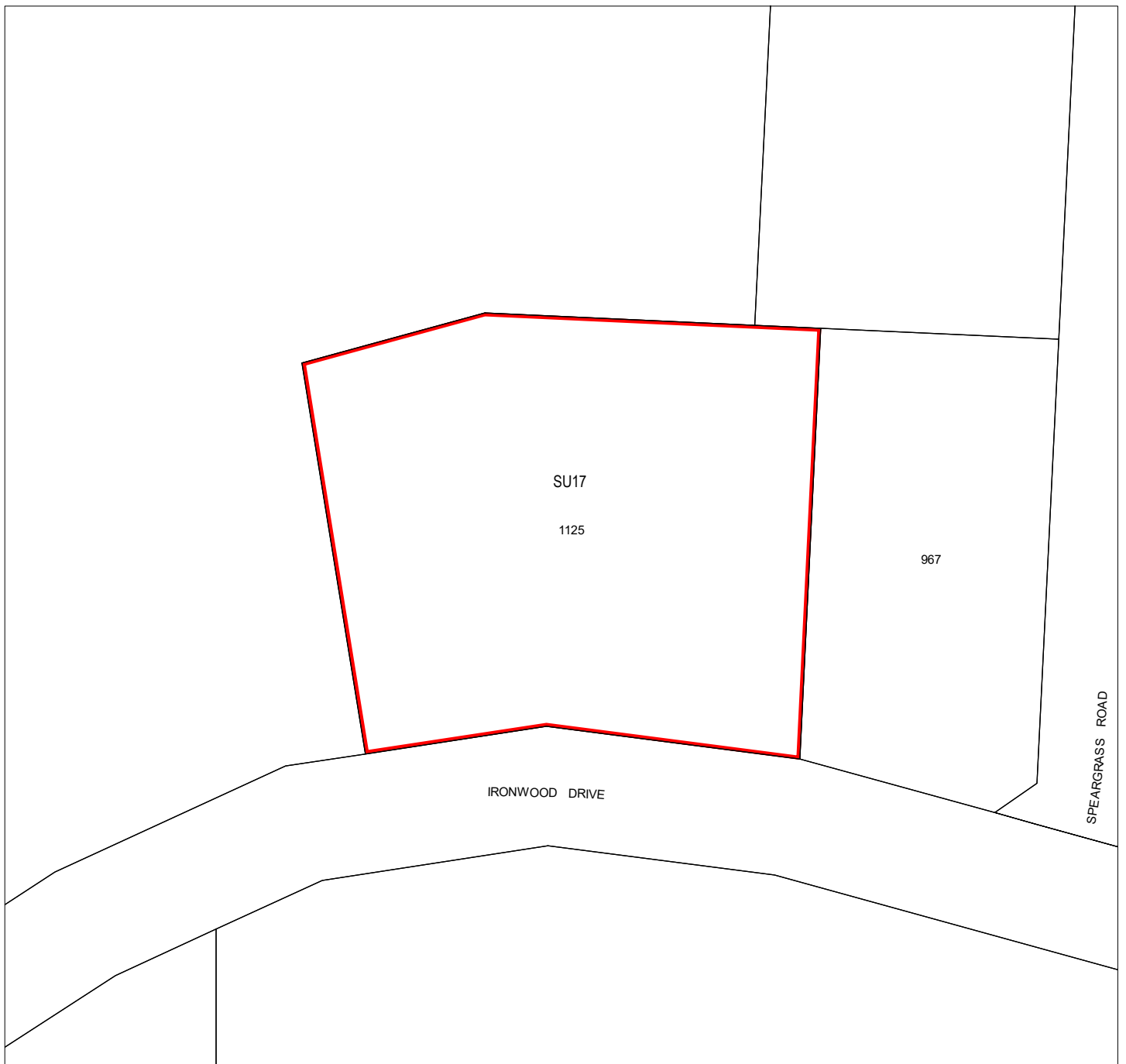
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PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 2

Legend

 Cadastre with Lot number

LPS Zones and Reserves Amendments

 Special use



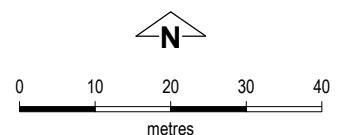
Department of Planning,
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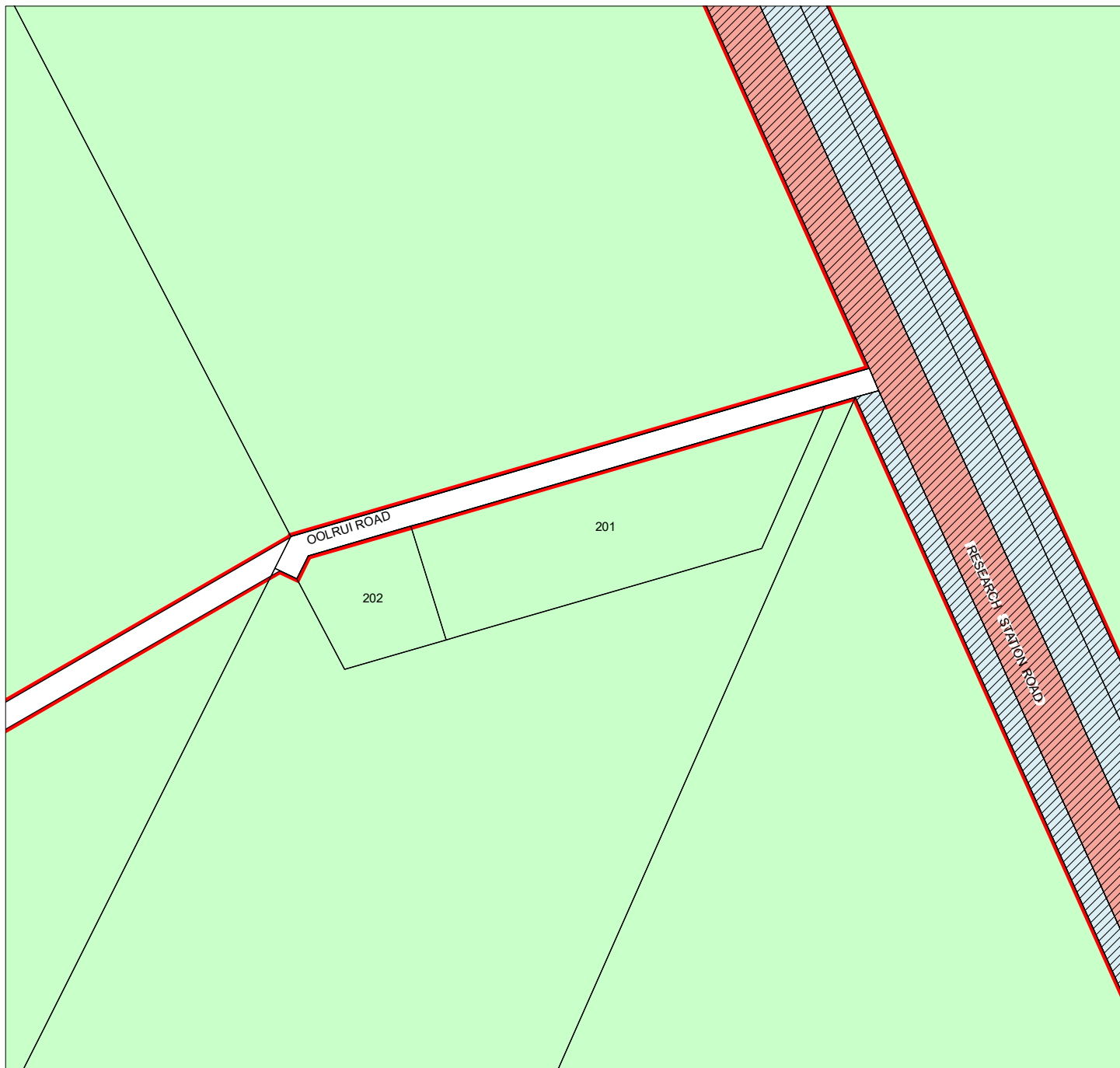
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EXISTING SCHEME MAP - MODIFICATION 3

Legend

Cadastre with Lot number

LPS Zones

Agriculture – State or Regional Significance

LPS Reserves

Drainage/Waterway

Local Distributor Road

Local Road



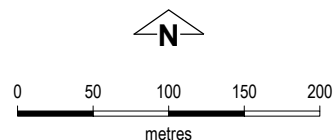
Department of Planning,
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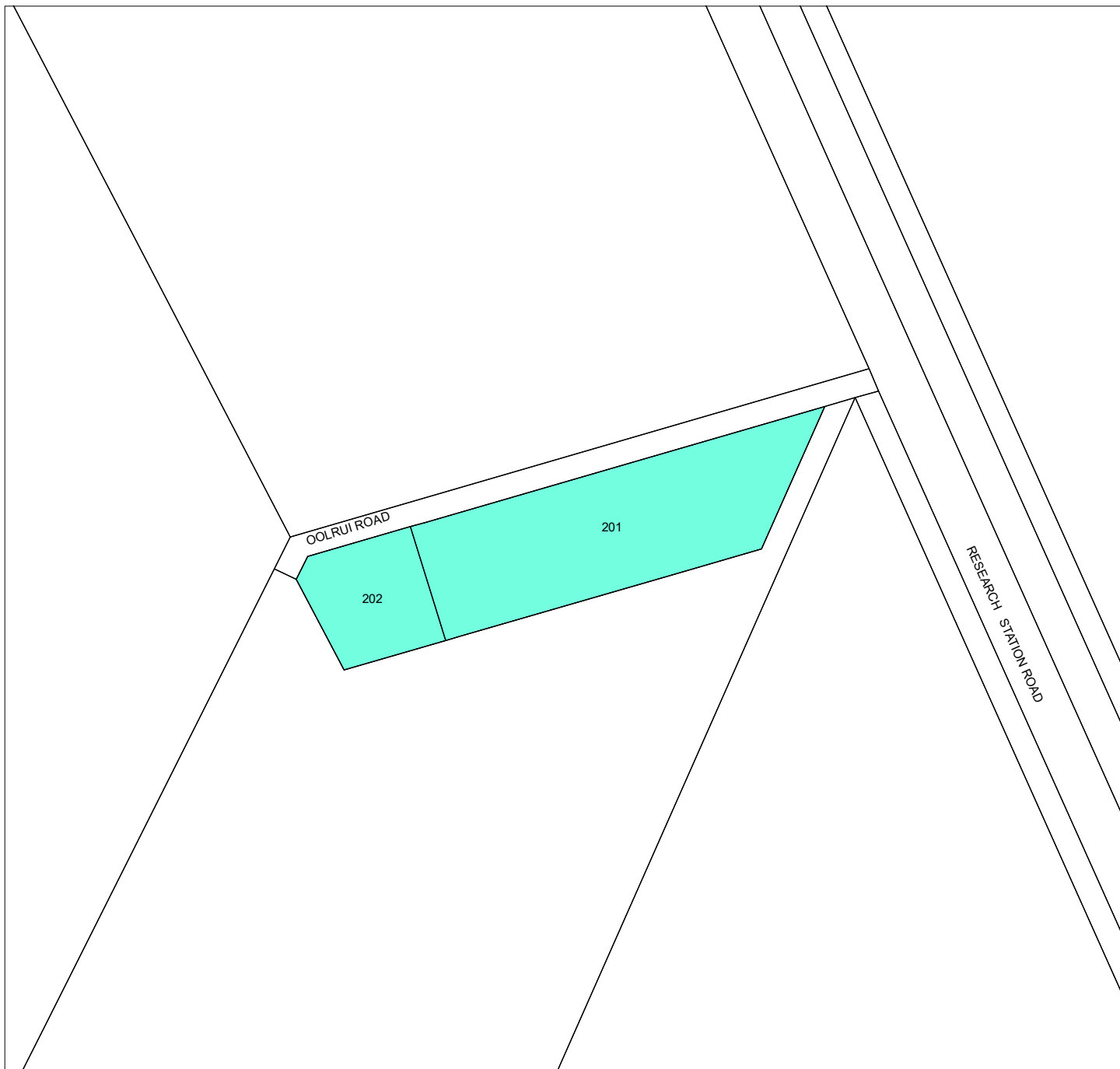
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PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 3

Legend



Cadastre with Lot number

LPS Zones and Reserves Amendments



Rural Enterprise



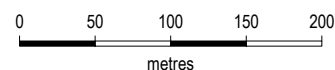
Department of Planning,
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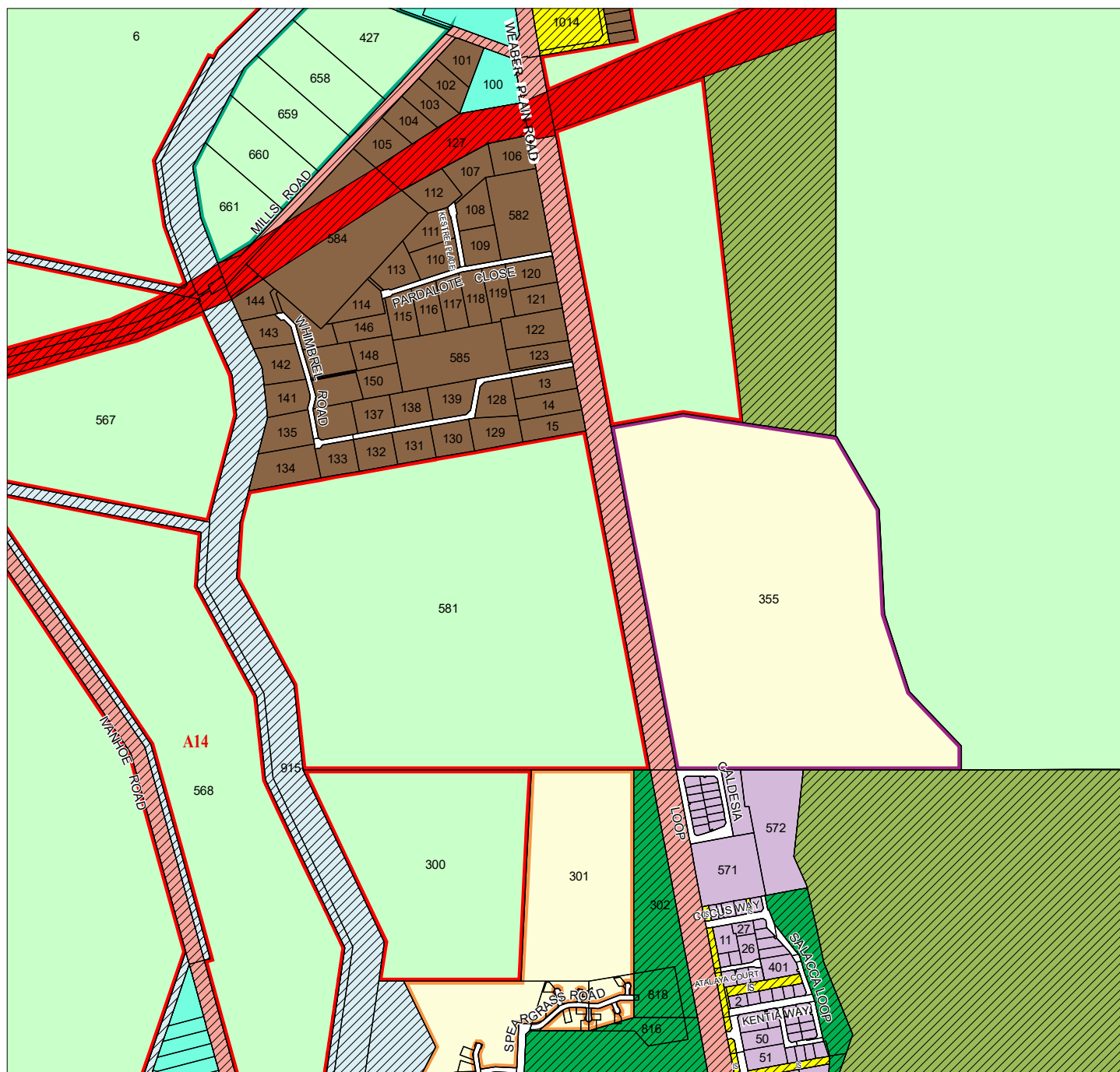
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EXISTING SCHEME MAP - MODIFICATION 4

Legend

Cadastre with Lot number

LPS Zones

Agriculture – State or Regional Significance

Industrial Development

Light Industry

Local Horticulture

Rural

Rural Enterprise

Rural Residential

Urban Development

LPS Reserves

Drainage/Waterway

Environmental Conservation Reserve

Infrastructure Services

Local Distributor Road

Local Road

Primary Distributor Road

Public Open Space

Public Purposes



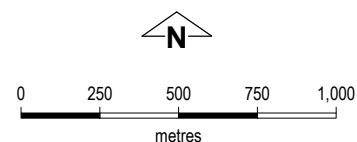
Department of Planning,
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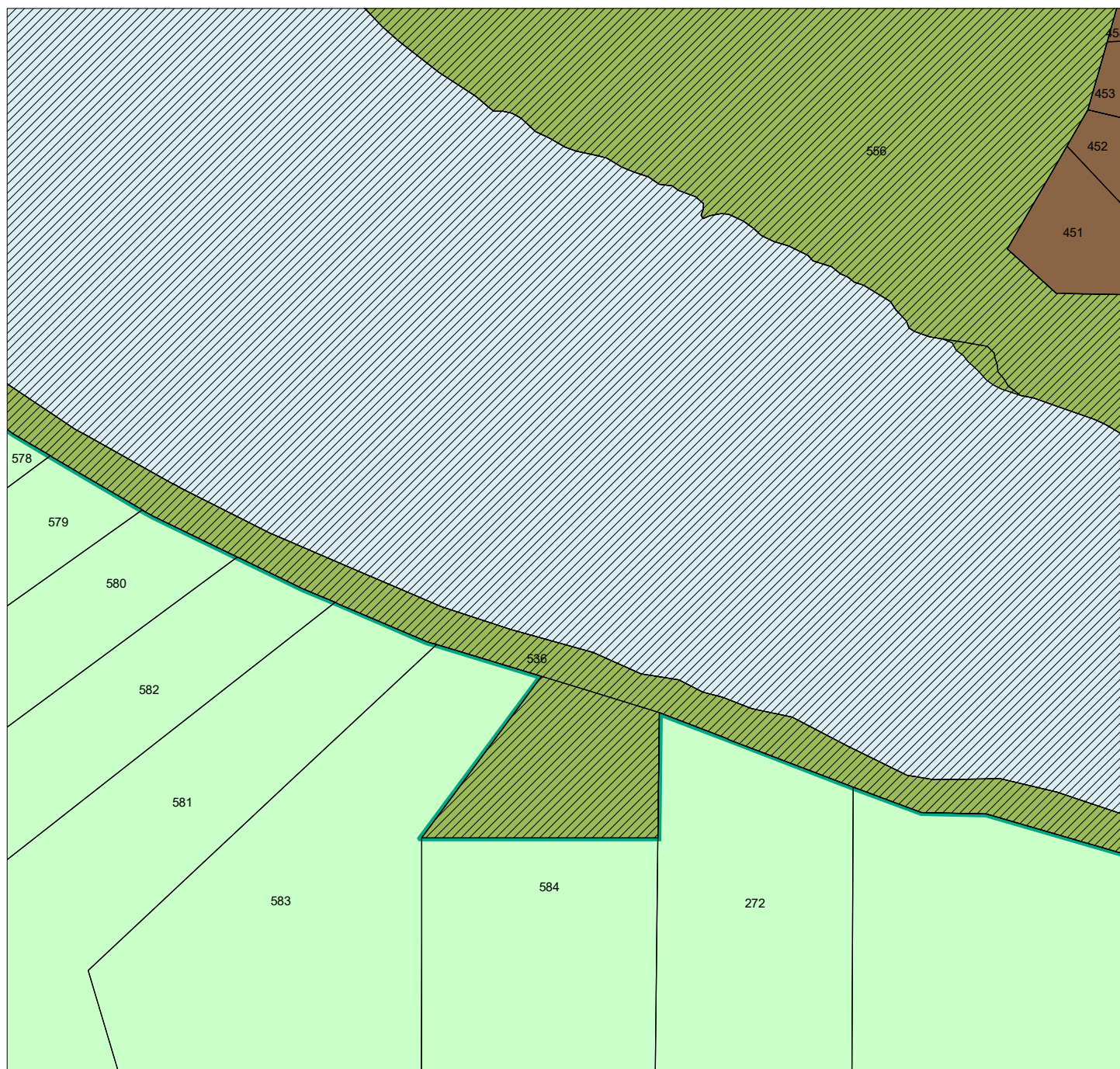
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EXISTING SCHEME MAP - MODIFICATION 5

Legend

 Cadastre with Lot number

LPS Zones

 Local Horticulture

 Rural Residential

LPS Reserves

 Drainage/Waterway

 Environmental Conservation Reserve



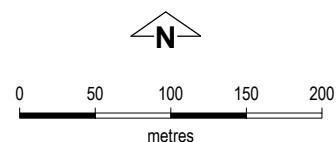
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PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 5

Legend



Cadastre with Lot number

LPS Zones and Reserves Amendments



Local Horticulture



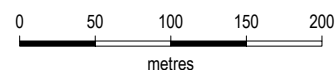
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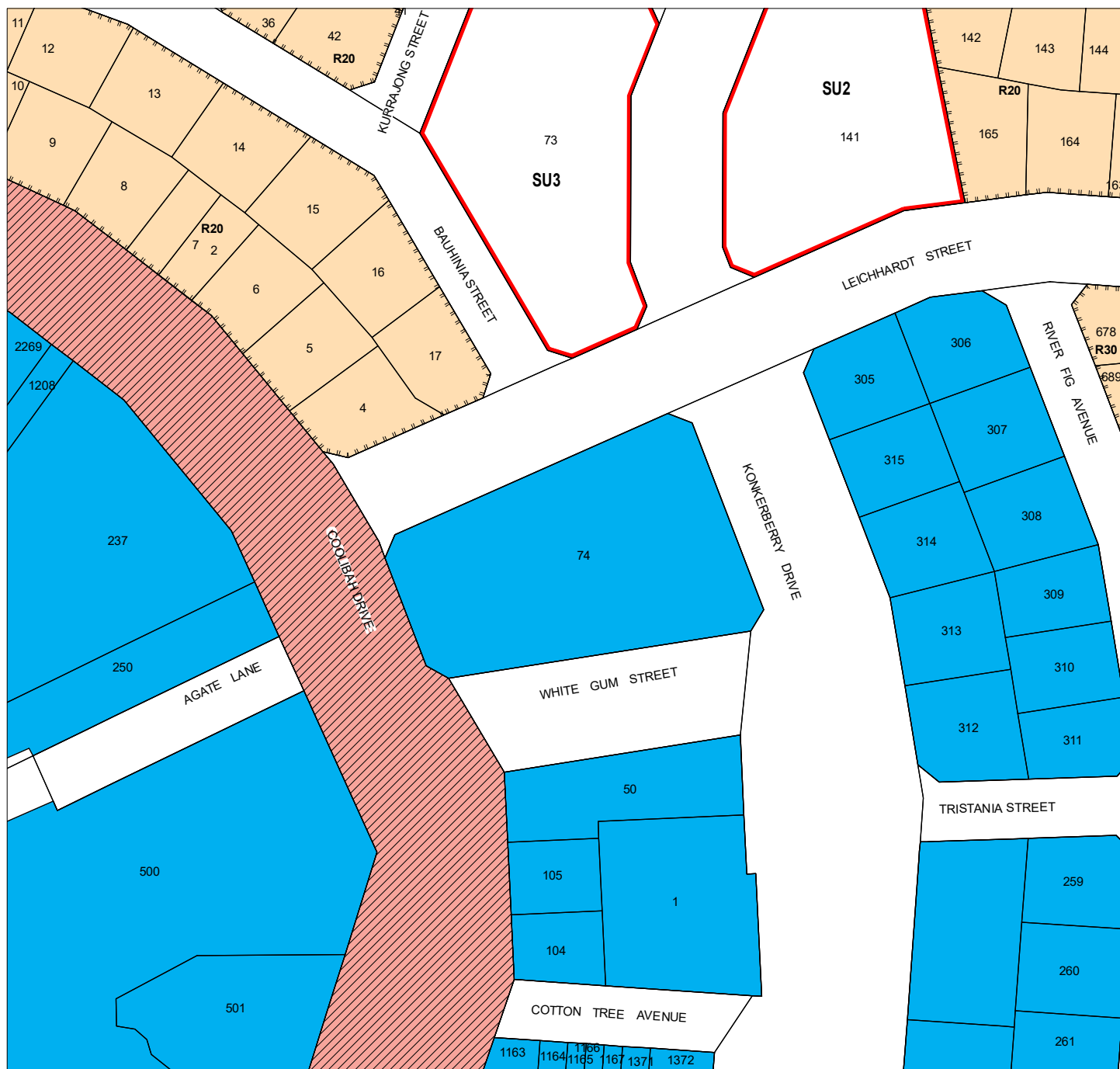
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EXISTING SCHEME MAP - MODIFICATION 6

Legend

Cadastre with Lot number Local Road

R Codes

LPS Zones

Commercial

Residential

Special Use

LPS Reserves

Local Distributor Road



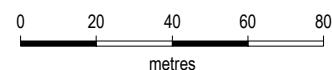
Department of Planning,
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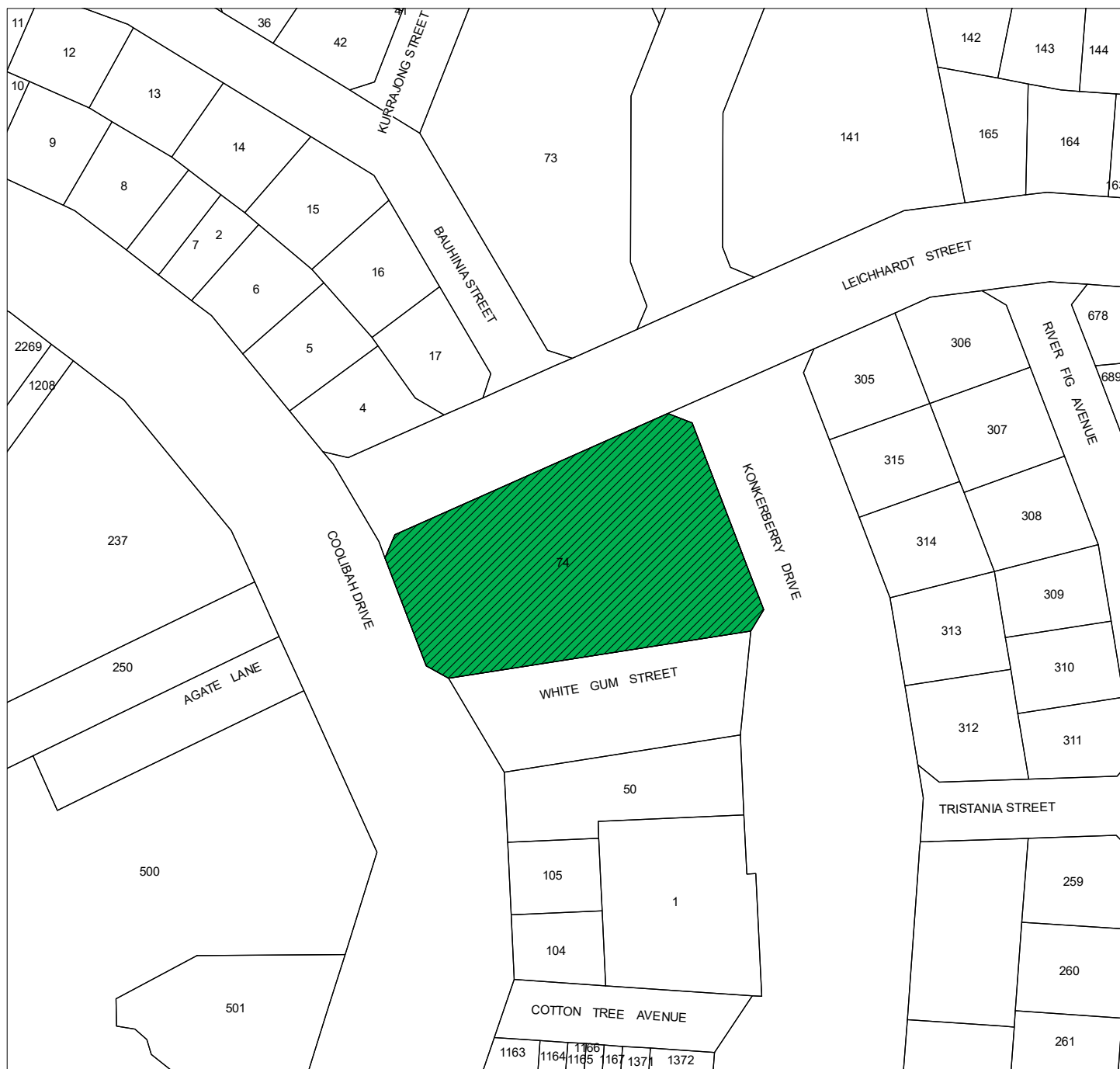
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PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 6

Legend



Cadastre with Lot number

LPS Zones and Reserves Amendments



Public open space



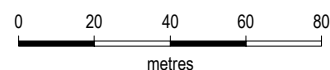
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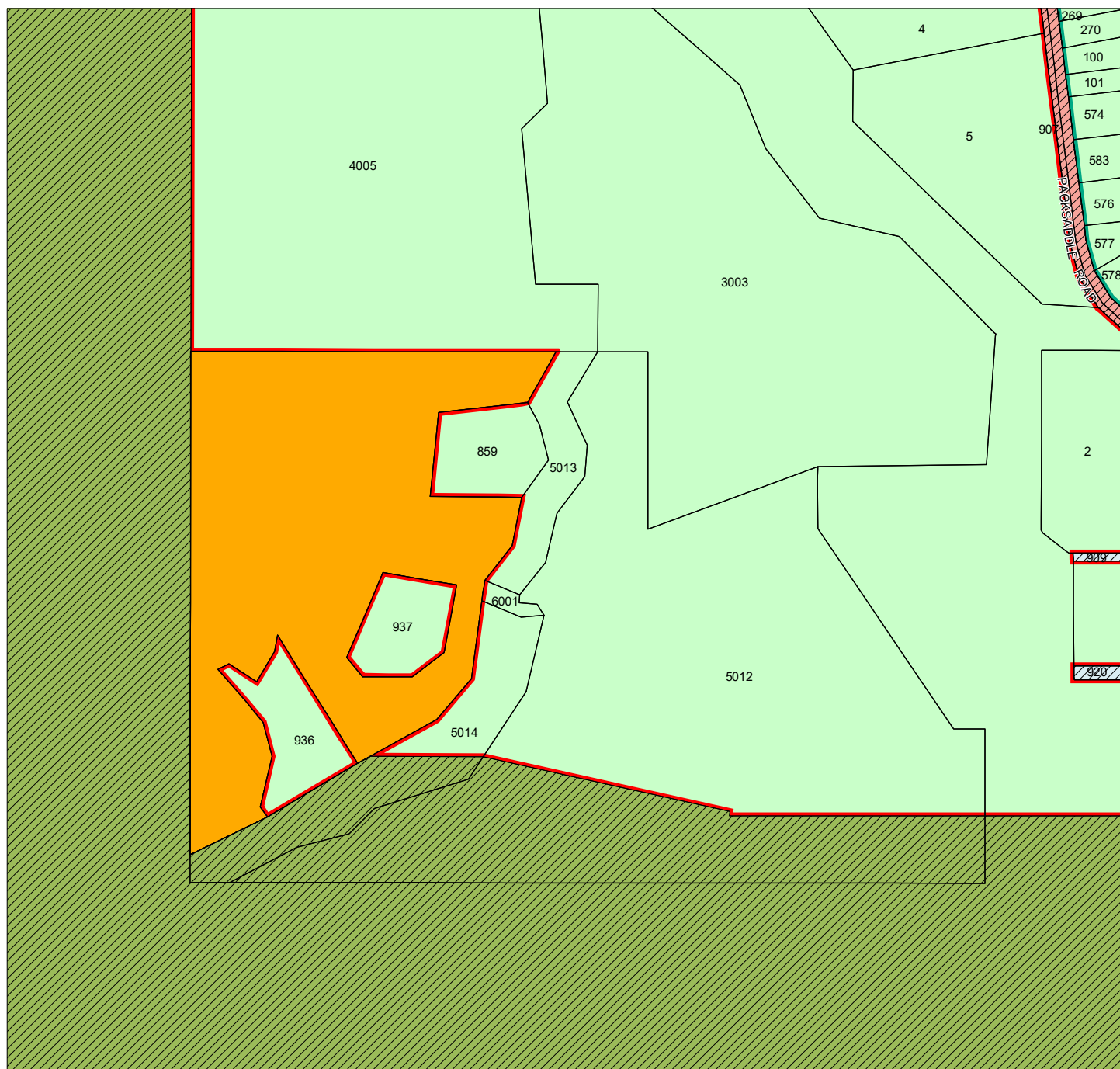
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EXISTING SCHEME MAP - MODIFICATION 7

Legend

- | | |
|---|--|
|  Cadastre with Lot number |  Local Distributor Road |
|---|--|

LPS Zones

- | |
|---|
|  Agriculture – State or Regional Significance |
|  Local Horticulture |
|  Settlement |

LPS Reserves

- | |
|---|
|  Drainage/Waterway |
|  Environmental Conservation Reserve |



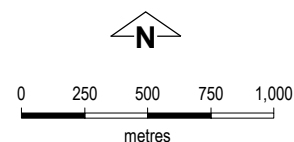
**Department of Planning,
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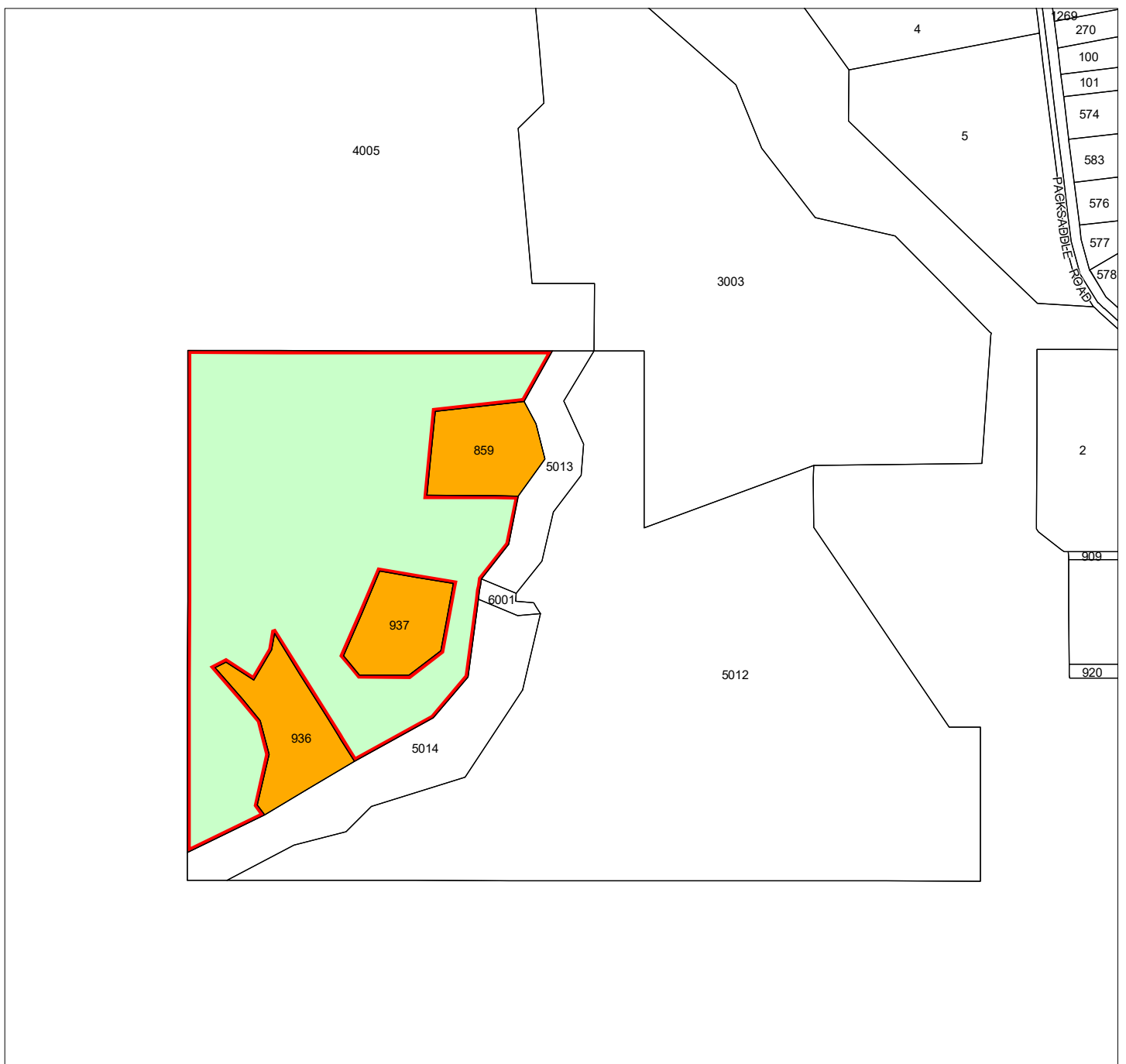
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PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 7

Legend

 Cadastre with Lot number

LPS Zones and Reserves Amendments

 Agriculture – State or Regional Significance

 Settlement



Department of Planning,
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Shire of Wyndham-East Kimberley

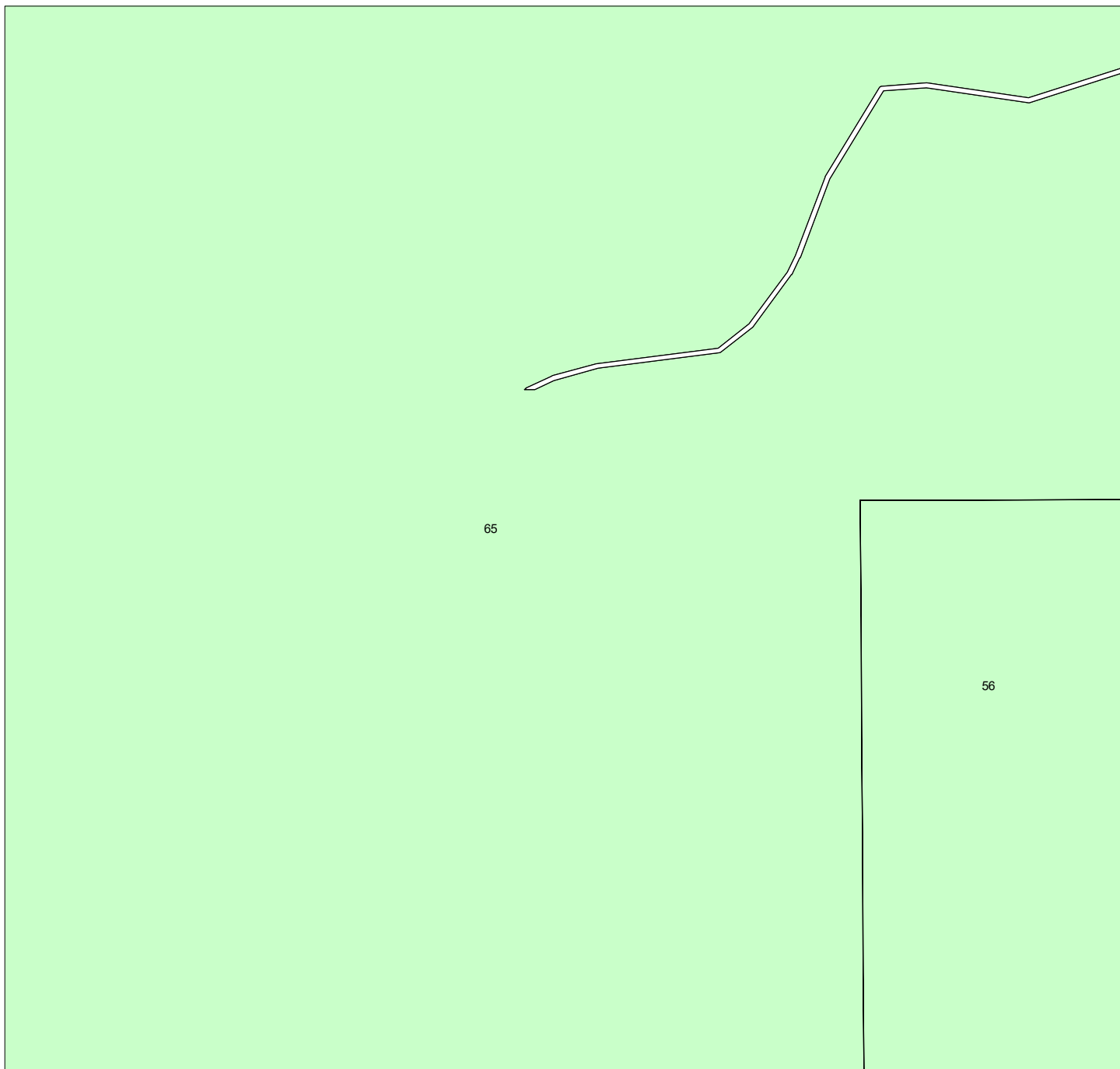
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0 250 500 750 1,000
metres



EXISTING SCHEME MAP - MODIFICATION 8

Legend

 Cadastre with Lot number

LPS Zones

 Rural

LPS Reserves

 Local Road



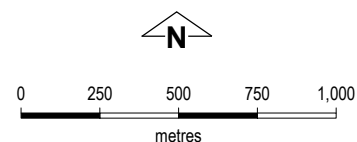
Department of Planning,
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PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 8

Legend

 Cadastre with Lot number

LPS Zones and Reserves Amendments

 Settlement



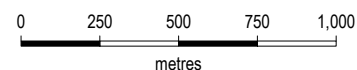
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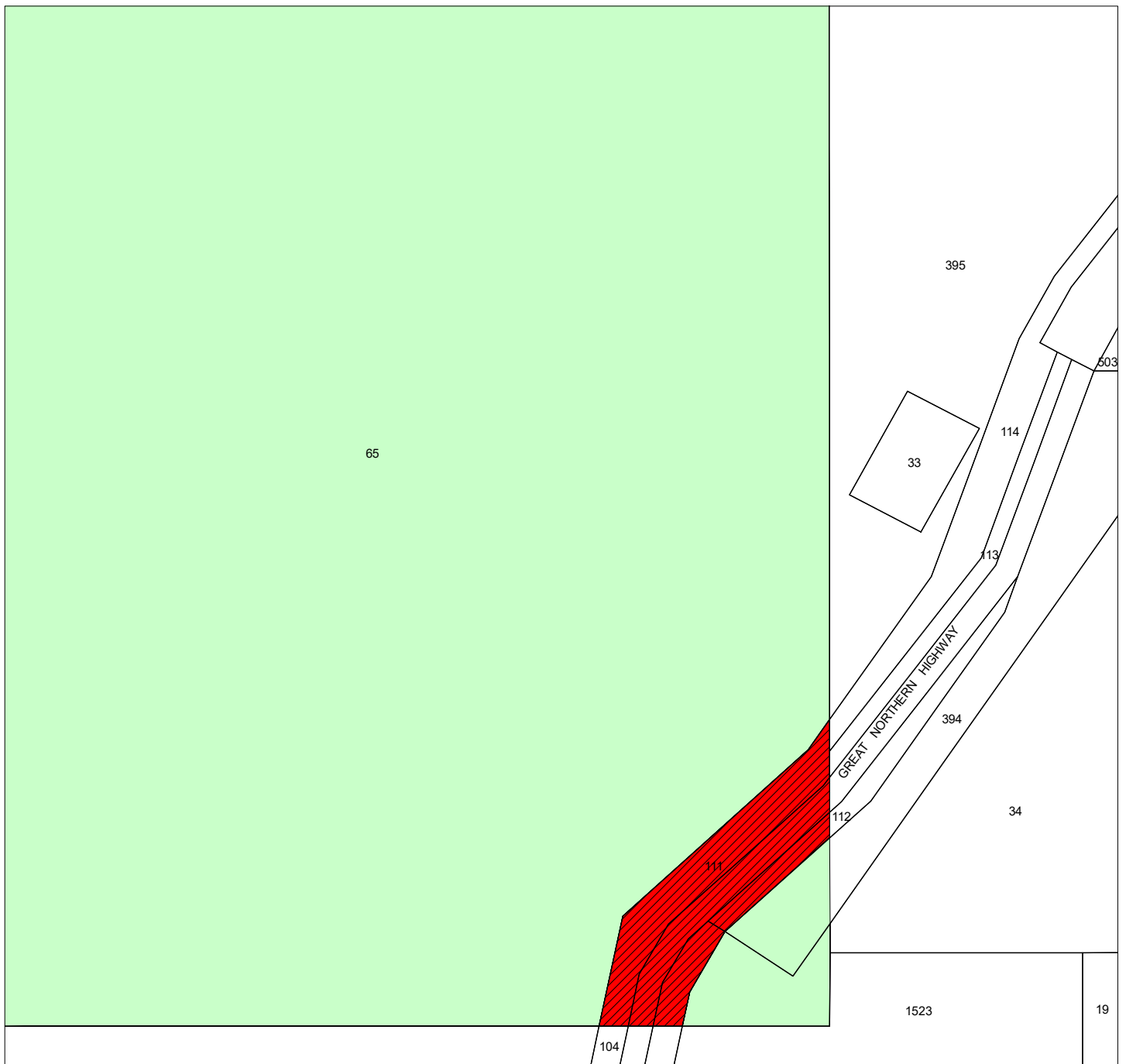
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EXISTING SCHEME MAP - MODIFICATION 10

Legend

 Cadastre with Lot number

LPS Zones

 Rural

LPS Reserves

 Primary Distributor Road



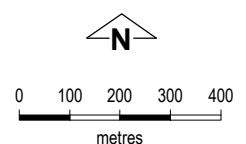
**Department of Planning,
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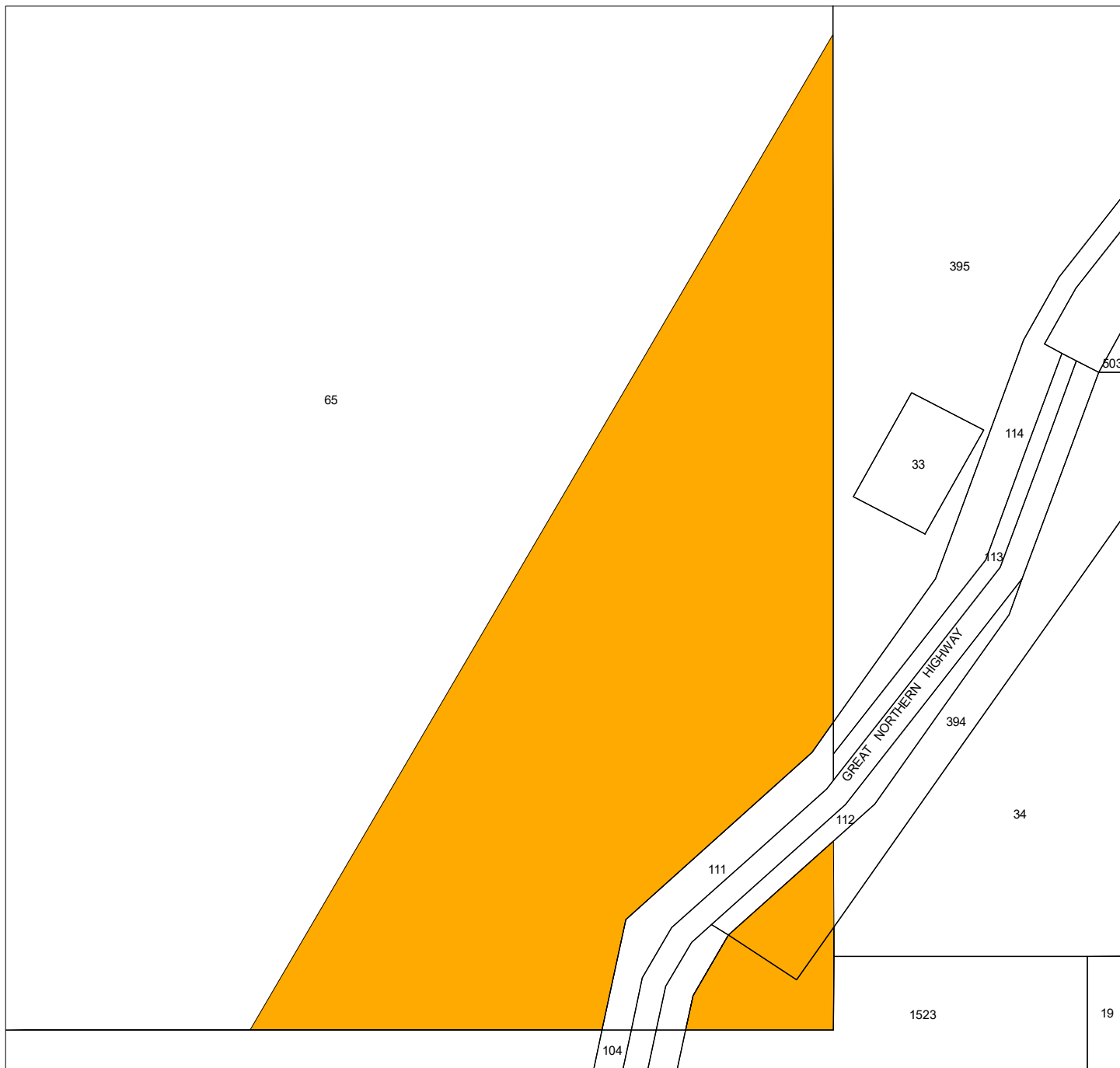
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PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 10

Legend



Cadastre with Lot number

LPS Zones and Reserves Amendments



Settlement



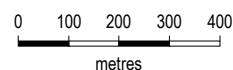
Department of Planning,
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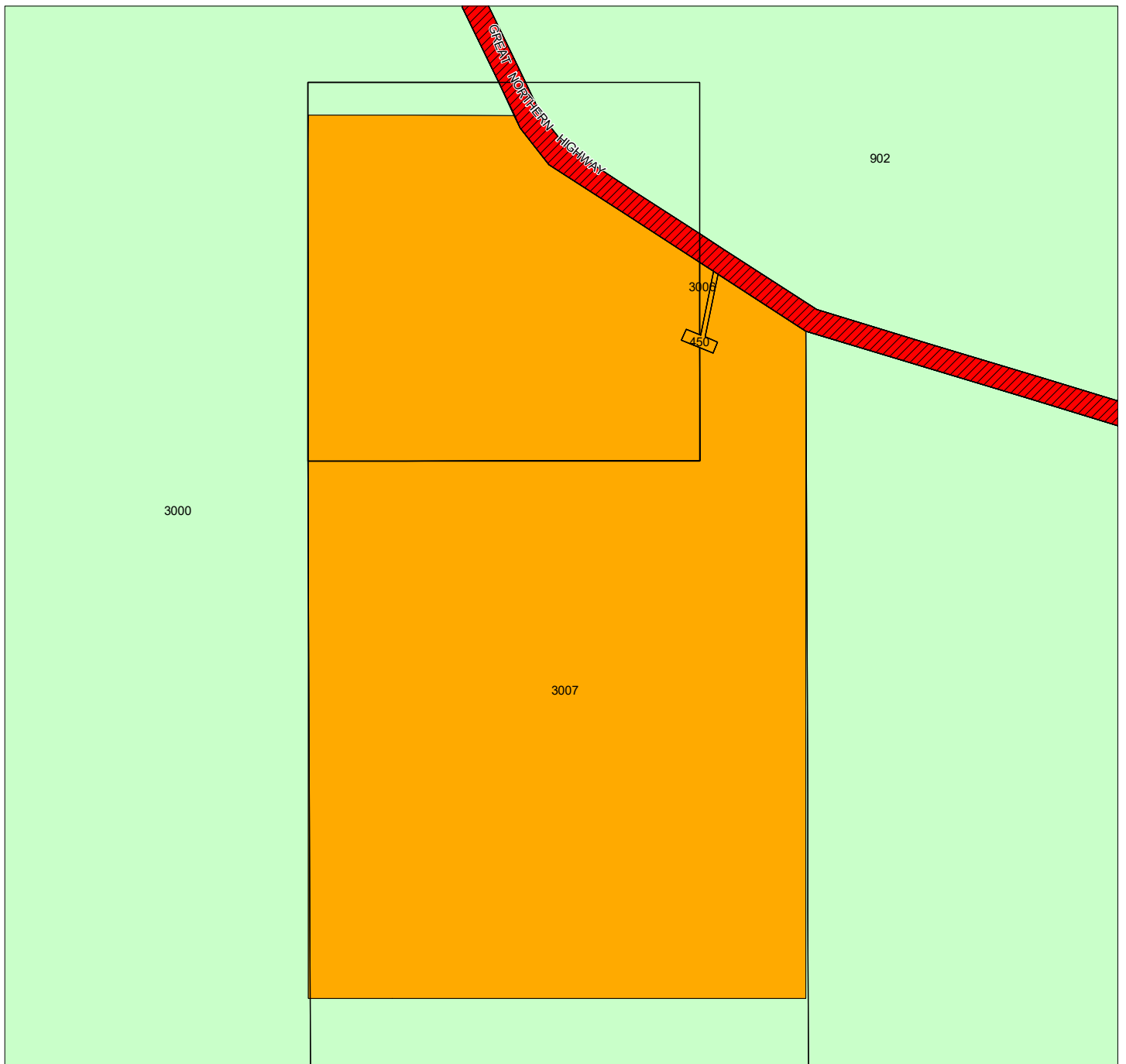
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EXISTING SCHEME MAP - MODIFICATION 11

Legend

 Cadastre with Lot number

LPS Zones

 Rural

 Settlement

LPS Reserves

 Primary Distributor Road



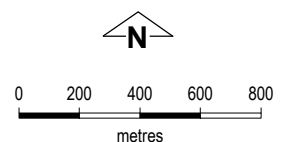
Department of Planning,
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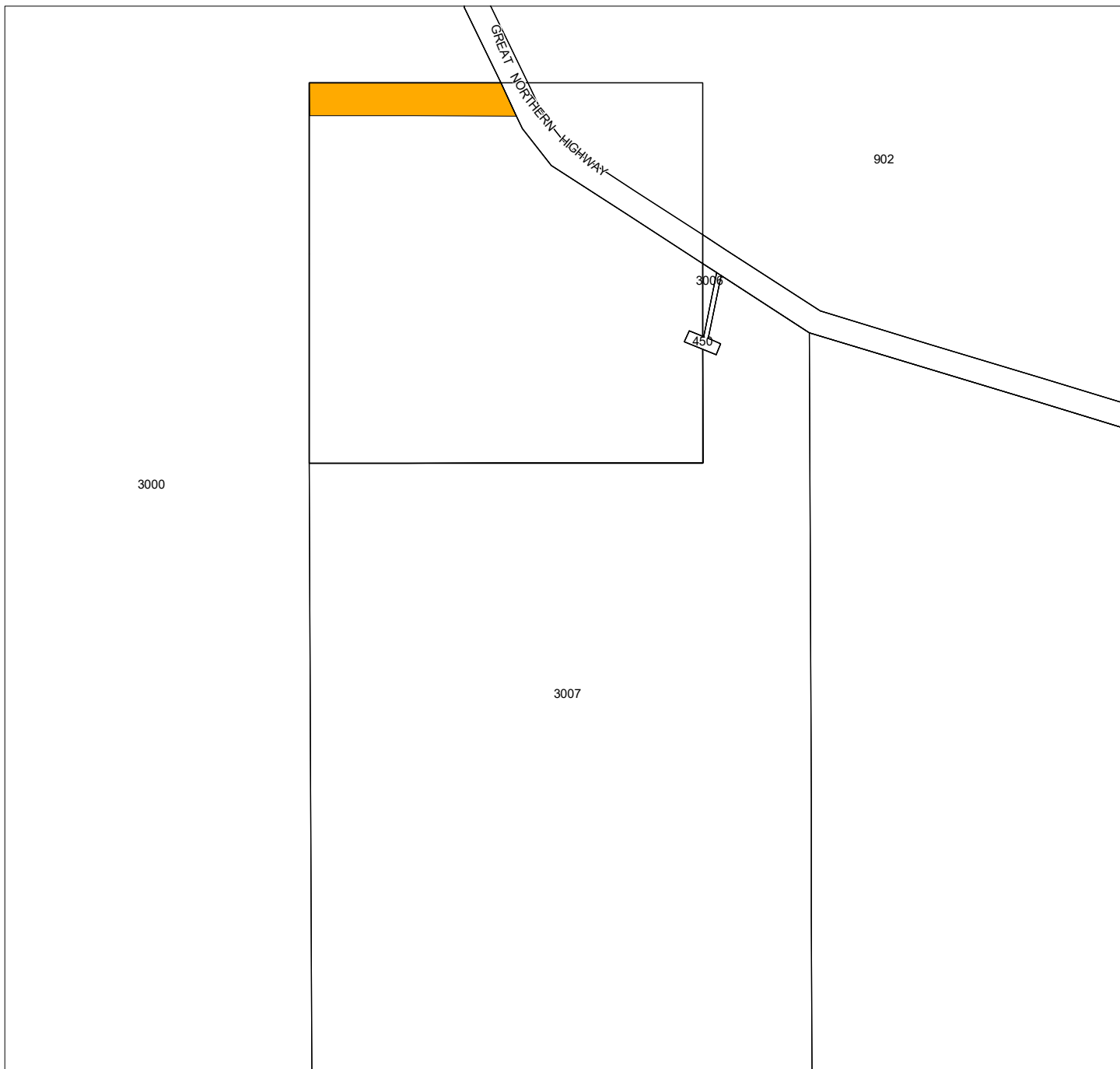
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PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 11

Legend



Cadastre with Lot number

LPS Zones and Reserves Amendments



Settlement



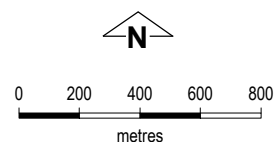
Department of Planning,
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EXISTING SCHEME MAP - MODIFICATION 12

Legend

 Cadastre with Lot number

LPS Zones

 Rural

 Settlement

LPS Reserves

 Environmental Conservation Reserve

 Local Road



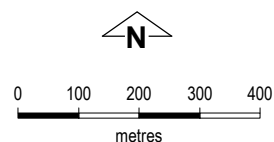
**Department of Planning,
Lands and Heritage**

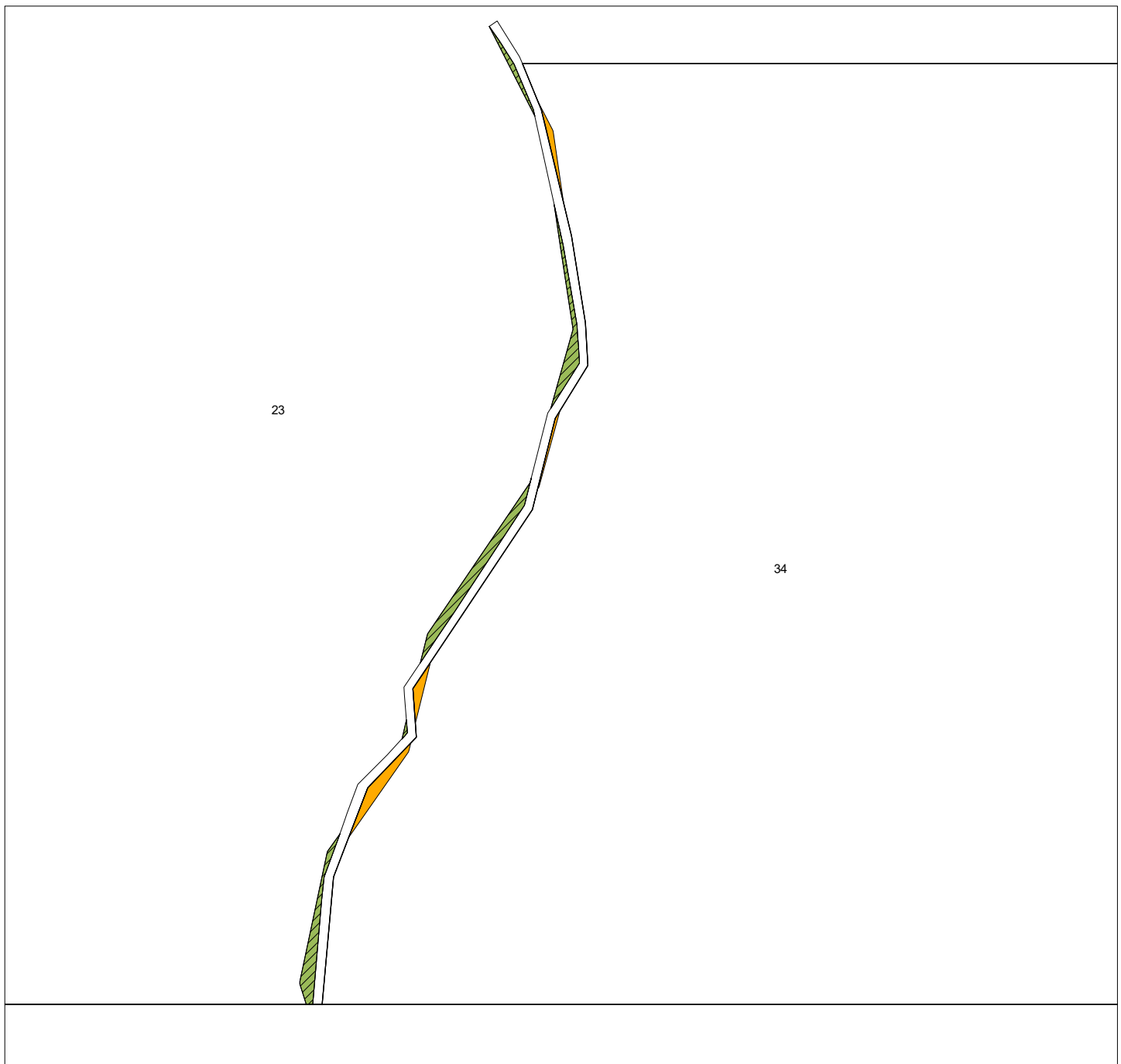
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PROPOSED SCHEME AMENDMENT MAP - MODIFICATION 12

Legend

 Cadastre with Lot number

LPS Zones and Reserves Amendments

 Environmental Conservation Reserve

 Local Road

 Settlement



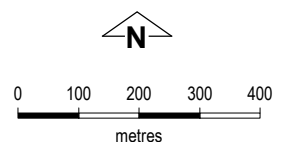
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COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Wyndham-East Kimberley Meeting of the Council held on the [day] day of [month], 20[year].

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Shire of Wyndham-East Kimberley at the [NAME] Meeting of the Council held on the [number] day of [month], 20[year], proceed to advertise this Amendment.

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended **for support** by resolution of the Shire of Wyndham-East Kimberley at the [NAME] Meeting of the Council held on the [number] day of [month], 20[year] and the Common Seal of the Shire of Wyndham-East Kimberley was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

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

DATE.....

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....