

**SCHEDULE OF MODIFICATIONS  
CITY OF BUSSELTON  
LOCAL PLANNING SCHEME NO. 21**

**ATTACHMENT 6**

No.	Clause Ref/ Location	Modification	Reasons
1.	Scheme & Map	Incorporate the modifications proposed in the recently approved Amendment No. 130 to TPS No. 20	Need to carry over approved Amendment otherwise changes will be lost with the gazettal of LPS No. 21.
<b>Text Modifications</b>			
2.	All Scheme Text	<p>Undertake a comprehensive proof read of the scheme text to identify and correct any typographical, formatting, numbering, agency naming and grammatical errors.</p> <p>Undertake a comprehensive check of all Scheme clause cross referencing.</p> <p>Modify the scheme text in accordance with the 'track changed' version at Attachment 2.</p>	<p>Ensures document is correct and easy to read and comprehend.</p> <p>Ensures correct operation of scheme.</p> <p>Incorporates amendments gazetted post 12 August 2009 to the current Scheme No. 20, the City's recommended modifications and minor modifications and wording, grammar and formatting corrections including the changes documented below.</p>
3.	Various	Change 'development application' or 'planning application' to 'application for planning approval'	Correct MST terminology
4.	Cl 1.4 & Cl 6.12.1	Renumber map sheet numbers to reflect the additional sheets added to the scheme (Refer to associated map modifications 40 & 41 below). Total sheets will now be 33, with the 'Contributions Sheet' being sheet No. 33.	Ensures clauses refer to the correct number of sheets, as applicable.
5.	Cl 4.2.10(ii) & (iii)	Remove the words ' <i>of the scheme</i> '.	Wording is unnecessary.
6.	Cl 4.5.3 (b)	Delete 'within the Rural Residential zone'.	Unnecessary wording
7.	Cl 4.5.3(d)	Reword clause to provide clarity and delete reference to 20ha lot size.	Intensive Agriculture use is not permitted in the Rural Residential zone in the Zoning Table regardless of lot size.
8.	Cl 5.3.1(f)	Change "acceptable development" to "deemed to comply".	Consistent R-Codes terminology.
9.	Cl 5.3.1 (h)	Change 'part 6' to 'part 7'	Correct cross reference
10.	Cl 5.8.3	Update R-Code clause references to 5.1.6 (P6) and 6.1.2. (P2)	Reflects the latest version of the R-Codes
11.	Cl 5.28	Change 'Department of Environment' to 'Department of	Correct department name.

		Parks and Wildlife’.	
12.	CI 5.23.3	Change clause cross reference to CI 5.23.2	Corrects clause cross reference typographical error.
13.	CI 5.34.2(d)	Change ‘substantively’ to ‘substantially’.	Correct terminology.
14.	CI 5.37	Remove all text pertaining to CI 5.37 ‘Exhibition Centres in the Viticulture & Tourism Zone’ and renumber subsequent clauses and cross references accordingly.	Provisions are not contained in the TPS No. 20 and is therefore not a policy neutral clause. Recommend that change be included in the proposed omnibus amendment.
15.	CI 5.40.3	Refer to “Agriculture”, “Intensive Agriculture” and “Recreation Agriculture”	These are the correct land use descriptions and ‘agriculture - extensive’ is not a land use defined in the scheme.
16.	CI 6.4.3	Delete ‘to which this clause applies’ and replace with ‘within the Landscape Value area’.	Removes potential ambiguity.
17.	CI 6.4.4	Change ‘6.4’ to ‘6.4.3’	Specific cross reference.
18.	CI 6.5.6(b)	Change ‘of’ to ‘and’	Grammar
19.	CI 7.5.8	Modify wording to clarify scope of Commission’s determination matters.	Consistent with clause 25(7) of TPS No. 20 and draft Model Scheme Text provisions for structure plans.
20.	CI 9.2.1 & 9.2.2	Modify the wording of the introductory and concluding ‘permitted development clauses as per the track changes (Attachment 2).	Retains the intent of the ‘permitted development’ clauses, but significantly improves the wording, format and clarity of these clauses.
21.	Schedule 1 Interpretations	Change “Caravan Park” to Caravan Park & Camping Grounds” Change “Stock Yard” to “Stock & Sale Yard”	Consistency between Zoning Table (Table 1) and Interpretations (Schedule 1).
22.	Schedule 1 Interpretations ‘Showroom”	Change “goods of a bulky nature” to “bulky goods”	The term “bulky goods” is defined in the schedule.
23.	Schedule 2, Additional Use A76, Condition 3	Change ‘six (6) chalets’ to ‘nine (9) chalets’ and ‘900m <sup>2</sup> ’ to ‘1350m <sup>2</sup> ’.	Consistent with the wording of the provision contained in Amendment No. 149 to TPS No. 20
24.	Schedule 2	Ensure that any unallocated “Additional Use No’s” are indicated as either ‘ <i>This Additional Use is unallocated</i> ’ or ‘ <i>Deleted via Amendment No ?’ to DTPS No. 20 (date)</i> ’	Ensures that there is no numbering gap in the schedule. (Note: this modification has not been incorporated into the track changed version – Attachment 2)
25.	Schedule 3	Ensure that any unallocated “Special Provision Area No’s” are indicated as either ‘ <i>This Special Provision Area is unallocated</i> ’ or ‘ <i>Deleted via Amendment No ?’ to DTPS No. 20 (date)</i> ’	Ensures that there is no numbering gap in the schedule. (Note: this modification has not been incorporated into the track changed version – Attachment 2)
26.	Schedule 3 SP area16, special provision 7a)iv)	Correct clause cross reference ‘6.2’.	6.2 is the incorrect clause number.

27.	Schedule 3, SP23, Condition 5a)ii)	Change 'Clause 2.5' to 'Part 2'	Reflects the appropriate part in the most recent R-Codes.
28.	Schedule 3, SP23, Condition 5c)	Change in the clause '5(c)' to '5(b)'.	Correct clause cross reference.
29.	Schedule 3, SP34, Condition 2	Change 'Lot 5' to 'Lot 65'.	Reflects the correct lot number in Amendment No. 157.
30.	Schedule 3, SP41, Particulars of Land column	Change '28' to '38'.	Correct Lot No.
31.	Schedule 3, SP54, Condition 9	Delete 'by Scheme Amendment 88'.	Reserves shown via Amendment No. 88 will cease to exist and have been carried over into the new scheme, so reference to the old Amendment document is not necessary.
32.	Schedule 14 title, clause cross reference	Change from '[CI 9.2(i)]' to '[CI9.2.1(i)]'.	Correct cross reference.
33.	CI 10.1(l)	Change clause cross reference to '9.2.1(i)'	Ensures correct clause reference.
34.	CI 12.4.1 & 12.4.2 & Note.	Delete and replace with the following:  12.4.1 A person whose land or property is injuriously affected by the making or amendment of the Scheme may make a claim for compensation under section 178 of the Act.  Note : A claim for compensation under section 178 of the Act may be made in the Form No. 7 in Appendix A of the Town Planning Regulations 1967.	Ensures the compensation clauses are consistent with the Planning & Development Act 2005 and removes the inconsistencies generated by the current MST provisions.
<b>Map Modifications</b>			
35.	Various Sheets	Support the City's proposed modifications contained in the maps submitted on 15 April 2014, subject to the additional modifications required in this schedule.	Incorporates amendments gazetted post 12 August 2009 to the current Scheme No. 20, and recommended minor modifications that correct drafting errors.
36	All Sheets	Modify the maps to be consistent with standard scale, presentation and drafting standards, to the satisfaction of the of the Department of Planning (e.g. produce maps at A1	<ul style="list-style-type: none"> <li>• Consistency of scheme drafting across the State;</li> <li>• Consistency with advertised version of the scheme;</li> <li>• Improves readability/clarity of plans; and</li> </ul>

		size; Sheets 1 & 2 show 'sheet reference maps' as cadastre only (i.e. no zoning/colours) and reintroduce 'Refer to Sheet X' designations; adjust line thicknesses (e.g. 'Area' designations).	<ul style="list-style-type: none"> <li>Eliminates the duplication of zoning maps (i.e. potential for errors and conflict between larger scale and smaller scale maps).</li> </ul>
37.	Sheets Title Block	Remove 'note' (disclaimer) and reference to the Scheme No. 20 gazettal date.	Scheme No. 21 is a new scheme and therefore reference to 'accuracy' or 'errors' and what will be a superseded scheme is unnecessary and will cause confusion.
38.	Various Sheets	Add additional R-Code and SP No. etc. values around match lines.	Corrects drafting errors and ensures 'values' are shown on both sheets.
39.	Various Sheets	'Recreation' reserves and 'Ocean' designations to be made consistent with the advertised version of Scheme No. 21.	Reverting to the gazetted version of Scheme No. 20 for these designation creates large areas which will not be zoned/reserved (i.e. 'No Zone'). This means that these land parcels will have no planning controls and be open to potentially inappropriate development. Also, the Shire's submitted modifications do not form part of Council's resolution and therefore there is no head of power for this change to be made. Also, Scheme No. 21 appropriately addresses previous reservation anomalies (e.g. roads which have been incorrectly identified as 'Recreation' reserve or portions of lots shown as 'No Zone' ).
40.	Sheet 2	Add additional Map Sheet to cover the Forrest Beach locality. (Note associated text modification No. 4)	Map scale is too small for accurate interpretation (e.g. 'SP 54' and various 'Area' designations).
41.	Sheet 1 & 2	Add additional Map Sheet to cover the 'Ambergate North' and 'Andrew Lane' Rural Residential localities. (Note associated text modification No. 4)	Map scale is too small for accurate interpretation.
42.	Sheet1	Remove 'HMAS Swan Wreck' identification.	Has no planning/scheme purpose.
43.	Sheet 7	'Public Purposes WT' reserve to match Reserve 44036 cadastre boundary.	Alignment/drafting error.
44.	Sheet 10	Show all of Reserve 31591, Lot 3001 as 'Recreation' reserve. Change Lot 111 Stone Street, Quindalup from 'Residential' zone to 'Public Purposes' reserve with a 'WA' water authority designation.	Currently portion shown incorrectly as 'no zone'.  Land is owned by Water Corporation and contains utility infrastructure.
45.	Sheet 12 & 13	Add 'Special Provision Area' boundary to SP 31 area 'Dunsborough Industrial Park'	Boundary is missing from this area.
46.	Sheet 15	Change land behind Lot 7 (No. 396) Caves Road, Siesta Park from 'Ocean' and 'No Zone' to 'Recreation' reserve.	Corrects drafting error.
47.	Sheet 2	Add missing 'Recreation' reserve consistent with gazetted Amendment No. 88 to Scheme No. 20.	Omitted gazetted reservation as a result of reverting all 'Recreation' reserves to the initially gazetted Scheme No. 20 version.
48.	Sheet 2 & 28	Add missing 'Recreation' reserve consistent with gazetted Amendment No. 164 to Scheme No. 20.	Omitted gazetted reservation as a result of reverting all 'Recreation' reserves to the initially gazetted Scheme No.

			20 version.
49.	Sheet 23	Add missing 'Recreation' reserve (Pt Lot 500) consistent with gazetted Amendment No. 96 to Scheme No. 20.	Omitted gazetted reservation as a result of reverting all 'Recreation' reserves to the initially gazetted Scheme No. 20 version.
50.	Sheet 24	Add missing 'Recreation' reserve consistent with gazetted Amendment No. 168 to Scheme No. 20.	Omitted gazetted reservation as a result of reverting all 'Recreation' reserves to the initially gazetted Scheme No. 20 version.
51.	Sheet 24	Add 'Recreation' reserve around 'Business' zone in Frederick Street.	Consistent with advertised Scheme No. 21.
52.	Sheet 25	Add 'Recreation reserve to north of 'Special Purpose WFS' area.	Consistent with advertised Scheme No. 21.
53.	Sheet 12 & 17	Adjust 'Addition Use' A 76 boundary to match cadastre.	Addition use currently does not reflect the relevant lot boundaries and encroaches on to adjacent road reserves and lots which was not the intent of the initial Amendment No. 149.
54.	Sheet 12 & 17	Adjust 'Addition Uses' A 75 & A 37 boundary to match cadastre.	Addition use currently does not reflect the relevant lot boundaries and encroaches on to adjacent road reserves and lots which was not the intent of the initial Amendment No. 149.
55.	Sheet 23	Include the 'Adelaide Street Special Character Area', as per gazetted Amendment No. 125 to Scheme No. 20.	Has been Inadvertently removed.
56.	Various Sheets	Change all 'Pubic Purpose' sites that are currently shown as black to yellow.	Corrects drafting error.
57.	Various Sheets	Relocate Sheet No. inserts 11 - 15 and 18 - 29 to the east to provide greater map coverage of the Yalyalup and Airport Industrial localities.	Improved detailed map coverage.