



Our ref: TPS/3072
Enquiries: Local Planning Schemes
Email: localplanningschemes@dph.wa.gov.au

Chief Executive Officer
Shire of Gingin
7 Brockman Street
GINGIN WA 6503

Transmission via electronic mail to: mail@gingin.wa.gov.au

Dear Sir/Madam

LOCAL PLANNING SCHEME NO. 9 AMENDMENT NO. 24

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has approved the amendment in accordance with section 87(2)(a) of the Act. In accordance with section 87(3) of the Act, the Commission will cause the approved amendment to be published in the *Government Gazette*.

The Commission has forwarded notice to the Department of Premier and Cabinet (attached) and it is the local governments' responsibility to make arrangements for the payment of any publication costs. The local government is required under section 87(4B) of the Act, and regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to publish the approved amendment, ensure that it is available to the public, and notify each person who made a submission.

For all payment and purchase order queries, please contact the Department of Premier and Cabinet on (08) 6552 6000. One signed set of the amending documents are returned for your records.

Please direct any queries about this matter to localplanningschemes@dph.wa.gov.au

Yours sincerely

Ms Sam Boucher
Secretary
Western Australian Planning Commission

9/07/2024

Planning and Development Act 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

**Shire of Gingin
Local Planning Scheme No. 9 Amendment No. 24**

File: TPS/3072

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the abovementioned amendment to the Shire of Gingin Local Planning Scheme No. 9 on 4 July 2024 for the purpose of:

Include an 'A28' notation over the relevant part of Lot 8021 Waterville Road, Neergabby and introduce into Schedule 2 – Additional Uses the following:

No.	Description of lands	Additional Use	Conditions
28	Part of Lot 8021 Waterville Road, Neergabby	Industry - Light	<ol style="list-style-type: none">1. Development is not permitted unless the local government has exercised its discretion by granting development approval.2. Development approval is to be time limited to an initial period of 10 years. Further time extensions are not to exceed 5 years and will be subject to an assessment of the development against the planning framework as it applies at that time.3. The development is to remain as a secondary use to the primary agricultural use of the land at all times.4. The development is restricted to the assembly of modular/transportable buildings, associated structures and any incidental operations to the satisfaction of the local government.5. The development area is to be located in one contiguous area within the lot that meets the following criteria:<ol style="list-style-type: none">a. partially located on land that is not required for the primary agricultural use of the lot;b. does not conflict with any area of consolidated remnant native vegetation or habitat of the Carnaby black cockatoo;

			<ul style="list-style-type: none"> c. is not visible from any adjoining lot or public road; and d. is set back a minimum of 500m from any lot boundary. <ul style="list-style-type: none"> 6. The development area is limited to a maximum area of 3 hectares. 7. Access and egress for the development is limited to Waterville Road. 8. The presence of the development is not grounds to progress subdivision of the land.
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**W FEWSTER
PRESIDENT**

**A COOK
CHIEF EXECUTIVE OFFICER**

Shire of Gingin
Local Planning Scheme No. 9

Amendment No. 24

*Insert Additional Use (Industry-Light) over part Lot 8021 Waterville Road, Neergabby and
Introduce provisions into Schedule 2*

Planning and Development Act 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

Shire of Gingin Local Planning Scheme No. 9 Amendment No. 24

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

Include an 'A28' notation over the relevant part of Lot 8021 Waterville Road, Neergabby and introduce into 'Schedule 2 - Additional Uses' the following:

No.	Description of lands	Additional Use	Conditions
28	Part of Lot 8021 Waterville Road, Neergabby	Industry - Light	<ol style="list-style-type: none"> 1. Development is not permitted unless the local government has exercised its discretion by granting development approval. 2. Development approval is to be time limited to an initial period of 10 years. Further time extensions are not to exceed 5 years and will be subject to an assessment of the development against the planning framework as it applies at that time. 3. The development is to remain as a secondary use to the primary agricultural use of the land at all times. 4. The development is restricted to the assembly of modular/transportable buildings, associated structures and any incidental operations to the satisfaction of the local government. 5. The development area is to be located in one contiguous area within the lot that meets the following criteria: <ol style="list-style-type: none"> a. partially located on land that is not required for the primary agricultural use of the lot; b. does not conflict with any area of consolidated remnant native vegetation or habitat of the Carnaby black cockatoo; c. is not visible from any adjoining lot or public road; and

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			<p>d. is set back a minimum of 500m from any lotboundary.</p> <p>6. The development area is limited to a maximum area of 3 hectares.</p> <p>7. Access and egress for the development is limited to Waterville Road.</p> <p>8. The presence of the development is not grounds to progress subdivision of the land.</p>
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The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

1. The proposal will have a minimal impact on land in the Scheme area that is not the subject of the amendment, and may not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

Dated this 18 day of July 2023



ACTING (Chief Executive Officer)