

# Shire of East Pilbara

## Local Planning Scheme No.4

### Amendment No.28

to implement the East Newman Precinct Structure Plan and  
set out the accompanying land use and development requirements

Planning and Development Act 2005

## RESOLUTION TO PREPARE AMENDMENT TO

### LOCAL PLANNING SCHEME

Shire of East Pilbara

LOCAL PLANNING SCHEME NO.4

AMENDMENT NO.28

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

1. Rezone the following landholdings (as shown on the amending map) on the scheme map:
  - 1.1 Rezone the landholdings at R 51522 (Lot 8004), P076940 (Lot 9002), R 50086 (Lot 8005), R 51523 (Lot 8011) from "Residential" to "Recreation" reserve.
2. Amend the scheme text as follows:
  - 2.1 Amend cl. 3.4 to insert a new subclause 3.4.3 as follows:

If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land —

    - (a) a structure plan;
    - (b) a local development plan.
  - 2.2 Insert new cl. 4.17 Additional site and development requirements for areas covered by structure plan or local development plan.
    - (1) Table 2 sets out the requirements relating to development that is included in structure plans and local development plans that apply in the scheme area.
    - (2) The specific development standards set out under this Clause and the associated Table 2 prevail to the extent of any inconsistencies with any other standard or provision of the Scheme.

The Table sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

**Table 2 - Additional site and development requirements for areas covered by structure plan or local development plan.**

<b>No.</b>	<b>Description of land</b>	<b>Requirement</b>
1.	East Newman Precinct, as defined in the East Newman Precinct Structure Plan.	Development shall be generally consistent with the East Newman Precinct Structure Plan.

The amendment is 'Standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- i. an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- ii. an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- iii. an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;
- iv. an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- v. an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- vi. any other amendment that is not a complex or basic amendment.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
(Chief Executive Officer)

## SCHEME AMENDMENT REPORT

### 1. INTRODUCTION

The purpose of Amendment No.28 to the Shire of East Pilbara Local Planning Scheme No.4 (LPS4) is to implement the East Newman Precinct Structure Plan (ENPSP) by introducing key development control provisions into LPS4 which are supplemented by the ENPSP provisions. It is intended that the LPS4 and ENPSP provisions will provide a flexible and coherent framework for future planning and development in the ENPSP area.

The Shire of East Pilbara's Local Planning Strategy identifies the need to prepare a Precinct Structure Plan in East Newman. East Newman is an existing urban area with many layers and complexities that require careful coordination. The preparation of a ENPSP has been formed by the East Newman Masterplan, with the vision and recommendations of the ENPSP adopting key findings from the Masterplan and consultation with key stakeholders, especially the proponents of the ENPSP. The formal integration of the ENPSP into the planning system will provide much needed clarity and guidance to the redevelopment options within East Newman. The precinct meets the requirements of a 'Residential / Mixed Use' Precinct as set out in SPP 7.2 – Precinct Design

This Amendment is intended to facilitate a new local planning framework driven by a new accompanying precinct structure plan (ENPSP), prepared in line with the requirements of draft SPP 4.2 and SPP 7.2. The accompanying ENPSP will guide future subdivision and development and will bring together the following elements that make up a centre: (i) urban ecology (ii) urban structure (iii) public realm (iv) movement (v) land use, and (vi) built form that responds to community expectations, forecast population growth, supports economic investment and employment self-sufficiency.

The Amendment is to be read in conjunction with the ENPSP (Appendix 1), which provides the rationale and a plan for the coordination of the future subdivision, zoning and development of the ENP, regarding such matters as land use, built form, movement and access, and public realm.

## 1.1 AMENDMENT AREA

The proposed amendment relates to the area covered by the proposed ENPSP (Appendix 1), as shown on Figure 1.

The ENPSP area is located in the Newman Townsite, approximately 1km away from the Newman Town Centre. East Newman is characterised primarily by low density residential development, with a mixture of single and two storey dwellings.

The ENPSP comprises approximately 73.71 hectares and is generally bound by Daniels Drive (north and east), Kalgan Drive (south), and McLennan Drive (west).

The land to the east of Daniels Drive is not included as part of this amendment for the following reasons:

- Potential legal implications as the owners are unknown and currently in the hands of liquidators; and
- Current lot layout is inconsistent with the intent of the ENPSP. It may also need to be re-designed in the future, when there is certainty regarding the legal entity holding the land.

Also, a landholding on Armstrong Way with Native Title identification has been excluded from the ENPSP.



**Figure 1: ENPSP - Site Plan**

## 1.2 BACKGROUND

Housing is considered one of Newman's biggest challenges and is increasingly a focus for industry, government, Non-Government Organisations (NGOs) and community. A number of agencies are working in Newman and remote communities to address this issue.

A recent example of this cross-agency collaboration was the preparation of a Masterplan for East Newman – referred to as 'Home In East Newman'. In October 2020, Martu and Nyiyaparli leaders, BHP, Shire of East Pilbara, then then Western Desert Lands Aboriginal Corporation (WDLAC), Kanyirninpa Jukurrpa (KJ), Martumili, Pilbara Development Commission, Department of Communities C-Res, Newman Primary School, Newman Senior High School and Soap Bush Soap all came together as part of the 'master planning workshops'.

The Home in East Newman Masterplan is an integrated social, spatial and environmental plan formed to provide recommendations to revitalise the suburb of East Newman. Broadly it aims to address liveability, wellbeing, amenity, community safety and accessibility through the following strategic approaches. It reflects on the need to provide equitable access to quality housing as a top priority. Stakeholders engaged through the process noted the poor state of houses with many boarded up and unoccupied houses attracting vandalism. East Newman has an especially high proportion of damaged or unoccupied houses.

Stakeholders also note the wait list for public housing is long and there is a lack of appropriate housing or accommodation for people seeking aged care options. It has been identified that the WA Government will need to procure 73 houses by 2028 to accommodate an additional 365 Martu people in Newman to account for the growing population and increased housing demand.

The World Health Organisation Health and Housing Guidelines show the primacy of good housing in preventing disease, reducing crime, reducing poverty and increasing education along with quality of life.

The impact of substandard housing and lack of adequate housing is linked to a range of issues present in Newman, including the rates of indigenous incarceration, falling school attendance and achievement, disease and other health issues and rising inequality.

In response, the ENPSP seeks to produce a new planning framework and urban environment in the ENPSP area to provide the following key benefits:

- Reduced crime;
- Improved educational opportunities for children;
- Revision of housing design and increase in housing yield;
- Opportunity for increase in proportion of home ownership;
- Greater access to family and cultural services; and
- Spaces for cultural and community gathering.

## **2. PLANNING CONTEXT**

For the purposes of this Amendment, this section focuses on the State and local planning frameworks relevant to the planning and development of the ENP and this amendment.

### **2.1 STATE AND REGIONAL PLANNING CONTEXT**

This section focuses on those State planning level documents and instruments relevant to the planning and development of the ENP.

The Commission's State Planning Policy 1 (SPP 1) State Planning Framework Policy brings together existing State and regional policies, strategies, plans and guidelines within a central State Planning Framework. It sets the context for decision-making on land use and development in Western Australia. Relevant planning instruments (provisions) which comprise the State Planning Framework and include:

- *The Planning and Development Act 2005* (PD Act) and associated *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations);
- State Planning Policies (SPPs);
- WAPC Operational policies; and
- WAPC Position statements.

#### **LPS Regulations**

The LPS Regulations were gazetted on 25 August 2015 and took effect on 19 October 2015, replacing the Town Planning Regulations 1967. The LPS Regulations set out the procedures by which local planning strategies, local planning schemes and amendments to local planning schemes must be prepared and adopted by local government, the WAPC and the Minister for Planning; and establish a Model Scheme Text (MST) for local planning schemes.

The LPS Regulations are a major implementation tool to facilitate the State's current planning reform agenda, affecting arrangements for local planning strategies, schemes and amendments. In addition to the MST, the LPS Regulations introduce a set of deemed provisions that form part of every local planning scheme in the State.

In 2021 the DPLH progressed changes to the LPS Regulations to implement Planning Reform initiatives. One of these amendments included the introduction of the term 'Precinct Structure Plan', and additional considerations prescribed in Clause 16 (1A).

#### **State Planning Policy 7.0 - Design of the Built Environment**

SPP 7.0 is the foundation of the Design WA initiative and became operational following publication in the Government Gazette on 24 May 2019.

It is the lead policy that elevates the importance of design quality across the whole built environment in Western Australia. It seeks to deliver the broad economic, environmental, social, and cultural benefits that derive from good design outcomes.

The policy includes 10 principles of good design, which are the foundation of the policy framework and are 'Context and Character, Landscape quality, Built form and scale, Functionality and build quality, Sustainability, Amenity, Legibility, Safety, Community and Amenity'. SPP 7.0 establishes the overarching framework for good design practice in planning and has directly informed preparation of SPP 7.2.



## State Planning Policy 7.2 - Precinct Design

SPP 7.2 was released in its final form in December 2020. The overall policy intent is to enable the ten principles of good design (identified in SPP 7.0) to be applied to precinct planning, ensuring that good design quality and built form outcomes can be achieved.

SPP 7.2 comprises two key parts:

- (1) **SPP 7.2: Precinct Design:** the lead policy to guide the preparation and evaluation of planning proposals for areas that require a high level of planning and design focus due to their complexity. It identifies how the policy can be applied, including guidance on desired objectives and outcomes.
- (2) **SPP 7.2: Precinct Design Guidelines:** is built upon the 10 Design Principles contained in SPP 7.0. It defines the different precinct types and identifies six design elements to guide precinct design.

Each design element is supported by objectives and design considerations which provide guidance on how to prepare a Precinct Structure Plan.

Under SPP 7.2, it is expected that East Newman would be classified as a 'Residential / Mixed Use Precinct' with a focus on:

- Enabling the provision of key community facilities in accordance with an identified community need.
- Enhancing urban amenity by detailing lot/building orientation and built form controls that support the future residential character of the precinct.
- Strengthening green networks through the enhancement of the urban tree canopy and improved interfaces between the public realm and private property.
- Ensuring street design supports safe access and movement, public transport use, walking and cycling.

The content and structure of the ENPSP is provided in accordance with the SPP 7.2 'Manner and Form' document.

## State Planning Policy 7.3 Residential Design Codes (Vols 1, 2 - Apartments) and Draft Medium Density Code (Vol 1)

The R-Codes control the design of most residential development throughout Western Australia. The R-Codes aim to address emerging design trends, promote sustainability, improve clarity and highlight assessment pathways to facilitate better outcomes for residents. They are also used for the assessment of residential subdivision proposals and should be read with Development Control Policy 2.2 Residential Subdivision for this purpose. The R-Codes are introduced by reference into a local scheme and it is a requirement for all residential development to comply with the R-Codes. The R-Codes outline standards for residential development in Western Australia; and, with the exception of precinct-specific circumstances (i.e. ENPSP), they form the basis for the design and assessment of most residential development in Western Australia.

The R-Codes are applied to the ENPSP in the following ways.

- R-Codes Volume 1 applies for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40.
- R-Codes Volume 2 applies for multiple dwellings in areas coded R40 or greater.

Modifications to the R-Codes are proposed to ensure delivery of climate and culturally appropriate housing, as identified in the ENPSP.

## WA Planning Reform

In August 2019, the State Government released its Action Plan for Reform of the Western Australian Planning System. The Better Planning, Better Places program outlines three goals for the modernisation of the planning system as follows:

- Planning creates great places for people;
- Planning is easier to understand and navigate;
- Planning systems are consistent and efficient.

Proposed amendments to the PD Act and supporting legislation is intended to support the State's economic recovery from COVID-19.

A program of major legislative, regulatory and policy changes is progressively being implemented to support Western Australia's COVID-19 economic recovery plans. This has included changes to the LPS Regulations to address further reform measures that will support development activity and job creation.

These amendments consist of over 100 proposals which will be delivered in separate tranches. The first tranche was approved by Parliament on 7 July 2020 and included 35 amendments which are designed to streamline development assessment processes. A second amendment to the Planning and Development (Local Planning Schemes) Regulations 2015 was undertaken in late 2020 and gazetted 18 Dec 2020.

## 2.2 LOCAL PLANNING CONTEXT

A review has been undertaken of the Shire of East Pilbara's current local planning framework, which comprises all strategic, statutory and policy planning documents which collectively outline the planning for the East Newman area and generally includes the Local Planning Strategy, a Local Planning Scheme No.4 (as well as deemed provisions), and other relevant Local Planning Policies.

### Shire of East Pilbara Local Planning Strategy

The Shire's Local Planning Strategy guides both land use and development over the next 15 years. It sets out strategic actions which have regard for many factors including demographics, economy, environment, liveability, local issues and opportunities. Consideration of such matters influences land supply, land use zones and reserve land across the Shire.

The Local Planning Strategy was endorsed by the WAPC on 26 July 2021, demonstrating that it is a recent document reflective of contemporary planning issues and opportunities.

Under the approved Local Planning Strategy, the following is identified for Newman:

- a) Facilitate development of Newman as the primary regional centre in the Shire for an estimated population of 10,400 persons by 2035.*
- b) Support outcomes that result in occupation of vacant mining housing or removal of derelict housing and support other compatible land uses other than residential on such land where appropriate.*

This includes six specific actions, those which are deemed relevant to the proposed East Newman Precinct Structure Plan are:

- 1. Liaise with mining companies to establish the level and capacity of mining owned housing stock and determine if the resource companies will need these dwellings for employees or if they would consider use by non-employees. (Short Term)*
- 2. Require Precinct Planning in the East Newman residential area to improve amenity and liveability including formalizing pedestrian access and streetscape improvements. (Short Term)*

The above actions were deemed to be necessary triggers for the preparation of the ENPSP and this supporting amendment.

## **Shire of East Pilbara Local Planning Scheme No. 4 (LPS4)**

LPS4 sets out the way in which land is to be used and developed within the Scheme area and classifies areas for land use and include provisions to coordinate infrastructure and development. LPS4 was gazetted on the 13 December 2005, meaning 16 years have passed since it was introduced, predating the LPS Regulations. 26 amendments to LPS4 have been initiated to keep the scheme current and facilitate land use and development within the scheme area. It is noted that in February 2019, LPS4 was amended for consistency with the LPS Regulations, by deleting clauses that were superseded by the Deemed Provisions.

It is noted that the Shire will likely be undertaking a review of LPS4 to assist with implementation of the recently endorsed Local Planning Strategy.

This amendment seeks to:

- Incorporate the model provisions of the *LPS Regulations* regarding implementation of structure plans;
- Rationalise existing land use with the Scheme's zoning.

As part of the preparation of this Amendment consideration has been given regarding consistency (and potential conflicts) of Scheme provisions to those development requirements set out in the ENPSP and accompanying design guidance. This Amendment seeks to streamline scheme provisions consistent with the approach in the model provisions in the *LPS Regulations*.

## **Home in East Newman Masterplan**

Whilst not a recognised planning document, the Home in East Newman Masterplan represents an important body of work for East Newman. Prepared with input from multiple stakeholders, the Master Plan incorporates a suite of documents which include:

- *Opportunities and Constraints* – Outlines several early considered opportunities and constraints for potential future planning, urban design, landscape, and architectural outcomes. Studies into land ownership, housing, and community infrastructure were also undertaken.
- *Vision and Principles* – presents an initial vision and principles for the development and planning approach for East Newman.
- *Housing Approaches* – establishes number of principles for the future development of housing in East Newman along with a number of approaches for future housing and refurbishment.
- *Landscape Strategy* – considers the landscape strategy for East Newman and is built on community, sustainable and climate responsive principles to achieve long-term outcomes.
- *Development Responses* – outlines the range of potential approaches that may be adopted to future planning and built form to realise improvements within East Newman.

### **3. PROPOSED SCHEME AMENDMENT**

The purpose of Amendment No. 28 is to implement the ENPSP. Changes to LPS4 are required to allow the Precinct Structure Plan to be implemented. The final ENPSP will take effect upon the final gazettal of proposed Amendment No. 28 to LPS4.

#### **3.1 APPLICATION OF AMENDMENT PROVISIONS**

The provisions of the proposed amendment apply to all development throughout the ENPSP area. A map of the area proposed to form the ENPSP area is at **Figure 1**.

The provisions of LPS4 are to be read in conjunction with the ENPSP. The ENPSP is consistent with the 'Manner and Form' guidelines and comprises:

- Part One: Implementation Section;
- Part Two: Explanatory Section; and
- Appendices.

The provisions of Part One of the ENPSP are to be given due regard in determining development applications. Part Two of the ENPSP functions as a strategic guide to the Scheme and may provide additional context for applying discretion for development in the precinct.

The ENPSP forms the principal planning and urban design guidance document for East Newman. Any proposed variations prepared for development applications for sites within the ENPSP boundaries will be required to be assessed against the design principles of relevant State Planning Policies and the objectives and development standards set out in the ENPSP. This is in addition to the planning considerations set out in the LPS4 and any other local planning policies.

Land use permissibility within the ENPSP shall be determined in accordance with the Zoning Table of LPS4 and the additional uses provided in P1 – Table 4 of the ENPSP.

#### **3.2 APPLICATION OF THE R-CODES**

R-Codes Volume 1 applies for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40. Deemed-to-comply provisions of the R-Codes Volume 1 that are amended or replaced by the ENPSP are done so in accordance with Part 7 of that policy, and are as follows:

- Street Setback (sub-clauses 5.1.2);
- Lot boundary Setback (sub-clauses 5.1.3);
- Open Space Provision (sub-clause 5.1.5);
- Setback of Garages and Carports (sub-clauses 5.2.1);
- Street Surveillance (sub-clauses 5.2.3)
- Street Walls and Fences (sub-clauses 5.2.4)
- Outdoor Living Areas (sub-clauses 5.3.1);
- Landscaping (sub-clauses 5.3.2); and
- Stormwater Management (sub-clause 5.3.9)

R-Codes Volume 2 applies for multiple dwellings in areas coded R40 or greater; within mixed use development and activity centres. Acceptable Outcome provisions of the R-Codes Volume 2 that are amended or replaced by the ENPSP are done so in accordance with Part 1.2 of that policy, and are as follows:

- Section 2.3 - Street Setbacks
- Section 2.4 - Side and rear setbacks
- Section 3.2 - Orientation
- Section 3.6 - Public Domain Interface
- Section 4.1 - Solar and Daylight Access
- Section 4.2 - Natural Ventilation
- Section 4.12 - Landscape Design
- Section 4.16 - Water Management and Conservation

### **3.3 PROPOSED AMENDMENT**

The proposed amendment includes the following changes to text and maps of the scheme:

1. Rezone the following landholdings (as shown on the amending map) on the scheme map:
  - 1.1 Rezone the landholdings at R 51522 (Lot 8004), P076940 (Lot 9002), R 50086 (Lot 8005), R 51523 (Lot 8011) from “Residential” to “Recreation” reserve.
2. Amend the scheme text as follows:
  - 2.1 Amend cl. 3.4 to insert a new subclause 3.4.3 as follows:

If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land —

    - (a) a structure plan;
    - (b) a local development plan.
  - 2.2 Insert new cl. 4.17 Additional site and development requirements for areas covered by structure plan or local development plan.
    - (1) Table 2 sets out the requirements relating to development that is included in structure plans and local development plans that apply in the scheme area.
    - (2) The specific development standards set out under this Clause and the associated Table 2 prevail to the extent of any inconsistencies with any other standard or provision of the Scheme.

The Table sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

**Table 2 - Additional site and development requirements for areas covered by structure plan or local development plan.**

<b>No.</b>	<b>Description of land</b>	<b>Requirement</b>
1.	East Newman Precinct, as defined in the East Newman Precinct Structure Plan.	Development shall be generally consistent with the East Newman Precinct Structure Plan.

## 4. PLANNING JUSTIFICATION

The ENPSP has been prepared to provide for identified community facility and service requirements, improve the design and cultural appropriateness of housing, and provide upgrades to public realm and streetscape, as identified through the Masterplan and subsequent consultation with the proponents on the ENPSP Karlka Nyiyaparli Aboriginal Corporation (KNAC) and Jamukurnu Yapalikurnu Aboriginal Corporation (JYAC) and Puntukurnu Aboriginal Medical Service (PAMS). An amendment to LPS4 is required to enable the implementation of the ENPSP

### 4.1 STAKEHOLDER ENGAGEMENT

The ENPSP has been informed by findings from the East Newman Masterplan, which was developed through a Steering Committee with representatives from BHP, Shire of East Pilbara and Department of Communities.

Whilst the Masterplan is not a recognised planning document, it established future renewal and improvement options for East Newman to deliver greater social housing, intergenerational housing options, an Aboriginal-managed hostel for Newman children engaged in school, a Wellness and Cultural Space, improvements to parks and a village centre.

Co-design workshops and other engagement initiatives in preparing the Masterplan and ENPSP has been facilitated by Creating Communities with KNAC and JYAC members and administration, PAMS, Department of Communities, BHP, Shire of East Pilbara and other community stakeholders. The total number of engagements/consultation to date, includes the following:

- 57 engagement initiatives were conducted (i.e., meetings and workshops)
- Over 330 instances of engagement with stakeholders and community members (this includes instances of recurring engagement with the same individual)
- Approximately 150 individuals were engaged, with approximately 60 of those individuals having recurring engagement in the project (anywhere from 1 repeat engagement, to approximately 10 repeat engagements for Steering Committee members)
- Findings, key elements and recommended actions from the Masterplan have been presented to the Shire of East Pilbara Council (December 2020).

### 4.3 EAST NEWMAN PRECINCT STRUCTURE PLAN (ENPSP)

#### ENPSP Vision

#### **STRONG CULTURE AND STRONG FAMILIES**

#### **Community Facilities**

- PAMS short stay accommodation and cultural & wellness space
- Nyiyaparli & Martu youth facility
- A village centre to accommodate a convenience store, laundry, ablution facilities, a community services triage centre, space for other enterprise
- Establishment of a Nyiyaparli and Martu facilities entity to support a local facilities management enterprise

#### **Housing**

- Multi-generational housing precincts
- Increased social housing / home ownership support
- Culturally sensitive housing
- Built form controls for housing to respond to climate
- Redevelopment opportunity to provide connection with the street and opportunity for passive surveillance
- Opportunity for construction trade programs

### Public Realm and Connectivity

- Culturally sensitive improvements to key areas of open space including the undeveloped Central Park, Train Park (Miners Promise Park) and the drainage reserve adjacent to Nimingarra Drive
- Provision of amenity in public realm, such as shade
- Streetscape upgrades
- New road and pedestrian connection
- Community care programs

### Defining the Precinct Boundary

SPP 7.2 provides guidance on how a precinct boundary should be defined, Appendix 2 (of SPP7.2) highlights a number of considerations. Those relevant to East Newman are summarised below:

- Higher Order Strategic Directions.
- Existing Land Use Pattern and Zoning.
- Existing Urban Structure.
- Existing Built Form Characteristics.
- Physical Characteristics / Features.
- Transport Infrastructure.
- Servicing Infrastructure.

The East Newman Precinct is a primarily existing low density residential area, a potential boundary can be readily defined based on the existing urban structure given its relative separation from other parts of Newman. The other primary driver of this potential precinct boundary is land ownership. Figure 2 illustrates the existing Master Plan boundary and how this relates to the land ownership profile. It demonstrates that BHP and the Department of Communities own approximately 30% of total land area and over 50% of the existing housing stock.



Figure 2: ENP Overall land ownership



#### **4.4 PLANNING JUSTIFICATION**

It is considered appropriate and justified for the Amendment No. 28 to be granted final approval on the following basis:

- The Amendment will facilitate the creation of a more contemporary planning instrument with greater consistency in both format/structure and terminology with the Deemed provisions and the Model Scheme Provisions and assist with the implementation of a new Precinct Structure Plan.
- Updated enabling provisions in LPS4 scheme text to ensure legible and coherent implementation of the ENPSP.
- Sets out the relationship status of the ENPSP with LPS4 and the local planning framework is clearly expressed and conforms with SPP 7.2 manner and form.

#### **4.5 AMENDMENT TYPE**

The amendment is 'Standard' under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

- i. an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- ii. an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- iii. an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;
- iv. an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- v. an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
- vi. any other amendment that is not a complex or basic amendment.

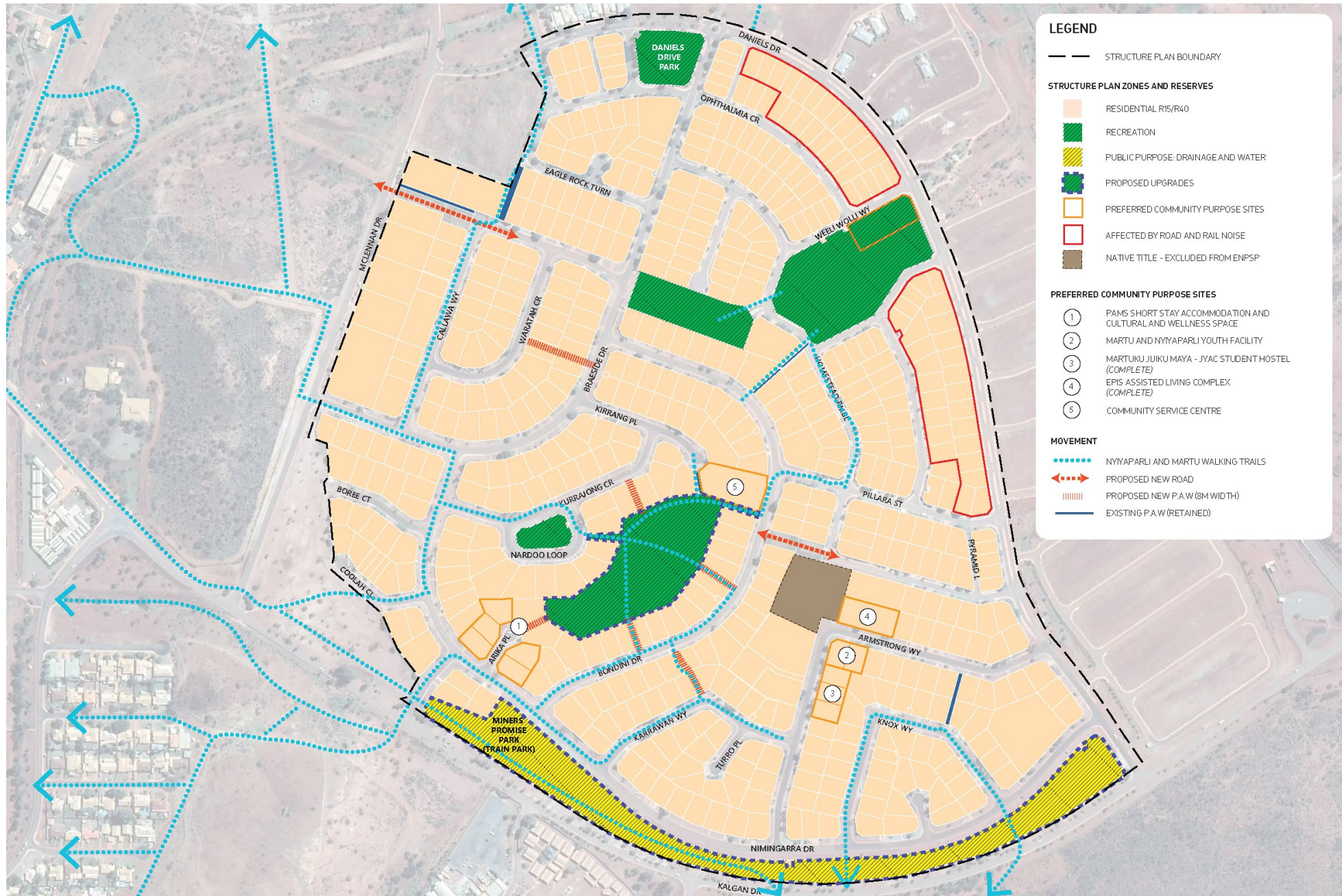
## **5. CONCLUSION**

The Shire of East Pilbara requests that the Western Australian Planning Commission and the Minister for Planning favourably consider the proposals described in this report and grant final approval to Amendment No.28, considered to be a 'Standard' amendment for the purpose of the LPS Regulations.

## **APPENDICES**

Appendix 1 – *East Newman Precinct Structure Plan (ENPSP)*

# Appendix 1 – East Newman Precinct Structure Plan (ENPSP)



**Planning and Development Act 2005**

**RESOLUTION TO AMEND  
LOCAL PLANNING SCHEME**

Shire of East Pilbara

LOCAL PLANNING SCHEME NO.4 -  
AMENDMENT NO.28

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

*[LIST COMPREHENSIVE DETAILS OF PROPOSED AMENDMENT AS IT WAS ADVERTISED.]*

DO NOT INCLUDE ANY MODIFICATIONS AS ADOPTED BY COUNCIL - TO BE INCLUDED IN SCHEDULE OF MODIFICATIONS AND NOT IN RESOLUTION]





**COUNCIL ADOPTION**

This Standard Amendment was adopted by resolution of the Council of the Shire of East Pilbara at the Ordinary meeting of the Council held on the [ day ] day of [ month ], 20[ year ].

-

.....  
**MAYOR**

.....  
**CHIEF EXECUTIVE OFFICER**

**COUNCIL RESOLUTION TO ADVERTISE**

by resolution of the Council of the Shire of East Pilbara at the Ordinary meeting of the Council held on the [ day ] day of [ month ], 20[ year ], proceed to advertise this Amendment.

.....  
**MAYOR**

.....  
**CHIEF EXECUTIVE OFFICER**

**COUNCIL RECOMMENDATION**

This Amendment is recommended [for support/ not to be supported] by resolution of the Shire of East Pilbara at the Ordinary Meeting of the Council held on the [ number ] day of [ month ], 20[ year ] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....  
**MAYOR**

.....  
**CHIEF EXECUTIVE OFFICER**

**WAPC ENDORSEMENT (r.63)**

.....  
**DELEGATED under S.16 of the  
P&D ACT 2005**  
.....

**Date**

**APPROVAL GRANTED**

.....  
**MINISTER FOR PLANNING**  
.....

**Date**