

SHIRE OF NORTHAMPTON

Local Planning Scheme No. 11 KALBARRI TOWNSITE

Updated to include AMD 2 GG 5/05/2023



Department of Planning,
Lands and Heritage

Prepared by the
Department of Planning, Lands and Heritage

Original Town Planning Scheme Gazettal
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Disclaimer

This is a copy of the Local Planning Scheme produced from an electronic version of the Scheme held and maintained by the Department of Planning, Lands and Heritage. Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation.

Consultation with the respective Local Government Authority should be made to view a legal version of the Scheme.

Please advise the Department of Planning, Lands and Heritage of any errors or omissions in this document.

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PREAMBLE

This Local Planning Scheme of the Kalbarri Townsite within the Shire of Northampton consists of this Scheme Text, the deemed provisions defined in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, and the Scheme Maps. The Scheme Text should be read with the Local Planning Strategy for the Kalbarri Townsite by the local government.

Local Planning Scheme No. 11 (this Scheme text) sets out the specific provisions applicable to the Kalbarri Townsite within the Shire of Northampton, whereas the deemed provisions required under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 outline the procedural requirements of the scheme that apply state-wide.

This Scheme is informed by an endorsed Local Planning Strategy for the Kalbarri Townsite which sets out the long-term planning directions for the local government, applies State and regional planning policies and provides the rationale for the zones and other provisions of the Scheme. In addition to the Local Planning Strategy, the Framework provides for Local Planning Policies which set out the general policies of the local government on matters within the Scheme.

The Scheme divides the local government district into zones to identify areas for particular uses and identifies land reserved for public purposes. Most importantly, the Scheme controls the types of uses and development allowed in different zones.

SCHEME DETAILS

The Shire of Northampton
Local Planning Scheme No. 11 – Kalbarri Townsite Scheme

The Shire of Northampton under the powers conferred by the *Planning and Development Act 2005* makes the following Local Planning Scheme.

SHIRE OF NORTHAMPTON LPS 11 - TEXT AMENDMENTS

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
	13/10/2017	21/11/17	MLD	New scheme
Correction Notice	09/11/18	13/11/18	MLD	Schedule 3 - Special Use Zones SU9 Conditions
1	5/6/2020	8/6/2020	MLD	Amending the Zoning Table by making the use class 'Place of Worship' a 'P' (permitted) use within the 'Private Clubs, Institutions and Places of Worship' zone; and Amend cl. 4.8.17(b) to include a reference to '4.8.17' rather than '4.8.16'.
2	12/05/2023	18/05/2023	GL	Rezone portion of Lot 514 Woods St, Kalbarri from 'Special Use SU5' to 'Tourism' and Inserting into Schedule 1, and 'Additional Use (A5)' for portion of Lot 514 Wood Street, Kalbarri for the purposes of Workforce Accommodation. Amend schedule 3, insert Lot 510 Smith Street into the 'Description of Land' details for SU5. Amend the Scheme Maps accordingly Undertake editorial review to address any typographical errors and anomalies, formatting errors, number and update the Table of Contents as required.

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PART 1 - PRELIMINARY

1.1 CITATION

This local planning scheme is the Shire of Northampton Local Planning Scheme No. 11 Kalbarri Townsite

1.2 COMMENCEMENT

Under section 87(4) of the Planning and Development Act 2005, this local planning scheme comes into operation on the day it is published in the Gazette.

1.3 SCHEME REVOKED

The following local planning scheme is revoked -

Shire of Northampton Town Planning Scheme No. 9 – Kalbarri Townsite Gazetted on the 14 January 2005

1.4 NOTES DO NOT FORM PART OF SCHEME

Notes, and instructions printed in italics, do not form part of this Scheme.

Note: The *Interpretation Act 1984* section 32 makes provision in relation to whether headings form part of the written law.

1.5 RESPONSIBILITY FOR SCHEME

The Shire of Northampton is the local government responsible for the enforcement of this Scheme and the execution of any works required to be executed under this Scheme.

1.6 SCHEME AREA

This Scheme applies to the area shown on the Scheme Map.

1.7 CONTENTS OF SCHEME

This Scheme includes the following -

- (a) the Scheme Text (Local Planning Scheme No. 11);
- (b) the Scheme Map (sheets 1 - 5); and
- (c) the deemed provisions (including any supplemental provisions provided for in Schedule A of this Scheme) as prescribed within Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, apply automatically and are to be read in conjunction with this Scheme.

This Scheme is to be read in conjunction with any local planning strategy for the Scheme area.

1.8 PURPOSES OF SCHEME

The purposes of this Scheme are to -

- (a) set out the local government's planning aims and intentions for the Scheme area;
- (b) set aside land as local reserves for public purposes;

- (c) zone land within the Scheme area for the purposes defined in this Scheme;
- (d) control and guide development including processes for the preparation of structure plans, activity centre plans and local development plans;
- (e) set out procedures for the assessment and determination of development applications;
- (f) set out procedures for contributions to be made to the costs of providing infrastructure in connection with development through development contribution plans;
- (g) make provision for the administration and enforcement of this Scheme; and
- (h) address other matters referred to in Schedule 7 of the Act.

1.9 AIMS OF SCHEME

The aims of this Scheme are -

- (a) to promote the orderly and proper development of land in the Scheme Area;
- (b) to provide a planning framework for the future development and enhancement of Kalbarri that recognises, builds upon and promotes the tourism and residential values of the location in an environmentally and economically sustainable manner;
- (c) to enhance Kalbarri's position as a premier family holiday destination within Western Australia while recognising the continuing value and importance of non-family intrastate, interstate and international visitors;
- (d) to broaden Kalbarri's economic and employment base by furthering Kalbarri's position as a desirable alternative residential and employment location within the Mid-West region; and
- (e) to protect and enhance Kalbarri's unique urban values and particularly its connectivity to the surrounding natural environment together with its compactness and high level of walkability.

1.10 RELATIONSHIP WITH LOCAL LAWS

Where a provision of this Scheme is inconsistent with a local law, the provision of this Scheme prevails to the extent of the inconsistency.

1.11 RELATIONSHIP WITH OTHER LOCAL PLANNING SCHEMES

There are no other Schemes of the Shire of Northampton which apply to the Scheme Area.

1.12 RELATIONSHIP WITH REGION PLANNING SCHEME

There are no region planning schemes which apply to the Scheme Area.

PART 2 - RESERVES

2.1 REGIONAL RESERVES

There are no regional reserves in the Scheme Area.

2.2 LOCAL RESERVES

2.2.1 In this clause -

Department of Main Roads means the department principally assisting in the administration of *Main Roads Act 1930*;

Western Australian Road Hierarchy means the document of that name available on the website maintained by the **Department of Main Roads**.

2.2.2 Local reserves are shown on the Scheme Map according to the legend.

2.2.3 The objectives for each local reserve are as follows:

TABLE 1 - RESERVES AND OBJECTIVES

Reserve Name	Objectives
Public Open Space	<ul style="list-style-type: none"> To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152. To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.
Environmental Conservation	<ul style="list-style-type: none"> To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision. To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.
Civic and Community	<ul style="list-style-type: none"> To provide for a range of community facilities which are compatible with surrounding development. To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.
Public Purposes	<ul style="list-style-type: none"> To provide for a range of essential physical and community infrastructure.
Medical Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential medical services.
Infrastructure Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential infrastructure services.

Reserve Name	Objectives
Education	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential education facilities.
Emergency Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential emergency services.
Cemetery	<ul style="list-style-type: none"> To set aside land required for a cemetery.
Car Park	<ul style="list-style-type: none"> To set aside land required for a car park.
Drainage / Waterway	<ul style="list-style-type: none"> To set aside land required for significant waterways and drainage.
Primary Distributor Road	<ul style="list-style-type: none"> To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
Local Road	<ul style="list-style-type: none"> To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.
Foreshore	<ul style="list-style-type: none"> To set aside areas for foreshore reserved abutting a body of water or water course, particularly those required pursuant to State Coastal Planning Policy 2.6 - State Coastal Planning Policy and any other Commission policy. To provide for the protection of natural values, a range of active and passive recreational uses, cultural and community activities, activities promoting community education of the environment and/or uses that are compatible with and/or support the amenity of the reservation.
Special Purpose	<ul style="list-style-type: none"> To set aside land for a special purpose. Purposes that do not comfortably fit in any other reserve classification.

2.3 ADDITIONAL USES FOR LOCAL RESERVES

There are no Additional Uses for land in Local Reserves that apply to this Scheme.

PART 3 - ZONES AND USE OF THE LAND

3.1 ZONES

3.1.1 Zones are shown on the Scheme Maps according to the legend.

3.1.2 The objectives of each zone are as follows:

TABLE 2 - ZONES AND OBJECTIVES

Zone Name	Objectives
Residential	<ul style="list-style-type: none"> • To provide for a range of housing and a choice of residential densities to meet the needs of the community. • To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. • To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
Special Residential	<ul style="list-style-type: none"> • To provide for lot sizes in the range of 2 000 m² and 1 ha. • To ensure development is sited and designed to achieve an integrated and harmonious character. • To set aside areas where the retention of vegetation and landform or other features which distinguish the land, warrant a larger residential lot size than that expected in a standard residential zone.
Urban Development	<ul style="list-style-type: none"> • To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme. • To provide for a range of residential densities to encourage a variety of residential accommodation. • To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.
Centre	<ul style="list-style-type: none"> • To designate land for future development as a town centre or activity centre. • To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.
Commercial	<ul style="list-style-type: none"> • To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres. • To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades. • To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.

Zone Name	Objectives
Service Commercial	<ul style="list-style-type: none"> • To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites. • To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.
Mixed Use	<ul style="list-style-type: none"> • To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels. • To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.
General Industry	<ul style="list-style-type: none"> • To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses. • To accommodate industry that would not otherwise comply with the performance standards of light industry. • Seek to manage impacts such as noise, dust and odour within the zone.
Tourism	<ul style="list-style-type: none"> • To promote and provide for tourism opportunities. • To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area. • To allow limited residential uses where appropriate. • To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.
Private Clubs, Institutions and Places of Worship	<ul style="list-style-type: none"> • To provide sites for privately owned and operated recreation, institutions and places of worship. • To integrate private recreation areas with public recreation areas wherever possible. • To separate potentially noisy engine sports from incompatible uses. • To provide for a range of privately owned community facilities, and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development. • To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.

Zone Name	Objectives
Rural Residential	<ul style="list-style-type: none"> • To provide for lot sizes in the range of 1 ha to 4 ha. • To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. • To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Rural Smallholdings	<ul style="list-style-type: none"> • To provide for lot sizes in the range of 4 ha to 40 ha. • To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. • To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Rural	<ul style="list-style-type: none"> • To provide for the maintenance or enhancement of specific local rural character. • To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. • To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage. • To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural Zone. • To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.
Environmental Conservation	<ul style="list-style-type: none"> • To identify land set aside for environmental conservation purposes. • To provide for the preservation, maintenance, restoration or sustainable use of the natural environment.
Special Use	<ul style="list-style-type: none"> • To facilitate special categories of land uses which do not sit comfortably within any other zone. • To enable the Council to impose specific conditions associated with the special use.

3.2 ZONING TABLE

The zoning table for this Scheme is as follows:

TABLE 3 - ZONING TABLE

Zone Use Class	Zone		Urban Development	Centre	Commercial	Service Commercial	Mixed Use	General Industry	Tourism	Private Clubs Institutions & Places of Worship	Rural Residential & Rural Smallholdings	Rural	Environmental Conservation	
	Residential	Special Residential												
Abattoir	X	X	Refer clause 3.3.7	X	X	X	X	A	X	X	X	X	X	
Aged or Dependent Persons Dwelling	P	P		X	D	X	X	X	X	X	X	A	X	
Agriculture – Extensive	X	X		X	X	X	X	X	X	X	X	P	X	
Agriculture – Intensive	X	X		X	X	D	X	D	D	X	X	A	D	X
Amusement Parlour	X	X		P	P	X	X	X	X	D	X	X	X	X
Animal Establishment	X	X		X	X	X	X	A	A	X	X	X	A	X
Animal Husbandry - Intensive	X	X		X	X	X	X	X	X	X	X	X	X	X
Art Gallery	A	A		P	P	D	P	D	D	P	X	A	A	X
Bed & Breakfast	A	A		X	X	X	X	X	X	X	X	A	A	A
Betting Agency	X	X		P	P	X	D	X	X	X	X	X	X	X
Brewery	X	X		P	D	D	D	D	D	D	X	X	X	X
Bulky Goods Showroom	X	X		P	P	P	D	P	P	X	X	X	X	X
Caravan Park	X	X		X	X	X	X	X	X	P	X	X	X	A
Caretaker's Dwelling	X	X		D	D	X	X	X	X	D	D	X	X	A
Carpark	X	X		P	P	P	P	P	P	P	D	X	X	X
Child Care Premises	A	A		X	P	P	D	X	X	X	D	X	X	X
Cinema/Theatre	X	X		P	D	X	D	X	X	D	X	X	X	X
Civic Use	X	X		D	D	D	D	D	D	D	D	X	X	X
Club Premises	X	X		A	A	X	X	X	X	D	P	X	X	X
Commercial Vehicle Parking	A	A		X	X	X	X	P	P	X	X	A	X	X
Community Purpose	A	A		D	D	D	D	D	D	D	D	X	X	X
Consulting Rooms	A	A		X	P	D	P	D	D	X	X	X	X	X
Convenience Store	X	X		D	D	D	D	D	D	D	X	X	X	X
Corrective Institution	X	X		X	X	X	X	X	X	X	X	X	A	X
Education Establishment	A	A		X	X	D	X	D	D	X	X	X	A	X
Exhibition Centre	X	X		D	D	D	X	X	X	D	X	X	X	X
Family Day Care	D	D		X	X	X	X	X	X	X	X	D	D	X
Fast Food Outlet	X	X		P	P	X	D	X	X	D	X	X	X	X
Fuel Depot	X	X		X	X	X	X	P	P	X	X	X	X	X
Funeral Parlour	X	X		X	D	D	D	P	P	X	X	X	X	X
Garden Centre	X	X	X	D	D	D	P	P	X	X	A	D	X	
Grouped Dwelling	D	D	D	D	X	D	X	X	D	X	X	X	X	

Zone Use Class	Zone		Urban Development	Centre	Commercial	Service Commercial	Mixed Use	General Industry	Tourism	Private Clubs Institutions & Places of Worship	Rural Residential & Rural Smallholdings	Rural	Environmental Conservation	
	Residential	Special Residential												
Holiday Accommodation	X	X	Refer clause 3.3.7	X	X	X	D	X	D	X	A	A	X	
Holiday House	A	A		X	X	X	X	X	X	X	X	A	A	A
Home Business	A	A		X	X	X	X	X	X	X	X	A	A	A
Home Occupation	D	D		X	X	X	X	X	X	X	X	D	D	D
Home Office	P	P		X	X	X	X	X	X	X	X	P	P	P
Home Store	A	A		X	X	X	X	X	X	X	X	A	A	X
Hospital	X	X		X	X	X	X	X	X	X	X	X	X	X
Hotel	X	X		P	X	X	X	X	X	X	X	X	X	X
Industry	X	X		X	X	X	X	P	X	X	X	X	X	X
Industry – Extractive	X	X		X	X	X	X	X	X	X	X	X	A	X
Industry – Light	X	X		X	X	D	X	P	X	X	X	X	X	X
Industry – Primary Production	X	X		X	X	X	X	X	X	X	X	X	P	X
Liquor Store - Small	X	X		X	P	P	P	P	X	D	X	X	X	X
Liquor Store – Large	X	X		X	P	P	P	P	X	X	X	X	X	X
Lunch Bar	X	X		X	P	D	X	D	X	X	X	X	X	X
Marine Filling Station	X	X		X	X	X	X	P	X	X	X	X	X	X
Market	X	X		D	P	D	X	X	X	X	X	X	X	X
Medical Centre	X	X		X	P	D	D	D	X	X	X	X	X	X
Mining Operations*	X	X		X	X	X	X	X	X	X	X	X	A	X
Motel	X	X		D	A	X	A	X	D	X	X	X	X	X
Motor Vehicle, Boat or Caravan Sales	X	X		X	X	P	X	P	X	X	X	X	X	X
Motor Vehicle Repair	X	X		X	X	X	X	P	X	X	X	X	X	X
Motor Vehicle Wash	X	X		X	X	D	X	P	X	X	X	X	X	X
Multiple Dwelling	D	X		P	P	X	P	X	D	X	X	X	X	X
Night Club	X	X		P	P	X	X	X	D	D	X	X	X	X
Office	X	X		D	P	P	P	P	I	I	X	X	X	X
Park Home Park	X	X		X	X	X	X	X	D	X	X	X	X	X
Place of Worship <i>AMD 1 GG 5/6/2020</i>	A	X		X	D	D	D	D	X	P	X	X	X	X
Reception Centre	X	X		P	X	X	X	X	D	X	X	X	X	X
Recreation – Private	X	X		D	D	D	X	D	D	P	X	X	X	X
Renewable Energy Facility	X	X		X	X	X	X	A	X	X	X	X	A	X
Repurposed Dwelling	A	A		X	X	X	X	X	X	X	A	A	A	A
Resource Recovery Centre	X	X		X	X	X	X	P	X	X	X	X	X	X
Restaurant / Café	X	X		P	P	D	D	X	P	I	X	A	A	A
Restricted Premises	X	X		X	A	A	X	D	X	X	X	X	X	X
Roadhouse	X	X		X	X	D	X	P	X	X	X	A	A	X
Rural Home Business	X	X		X	X	X	X	X	X	X	X	A	D	X
Rural Pursuit / Hobby Farm	X	X		X	X	X	X	X	X	X	X	D	D	X
Secondhand Dwelling	D	D		X	X	X	X	X	X	X	X	D	D	D
Serviced Apartment	X	X		P	P	X	D	X	P	I	X	X	X	X
Service Station	X	X		X	D	D	X	P	X	X	X	X	X	X
Shop	X	X	P	P	D	D	X	I	X	X	X	X	X	

Use Class \ Zone	Zone		Urban Development	Centre	Commercial	Service Commercial	Mixed Use	General Industry	Tourism	Private Clubs Institutions & Places of Worship	Rural Residential & Rural Smallholdings	Rural	Environmental Conservation	
	Residential	Special Residential												
Small Bar	X	X	Refer clause 3.3.7	P	P	D	D	X	P	I	X	X	X	
Single House	P	P		X	X	X	X	X	X	X	X	P	P	P
Tavern	X	X		P	P	X	X	X	P	X	X	X	X	X
Telecommunications Infrastructure	A	A		A	A	A	A	P	A	A	A	A	A	X
Tourist Development	X	X		P	X	X	X	X	P	X	X	X	X	X
Trade Display	X	X		X	X	P	X	P	X	X	X	X	X	X
Trade Suppliers	X	X		X	D	D	X	P	X	X	X	X	X	X
Transport Depot	X	X		X	X	D	X	P	X	X	X	X	X	X
Tree Farm	X	X		X	X	X	X	X	X	X	X	X	D	X
Veterinary Centre	X	X		X	X	P	P	P	X	X	X	X	A	X
Warehouse / Storage	X	X		X	X	P	P	P	X	X	X	X	X	X
Waste Storage Facility	X	X		X	X	X	X	P	X	X	X	X	X	X
Waste Disposal Facility	X	X		X	X	X	X	X	X	X	X	X	A	X
Winery	X	X		X	X	D	X	D	D	X	X	X	D	X
Workforce Accommodation	X	X		X	X	X	X	X	X	X	X	X	A	X

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

3.3 INTERPRETING THE ZONING TABLE

3.3.1 The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.

3.3.2 The symbols used in the zoning table have the following meanings -

- P means that the use is permitted if it complies with any relevant development standards or requirements of this Scheme;
- I means that the use is permitted if it is incidental, ancillary or subordinate to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme;
- D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;
- A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions; and
- X means that the use is not permitted by this Scheme.

Notes:

1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land. For development on land that does not require development approval see clause 61 of the deemed provisions.
2. In considering an application for development approval, the local government will have regard to clause 67 of the deemed provisions.
- 3.3.3 A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.
- 3.3.4 The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –
 - a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
 - b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
 - c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.
- 3.3.5 If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.
- 3.3.6 If a use of land is identified in a zone as being a class X use, the local government must refuse an application for development approval for that use in that zone unless;
 - a) the development approval application related to land that is being used for a non-conforming use; and
 - b) the local government considers that the proposed use of the land would be less detrimental than the non-conforming use.
- 3.3.7 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) an activity centre plan;
 - c) a local development plan.

3.4 ADDITIONAL USES

- 3.4.1 Schedule 1 sets out –
 - a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and
 - b) the conditions that apply to that additional use.

- 3.4.2 Despite anything contained in the zoning table, land that is specified in Schedule 1 may be used for the additional class of use set out in respect of that land.

3.5 RESTRICTED USES

- 3.5.1 Schedule 2 sets out –

- a) restricted classes of use for specified land that may apply instead of the classes of use that are permissible in the zone in which the land is located; and
- b) the conditions that apply to that restricted use.

- 3.5.2 Despite anything contained in the zoning table, land that is specified in Schedule 2 may be used for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.

3.6 SPECIAL USE ZONES

- 3.6.1 Schedule 3 sets out -

- a) special use zones for specified land that are in addition to the zones in the zoning table; and
- b) the classes of special use that are permissible in that zone; and
- c) the conditions that apply in respect of the special uses.

- 3.6.2 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.

3.7 NON-CONFORMING USES

- 3.7.1 Unless specifically provided, this Scheme does not prevent -

- a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
- b) the carrying out of development on land if -
 - (i) before the commencement of this Scheme, the development was lawfully approved; and
 - (ii) the approval has not expired or been cancelled.

- 3.7.2 Subclause 3.7.1 does not apply if -

- a) the non-conforming use of the land is discontinued; and
- b) a period of 6 months, or a longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.

- 3.7.3 Subclause 3.7.1 does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government -
- a) purchases the land; or
 - b) pays compensation to the owner of the land in relation to the non-conforming use.

3.8 CHANGES TO NON-CONFORMING USE

- 3.8.1 A person must not, without development approval -
- a) alter or extend a non-conforming use of land; or
 - b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
 - c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
 - d) change the use of land from a non-conforming use to another use for which development approval is required.
- 3.8.2 An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- 3.8.3 A local government may only grant development approval for a change of use of land referred to in subclause 3.8.1(d) if, in the opinion of the local government, the proposed use -
- a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
 - b) is closer to the intended purpose of the zone in which the land is situated.

3.9 REGISTER OF NON-CONFORMING USES

- 3.9.1 The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
- 3.9.2 A register prepared by the local government must set out the following -
- a) a description of each area of land that is being used for a non-conforming use;
 - b) a description of any building on the land;
 - c) a description of the non-conforming use;
 - d) the date on which any discontinuance of the non-conforming use is noted.

- 3.9.3 If the local government prepares a register under subclause 3.9.1 the local government -
- a) must ensure that the register is kept up-to-date; and
 - b) must make a copy of the register available for public inspection during business hours at the offices of the local government; and
 - c) may publish a copy of the register on the website of the local government.
- 3.9.4 An entry in the register 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.

PART 4 - GENERAL DEVELOPMENT REQUIREMENTS

4.1 R-CODES

- 4.1.1 The R-Codes, modified as set out in clause 4.2, are to be read as part of this Scheme.
- 4.1.2 The local government -
- a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
 - b) may publish a copy of the R-Codes in the website of the local government.
- 4.1.3 The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within boundaries shown on the Scheme Map.
- 4.1.4 The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause 4.1.3.

4.2 MODIFICATION OF R-CODES

The general site requirements are set out in Table 1 of the Residential Design Codes. Notwithstanding Table 1, Multiple Dwellings are not permitted on land with a density coding below R30.

4.3 STATE PLANNING POLICY 3.6 IS TO BE READ AS PART OF SCHEME

- 4.3.1 State Planning Policy 3.6 Development Contributions for Infrastructure, modified as set out in clause 4.4, is to be read as part of this Scheme.
- 4.3.2 The local government -
- a) must make a copy of State Planning Policy 3.6 available for public inspection during business hours at the office of the local government; and
 - b) may publish a copy of State Planning Policy 3.6 on the website of the local government.

4.4 MODIFICATION OF STATE PLANNING POLICY 3.6

There are no modifications to State Planning Policy 3.6

4.5 OTHER STATE PLANNING POLICIES TO BE READ AS PART OF SCHEME

There are no other State Planning Policies that are to be read as part of the Scheme.

4.6 MODIFICATION OF STATE PLANNING POLICIES

There are no modifications to a State Planning Policy that, under clause 4.5, is to be read as part of the Scheme.

4.7 ENVIRONMENTAL CONDITIONS

There are no environmental conditions imposed under the Environmental Protection Act 1986 that apply to this Scheme.

4.8 ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS

4.8.1 The following clauses set out the requirements relating to development in the Scheme Area that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.

4.8.2 *Specific Development Requirements Table*

- a) The development requirements relating to setbacks and open space/landscaping are set out in Table 4.

TABLE 4 - DEVELOPMENT REQUIREMENTS

Zone	Minimum Setbacks	Open Space/ Landscaping (% of site)
Centre, Commercial	Front/ Street – Nil Side – Nil Rear – Nil or as determined by the local government	5% Town Centre 10% District Centre and Local Centre
General Industry, Service Commercial, Mixed Use, Tourism	Front/Street – 9m Side & Rear – Nil for Service Commercial & General Industry. Mixed Use, Tourist Park, Tourist Resort and Tourist Attractions – Nil or as determined by the local government	10%
Rural Residential and Rural Smallholdings	Front/ Street – 10m Side – 5m Rear – 10m	Not Applicable
Rural, Environmental Conservation	Front/ Street – 20m Side – 10m Rear – 20m	Not Applicable

- b) Development standards for zones not included in Table 4 will be subject to relevant provisions outlined elsewhere in this Scheme (including any Local Planning Policies adopted under the Scheme), or in the absence of any such provisions, they will be determined by the local government in each particular case.
- c) For non-residential development in the Residential zone, the standards shall be as determined by the local government in each particular case.
- d) Minimum lot sizes for subdivision are determined having regard to the relevant policies and standards of the Western Australian Planning Commission, the endorsed Local Planning Strategy, and the feasibility of development of lots based on their intended use and relevant development requirements under this Scheme.

4.8.3 *Residential Zone – Specific Development Requirements*

The approval of the local government is required for the keeping, parking, repair or storing any boat, trailer, caravan or any material not specifically for the immediate use by the occupant in any front or street setback.

4.8.4 *Commercial Zone – Specific Development Requirements*

- a) **Mixed-Use Development** : The local government may permit mixed-use development within the Commercial zone, provided the residential component is built above or behind the commercial component, to ensure that a commercial or non-residential component is at ground floor level fronting the street or public place, for the full width of the building.
- b) **Plot Ratio** : The maximum residential plot ratio shall be in accordance with the provisions of the Residential Design Codes for the R60 Code, but the local government may permit a further increase of up to 50% if the proposed development -
 - (i) includes a community or other facility or amenity which the local government considers justifies an increase in the permissible plot ratio; and
 - (ii) the local government is satisfied that the design, standard and nature of the development as a whole is such as to constitute a significant improvement to the amenities or environment of the Retail area.

4.8.5 *General Industry Zone- Specific Development Requirements*

- a) **Use of Primary Street Setback Area for Trade Display** : A person may display finished goods for sale that have been produced or manufactured on a subject site, subject to the display area being limited to a maximum area of 25% of any street setback area; and excluding the following –
 - (i) the dumping or storage of waste or raw materials; or
 - (ii) the wrecking or storage of wrecked vehicles or parts thereof.
- b) **Factory Units** : All factory unit buildings shall -
 - (i) be constructed so that no occupancy has a floor area less than 100m² or either its width or length is less than 8 metres;
 - (ii) have an adjacent open yard no smaller than one-third of the floor area of the occupancy; and
 - (iii) together with its open yard, have direct access to a service road not less than 6 metres in width.

4.8.6 *Development in Special Residential, Rural Residential and Rural Smallholdings Zones*

- a) Where defined on a structure plan, all buildings on a lot shall be erected within the building envelope.

- b) Notwithstanding sub-clause (a), the local government may permit a variation to the location of the defined building envelope on a lot if it is shown to the satisfaction of the local government that the proposed location of the building envelope will not be detrimental to the landscape or environment and satisfies the minimum setbacks.
- c) All buildings shall be sympathetic to existing landscape elements, namely landform and vegetation, in terms of their design, building height, materials and cladding colours. The local government may specify roof and wall materials and colours where, in the opinion of the local government, it is necessary so as not to prejudice the landscape amenity of the surrounding area.
- d) The local government may specify the type and number of stock that may be held on a lot so as to prevent overstocking, erosion, or other practices detrimental to the amenity of the surrounding area.

4.8.7 *Requirement for Consultation to Commence Mining*

In considering proposals to commercially extract minerals, Council may exercise its discretion to inform the Minister for Mines and Petroleum and the Minister for Planning in writing that the granting of a mining lease or general purpose lease is contrary to the provisions of the Scheme and Local Planning Strategy.

4.8.8 Car Parking

- a) Car parking spaces are to be provided in accordance with Schedule 4 – Car Parking Requirements, unless determined otherwise by the local government and shall be designed, constructed and maintained to the satisfaction of the local government.
- b) Where a particular use of land is not specified in Schedule 4, the local government shall determine the number of car parking spaces to be provided on the site having regard to the nature of the proposed development, the number of employees likely to be on the site, the need to keep roads and streets free of obstructions and the amenity of the area.
- c) Where land is developed to accommodate a range of uses, the number of car parking spaces to be provided is to be calculated separately for each part of the land or building used for each use. In calculating the number of car parking spaces to be provided, the local government may consider reciprocal parking having regard for the differing operating times of various uses on the site.
- d) Where the number of car parking spaces proposed to be provided on land, or in a building, the subject of an application for development approval is less than the number required under Schedule 4, the local government may approve the application if the applicant can demonstrate to the satisfaction of the local government that -
 - (i) off street parking facilities in the near vicinity are adequate to cater for the parking requirements of the land use and/or development; and
 - (ii) a legal mechanism, to the satisfaction of the local government, is in place to enable those facilities to be used for that purpose on a permanent basis.

- e) All car parking areas with 10 or more car parking bays shall include landscaped areas equal to 10% of the area of the car park. Landscaped areas are to include shade trees at a rate of one tree for per eight bays, and the perimeter of all parking areas are to have planting strips of a minimum width of 1.5 m.

4.8.9 *Cash In Lieu of Car Parking*

If the local government is satisfied that adequate car parking exists, or is to be provided in close proximity to a proposed development, notwithstanding Schedule 4, it may accept a cash payment in lieu of the provision of car parking spaces subject to the following -

- a) a cash-in-lieu payment shall not be less than the estimated cost of constructing the car parking spaces otherwise required by the Scheme plus the value as estimated by the local government of that area of land which would have been occupied by the car parking spaces based on an area of 25m² per parking bay;
- b) the local government shall have already provided a public car park nearby or have firm proposals for providing a public car park area within the near future; and
- c) payments under this clause shall be deposited into a special fund to be used exclusively to provide and/or maintain car parks in the near vicinity.

4.8.10 *Tourist Bus and Coach Parking*

The local government may, where it considers necessary, require an area in addition to the car parking spaces required in accordance with the Schedule 4, for the loading/unloading and parking of tourist buses and coaches associated with any tourist use, with such parking to be provided on-site.

4.8.11 *Parking of Boats and Commercial Vehicles*

- a) The local government may permit the parking of only one commercial vehicle on a lot in the “Residential”, Rural Residential” or “Environmental Conservation” zone provided -
 - (i) the amenity of the neighbourhood in the opinion of the local government is not adversely affected;
 - (ii) the vehicle forms an essential part of the occupation of an occupant of the dwelling;
 - (iii) the vehicle does not exceed either 3 metres in height or 12 metres in length;
 - (iv) any vehicle exceeding 8 metres in length is screened from public view; and
 - (v) no major repairs to the vehicle is undertaken and any minor repairs, maintenance, service or cleaning of any commercial vehicle or truck is undertaken in an area screened from public view.
- b) Approval shall be issued on an annual basis only and if, in the opinion of the local government, the commercial vehicle is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may not re-issue an approval.

- c) A vehicle shall be considered to be parked on a lot for the purposes of these provisions if it remains on that lot for more than one hour in aggregate over any period of twenty four hours, unless the vehicle is being used bona fide in connection with ongoing construction work legally being carried out on the lot.
- d) Commercial vehicles which are parked temporarily on a property for the purpose of delivering or loading goods associated with domestic residential use are exempt from clause 4.8.10.
- e) No person shall on any lot within the Residential Zone keep, park, repair or store any boat, trailer, caravan or any associated material not specifically for the immediate use by the occupant in front of the building setback line.

4.8.12 *Tree Preservation*

- a) No person shall remove or fell a tree of three metres in height or greater within the Scheme Area without the consent of the local government except when -
 - (i) the tree is dead, diseased or dangerous; or
 - (ii) it is essential for achieving adequate fire protection.
- b) The local government may vary a standard or requirement prescribed under the Residential Design Codes to facilitate the retention of an existing tree on the site of a proposed development, notwithstanding that, by retaining the tree, the development would not comply with the Residential Design Codes. The local government may, despite the non-compliance, approve the application with or without conditions as the local government thinks fit. The power conferred by this clause does not extend to varying the density provisions of the Residential Design Codes.
- c) In considering an application for development approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration of the variation, the local government is to consult the affected parties.

4.8.13 *Building Height*

Except as otherwise provided under the Scheme, no building is permitted to exceed two storeys and 9 metres in height measured from the natural ground level immediately below the relevant point on the roof or wall, including freestanding structures such as masts, tanks and signage; with the exception of minor projections such as chimneys, TV aerials, satellite dishes and vent pipes.

4.8.14 *Setbacks from Watercourses*

- a) Within the Scheme Area, Council shall not permit:
 - (i) the erection of any building on any land within 50 metres of the nearest definable bank of any watercourse with permanent water, or within 40 metres of the nearest definable bank of any seasonally flowing watercourse or within 75 metres of the nearest definable bank of a river or estuary unless specific approval to vary this requirement is granted by Council; and
 - (ii) the installation of an effluent disposal system on any land within 100 metres of the nearest definable bank of any watercourse or wetland.

4.8.15 *Development on Land Abutting Unconstructed Roads*

- a) Where an application for development approval is made in respect of land abutting a road reserve which is not constructed or not having access by means of a constructed road reserve, the local government may either -
 - (i) refuse the application until the road has been constructed or access by means of a constructed road provided as the case may be; or
 - (ii) grant the application approval subject to a condition requiring the applicant to pay a sum of money towards payment of the cost or estimated cost of the road or part thereof and any other condition it thinks fit to impose.

4.8.16 *Domestic Water Supply*

- a) No new dwelling, house or tourist accommodation unit shall be constructed within the Scheme Area unless it is connected to a reticulated water supply to the satisfaction of the local government unless the dwelling house or tourist accommodation unit is located within a Rural Residential zone.
- b) Where a reticulated water supply is not available within a Rural Residential zone, the local government will require the provision of an adequate, sustainable potable water supply.

4.8.17 *Home Businesses, Home Occupations and Cottage Industries*

- a) An approval to conduct a home business, home occupation or industry-cottage is issued on an annual basis only to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person and shall not be transferred from the land in respect of which it was granted. Should there be a change of the occupier on the land in respect of which a development approval is issued, the approval is cancelled.
- b) If, in the opinion of the local government, any activities the subject of subclause 4.8.17 is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may not re-issue an approval.

4.8.18 *Use of Caravans or Outbuildings for Temporary Accommodation*

- a) The local government may permit the placement of a caravan or outbuilding as temporary accommodation for up to 12 months on a lot within the Rural Residential zone or the Rural Small Holding zone only providing it is satisfied that -
 - (i) A building permit has been issued for the outbuilding and the construction of the residence on the property with written evidence of a signed building contract with a registered builder for the construction of the residence, and a commitment date that is within 6 months by that builder for the commencement of construction of the residence; or
 - (ii) In the case of an owner builder, a building permit for a residence has been issued by the local government and a Statutory Declaration has been provided by the owner providing a commitment to construct a residence and an accompanying commencement date that is within 6 months;

- (iii) The owner has lodged a bond of \$10,000.00 with the local government which shall be refundable to the owner only on completion of the dwelling to the satisfaction of the local government;
 - (iv) A Statutory Declaration has been provided by the owner acknowledging the use of a caravan or outbuilding on-site is for temporary accommodation purposes only in accordance with regulation 11(2)(c) of the Caravan Parks and Camping Grounds Regulations 1997;
 - (v) Adequate provision for ablution and washing facilities connected to an approved water supply and effluent disposal system to the satisfaction of the local government; and
 - (vi) The caravan is to be located within an outbuilding.
- b) The local government may extend the time for which approval for temporary occupation of a caravan is granted. In determining an application for the extension of a temporary approval, the local government must be satisfied that there has been a genuine effort to complete the approved habitable building on the lot, pursuant to the original temporary occupation approval.

4.8.19 *Outbuildings*

- a) No outbuilding shall be erected on any land zoned “Residential” or “Rural Residential where there is no dwelling located on the lot.
- b) Outbuildings shall be of single storey construction and shall be located behind the setback to the street or streets of any existing or proposed dwelling on a lot.
- c) The following acceptable development provisions apply in relation to the size of outbuildings -
 - (i) Within the R10 code and above – 120m² in area, or 20% in aggregate of the site area, whichever is the lesser, with a maximum wall height of 3.0m and a total maximum height of 4.5m measured from natural ground level.
 - (ii) Within the “Rural Residential” zone and “Residential – R5” code for lots of 2,000m² or greater in area - 240m² in aggregate area, with a maximum wall height of 4.0m and a total maximum height of 6.5m measured from natural ground level.
 - (iii) Within codes having lots between 1,000m² and 2,000m² in area - 180m² in aggregate area, with a maximum wall height of 3.5m and a total maximum height of 5.0m measured from natural ground level.
 - (iv) In considering applications for outbuildings, due regard will be given to protect the future amenity of the lots once subdivided, and the local government may impose a condition of approval requiring that a legal agreement be entered into with the local government requiring that in the event of further subdivision of that property, the outbuilding must be removed or reduced in size, to conform with the size limits prescribed in (b) above.

4.8.20 *Repurposed Dwellings*

- a) The local government may permit the erection or placement of a repurposed dwelling providing it is satisfied that the building:
 - (i) is in a satisfactory condition;
 - (ii) will not detrimentally affect the amenity of the area having regard to the zoning of the lot and the use proposed for the building;
 - (iii) is permanently affixed to the ground; and
 - (iv) the façades, colours and materials and design features of the building are appropriate to that prevailing or proposed in the vicinity.

4.8.21 Outdoor Storage

- a) Outdoor storage shall not be permitted except in the General Industry zone.
- b) All outdoor areas used for the storage of motor vehicle bodies, timber, steel products or any other materials in connection with a commercial or industrial use shall be screened from view from any public place by such means as determined by, and to the satisfaction of, the local government.

4.8.22 Advertisements

All advertisements shall -

- a) Be designed to be compatible with the proposed surroundings including buildings, landscaping and other advertisements; and
- b) Be erected or displayed in a position:
 - (i) so as to not obstruct the passage of or so as to create a hazard for vehicles or pedestrians;
 - (ii) such that in the opinion of the local government, they would not adversely affect the amenity of the locality;
 - (iii) so as to not significantly obstruct or impeded all or part of a view of a river, the sea or other place or feature which in the opinion of the local government is of significance to the district; and
 - (iv) where attached to a building, be incorporated into the architectural features of the building in placement, style, proportions, materials, colours and finish; and
- c) Only contain the following information:
 - (i) the name of the occupier;
 - (ii) the business carried on in the premises;
 - (iii) the occupier's telephone number;

- (iv) a description of the goods sold or offered for sale in the premises to which the advertisement is affixed or to which it relates; and
- (v) any other matter specifically approved by the local government.

4.9 ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS FOR AREAS COVERED BY STRUCTURE PLAN, ACTIVITY CENTRE PLAN OR LOCAL DEVELOPMENT PLAN

There are no additional requirements that apply.

4.10 VARIATIONS TO SITE AND DEVELOPMENT REQUIREMENTS

4.10.1 In this clause —

additional site and development requirements means requirements set out in clauses 4.8 and 4.9.

4.10.2 The local government may approve an application for a development approval that does not comply with an additional site and development requirement.

4.10.3 An approval under subclause 4.10.2 may be unconditional or subject to any conditions the local government considers appropriate.

4.10.4 If the local government is of the opinion that the non-compliance with an additional site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must —

- a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and
- b) have regard to any expressed views prior to making its determination to grant development approval under this clause.

4.10.5 The local government may only approve an application for development approval under this clause if the local government is satisfied that —

- a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and
- b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

4.11 RESTRICTIVE COVENANTS

4.11.1 A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.

4.11.2 If subclause 4.11.1 operates to extinguish or vary a restrictive covenant —

- a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and
- b) the local government must not grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the deemed provisions.

PART 5 - SPECIAL CONTROL AREAS

5.1 SPECIAL CONTROL AREAS

- 5.1.1 Special Control Areas are marked on the Scheme Map according to the legend on the Scheme Map.
- 5.1.2 The purpose, objectives and additional provisions that apply to each special control area is set out in Table 5.

TABLE 5 - SPECIAL CONTROL AREAS

Name of Area	Purpose and Objectives	Additional Provisions
Nanda Drive (SCA 1)	<ul style="list-style-type: none"> • To facilitate the planning, design, reservation and construction of the Nanda Drive Outer Route and Nanda Drive south of the Kalbarri townsite; • To preserve the existing road reserve of Nanda Drive north of Porter Street until such time as the reserve for the Nanda Drive Outer Route as depicted on the Kalbarri Townsite Local Planning Strategy is reserved; and • To preserve the land forming and adjoining the alignment of Nanda Drive south of the existing Kalbarri Townsite, , as depicted on the Kalbarri Townsite Local Planning Strategy pending subdivision and dedication of the road reserve. 	<ol style="list-style-type: none"> 1) The local government shall not approve any development within SCA 1 until such time as the Nanda Drive Outer Route as depicted on the Kalbarri Local Planning Strategy is reserved. 2) Following reservation of the Nanda Drive Outer Route, the local government shall undertake all steps necessary to repeal the Special Control Area and this clause over the reserved portion of the Special Control Area. 3) A 20 metre wide vegetated buffer to all new development is to be included as part of the road reserve to the south of the existing Kalbarri Townsite.
Town Centre (SCA 2)	<ul style="list-style-type: none"> • To facilitate the redevelopment of the Kalbarri Town Centre to provide for the needs of visitors and residents in a safe and pedestrian friendly, family oriented environment; • To facilitate the re-development of Grey Street between Porter Street and Wood Street as a predominantly pedestrian precinct; • To facilitate the release of surplus land within the Grey Street road reserve into 	<ol style="list-style-type: none"> 1) In considering a subdivision or development application within the Special Control Area, the local government is to have regard to the objectives and guidelines set out in the Kalbarri Townsite Local Planning Strategy. 2) A minimum road reserve width of 20 metres shall be maintained on Grey Street between Porter Street and Wood Street; 3) In acquiring land through exchange of surplus road reserve the local government shall seek to establish a Foreshore Reserve along Gabba Gabba Creek of a general width of 40 metres. Land the subject of an

	<p>adjoining development sites;</p> <ul style="list-style-type: none"> • To facilitate the reservation of Gabba Gabba Creek for Recreation and Conservation; • To facilitate the reservation and construction of the Grey Street diversion; and • To ensure all development will accord with the objectives and guidelines established for the Special Control Area in the Kalbarri Townsite Local Planning Strategy. 	<p>exchange for surplus road reserve shall be transferred free of cost to the local government.</p> <p>4) In addition to the provisions of clause 64 of the deemed provisions, where an application is made for development approval to commence or carry out development which is greater than two storeys in height, the local government shall require the applicant to undertake the following additional forms of notice at the cost of the applicant:</p> <ul style="list-style-type: none"> (a) the placement in prominent public locations as determined by the local government of a display clearly showing the details of the proposed development; and (b) hold a Community Information Day at a location nominated by the local government to enable residents to view and discuss the proposed development with the applicant and consultants. <p>5) Notwithstanding clause 64 of the deemed provisions, where an application is made for a development greater than two storeys in height, the minimum period for which the local government shall give notice shall be 28 days for a development of three storeys in whole or in part, and 42 days for a development of four storeys in whole or in part.</p> <p>6) Except as otherwise provided for under 10), the local government may permit mixed-use development within the Town Centre and Centre zone, provided that:</p> <ul style="list-style-type: none"> (a) the residential component is for short stay tourist accommodation and built above the commercial component; and (b) the development presents a commercial or non-residential frontage to Grey Street and Porter Street where relevant, including food and beverage facilities and tourist retail for the full width of the building. <p>7) The density and standards for the short stay residential component of a mixed-use development shall be determined by the local government.</p>
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		<p>8) The maximum residential plot ratio shall be in accordance with the provisions of the Residential Design Codes, but the local government may permit a further increase of up to 50% if the proposed development:</p> <ul style="list-style-type: none"> (a) includes a community or other facility or amenity which the local government considers justifies an increase in the permissible plot ratio; and (b) the local government is satisfied that the design, standard and nature of the development as a whole is such as to constitute a significant improvement to the amenities or environment of the Town Centre. <p>9) Notwithstanding clause 4.8.13, the local government may permit development up to four storeys and 20 metres in height, excluding lift towers, within the Centre zone where the development proposed is consistent with the objectives and provisions of the Local Planning Strategy for the Kalbarri Townsite and the local government is satisfied that:</p> <ul style="list-style-type: none"> (a) provision has been made for incorporation of the surplus Grey Street road reserve into the site; (b) provision has been made for the ceding to the local government free of charge the land required for the Gabba Gabba Creek reserve; (c) the proposed development provides for high level of tourist facilities including tourist retail, food and beverage, entertainment and function facilities and outdoor recreation facilities including a swimming pool; (d) the proposed development provides a main street frontage to Grey Street and Porter Street, where relevant, including food and beverage facilities and tourist retail; (e) parking for short stay guests and key staff is provided on-site and provision made for the payment of cash-in-lieu of parking to the local government for the balance of the parking requirement for the
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		<p>development as determined under Schedule 4 – Car Parking Requirements.</p> <p>10) The local government may permit up to 25% of the residential component of the proposed development to be occupied as permanent residential accommodation where it is satisfied that:</p> <ul style="list-style-type: none"> (a) permitting the permanent residential component would assist in facilitating financing and completion of the proposed development; and (b) adequate provision is made in the design of the development to minimise interference between short stay and permanent residents and that adequate provision is made for facilities for the sole use of permanent residents.
<p>Anchorage Mixed Use Precinct (SCA 3)</p>	<ul style="list-style-type: none"> • To ensure all development will accord with the objectives and guidelines established for the Special Control Area in the Kalbarri Townsite Local Planning Strategy; • To facilitate the redevelopment of the River Road retail area as a Mixed Use precinct including retail, food and beverage services, permanent residential opportunities and tourist short stay residential in a family oriented environment; and • To facilitate the potential redevelopment of River Road adjacent to and generally contiguous with the precinct as a pedestrian friendly street 	<ul style="list-style-type: none"> 1) In considering any subdivision or development application, the local government is to have regard to the objectives and guidelines set out in the Kalbarri Townsite Local Planning Strategy. 2) The local government shall ensure that any development has frontage to River Road. 3) Permanent and short stay residential development shall be limited to the provisions of the R80 Code and shall not be greater than three storeys or 12m in height. Permanent and short stay tourist residential shall not be permitted at ground floor level. 4) On-site parking shall not be permitted on-site other than for the permanent and short stay residential units. The local government shall require the payment of cash-in-lieu of parking for all commercial development. 5) In addition to the provisions of clause 64 of the deemed provisions, where an application is made for development approval to commence or carry out development which is three storeys in part or in whole, the local government shall require the applicant to undertake the following additional forms of notice at the cost of the applicant: <ul style="list-style-type: none"> (a) the placement in prominent public locations as determined by the local government of a

		<p>display clearly showing the details of the proposed development; and</p> <p>(b) hold a Community Information Day at a location nominated by the local government to enable residents to view and discuss the proposed development with the applicant and consultants.</p> <p>6) Notwithstanding clause 64 of the deemed provisions, where an application is made for a development which is three storeys in part or in whole, the minimum period for which the local government shall give notice shall be 42 days.</p>
<p>Old Kalbarri Residential Precinct (SCA 4)</p>	<ul style="list-style-type: none"> • To facilitate the redevelopment of the Old Kalbarri residential precinct; • To encourage the progressive removal and replacement of the existing framed construction housing and provide a broader range of housing choices; and • To facilitate the retention of advanced and mature vegetation of the area so as to retain the ambience and residential amenity of the location; and • To ensure all development will accord with the objectives and guidelines established for the Special Control Area in the Kalbarri Townsite Local Planning Strategy. 	<p>The local government may permit a residential development at a density greater than R12.5 provided that the local government is satisfied that:-</p> <ul style="list-style-type: none"> (a) all existing fibro, framed construction buildings on the lot are to be demolished as part of the proposed development; (b) existing trees and vegetation as specified by the local government are retained in the proposed development; (c) the development is connected to reticulated sewerage; and (d) the proposed development does not exceed the provisions of the R30 Code.
<p>Kalbarri Waste Water Treatment Plant (SCA 5)</p>	<ul style="list-style-type: none"> • To minimise land use conflict and provide for compatible and beneficial land uses within SCA 5. 	<p>In considering any application for development the local government shall have regard to :</p> <ul style="list-style-type: none"> (a) the Water Corporation's advice in relation to compatible and beneficial land uses for buffers; and (b) the potential odour impact of the waste water treatment plant and whether the proposal is compatible with the existing and proposed future use of the plant.
<p>Kalbarri Groundwater Protection Area</p>	<ul style="list-style-type: none"> • To identify a Groundwater Protection Area adjoining the Kalbarri Groundwater Scheme Area within the 	<p>1) Planning approval is required for all development within SCA 6.</p> <p>2)</p>

(SCA 6)	<p>undeveloped southern portions of the Kalbarri Townsite; and</p> <ul style="list-style-type: none"> To ensure that land use and development within or adjacent to SCA 6 is compatible with the protection and long term management of groundwater resources for public water supply. 	<p>3) The local government shall not permit any use of land within SCA 6 that may compromise the groundwater resource.</p> <p>4) The local government shall not permit any development within a 500m radius of a production water bore.</p> <p>5) In determining land uses and development proposals adjacent to SCA 6, the local government will have due regard to relevant State Government policies and the most recent Department of Water, Land Use Compatibility Tables for Public Drinking Water Source Areas (PDWSA).</p> <p>6) In determining subdivision and/or development proposals, the local government may confer with the Department of Environment and Conservation and the Department of Water. The local government is to have due regard to any comments or recommendations from Department of Environment and Conservation and Department of Water and may impose relevant conditions to prevent or minimise the potential risk of groundwater contamination.</p>
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Part 6: TERMS REFERRED TO IN THE SCHEME

Division 1 — General definitions used in Scheme

6.1 TERMS USED

6.1.1 If a word or expression used in this Scheme is listed in this clause, its meaning is as follows -

building envelope means the area of land within which all buildings and effluent disposal facilities on a lot must be contained;

building height, in relation to a building -

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above, excluding minor projections as that term is defined in the R-Codes;

cabin means a dwelling forming part of a tourist development or caravan park that is -

- (a) an individual unit other than a chalet; and
- (b) designed to provide short-term accommodation for guests;

chalet means a dwelling forming part of a tourist development or caravan park that is -

- (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
- (b) designed to provide short-term accommodation for guests;

commencement day means the day this Scheme comes into effect under section 87(4) of the Act;

commercial vehicle means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including -

- (a) a utility, van, truck, tractor, bus or earthmoving equipment; and
- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);

floor area has meaning given in the Building Code;

frontage, in relation to a building -

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the line where a road reserve and the front of a lot meet and, if a lot abuts 2 or more road reserves, the one to which the building or proposed building faces;

heritage list means the Shire of Northampton Local Government Inventory 2015

incidental use means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use;

minerals has the meaning given in the *Mining Act 1978* section 8(1);

net lettable area or **nla** means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas -

- (a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building;

non-conforming use has the meaning given in the *Planning and Development Act 2005* section 172;

plot ratio means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located;

precinct means a definable area where particular planning policies, guidelines or standards apply;

predominant use means the primary use of premises to which all other uses carried out on the premises are incidental;

retail means the sale or hire of goods or services to the public;

short-term accommodation means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period;

wall height, in relation to a wall of a building -

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the vertical distance from the natural ground level of the boundary of the property that is closest to the wall to the point where the wall meets the roof or parapet;

wholesale means the sale of goods or materials to be sold by others.

6.1.2 A word or expression that is not defined in this Scheme -

- a) has the meaning it has in the *Planning and Development Act 2005*; or
- b) if it is not defined in that Act - has the same meaning as it has in the R-Codes.

Division 2 — Land use terms used in Scheme

6.2 LAND USE TERMS USED

If this Scheme refers to a category of land use that is listed in this provision, the meaning of that land use is as follows -

abattoir means premises used commercially for the slaughtering of animals for the purposes of consumption as food products;

aged or dependent persons dwelling has the meaning given in the R-Codes;

agriculture - extensive means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture - intensive or animal husbandry - intensive;

agriculture - intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following -

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- (d) aquaculture;

amusement parlour means premises -

- (a) that are open to the public; and
- (b) that are used predominantly for amusement by means of amusement machines including computers; and
- (c) where there are 2 or more amusement machines;

animal establishment means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre;

animal husbandry - intensive means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens;

art gallery means premises -

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

bed and breakfast means a dwelling -

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
- (b) containing not more than 2 guest bedrooms;

betting agency means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*;

brewery means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the *Liquor Control Act 1988*;

bulky goods showroom means premises -

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes -
 - (i) automotive parts and accessories;
 - (ii) camping, outdoor and recreation goods;
 - (iii) electric light fittings;
 - (iv) animal supplies including equestrian and pet goods;
 - (v) floor and window coverings;
 - (vi) furniture, bedding, furnishings, fabrics, manchester and homewares;
 - (vii) household appliances, electrical goods and home entertainment goods;
 - (viii) party supplies;
 - (ix) office equipment and supplies;
 - (x) babies' and childrens' goods, including play equipment and accessories;
 - (xi) sporting, cycling, leisure, fitness goods and accessories;
 - (xii) swimming pools;

or

- (b) used to sell by retail goods and accessories by retail if -
 - (i) a large area is required for the handling, display or storage of the goods; or
 - (ii) vehicular access is required to the premises for the purpose of collection of purchased goods;

caravan park means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1);

caretaker's dwelling means a dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building, operation or plant;

car park means premises used primarily for parking vehicles whether open to the public or not but does not include -

- (a) any part of a public road used for parking or for a taxi rank; or
- (b) any premises in which cars are displayed for sale;

child care premises means premises where -

- (a) an education and care service as defined in the Education and Care Services National Law (Western Australia) section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the Child Care Services Act 2007 section 4 is provided;

cinema/theatre means premises where the public may view a motion picture or theatrical production;

civic use means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes;

club premises means premises used by a legally constituted club or association or other body of persons united by a common interest;

commercial vehicle parking means premises used for parking of one or 2 commercial vehicles but does not include -

- (a) any part of a public road used for parking or for a taxi rank; or
- (b) parking of commercial vehicles incidental to the predominant use of the land;

community purpose means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;

consulting rooms means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

convenience store means premises -

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 300 m² net lettable area;

corrective institution means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility;

drycleaning premises / laundromat means premises used for the commercial cleaning of clothes and laundry either in a self-service or serviced manner;

educational establishment means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution;

exhibition centre means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum;

family day care means premises where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided;

fast food outlet means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten -

- (a) without further preparation; and
- (b) primarily off the premises;

freeway service centre means premises that has direct access to a freeway and which provides all the following services or facilities and may provide other associated facilities or services but does not provide bulk fuel services -

- (a) service station facilities;
- (b) emergency breakdown repair for vehicles;
- (c) charging points for electric vehicles;
- (d) facilities for cyclists;
- (e) restaurant, cafe or fast food services;
- (f) take-away food retailing;
- (g) public ablution facilities, including provision for disabled access and infant changing rooms;
- (h) parking for passenger and freight vehicles;
- (i) outdoor rest stop facilities such as picnic tables and shade areas;

fuel depot means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used -

- (a) as a service station; or
- (b) for the sale of fuel by retail into a vehicle for use by the vehicle;

funeral parlour means premises used -

- (a) to prepare and store bodies for burial or cremation;
- (b) to conduct funeral services;

garden centre means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

holiday accommodation means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot;

holiday house means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast;

home business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession -

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50 m²; and
- (d) except as otherwise approved by the local government, does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

home occupation means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that -

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not -
 - (i) require a greater number of parking spaces than normally required for a single dwelling; or
 - (ii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

home office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation -

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling;

home store means a shop attached to a dwelling that -

- (a) has a net lettable area not exceeding 100 m²; and
- (b) is operated by a person residing in the dwelling;

hospital means premises used as a hospital as defined in the *Hospitals and Health Services Act 1927* section 2(1);

hotel means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including any betting agency on the premises;

industry means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes -

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes;

industry - extractive means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes -

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration;

industry - light means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed;

industry - primary production means premises used -

- (a) to carry out a primary production business as that term is defined in the Income Tax Assessment Act 1997 (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses;

liquor store - large means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of more than 300 m²;

liquor store - small means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of not more than 300 m²;

lunch bar means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas;

marina means -

- (a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and
- (b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services;

marine filling station means premises used for the storage and supply of liquid fuels and lubricants for marine craft;

market means premises used for the display and sale of goods from stalls by independent vendors;

medical centre means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

mining operations means premises where mining operations, as that term is defined in the *Mining Act 1978* section 8(1) is carried out;

motel means premises, which may be licensed under the *Liquor Control Act 1988* -

- (a) used to accommodate guests in a manner similar to a hotel; and
- (b) with specific provision for the accommodation of guests with motor vehicles;

motor vehicle, boat or caravan sales means premises used to sell or hire motor vehicles, boats or caravans;

motor vehicle repair means premises used for or in connection with -

- (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or
- (b) repairs to tyres other than recapping or re-treading of tyres;

motor vehicle wash means premises primarily used to wash motor vehicles;

nightclub means premises the subject of a nightclub licence granted under the *Liquor Control Act 1988*;

office means premises used for administration, clerical, technical, professional or similar business activities;

park home park means premises used as a park home park as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Schedule 8;

place of worship means premises used for religious activities such as a chapel, church, mosque, synagogue or temple;

reception centre means premises used for hosted functions on formal or ceremonial occasions;

renewable energy facility means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource. It does not include solar panels or a wind turbine located on a lot with a single house where the energy produced only supplies that house or private rural use or anemometers.

repurposed dwelling means a building or structure not previously used as a single house, which has been repurposed for use as a dwelling;

recreation - private means premises that are -

- (a) used for indoor or outdoor leisure, recreation or sport; and
- (b) not usually open to the public without charge;

resource recovery centre means premises other than a waste disposal facility used for the recovery of resources from waste;

restaurant/cafe means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*;

restricted premises means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of -

- (a) publications that are classified as restricted under the Classification (Publications, Films and Computer Games) Act 1995 (Commonwealth); or
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or
- (c) smoking-related implements;

road house means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services -

- (a) a full range of automotive repair services;
- (b) wrecking, panel beating and spray painting services;
- (c) transport depot facilities;
- (d) short-term accommodation for guests;
- (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies;
- (f) dump points for the disposal of black and/or grey water from recreational vehicles.

rural home business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation -

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 200 m²; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight;

rural pursuit/hobby farm means any premises, other than premises used for agriculture - extensive or agriculture - intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household -

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises;

secondhand dwelling means a dwelling that has been in a different location, and has been dismantled and transported to another location (in whole or in parts) for habitable purposes, but does not include a new modular or transportable dwelling.

serviced apartment means a group of units or apartments providing -

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities;

service station means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for -

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

shop means premises other than a bulky goods showroom, a liquor store - large or a liquor store - small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services;

small bar means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*;

tavern means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*;

telecommunications infrastructure means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network;

tourist development means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide -

- (a) short-term accommodation for guests; and
- (b) onsite facilities for the use of guests; and
- (c) facilities for the management of the development;

trade display means premises used for the display of trade goods and equipment for the purpose of advertisement;

trade supplies means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises -

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government;

transport depot means premises used primarily for the parking or garaging of 3 or more commercial vehicles including -

- (a) any ancillary maintenance or refuelling of those vehicles; and
- (b) any ancillary storage of goods brought to the premises by those vehicles; and
- (c) the transfer of goods or persons from one vehicle to another;

tree farm means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the *Carbon Rights Act 2003* section 5;

veterinary centre means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;

warehouse/storage means premises including indoor or outdoor facilities used for -

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods;

waste disposal facility means premises used -

- (a) for the disposal of waste by landfill; or
- (b) the incineration of hazardous, clinical or biomedical waste;

waste storage facility means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

winery means premises used for the production of viticultural produce and associated sale of the produce;

workforce accommodation means premises, which may include modular or relocatable buildings, used -

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

SCHEDULES

Schedule A:	Supplemental Provisions to the Deemed Provisions
Schedule 1:	Additional Uses
Schedule 2:	Restricted Uses
Schedule 3:	Special Use Zones
Schedule 4:	Car Parking Requirements
Schedule 5:	Signage and Advertisements for which Development Approval Not Required
Schedule 6:	Environmental Conditions

Schedule A - Supplemental Provisions to the Deemed Provisions

These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Clause 64 Advertising applications (6)

- (a) where an application is made for development approval to commence or carry out development which is greater than two storeys in height within the Town Centre Special Control Area (SCA 2) and , the local government shall require the applicant to undertake the following additional forms of notice at the cost of the applicant:
- (i) the placement in prominent public locations as determined by the local government of a display clearly showing the details of the proposed development; and
 - (ii) hold a Community Information Day at a location nominated by the local government to enable residents to view and discuss the proposed development with the applicant and consultants.
- (b) where an application is made for a development greater than two storeys in height within the Town Centre Special Control Area (SCA 2), the minimum period for which the local government shall give notice shall be 28 days for a development of three storeys in whole or in part, and 42 days for a development of four storeys in whole or in part.

Clause 64 Advertising applications (7)

- (a) where an application is made for development approval to commence or carry out development which is three storeys in part or in whole within the Anchorage Mixed Use Precinct Special Control Area (SCA 3), the local government shall require the applicant to undertake the following additional forms of notice at the cost of the applicant:
- (i) the placement in prominent public locations as determined by the local government of a display clearly showing the details of the proposed development; and
 - (ii) hold a Community Information Day at a location nominated by the local government to enable residents to view and discuss the proposed development with the applicant and consultants.
- (b) where an application is made for a development which is three storeys in part or in whole within the Anchorage Mixed Use Precinct Special Control Area (SCA 3), the minimum period for which the local government shall give notice shall be 42 days.

Schedule 1: Additional uses

No	Description of Land	Additional Use	Conditions
A 1	<p>1. The land bounded by Grey Street, Clotworthy Way, both sides of Mortimer Street and Woods Street as delineated on the Scheme Maps.</p> <p>2. The land bounded by Grey Street, Kaiber Street & Hackney Street</p>	Tourist Development	<ol style="list-style-type: none"> 1. Except as otherwise approved by the local government, the density and standards for development shall be as for the R50 code. 2. The local government may permit an increase in the density for short term tourist only accommodation to R60 provided that the local government is satisfied that: <ol style="list-style-type: none"> a) the site has a minimum area of 2,000m²; b) the development will include an office and residential accommodation for an on-site manager. The Manager's dwelling shall not be included in the calculation of lot density under the R60 code; and c) adequate facilities are provided for guests and as a minimum a swimming pool and covered BBQ area and table.
A 2	Lot 1, Cnr Grey Street and Auger Street as delineated on the Scheme Maps.	Convenience Store	<ol style="list-style-type: none"> 1. The provisions of Additional Use zone A 1 shall apply. 2. The local government encourages the re-development of the lot to provide for a Convenience Store and short term tourist accommodation 3. The density for short term tourist only accommodation shall be as for the R60 Code provided that the local government is satisfied that: <ol style="list-style-type: none"> a) the development will include an office and residential accommodation for an on-site manager. The Manager's dwelling shall not be included in the calculation of lot density under the R60 code; and b) adequate facilities are provided for guests and as a minimum a swimming pool and covered BBQ area and table. 4. On-site parking shall be required only for the accommodation units. The local government shall require a cash-in-lieu contribution for the Convenience Store for public carparks in the vicinity.

			5. A two storey building height limit shall apply to the lot except for buildings within the western half of the lot fronting Grey Street which may increase to three storeys over 50% of the frontage but only if a Convenience Store is included in the development proposal.
A 3	(a) Lots 1, 3, 4, 51, 53, 54 & 55 Grey Street between Coles Street and Woods Street; and (b) Lots 2, 3, 20,21, 22,33 & 36 Grey Street east of Kaiber Street.	Amusement Parlour Fast Food Outlet Restaurant Shop	<ol style="list-style-type: none"> 1. The provisions of Additional Use zone A 1 shall apply. 2. In addition to the provisions of Additional Use zone A 1, the local government encourages ground floor tourist commercial activities and particularly tourist retail, tourist services, tourist entertainment, cafés, coffee shops, fast food outlets and family restaurants. 3. The plot ratio of tourist commercial floorspace shall not be included in the calculation of short stay tourist accommodation plot ratio. 4. On-site parking shall be required only for the accommodation units. The local government shall require a cash-in-lieu contribution for the commercial floorspace for public carparks in the vicinity.
A 4	Lot 14 Ranch Court	Bed & Breakfast Cabin Chalet Caretaker's Dwelling	As determined by the local government in accordance with the requirements of the Scheme.
A 5	Portion of Lot 514 Woods Street Kalbarri. <i>AMD 2 GG 5/05/2023</i>	'D' Use- Workforce Accommodation	<ol style="list-style-type: none"> 1. In considering an application for development approval, the local government shall consider the following matters in addition to that which it may have regard to under the Scheme- <ul style="list-style-type: none"> • Number of units; • Occupancy limitations – number of persons occupying the site and employer; • Measures to manage visual amenity impacts (screening, fencing and landscaping etc.); • Decommissioning/transitioning plans; • Rubbish disposal; • On-site carparking; and • Stormwater drainage. 2. Provision of a full-time on-site manager or caretaker for the workforce accommodation. 3. Development is to be a high standard and compliment the amenity of the built and natural environment in the area. 4. A setback requirement to Woods Street of a minimum of 3 metres which includes a landscaped buffer.

			<ol style="list-style-type: none">5. Development should be designed so that it is capable of being adapted and used for future tourism and/ or residential purposes that are permissible in the Tourism zone.6. Development shall comply with the minimum and average lot sizes as per the R50 density code.
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Schedule 2: Restricted uses

No.	Description of Land	Restricted Use	Conditions

Schedule 3: Special Use Zones

No.	Description of Land	Special Use	Conditions
SU 1	Portion of Victoria Location 11493 Ajana-Kalbarri Road, Kalbarri.	<p><u>'P' Uses:</u> Equestrian Centre Caretaker's Dwelling Staff Accommodation Car Park</p> <p><u>'D' Uses:</u> Shop Recreation Facilities Open Air Display Holiday Accommodation Restaurant Kiosk</p> <p><u>'A' Uses:</u> Motel</p>	<p><u>Objective</u> To permit the development of an Equestrian Centre for the stabling and agistment of horses for hiring to the general public and development of associated tourist accommodation and recreation facilities.</p> <p><u>Building</u></p> <ol style="list-style-type: none"> 1) All building on the lot shall be erected within the defined building envelope. 2) The building envelope shall not exceed 8,000m² in area. 3) The minimum setbacks shall be: <ul style="list-style-type: none"> - Front Boundary 30 metres - Rear Boundary 20 metres - Side Boundaries 15 metres 4) The local government may permit the construction of stables outside the defined building envelope on the lot if it is shown to the satisfaction of the local government that there will be no detrimental impact on the amenity of the Zone or neighbouring properties. 5) No stable is permitted within 15 metres of a habitable building on a lot. <p><u>Stock Control</u></p> <ol style="list-style-type: none"> 6) No more than 45 horses shall be kept and/or agisted on the lot.
SU 2	Lot 250 and 467 Grey Street, west of Anchorage Lane.	<p><u>'P' Uses:</u> Caravan Park</p> <p><u>'D' Uses:</u> Holiday Accommodation</p>	<ol style="list-style-type: none"> 1. As determined by the local government in accordance with the requirements of the Scheme. 2. Provision of a north-south public access way linking Clotworthy Street through to the River Foreshore.
SU 3	Lot 116 and 117 Flora Boulevard.	<p><u>'P' Uses:</u> Aged and Dependent Persons Dwelling</p> <p><u>'A' Uses:</u> Hotel Motel Chalet Park</p>	As determined by the local government in accordance with the requirements of the Scheme.

No.	Description of Land	Special Use	Conditions
		Holiday Accommodation Amusement Parlour Club Premises Private Recreation Recreational Facilities Restaurant	
SU 4	Lot 188 Corner of Grey Street and Porter Street.	<u>'P' Uses:</u> Tavern Motel <u>'A' Uses:</u> All other Use Classes listed under the Centre Zone as 'P', 'D' or 'A' in Table 3 – Zoning Table.	<ol style="list-style-type: none"> 1. As determined by the local government in accordance with the requirements of the Scheme, Special Control Area No. 2 and the Use and Development provisions of the Kalbarri Townsite Local Planning Strategy that relate to the subject land. 2. The Local Government shall require the preparation of a Local Development Plan for the land demonstrating the manner in which the proposed development integrates with Grey Street, Porter Street and adjoining lands including the 'Commercial' zoned land on the south side of Porter Street.
SU 5	Lots 136, 512, 588, 589 and 827 Grey Street and Woods Street and Lot 510 Smith Street. AMD 2 GG 5/05/2023	<u>'P' Uses:</u> Caravan Park <u>'A' Uses:</u> Amusement Parlour Caretaker's Dwelling Fast Food Outlet Holiday Accommodation Multiple Dwelling Restaurant/Cafe Serviced Apartment Shop Small Bar	<ol style="list-style-type: none"> 1. As determined by the local government in accordance with the requirements of the Scheme, Special Control Area 2 and the Use and Development Provisions of the Kalbarri Townsite Local Planning Strategy for the land. 2. The Local Government shall require the preparation of a Local Development Plan for the land demonstrating the manner in which the proposed development integrates with Grey Street and adjoining lands to the east and south. 3. Provision of a 20m wide road reserve free of cost to the local government through the land for the southerly extension of Mortimer Street to the Grey Street diversion consistent with the Kalbarri Townsite Local Planning Strategy.

No.	Description of Land	Special Use	Conditions
SU 6	Lots 473, 474 and part Lot 500 Nanda Drive as delineated in the Scheme Maps	<u>'P' Uses:</u> Caravan Park Holiday Accommodation	As determined by the local government in accordance with the requirements of the Scheme and the Use and Development Provisions of the Kalbarri Townsite Local Planning Strategy for the land
SU 7	Lots 174, 175 & UCL, Kaiber Street between Hackney Street and Glass Street.	<u>'P' Uses:</u> Consulting Rooms Hospital Medical Centre Veterinary Centre	As determined by the local government in accordance with the requirements of the Scheme.
SU 8	Portion of UCL on the eastern side of Nanda Drive south of Reserve 43170 as identified on the Scheme Maps.	<u>'P' Uses:</u> Aged and Dependent Persons Dwelling Hospital for Aged and Dependent Persons	As determined by the local government in accordance with the requirements of the Scheme.
SU 9	Lot 582 Red Bluff Road and Lots 830, 831 & 832 Bridgeman Road.	<u>'D' Uses:</u> Caravan Park Caretaker's Dwelling Cinema / Theatre Educational Establishment Fast Food Outlet Holiday Accommodation Industry – Cottage Motel Recreation – Private Restaurant Serviced Apartment Shop Tourist Development	<u>Objectives</u> <ul style="list-style-type: none"> (a) To facilitate the co-ordinated redevelopment of the precinct for Mixed Use Tourism purposes to provide for the broad accommodation and recreational needs of visitors and the recreational needs of residents. (b) To facilitate shared vehicular and pedestrian access between access sites. (c) To facilitate shared parking between sites. (d) To facilitate the release of surplus land within the George Grey Drive road reserve for visitor and coach parking. <u>Conditions</u> <ul style="list-style-type: none"> (a) Subdivision within the precinct will be supported where it is demonstrated that the subdivision is required to give effect to development consistent with the purpose and objectives of the precinct.

No.	Description of Land	Special Use	Conditions
			<p>(b) The minimum lot area within the precinct shall be 1 ha.</p> <p>(c) In considering any development application, the local government is to have regard to the appropriateness of the uses proposed, the provision made for integration and sharing of vehicular access and parking with adjacent sites and pedestrian connectivity with adjacent sites;</p> <p>(d) The local government shall not permit more than two access points to George Grey Drive for the whole of the precinct. Such access points shall be positioned to benefit the whole of the precinct and shall be linked to facilitate two way access to George Grey Drive from the western portions of the precinct.</p> <p>(e) The local government shall require a minimum 6 metre wide public road along the western boundaries of and within lots 582 and 830 George Grey Drive.</p> <p>(f) In determining the extent of surplus land within the George Grey Drive road reserve forward of the precinct, the local government shall maintain a minimum vegetated buffer along George Grey Drive of 10 metres.</p> <p>(g) Except as otherwise approved by the local government and Department of Health in the case of low key tourist developments, all development shall be connected to reticulated sewer and water supply.</p>

No.	Description of Land	Special Use	Conditions
			<p>(h) The cost of providing reticulated sewer and water supply to the lots within the precinct shall be borne by the owners and the costs shared pro-rata between the owners based on the area of each lot in accordance with a Development Contributions Plan.</p> <p>(i) The local government may enter into agreements with owners and applicants to facilitate the co-ordinated development of the precinct.</p>

Schedule 4: Car parking requirements

Use Class	Car Parking spaces required
Abattoir	1 per employee
Agriculture – Extensive	1 per employee
Agriculture – Intensive	1 per employee
Amusement Parlour	1 per 4 seats or 1 per 4 persons the building is designed to accommodate
Animal Establishment	1 per employee
Animal Husbandry - Intensive	1 per employee
Bank, Building Society, Post Office	1 per 20m ² of GLA
Bed & Breakfast	1 per bedroom in addition to Residential Design Codes requirement for dwelling
Betting Agency	1 per 20m ² of GLA
Brewery	1 per employee plus visitor + 1 per 4 m ² of bar and eating area
Builder's Storage Yard	1 per 200m ² of GLA and outdoor storage area
Bulky Goods Showroom	1 per 50m ² GLA
Caravan Park	1 to each caravan site + 1 visitor bay per 5 caravan sites + 1 staff bay per 10 caravan sites
Caretaker's Dwelling	1 per dwelling
Child Care Premises	1 per 5 children
Cinema/Theatre	1 per 4 seats
Civic Use	1 per 4 seats or 1 per 4 persons the building is designed to accommodate, whichever is the greater or as determined by the local government
Club Premises	1 per 4 seats or 1 per 4 persons the building is designed to accommodate, whichever is the greater
Community Purpose	1 per 4 seats or 1 per 4 persons the building is designed to accommodate, whichever is the greater or as determined by the local government
Consulting Rooms	4 per practitioner up to two practitioners + 2 per practitioner for each practitioner in excess of two.
Convenience Store	1 per 20m ² of GLA
Corrective Institution	As determined by the local government
Display Home Centre	2 per display dwelling
Education Establishment	Primary – 1 per classroom Secondary - 1 per classroom Student and visitor parking as determined by the local government.
Exhibition Centre	As determined by the local government
Factory Unit Building	1 per 50m ² of GLA
Family Day Care	As determined by the local government
Fast Food Outlet / Lunch Bar	1 per 10m ² of GLA
Fuel Depot	As determined by the local government
Funeral Parlour	1 per 40 m ² of GLA administration areas + 1 per 4 seats of public seating area.
Garden Centre	1 per 100m ² of sales and display area
Hire Service	1 per 100m ² of sales and display area
Holiday Accommodation	1 per unit plus staff parking as determined by the local government
Holiday Home	2 per accommodation unit
Home Business	1 per employee not members of the occupier's household + customer parking as determined by the local government.
Home Occupation	Nil
Home Office	Nil
Home Store	1 per 20m ² of GLA
Hospital	1 per 4 beds + 1 per employee
Hotel	1 per bedroom + 1 per 4m ² of lounge and bar area
Industry	1 per 50m ² of GLA
Industry – Extractive	1 per employee
Industry – Light	1 per 50m ² of GLA
Industry – Primary Production	1 per employee
Liquor Store – Small & Large	1 per 20m ² of GLA
Market	As determined by the local government
Marine Filling Station	As determined by the local government

Medical Centre	4 per practitioner up to two practitioners + 2 per practitioner for each practitioner in excess of two.
Motel	1 per unit + 1 per 4m ² of bar and eating area
Motor Vehicle, Boat or Caravan Sales	As determined by the local government
Motor Vehicle Repair	1 per workshop bay + 1 per employee
Motor Vehicle Wash	1 per wash bay
Night Club	1 per 4m ² of lounge and bar area
Office	1 per 30m ² of GLA (excludes bank, building society, post office)
Park Home Park	1 to each Park Home site + 1 visitor bay per 5 sites
Place of Worship	1 per 4 seats
Reception Centre	1 per 4 seats
Recreation – Private	1 per 4 seats or 1 per 4 persons the building is designed to accommodate, whichever is the greater
Renewable Energy Facility	As determined by the local government
Restaurant / Café	1 per 4m ² of bar and eating area
Restricted Premises	1 per 20m ² of GLA
Roadhouse	1 per workshop bay + 1 per employee + 1 per 4 m ² of eating area
Rural Home Business	Nil
Rural Pursuit / Hobby Farm	Visitor parking as determined by the local government
Service Station	1 per workshop bay + 1 per employee
Serviced Apartment	2 per accommodation unit up to 10 units + 1.5 per accommodation unit in excess of 10.
Shop	1 per 20m ² of GLA
Small Bar	1 per 4m ² of lounge and bar area
Tavern	1 per 4m ² of lounge and bar area
Telecommunications Infrastructure	As determined by the local government
Tourist Development	2 per accommodation unit up to 10 units + 1.5 per accommodation unit in excess of 10 + parking for other non-accommodation uses as per Schedule 4.
Trade Display	As determined by the local government
Trade Supplies	As determined by the local government
Transport Depot	1 per employee + visitor parking as determined by the local government
Tree Farm	1 per employee
Veterinary Centre	4 per practitioner up to two practitioners + 2 per practitioner for each practitioner in excess of two
Warehouse / Storage	1 per 30m ² of GLA of Office + 1 per 200m ² of GLA and outdoor storage area.
Waste Storage or Waste Disposal Facility	1 per employee
Winery	1 per employee plus visitor + 1 per 4 m ² of bar and eating area
Workforce Accommodation	As determined by the local government

NOTES:

- (a) *GLA - Gross Leasable Area: means, in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.*
- (b) *In addition to car parking spaces the local government may require tourist bus and coach parking in accordance with clause 4.8.9.*

Schedule 5: Signage and advertisements for which development approval is not required

(Schedule 2, cl.56(h) *Planning and Development (Local Planning Schemes) Regulations 2015*)

Land Use, Development or Activity	Exempted Advertisement Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Advertisement
All types of Residential Dwellings Home Occupation	One professional name-plate as appropriate. One advertisement describing the nature of the home occupation.	0.2m ² 0.2m ²
Place of Worship, Club Premises, or Community Purpose.	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m ²
Cinema/ Theatre advertisement	Two advertisements (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the advertisements are displayed.	Each advertisement not to exceed 5m ²
Shop, Showroom, Office, Medical Centre, or Hotel.	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building.	Not Applicable
All types of Industry use classes, or Warehouse.	A maximum of 4 advertisements applied to or affixed to the walls of the building but not including advertisements which project above the eaves of the ridge of the roof of the building and excluding advertisements projecting from a building whether or not those advertisements are connected to a pole, wall or other building. A maximum of two free-standing advertisements not exceeding 5m in height above ground level.	Total area of any such advertisements shall not exceed 15m ² Maximum permissible total area shall not exceed 10m ² and individual advertisements shall not exceed 6m ²
Recreation – Private, Public Recreation, or Public Amusement.	All advertisements provided that, in each case, the advertisement is not visible from outside the complex or facility concerned, either from private land or from public places and streets.	Not Applicable
Council or Government land uses and activities not covered by other land uses in this schedule.	1. Advertisements (illuminated and non-illuminated) relating to the functions of Government, a public authority or Council of a municipality excluding those of a promotional nature constructed or	Not Applicable

	<p>exhibited by, or on behalf of any such body, and</p> <p>2. Advertisements (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such an advertisement has been constructed or exhibited by, or at the direction of a Government department, public authority or the local government of a municipality, and</p> <p>3. Advertisements (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within the Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.</p>	<p>Not Applicable</p> <p>Not Applicable</p>
All land uses.	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	Not Applicable
All buildings other than residential dwellings	One advertisement, containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²
<p>Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows:</p> <p>Single Houses and Grouped Dwellings</p> <p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or all types of Industry use classes where all of the buildings are a maximum of three storeys in height.</p> <p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or all types of Industry use classes where any of the buildings are in excess of three storeys in height.</p>	<p>One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.</p> <p>One advertisement as above</p> <p>One advertisement as above; and one additional advertisement showing the name of the project builder.</p>	<p>2m²</p> <p>5m²</p> <p>5m²</p>

Sales of Goods or Livestock	One advertisement per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the advertisement is exhibited provided that the land is not normally used for that purpose.	2m ²
<p>Property Transactions.</p> <p>All types of Residential Dwellings</p> <p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or all types of Industry use classes where all of the buildings are a maximum of three storeys in height.</p> <p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or all types of Industry use classes where any of the buildings are in excess of three storeys in height, or rural properties in excess of 5ha.</p>	<p>Advertisements displayed for the duration or a period over which property transactions are offered and negotiated as follows:</p> <p>One advertisement per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the advertisement is or the advertisements are displayed.</p> <p>One advertisement as above.</p> <p>One advertisement as above.</p>	<p>Each advertisement shall not exceed an area of 2m².</p> <p>Each advertisement shall not exceed an area of 5m²</p> <p>Each advertisement shall not exceed an area of 10m²</p>
Display Home Centre	<p>Advertisements displayed for the period over which homes are on display for public inspection as follows:</p> <ol style="list-style-type: none"> 1. One advertisement for each dwelling on display. 2. In addition to (1) above one advertisement for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display. 	<p>2m²</p> <p>5m²</p>
All buildings other than Residential Dwellings.	One portable A frame type advertisement per building.	1m ² on each side.

Schedule 6: Environmental conditions

Scheme or Amendment No.	Gazettal Date	Environmental Conditions

ADOPTION

Adopted by Resolution of the Council of the Shire of Northampton at the meeting of the Council held on the 22 day of August 20 14 .

G SIMKIN 9 .8.17

 SHIRE PRESIDENT DATE

G KEEFFE 9.8.17

 CHIEF EXECUTIVE OFFICER DATE

FINAL APPROVAL

Adopted for final approval by Resolution of the Council of the Shire of Northampton at the meeting of the Council held on the 18 day of November 2016, and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of:

G SIMKIN 9.8.17

 SHIRE PRESIDENT DATE

G KEEFFE 9.8.17

 CHIEF EXECUTIVE OFFICER DATE

Submitted and recommended for final approval by the Western Australian Planning Commission.

J GILDERHUYS 17/8/2017

 DELEGATED UNDER s.16 OF THE PD ACT 2005 DATE

Final approval granted.

R SAFFIOTI 01-09-2017

 MINISTER FOR PLANNING DATE