

SHIRE OF NORTHAMPTON

Local Planning Scheme No.10

Updated to include AMD 8 GG 22/12/2023



Prepared by the
Department of Planning, Lands and Heritage

Original Town Planning Scheme Gazettal
06/01/2012

Disclaimer

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Consultation with the respective Local Government 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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AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
-	06/01/12	15/02/12	NM	Scheme text gazetted.
3	08/11/16	23/11/16	MLD	Rezone Lot 501 Hampton Road, Northampton from 'Public Purposes - Police' to 'Residential R.10'. Amending the Scheme Maps accordingly.
4	11/7/18	23/8/17	MLD	Insert new definitions Repurposed Dwelling and Second-Hand Dwelling under '1.2 Land Use definitions' in 'Schedule 1 Dictionary of Defined Words and Expressions' to state as follows Inserting 'Repurposed Dwelling' and 'Second-Hand Dwelling' into 'Table 1 – Zoning Table' to control landuse permissibility Modify the existing definition of 'Transportable, Prefabricated or Relocated Building' under '1.1 General definitions' in 'Schedule 1 Dictionary of Defined Words and Expressions' Insert a new 'Schedule A – Supplementary to Deemed Provisions' Insert a new Clause 5.11.3 and subclause 5.11.3.1 Remove clause 8.2 (b) (iv) "the proposal is for a transportable, prefabricated or relocated building"
6	28/02/2020	09/03/2020	MLD	Updated scheme text to align it with the model and deemed provisions of the Regulations.
5	24/12/2020	04/01/2021	MLD	Inserting a new Additional Use of Caravan Park in Schedule 1 – A4 – Pt of lot 101 Glance Street.
7	17/02/2023	22/02/2023		Lot 115 (CT 2587/4 on DP 38640), Sandy Gully: Rezone a 9.1352 hectare portion of Lot 115 from Rural to Residential R20. Rezone a 3.6628 hectare portion of Lot 115 from Rural to Environmental Conservation. Rezone a 23.507 hectare portion of Lot 115 from Rural to Urban Development. Lot 116 (CT 27 47/834 on DP 65320), Sandy Gully: Rezone portion of Lot 116 from Rural to Public Open Space. Rezone portion of Lot 116 from Rural to Urban Development. Include portion of Lot 116 in Special Control Area 6 (Horrocks Development Area). Include a portion of Lot 116 in Special Control Area 1 (Coastal planning and management) Rezone portion of Lot 110 (CT 2187/552) on P 21880), Sandy Gully from Rural to Special Use and insert the notation S15 to the relevant portion Lot 500 (Reserve 43807), Sandy Gully: Rezone Lot 500 from Rural to Public Open Space. Include Lot 500 in Special Control Area 6 (Horrocks Development Area) Rezone portion White-Cliffs Road reserve that adjoins Wattle Drive, Sandy Gully from Road Reserve to Urban Development. Wattle Drive (DP 65320), Sandy Gully: Rezone portion Wattle Drive from Rural to Urban Development. Rezone portion Wattle Drive from Rural to Public Open Space. Include Wattle Drive in Special Control Area 6 (Horrocks Development Area). Amend the Scheme Maps accordingly. Amend Schedule 2 of the Scheme Text to insert a new Special Use Zone No 15.

8	22/12/2023	12/01/2024	HB	<p>Rezoned a portion of Lot 254 Glance Street, Horrocks from 'Commercial' zone to 'Residential R20' zone as depicted on scheme amendment map No. 1;</p> <p>Rezoned a portion of Lot 1 Horan Way, Horrocks from 'Rural' zone to 'Residential R20' zone as depicted on scheme amendment map No. 2</p> <p>Rezoned portion of Lots 173, 174 and 175 Mitchell Street, Horrocks from 'Public Open Space' reserve to 'Residential R12.5' zone as depicted on scheme amendment map No. 1;</p> <p>Modify a portion of Lot 101 Glance Street, Horrocks from 'Additional Use 3' (A3) to 'Additional Use 4' (A4) classification as depicted on scheme amendment map No. 1;</p> <p>Rezoned Lot 500 (R53748) Mary Street, Northampton from 'Special Use Not. 2' to 'Emergency Services' reserve as depicted on scheme amendment map No. 3;</p> <p>Rezoned portion of Lot 100 and whole of Lot 18 North West Coastal Highway Alma, from 'Special Use' zone to 'Rural' zone and retaining the 'Additional Use 2' (A2) classification over portion of Lot 100 and whole of Lot 18 as depicted on scheme amendment map No. 4; and</p> <p>Remove the Special Control Area No. 3 (SCA3 Public Drinking Water Source Protection) adjoining Yerina Spring Road (Yallabatharra), surrounding the Northampton townsite and adjoining Bishop Gully Road (Yallabatharra) near the Northampton townsite and adjoining Bishop Gully Road (Yallabatharra) near Port Gregory as depicted on scheme amendment maps No. 5 and 6.</p> <p>Modify the 'Description of Land' under Schedule 1 'Specified Additional Uses for zoned land in the scheme area'.</p> <p>A2 to 'portion of Lot 100 and whole of Lot 18 North West Coastal Highway, Alma'.</p> <p>A4 to 'portion of Lot 101 Glance Street, Horrocks'.</p>
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PREAMBLE

This Local Planning Scheme of the Shire of Northampton consists of this Scheme Text, the deemed provisions (set out in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the supplemental provisions contained in Schedule A and the Scheme Maps. The Scheme should be read with the Local Planning Strategy for the Shire.

Part 2 of the deemed provisions sets out the Local Planning Framework. At the core of this Framework is the Local Planning Strategy 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. There are particular controls included for heritage and special control areas. The Scheme also sets out the requirements for development approval, enforcement of the Scheme provisions and non-conforming uses.

SCHEME DETAILS

The Shire of Northampton

Local Planning Scheme No. 10

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

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Part 1 Preliminary

1. CITATION

This local planning scheme is the Shire of Northampton Scheme No. 10.

2. COMMENCEMENT

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

3. SCHEME REVOKED

The following local planning schemes are revoked -

Name	Gazettal date
Town Planning Scheme No. 6 (Northampton District Scheme)	09 January 1996
Town Planning Scheme No. 8 (Horrocks)	16 April 1992

4. NOTES DO NOT FORM PART OF THIS SCHEME

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

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

5. RESPONSIBILITY FOR SCHEME

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

6. SCHEME AREA

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

7. CONTENTS OF SCHEME

- (1) In addition to the provisions set out in this document (the ***Scheme text***), this Scheme comprises the following -
 - (a) the deemed provisions (set out in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*);
 - (b) the Scheme Map (Sheets 1 - 14); and
 - (c) the supplemental provisions contained in Schedule A.
- (2) The Scheme is to be read in conjunction with the Local Planning Strategy for the Scheme area.

8. PURPOSES OF THE 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 reserves for public purposes;
- (c) zone land within the Scheme area for the purposes defined in this Scheme;
- (d) control and guide land use and 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 for 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 set out in Schedule Seven to the *Planning and Development Act 2005*.

9. AIMS OF SCHEME

The aims of this Scheme are:

- (a) to support the sustainable use of rural land for broad acre grazing and crop production, while encouraging economic growth by facilitating more intensive and diversified use of rural land in appropriate areas;
- (b) to encourage the development of planned and sustainable settlements by focusing future population growth and the necessary support infrastructure in the established settlements of Northampton, Kalbarri, Horrocks and Port Gregory;
- (c) to provide for a range of rural lifestyle opportunities, while ensuring rural-residential development has good access to services and facilities and is managed to minimise impacts on rural land uses;
- (d) to assist rural, commercial, industrial and tourism development to maximise job opportunities and to broaden the economic base of the Shire;
- (e) to make optimum use of the Shire's natural resources while maintaining a high level of environmental management for all land uses and activities; and
- (f) to ensure significant landscape and environmental features, conservation values and places of heritage value are conserved and/or enhanced.

10. RELATIONSHIP WITH LOCAL LAWS

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

11. RELATIONSHIP WITH OTHER LOCAL PLANNING SCHEMES

There are no other local planning schemes of the Shire of Northampton which apply to the Scheme area.

12. RELATIONSHIP WITH REGIONAL PLANNING SCHEME

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

Part 2 Reserves

13. REGIONAL RESERVES

There are no regional reserves in the Scheme area.

14. LOCAL RESERVES

(1) In this clause -

Department of Main Roads means the department principally assisting in the administration of the *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) Local reserves are shown on the Scheme Map according to the legend on the Scheme Map.

(3) The objectives of each local reserve are as follows -

TABLE 1 - RESERVE OBJECTIVES

Reserve name	Objectives
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.
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.
Public Purposes	<ul style="list-style-type: none"> To provide for a range of essential physical and community infrastructure.
Government Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of government services.
Medical Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential medical services.
Emergency Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential emergency services.
Infrastructure Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential infrastructure services.
Education	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential education facilities.
Heritage	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of heritage purposes.
Cemetery	<ul style="list-style-type: none"> To set aside land required for a cemetery.

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.
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15. ADDITIONAL USES FOR LOCAL RESERVES

There are no additional uses for land in local reserves that apply to this Scheme.

Part 3 Zones and the use of land

16. ZONES

- (1) Zones are shown on the Scheme Map according to the legend on the Scheme Map.
- (2) The broad objectives of the zones are as follows:

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 complimentary to residential development.
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.
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.
Rural	<ul style="list-style-type: none"> To provide for the maintenance or enhancement of specific local rural character. To protect board 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.

Rural Residential	<ul style="list-style-type: none"> • To provide for lot sizes in the range of 1ha to 4ha. • 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.
Caravan, Camping and Cabin	To provide for and retain caravan parks, camping grounds, cabin and chalet developments and uses associated with these forms of development, including retailing and service facilities where such facilities are an integral part of the development
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 planning development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.
Settlement	<ul style="list-style-type: none"> • To identify existing and proposed Aboriginal settlements and to collaboratively plan for the orderly and proper development of those places by – • (a) requiring preparation and endorsement of a layout plan in accordance with State Planning Policy 3.2; and • (b) ensuring that development accords with a layout plan.
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.

17. ZONING TABLE

The zoning table for this Scheme is as follows -

TABLE 2 – ZONING TABLE

Use Class \ Zone	Zone					
	Residential	Commercial	General Industry	Rural	Rural Residential	Caravan, Camping and Cabin
Agriculture – Extensive	X	X	X	P	X	X
Agriculture – Intensive	X	X	X	D	A	X
Amusement Parlour	X	D	X	X	X	X
Animal Establishment	X	X	A	P	X	X
Animal Husbandry - Intensive	X	X	X	D	X	X
Bed & Breakfast	A	D	X	P	A	X
Betting Agency	X	D	X	X	X	X
Builder's Storage Yard	X	X	P	D	X	X
Bulky Goods Showroom	X	D	D	X	X	X
Caravan Park	X	X	X	X	X	P
Caretaker's Dwelling	X	D	X	X	X	D
Carpark	X	P	P	X	X	X
Child Care Premises	A	D	X	A	A	X
Cinema/Theatre	X	D	X	X	X	X
Civic Use	X	D	X	X	X	X
Club Premises	X	A	X	X	X	X
Community Purpose	A	D	D	D	X	X
Consulting Rooms	A	P	X	X	X	X
Convenience Store	X	D	X	X	X	X
Corrective Institution	X	X	X	A	X	X
Display Home Centre	D	X	D	D	D	X
Education Establishment	A	D	A	X	X	X
Exhibition Centre	X	P	X	A	X	X
Family Day Care	D	X	X	P	P	X
Farmworkers' Accommodation	X	X	X	D	X	X
Fast Food Outlet	X	P	X	X	X	X
Fuel Depot	X	X	P	D	X	X
Funeral Parlour	X	D	D	X	X	X
Garden Centre	X	D	D	D	X	X
Grouped Dwelling	D	D	X	X	X	X
Hire Service	X	X	P	D	X	X
Holiday House	A	D	X	D	X	X
Holiday Accommodation	A	D	X	D	X	X
Home Business	A	D	X	D	X	X
Home Occupation	D	D	X	D	D	X
Home Office	P	P	X	P	P	X
Home Store	X	D	X	X	X	X
Hospital	A	D	X	X	X	X
Hotel	X	A	X	X	X	X
Industry – Cottage	D	D	P	D	A	X
Industry – Extractive	X	X	X	A	X	X
Industry	X	X	P	X	X	X
Industry – Light	X	X	P	X	X	X

Zone Use Class	Residential	Commercial	General Industry	Rural	Rural Residential	Caravan, Camping and Cabin
	Industry – Primary Production	X	X	X	D	X
Industry – Service	X	A	P	X	X	X
Lunch Bar	X	X	D	X	X	X
Marine Filling Station	X	X	D	X	X	X
Market	X	D	X	A	X	X
Medical Centre	A	D	X	X	X	X
Mining Operations	X	X	X	A	X	X
Motel	X	D	X	X	X	X
Motor Vehicle, Boat or Caravan Sales/ Hire	X	A	D	X	X	X
Motor Vehicle Repair	X	A	P	X	X	X
Motor Vehicle Wash	X	A	P	X	X	X
Multiple Dwelling	X	D	X	X	X	X
Night Club	X	A	X	X	X	X
Office	X	P	A	X	X	X
Petrol Filling Station	X	A	D	X	X	X
Place of Worship	A	D	X	X	X	X
Recreation - Public	D	D	X	X	X	X
Reception Centre	X	A	X	X	X	X
Recreation – Private	X	D	X	A	X	X
Renewable Energy Facility	X	X	X	A	X	X
Repurposed Dwelling	A	A	X	D	D	A
Residential Building	A	D	X	D	X	X
Restaurant/Cafe	X	P	X	A	X	X
Restricted Premises	X	D	X	X	X	X
Residential Care Complex	A	D	X	X	X	X
Roadhouse	X	A	X	X	X	X
Rural Pursuit/Hobby Farm	X	X	X	P	X	X
Second-Hand Dwelling	A	A	X	D	D	A
Service Station	X	A	X	X	X	X
Serviced Apartment	X	D	X	X	X	X
Shop	X	P	A	X	X	X
Single House	P	D	X	P	D	X
Tavern	X	A	X	X	X	X
Telecommunications Infrastructure	A	A	A	A	A	A
Tourist Development	X	A	X	A	X	A
Trade Display	A	P	X	X	X	X
Transport Depot	X	X	P	X	X	X
Tree Farm	X	X	X	D	X	X
Veterinary Centre	X	D	X	D	X	X
Warehouse/Storage	X	X	P	X	X	X
Winery	X	X	X	A	X	X
Workforce Accommodation	X	X	X	A	X	X

18. INTERPRETING ZONING TABLE

- (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.
 - (2) The symbols used in the Zoning Table have the following meanings:
 - P means that the use is permitted if it complies with all the relevant development standards and the requirements of the 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;
 - X means a use that is not permitted
- Note:
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. If a proposed development is identified as a 'P' use in the zoning table, but the proposed development does not comply with all of the development standards and requirements of the Scheme as they relate to the use of the land, then it is to be treated as a 'D' use.
- (3) A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.
 - (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.
- (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.
- (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 relates 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.
- (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;
 - (d) a community layout plan.

19. ADDITIONAL USES

- (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.
- (2) Despite anything contained in the Zoning Table, the land specified in the Table to subclause (1) may be used for the additional class of use set out in respect to that land subject to the conditions that apply to that use.

20. RESTRICTED USES

There are no restricted uses which apply to this Scheme.

21. SPECIAL USE ZONES

- (1) Schedule 2 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.
- (2) A person must not use 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.

22. NON-CONFORMING USES

- (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 prior to the commencement of this Scheme; or
 - (b) the carrying out of any 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.
- (2) Subclause (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) Subclause (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.

23. CHANGES TO NON-CONFORMING USES

- (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 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 non-conforming use that is not permitted by the Scheme.
- (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) A local government may only grant development approval for a change of use of land referred to in subclause (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;
 - (b) and is closer to the intended purpose of the zone in which the land is situated.

24. REGISTER OF NON-CONFORMING USES

- (1) The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
- (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) If the local government prepares a register under subclause (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.
- (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

25. RESIDENTIAL DESIGN CODES

- (1) The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.
- (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 on the website of the local government.
- (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 the boundaries of the area shown on the Scheme Map.
- (4) The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (3) or in a provision of the Scheme that applies the R-Code.

26. MODIFICATION OF RESIDENTIAL DESIGN CODES

- (1) 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.
- (2) Within the area coded R10/30, development to the density and standards above the R10 code shall be permitted only if the development is for Aged or Dependant Persons' Dwellings.
- (3) For any land with a residential coding in excess of R10, the State Government's requirements pertaining to wastewater disposal apply.
- (4) The following acceptable development provisions apply in relation to the size of outbuildings:
 - (a) 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.
 - (b) Within the R5 code for lots 2,000 m² or less 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.
 - (c) Within the R5 code for lots greater than 2,000 m² 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.

In considering applications of this type 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.

27. STATE PLANNING POLICY 3.6 TO BE READ AS PART OF SCHEME

- (1) State Planning Policy 3.6 - Development Contributions for Infrastructure, modified as set out in clause 28, is to be read as part of this Scheme.
- (2) The local government -
 - (a) must make a copy of State Planning Policy 3.6 available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of State Planning Policy 3.6 on the website of the local government.

28. MODIFICATION OF STATE PLANNING POLICY 3.6

There are no modifications to State Planning Policy 3.6.

29. OTHER STATE PLANNING POLICIES TO BE READ AS PART OF SCHEME

- (1) The State planning policies set out in the Table, modified as set out in clause 30, as to be read as part of this Scheme.

TABLE 3 – STATE PLANNING POLICIES TO BE READ AS PART OF SCHEME

State planning policies to be read as part of Scheme
State Planning Policy 2.5 – Rural Planning

- (2) The local government -
 - (a) must make a copy of State Planning Policy 2.5 referred to in subclause (1) available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of each of State Planning Policy 2.5 on the website of the local government.

30. MODIFICATION OF STATE PLANNING POLICIES

There are no modifications to a State planning policy that, under clause 29 is to be read as part of the Scheme

31. ENVIRONMENTAL CONDITIONS

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

32. GENERAL DEVELOPMENT STANDARDS AND REQUIREMENTS

General Subdivision Requirements

- (1) Subdivision applications for land outside the Northampton Townsite and within 200m from the side and 500 m along the strike of any mineral lode may be referred to the Department responsible for mining and industry regulation and safety to:
 - (a) determine whether a geotechnical study is required to ensure that there are no hidden underground workings;
 - (b) determine whether an environmental geochemical study should be conducted to ensure that the soils are not contaminated by heavy metals, such as lead from natural erosion of the lode or from mining activities, and
 - (c) carry out a mineral prospectivity assessment.
- (2) Subdivision applications for land within the Townsite and within 200 m from the side and 500 m along the strike of any mineral lode may be referred to the Department responsible for mining and industry regulation and safety to determine whether:
 - (a) a geotechnical study is required to ensure that there are no hidden underground workings; and
 - (b) an environmental geotechnical study should be conducted to ensure that the soils are not contaminated by heavy metals such as lead, from natural erosion of the lode or from mining activities.

General Site Requirements

(3) Water Resources

To achieve development consistent with water sensitive urban design principles including implementation of current best management practises and best planning practises for the sustainable management and use of water resources the provisions set out below apply.

(a) Waterways, Wetlands and Estuaries

In considering any development which may have an impact on any waterway including waterways, estuaries, creeks, streams, drainage lines, lakes, soaks, swamps and other wetlands, the local government is to have regard to;

- (i) managing water balance;
- (ii) maintaining and where possible enhancing water quality;
- (iii) encouraging water conservation;
- (iv) maintaining and where possible enhancing water related environmental values; and
- (v) maintaining and where possible enhancing recreational and cultural values.

(b) Foreshore Reserves

The local government must seek advice from relevant agencies with regard to appropriate setbacks for development adjacent to the coast or watercourses.

(c) Flood Risk

- (i) In the event of a dispute as to the position of the permanent vegetation line or the winter flood line, the decision of the local government, shall have due regard for the advice of the Western Australian Planning Commission, the State Coastal Planning Policy SPP 2.6 or other relevant state policies.
- (ii) There is a general presumption against development below the high-water mark and in flood prone areas.
- (iii) All developments need to demonstrate that adequate flood protection from a 100-year ARI flood is in place and that development does not detrimentally impact on the existing flood regime of the general area and applications should be referred to the Department responsible for water and environment regulation for assessment.

(4) Development on Steep Slopes

The local government shall not permit the erection of any building on land, which in its opinion is too steep, or of such grade or location as to comprise a potential to create adverse effects on the land, such as erosion or the excessive removal of trees.

(5) Development on Land Abutting Unconstructed Roads

Where an application for development approval is made in respect of land abutting an unconstructed road or not having access by means of a constructed road, the local government may either:

- (a) refuse the application until the road has been constructed or access by means of a constructed road is provided as the case may be; or
- (b) 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.

(6) Domestic Water Supply

Where a reticulated water supply is not available, the local government will require the provision of an adequate sustainable potable water supply for domestic use and the provision of a separate water supply for land management and firefighting purposes, of combined minimum capacity as determined by the local government.

General Land Use Requirements

(7) 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 clause 32(7)(a) are causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may not re-issue an approval.

(8) Temporary Accommodation

- (a) The local government may approve the temporary occupation of a caravan, or other vehicle, or structure on a lot, only if it has approved an application for the development of a habitable building on the lot, in accordance with the Building Regulations.
- (b) The time permitted for such temporary occupation shall not exceed 12 months, unless otherwise approved by the local government.
- (c) 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.

General Development Requirements

(9) Outbuildings

- (a) No outbuilding shall be erected on any land zoned Residential where there is no dwelling located on the lot.
- (b) Outbuildings appurtenant to any dwelling 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.

(10) Transportable, Prefabricated or Relocated Buildings

- (a) The local government may permit the erection or placement of a transportable, prefabricated or relocated building on a lot 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.

(b) In relation to 32(11) (a) the local government will have regard to the following matters:

- (i) the proximity to and the visibility of the building from a street or other public place;
- (ii) the intention to prevent box-shaped structures, regardless of the use of the building, where they are visible from a street or other public place; and
- (iii) for lots in a Residential or Rural Residential zone, the impact on the existing or proposed streetscape.

(11) Repurposed Dwelling or Second-Hand Dwelling

(a) In determining an application for a Repurposed Dwelling or Second-Hand Dwelling, the local government will have regard to the following matters:

- (i) the objectives of the relevant zone;
- (ii) the ability of the built form including roof pitch, eaves, colours, material and architectural details to complement the expected character of the locality;
- (iii) the potential for negative visual impact or conflict with any established streetscape and character of the locality;
- (iv) any proposed upgrading, alterations and additions which will enhance the elevations and architectural detail of proposed development;
- (v) potential glare from reflective materials;
- (vi) the potential for existing or proposed landscaping and vegetation to mitigate visual impacts of the development; and
- (vii) landscape protection and landscape characteristics of the locality.

(12) Outdoor Storage

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, with the exception of those subject to Clause 32(22), shall be screened from view from any public place by such means as determined by, and to the satisfaction of, the local government.

(13) 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:
 - so as to not obstruct the passage of or so as to create a hazard for vehicles or pedestrians;
 - such that in the opinion of the local government, they would not adversely affect the amenity of the locality;
 - 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
 - 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:
- the name of the occupier;
 - the business carried on in the premises;
 - the occupier's telephone number;
 - 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
 - any other matter specifically approved by the local government.

Note: Development approval is not required for exempted classes of advertisements listed in Schedule 3.

(14) Building Height

No building is permitted to exceed 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.

General Parking and Access Requirements

(15) Carparking

- (a) Car parking spaces are to be provided in accordance with Table 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 Table 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 are to be calculated separately for each part of the land or building used for each use.
- (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 Table 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) When considering an application for development approval, the local government may impose conditions regarding the required number and/or method of provision of car parking spaces. In particular, the local government may impose conditions relating to:
- (i) the proportion of car parking spaces to be roofed or covered;
 - (ii) the means of access to each car parking space and the

- adequacy of any vehicular manoeuvring area;
- (iii) the design and location of the car parking spaces on the site and their effect on the existing streetscape and the amenity of adjoining development and the locality generally, including the potential effect if those spaces should later be roofed or covered;
 - (iv) the extent to which car parking spaces are located within required building setback areas; and
 - (v) the location of proposed public footpaths, vehicular crossings of private footpaths within the lot and the effect of both pedestrian and vehicular traffic movement and safety.
- (f) The dimensions of car parking spaces, parking angle and driveway widths are to be in accordance with Schedule 5, in determining the layout of car parking areas. The local government may vary the dimensions specified for some bays which are affected by retention of existing shade trees or landscaped areas.
- (g) 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.
- (h) If the local government is satisfied that adequate car parking exists, or is to be provided in close proximity to a proposed development, notwithstanding Table 4, it may accept a cash payment in lieu of the provision of car parking spaces subject to the following:
- (i) a cash-in-lieu payment shall not be less than the estimated cost to the owner of providing 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;
 - (ii) 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
 - (iii) 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.

TABLE 4 – CAR PARKING REQUIREMENTS

Use Class	Car Parking spaces required
Agriculture – Extensive	1/ employee
Agriculture – Intensive	1/ employee
Amusement Parlour	1/ 20m ² of GLA
Animal Establishment	1/ employee
Animal Husbandry - Intensive	1/ employee
Bed & Breakfast	1/ bedroom in addition to Residential Design Codes
Betting Agency	1/ 20m ² of GLA
Builder's Storage Yard	1/ 200m ² of GLA and outdoor storage area
Bulky Goods Showroom	1/ 50m ² of GLA
Caravan Park	1/ caravan site + 1 visitor bay/ 5 caravan sites
Caretaker's Dwelling	1/ dwelling

Child Care Premises	1/ 5 children
Cinema/Theatre	1/ 4 seats
Civic Use	Determined by the local government
Club Premises	Determined by the local government
Community Purpose	Determined by the local government
Consulting Rooms	4/ practitioner
Convenience Store	1/20m ² of GLA
Corrective Institution	Determined by the local government
Display Home Centre	2/ display dwelling
Education Establishment	Primary – 1/ classroom Secondary - 1/ classroom + 1/ 15 of year 12 students Other – 1/ classroom or teaching
Exhibition Centre	Determined by the local government
Family Day Care	Nil
Farmworkers' Accommodation	1/ bedroom
Fast Food Outlet	1/ 10m ² of GLA
Fuel Depot	1/ 200m ² of GLA and outdoor storage area
Funeral Parlour	1/ 40 m ² of GLA administration areas + 1/ 4 seats for public
Garden Centre	1/ 100m ² of sales and display area
Grouped Dwelling	As per Residential Design Codes
Hire Service	1/ 100m ² of sales and display area
Holiday House / Holiday Accommodation	2/ accommodation unit
Home Business	1/ employee not members of the occupier's household
Home Occupation	Nil
Home Office	Nil
Home Store	1/20m ² of GLA
Hospital	1/ 4 beds + 1/ employee
Hotel	1/ bedroom + 1/ 4m ² of lounge and bar area
Industry – Cottage	1 visitor bay in addition to Residential Design Codes requirement for dwelling
Industry – Extractive	1/ employee
Industry	1/ 100m ² of GLA
Industry – Light	1/ 50m ² of GLA
Mining Operations	1/ employee
Industry – Primary Production	1/ employee
Industry – Service	1/ 50m ² of GLA for service area + 1/ 20m ² of GLA for
Lunch Bar	1/ 10m ² of GLA
Marine Filling Station	1/ 200m ² of GLA and outdoor storage area
Market	3/ stall or 1/ 20m ² of stall areas, whichever is the
Medical Centre	4/ practitioner
Motel	1/ unit + 1/ 4m ² of bar and eating area
Motor Vehicle and Marine	1/ 100m ² of sales and display area
Motor Vehicle Repair	2/ workshop bay + 1/ employee
Motor Vehicle Wash	1/ wash bay
Multiple Dwelling	As per Residential Design Codes
Night Club	1/ 4m ² of lounge and bar area
Nursing Home	1/ 4 beds + 1/ employee
Office	1/ 40m ² of GFA
Park Home	1/ site + 1 visitor bay/ 5 sites
Petrol Filling Station	1/ employee
Produce Store	1/ 200m ² of GLA and outdoor storage area

Place of Worship	1/ 4 seats
Public Recreation	1/ 4 seats or 1/ 4 persons the building is designed to accommodate whichever is greater
Reception Centre	1/ 4 seats
Recreation – Private	Determined by the local government
Renewable Energy Facility	Determined by the local government
Residential Building	1/ bedroom
Restaurant/Cafe	1/ 4m ² of bar and eating area
Restricted Premises	1/20m ² of GLA
Residential Care Complex	1/ dwelling unit + 1/ 4 dwelling units for visitors
Roadhouse	2/ workshop bay + 1/ employee + 1/ 4 m ² of eating
Rural Pursuit/Hobby Farm	1/ employee
Salvage Yard	1/ 200m ² of GLA and outdoor storage area
Service Station	2/ workshop bay + 1/ employee
Serviced Apartment	2/ accommodation unit
Shop	1/20m ² of GLA
Single House	As per Residential Design Codes
Tavern	1/ 4m ² of lounge and bar area
Telecommunications Infrastructure	Nil
Workforce Accommodation	Determined by the local government
Tourism Development	2/ accommodation unit
Trade Display	1/ 100m ² of sales and display area
Transport Depot	1/ 200m ² of GLA and outdoor storage area
Tree Farm	1/ employee
Veterinary Centre	4/ practitioner
Warehouse/Storage	1/ 200m ² of GLA and outdoor storage area
Wayside Stall	Nil
Winery	1/ 4 m ² of bar and eating area

(16) 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 Table 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.

(17) Rear Access and Loading

In considering any application for development approval the local government may require the provision of loading docks and/or rear access and may impose conditions concerning:

- (a) the size of loading docks; and

- (b) the means of providing rear access of adequate width and design so as to ensure that transport vehicles shall be able to exit the lot in forward gear.

(18) Parking of Commercial Vehicles

- (a) The local government may permit the parking of only one commercial vehicle on a lot in the Residential, Rural Residential or Commercial zones 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 32(19) (a).

Specific Site and Development Requirements for Particular Zones

- (19) The development requirements relating to setbacks and open space/ landscaping are set out in Table 5.

TABLE 5 – DEVELOPMENT REQUIREMENTS

Zone	Minimum Setbacks ¹	Open Space/ Landscaping %
Residential _s	As per Residential Design Codes	As per Residential Design Codes
Commercial	Front/ Street – Nil ² Rear – see Footnote ³	10%
Industry	Front/Street – 9m Rear – 5m	10%
Rural	Front/ Street – 20m Side –10m Rear –20m	N/A ⁴

Rural Residential	Front/ Street – 10m Side – 5m Rear – 10m	N/A
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Footnotes:-

- 1 Notwithstanding the minimum setbacks prescribed in Table 5, the Front/ Street setback for any development on a lot adjacent to North West Coastal Highway, outside of a gazetted Townsite, shall be a minimum of 40m.
- 2 The Front/ Street setback within the Commercial zone is a mandatory setback and as such it is both the minimum and maximum permitted.
- 3 The minimum setback is to be the same as if it were a residential development assessed under the provisions of the Residential Design Codes based on the height, length and openings in the wall/s adjacent the rear boundary.
- 4 Development standards for zones not included in Table 5 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.
- 5 For non-residential development in the Residential zone, the standards shall be as determined by the local government in each particular case.
- 6 Minimum lot sizes for subdivision are determined having regard to the relevant policies and standards of the Western Australian Planning Commission, the adopted Local Planning Strategy, and the feasibility of development of lots based on their intended use and relevant development requirements under this Scheme.

(20) Residential Zone

(a) Residential Development on Land Without Reticulated Sewer

In assessing applications for development approval for grouped and/or multiple dwellings on land not connected to reticulated sewer, the local government is to be satisfied that the land is capable of on-site effluent disposal. In accordance with clause 63 of the deemed provisions this may require additional information such as:

- (i) a "Proposed Development Site Plan" (as referred to in the Residential Design Codes) including the location of areas for on-site effluent disposal; and
- (ii) a report on the soil permeability of the site.

(b) Overall Planning

In order to ensure the subdivision and development of land is done so in an orderly and proper manner and not on an ad-hoc basis, the local government, prior to determining applications for subdivision or development approval, may require the preparation and approval of a structure plan in accordance with Part 4 of the deemed provisions for all or part of the land.

(c) Use of Front/ Street Setback Area

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/ street setback.

(21) Commercial Zone

- (a) For land connected to reticulated sewer, residential development may be permitted in accordance with the maximum density and standards of the R40 code.
- (b) For any residential development proposed at a density in excess of R10, the State Government's requirements pertaining to wastewater disposal apply.
- (c) The local government may permit mixed-use development within the 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, for the full width of the building.
- (d) The residential component of a mixed-use development is to be developed in accordance with the density and standards as prescribed in Clauses 32(21) (a) and 32(21) (b).
- (e) The maximum plot ratio is 1.0, but the local government may permit a further increase of 50% if the proposed development:
 - (i) preserves an historical building which the local government considers warrants preservation; or
 - (ii) includes a community or other facility or amenity which the local government considers justifies an increase in the permissible plot ratio; and
 - (iii) 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.

(22) General Industry Zone

- (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) Buffer Areas

The local government may not permit any use or development which, in the opinion of the local government, would require a buffer area, other physical device or special restrictions to apply outside the boundary of the site, containing the use or development, in order to make it environmentally acceptable.

- (c) Factory Units

All factory unit industrial buildings or structures used for production or storage areas 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.

(23) Rural Zone

(a) Additional Dwellings

The development of a second dwelling on a lot will not be approved unless the additional dwelling complies with the following:

- (i) it provides accommodation for workers employed for agricultural activities on that lot (including accommodation for family members involved in the operation of the agricultural enterprise);
- (ii) the dwellings are clustered in one location to avoid future subdivision pressure and minimise constraints on adjoining uses; and
all services to the dwelling from the lot boundary (including access roads) are shared where practicable.

(b) Outbuildings

Outbuildings for lots which are:

- less than 20ha. in area;
- abutting or within a townsite boundary;
- subject to future increase in subdivision potential identified in the Local Planning Strategy;
- in an area of visual prominence; or
- in an area of heritage/high landscape amenity;

shall be limited to 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.

(c) Nutrient Run-off

In considering applications for development approval, the local government shall ensure that the development proposed will not result in any net export of nutrients from the land to any wetland, water course or underground aquifer, and may require no further clearing of vegetation. No stormwater will be permitted to drain directly into existing water bodies or watercourses, and is to be disposed of on-site.

(d) Tourist Development

The following provisions apply to tourist development in the Rural zone:

- (i) Development shall not, in the opinion of the local government, introduce land use incompatibilities with established or potential agricultural activities in the locality;
- (ii) Shall be designed, constructed, operated and of a scale so as not to destroy the natural resources and qualities present on the land; and
- (iii) Should utilise sustainable power, have low energy demand through incorporation of passive solar design, provide for water consumption, ecologically sensitive waste processing and disposal with no pollutant product.

Where, in the opinion of the local government, the tourist development land use will dominate (and no longer be incidental to) the rural use of the land, then the local government may require the rezoning of the land.

(24) Rural Residential Zone

(a) Subdivision and Development

Specific provisions for land in the Rural Residential zone are set out in Schedule 4 and subdivision, and development is subject to compliance with any conditions set out in Schedule 4 with respect to that land.

(b) Water Supply

The local government will only support subdivision of land where a reticulated potable water supply is provided to an appropriate standard, as determined by the licence holder.

(c) Nutrient Run-off

In considering applications for development approval, the local government shall ensure that the development proposed will not result in any net export of nutrients from the land to any wetland, water course or underground aquifer, and may require no further clearing of vegetation. No stormwater will be permitted to drain directly into existing water bodies or watercourses and is to be disposed of on-site.

(d) Outbuildings

Outbuildings for lots are limited to 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.

(25) Caravan Camping and Cabin Zone

The combined number of cabins and/ or chalets within any lot in this zone shall be limited to 20% of the combined total of caravan and camping sites on any given lot, unless otherwise approved by the local government.

(26) Settlement Zone

(a) Preparation and Endorsement of Community Layout Plans

(i) Local Government's dealings in regard to communities in the Settlement zone shall be in accordance with the *Statement of Planning Policy 3.2- Planning for Aboriginal Communities*.

(ii) Community Layout Plans may be prepared for either the whole or part of any land within the Settlement Zone. The plans should be prepared in accordance with the Guidelines for the Preparation of Community Layout Plans for Western Australian Aboriginal Communities and with any other relevant State or Commonwealth Government Policy.

(iii) A Community Layout Plan may provide for a mix of land uses, which may include residential, community, administration, rural and health and small business activities for the support and benefit of the community, where these are consistent with improving the residential amenity of the locality.

- (iv) The local government shall not consider a layout plan, or any modification to an approved layout plan unless the affected community has had an opportunity to comment on the contents of the plan or amendments to an approved plan.
- (v) The local government shall assess the planning merits of a plan and then resolve to either approve, refuse or approve with any modification(s) that the local government considers necessary.
- (vi) An approved layout plan, subject to the approval of the Western Australian Planning Commission, may be amended or revoked by the local government.

(b) Development Requirements

- (i) Development in the zone is to be consistent with a Community Layout Plan endorsed by the Community, the local government and Western Australian Planning Commission.
- (ii) Where an endorsed Community Layout Plan is not in place, development is to be assessed using the best information available, which may include draft Community Layout Plans, 'as constructed' drawings or advice from relevant servicing agencies or organisations.
- (iii) Essential services and community infrastructure provided in conjunction with development of land within the zone should be consistent with the adopted Community Layout Plan.

(27) Urban Development Zone

(a) Purpose

- (i) to identify areas requiring comprehensive planning prior to subdivision and development.
- (ii) to coordinate subdivision, land use and development in areas requiring comprehensive planning.

(b) Planning requirements

The local government requires a Structure Plan for any Urban Development Area or for any particular part or parts of an Urban Development Area, before recommending subdivision or approving development of land within the Urban Development Area.

- (28) To the extent that a requirement referred to in the subclauses (1) to (27) are inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan or a State or local planning policy the requirement referred to in subclause (1) to (27) prevail. Where an inconsistency arises between the standards and requirements contained in clause 32 and clause 33, those in clause 33 prevail.

33. SITE SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS

There are no additional requirements that apply to this Scheme

34. VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

- (1) In this clause -

additional site and development requirements means any site or development requirement contained in the Scheme.

- (2) The local government may approve an application for a development approval that does not comply with an additional site and development requirements, except for development in respect of which the R-Codes apply or variations to land use permissibility contained in the zoning table.
- (3) An approval under subclause (2) may be unconditional or subject to any conditions the local government considers appropriate.
- (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.
- (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 upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

35. RESTRICTIVE COVENANTS

- (1) A restrictive covenant affecting any land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land extinguished or varied to the extent that may be constructed is less than the number that could be constructed on the land under this Scheme
- (2) If subclause (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 to 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 6 Special Control Areas

36. OPERATION OF SPECIAL CONTROL AREAS

- (1) Special control areas are marked on the Scheme Map according to the legend on the Scheme Map
- (2) The purpose, objectives and additional provisions that apply to each special control area is set out in Table 6.
- (3) The provisions contained in a Special Control Area apply in addition to the provisions that apply to the underlying zone.

TABLE 6 – SPECIAL CONTROL AREAS IN SCHEME AREA

Name of area	Purpose	Additional provisions
(SCA 1) Coastal Planning and Management	<p>(a) To protect and enhance the environmental, cultural, recreational and/or scenic values of the area; and</p> <p>(b) Give priority to coastal dependent land uses and development that by their very nature require coastal sites.</p>	<p>(1) In determining land uses and development proposals the local government will have due regard to relevant State Government policies and any relevant coastal management policies and plans.</p> <p>(2) All use, and development of land requires application for development approval.</p> <p>(a) Ensure that the development proposed will not result in any net export of nutrients from the land into the near shore waters and may require that no vegetation be cleared or removed from the site and require that all stormwater be retained on-site;</p> <p>(b) Ensure that the proposed development is adequately set back from visually prominent or unstable features of the coastline such as headlands, ridgelines, cliffs, beaches and other locations which are the focus of attention, unless such a location is essential;</p> <p>(c) Determine the coastal setback based on the stability of the shoreline and the ability of the proposed development to harmonise with the landscape elements in relation to scale, height, colours and materials;</p> <p>(d) Assess the impact on any area within or adjacent to the subject land that contains an unstable landform, which may impact on the proposed development and/or any foreshore area will be subjected to additional use generated as a result of the proposed development; and</p> <p>(e) Apply a 100-year planning timeframe where it is determined that a proposed development may be impacted by an unstable landform that is located on private freehold land or of a magnitude that stabilisation is unlikely to</p>

		<p>be achieved.</p> <p>(3) In considering any application for development approval, the local government may impose conditions which require:</p> <p>(a) Services along a beachfront to be underground;</p> <p>(b) The proponent to enter into an agreement with the local government for the reconstruction or stabilisation of dunes either located on the subject land or adjoining foreshore areas such agreement shall include the planning and maintenance of native or locally acceptable species of vegetation as determined by local government and should be limited to a defined area of impact</p> <p>(c) Reconstruction and stabilisation works as part of the implementation of an adopted management or strategy plan; and</p> <p>(d) Preparation and implementation of a foreshore and reserve management strategy.</p> <p>(4) Where warranted by wider implications that a proposed development may have, the local government may refer a development application to adjacent local governments and relevant agencies and community groups for comment.</p>
<p>(SCA 2) Moresby Range Landscape Protection</p>	<p>(a) To preserve the landscape values of the Moresby Range;</p> <p>(b) To avoid development that would negatively impact on the landscape values and qualities of the area;</p> <p>(c) To ensure that landscape and aesthetic considerations are taken into account in preparing amendments to the Scheme and in assessing subdivision and development applications; and</p> <p>(d) To ensure that any development takes place in such a manner as to preserve the visual</p>	<p>(1) Development approval is required to construct or extend a dwelling or other building, or to carry out any other form of development.</p> <p>(2) In considering any rezoning request, subdivision or development application, the local government will have regard to the following:</p> <p>(a) The local planning strategy and the purpose and intent of the Moresby Range Landscape Protection SCA;</p> <p>(b) The subdivision is for boundary realignment, rationalisation of landholdings or lots created for management purposes, that will not create the potential for additional development within the range and the subdivision is consistent with the policies of the Western Australian Planning Commission;</p> <p>(c) Development applications for land within this SCA shall not be approved where the development may result in reduction of environmental and visual landscape quality.</p> <p>(d) Proposals for aquaculture, commercial tree plantations, earthworks (such as filling and excavation) and intensive agriculture will be carefully assessed having regard to the environmental and landscape values of the Moresby Range;</p>

	<p>qualities of the area.</p>	<p>(e) Public works (for example, road or rail construction) or community facilities may be permitted within the Range, provided that such public works or development can be designed and located in a manner so as to minimise environmental degradation;</p> <p>(f) No clearing destruction of any bushland or re-vegetation shall be permitted except for: (i) Clearing to comply with the requirements of the <i>Bush Fires Act 1954 (as amended)</i>, the local government's Bush Fire Notice and/or any fire management plan endorsed by the local government; (ii) Clearing as may reasonably be required to accommodate an approved building or curtilage, or vehicular access to an approved building or other land use approved by the local government; (iii) Clearing as may be allowed under the Department of Environment Land Clearing Regulations; or (iv) Trees that are diseased or dangerous; and</p> <p>(g) In the determination of any application for Development Approval the local government may, having regard to the purpose and intent of the SCA and the assessment criteria detailed in the Moresby Ranges Management Strategy, require modification of development proposals or impose conditions of approval regarding; (i) The siting of proposed development; (ii) The design and layout of the proposed development; (iii) The materials and finishes to be used in the proposed development; (iv) The protection of bushland located on the site; (v) The installation and maintenance of vegetation to provide for the visual screening of proposed development; and (vi) The installation and maintenance of vegetation, retaining walls or other works to prevent erosion.</p> <p>(3) Where warranted by wider implications that a proposed development may have, the local government may refer a development application to adjacent local governments and relevant agencies and community groups for comment.</p>
<p>(SCA 3) Public Drinking Water Source Protection</p>	<p>(a) To identify the proclaimed Public Drinking Water Source Protection Areas; and</p> <p>(b) To ensure that land use and development within is compatible with the protection and long-term</p>	<p>(1) In determining land uses and development proposals, the local government will have due regard to relevant State Government policies and the most recent Department responsible for water and environmental regulation, Land Use Compatibility Tables for Public Drinking Water Source Areas (PDWSA).</p> <p>(2) In determining proposals, the local government is to have due regard to any comments or recommendations from Department responsible for water and environmental regulation, and may impose relevant conditions to prevent or minimise the</p>

	<p>management of water resources for public water supply.</p>	<p>potential risk of groundwater contamination. The local government should also have regard to the management direction provided by priority classification of certain areas, noting that:</p> <ul style="list-style-type: none"> (a) Priority 2 (P2) areas are defined to ensure there is no increased risk of pollution to the water source; and (b) Priority 3 (P3) areas are defined to manage the risk of pollution to the water source. <p>(3) Development approval is required for development except for:</p> <ul style="list-style-type: none"> (a) A 'Single House' including any extension, ancillary outbuildings and swimming pools except where the proposal requires the exercise of discretion under the Scheme and/ or involves a transportable, prefabricated, or relocated building, and/or is a place included on the Heritage List; and (b) 'Agriculture-Extensive' uses. <p>(4) The local government is required to refer any development application which involves the following activities to the Department responsible for water and environment regulation for advice prior to determination of the application:</p> <ul style="list-style-type: none"> (a) Potential for increased nutrient loading, in particular point source for nutrients, e.g. poultry farm, piggery; (b) Intensification of application of fertilisers and pesticides; (c) Storage of chemicals, fuels and other potentially polluting substances; (d) Substantial increase in runoff; and (e) Any other impact which the local government considers could have an impact on the quality of public drinking water.
<p>(SCA 4) Town Centre Conservation</p>	<ul style="list-style-type: none"> (a) To ensure all development is in accordance with either established heritage principles or with their context; and (b) To ensure all development will accord with objectives and guidelines established for the Special Control Area. 	<ul style="list-style-type: none"> (1) Development approval is required to construct or extend a dwelling or other building, or to carry out any other form of development. (2) In considering any subdivision or development application, the local government is to have regard to the objectives and guidelines set out in Schedule 6 of the Scheme.

<p>(SCA5) Horrocks Wastewater Treatment Plant</p>	<p>(a) To ensure that the use and development of the land is compatible with the Horrocks Wastewater Treatment Plant.'</p>	<p>(1) The local government shall not approve any development for residential purposes or other sensitive uses as defined in State Planning Policy 4.1.</p>
<p>(SCA6) Horrocks Development Area</p>	<p>(a) To protect and enhance the environmental, cultural, recreational and/or scenic values of the area; and</p> <p>(b) To ensure that the expansion of Horrocks Townsite is undertaken in a coordinated manner through structure planning.</p>	<p>(1) A structure plan, prepared and implemented in accordance with Part 4 of the deemed provisions together with any proposed variations, shall apply to the land in order to guide subdivision and development.</p>

Part 7 Terms referred to in scheme

Division 1 - General definitions used in Scheme

37. TERMS USED

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

amusement machine: means a machine, device or games table, mechanically or electronically powered, that releases or makes available balls, discs or other items for projection in or on the machine by the use of springs, flippers, paddles or cues, or electronic devices which are controlled or partly controlled by computer associated with electronic screen(s) operated by one or more players for amusement or recreation;

building envelope: means the area of land within which all buildings and effluent disposal facilities on the 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;

bushland: means land on which there is vegetation which is either a remainder of the natural vegetation of the land and or, if altered, is still representative of the structure and floristics of the natural vegetation, and provides the necessary habitat for fauna;

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;

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

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

conservation: has the same meaning as in the *Heritage of Western Australia Act 1990*;

development: shall have the same meaning given it in and for the purposes of the *Planning and Development Act 2005*;

dwelling: has the same meaning given to it in the *Residential Design Codes*;

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 same meaning as in the Residential Design Codes; and
- (b) if the building is used for purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts 2 or more roads, the one to which the building or proposed building faces;

gazettal date: in relation to a Scheme, means the date on which the Scheme is published in the *Gazette* under section 87(3) of the *Planning and Development Act 2005*;

height: when used in relation to a building that is used for

—

- (a) residential purposes, has the same meaning as in the Residential Design Codes; or
- (b) purposes other than residential purposes, means the maximum vertical distance between the ground level and the finished roof height directly above;

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

lot: has the same meaning as in the *Planning and Development Act 2005*, but does not include a strata or survey strata lot;

minerals: has the same meaning as 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 excludes 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 such facilities are not for the exclusive use of occupiers of the floor or building;

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

park home: means a movable dwelling, not being a vehicle as defined under the *Road Traffic Act 1974 (as amended)*, but constructed and maintained on its own chassis and wheels and capable of mobility at all times although stabilised by jacks and provided with skirtings and so designed and constructed as to permit independent occupancy for dwelling purposes;

Planning and Development Act: means the *Planning and Development Act 2005*;

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;

potable water: means water in which levels of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in 'International Standards for Drinking Water' published by the World Health Organisation (1971);

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;

reflective material: has the following meaning:

- a) low reflective building material means any building materials that have a solar radiation or reflective value of 50% or less; and
high reflective building material means any building materials that have a solar radiation or reflective value greater than 50%;

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 –

- if the building is used for residential purposes, has the meaning given in the R-Codes; or
- 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.

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

38. 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 -

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 trade or commercial purposes, including outbuildings and earthworks, associated with 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); or
- (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 alpacas, beef, and dairy cattle, goats, pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production), sheep and other livestock in feedlots, sheds or rotational pens; but excludes 'agriculture extensive';

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*;

builder's storage yard: means any land or buildings used for the storage of building material, pipes, or other similar items related to any trade; and may include manufacture, assembly and dismantling processes incidental to the predominant use;

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 children's goods, including play equipment and accessories;
- (xi) sporting, cycling, leisure, fitness goods and accessories;
- (xii) swimming pools.

and

(b) used to sell 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, 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 any land or building where the public may view a motion picture or theatrical production;

civic use: means land or buildings used by a Government Department, an instrumentality of the State or the local government for administrative, recreational or other purpose;

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

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

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;

display home centre: means a group of two or more dwellings which are intended to be open for public inspection;

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, and includes 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.

farmworker's accommodation: means a single house or residential building providing accommodation for workers employed for agricultural activities on that lot (including accommodation for family members involved in the operation of the agricultural enterprise);

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;

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;

grouped dwelling: has the same meaning given to it in the *Residential Design Codes*;

hire service: means land and buildings used for the storage and hire of machinery and other bulky equipment;

holiday accommodation: means two 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) 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 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 -
 - (ii) require a greater number of parking spaces than normally required for a single dwelling; or
 - (iii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle 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) but excludes a nursing home;

hotel: 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 - cottage: means a business or trade industry which produces goods which cannot be carried out under the provisions relating to a "home occupation" and which, in the opinion of the local government:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection, due to the emission of light, noise, vibration, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;
- (b) where operated in a Residential Zone, does not entail the employment of any person not a member of the occupier's family, or any person not a permanent resident on the premises;
- (c) is conducted in an outbuilding which is compatible to the zone and its amenity and does not occupy an area in excess of 50m²;
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located;
- (e) does not display a sign exceeding 0.2m² in area; and
- (f) does not offer or present for sale any goods or artefacts not wholly produced or provided on the premises;

industry – extractive means a premises, other than premises used for mining operations, that area 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.

industry - service: means a light industry carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced;

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

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 and marine 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 retreading of tyres.

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

multiple dwelling: has the same meaning given to it in the *Residential Design Codes*;

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;

petrol filling station: means any land or buildings used for the retail sale of petroleum products and motor vehicle accessories; but does not include a service station, transport depot, or panel beating, spray painting or motor vehicles repairs or wrecking;

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;

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

recreation - public: means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are normally open to the public without charge;

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;

residential care complex: means premises used

- (a) primarily as a residential complex that provides a range of accommodation, from independent living to low and high care accommodation; and
- (b) for any associated support services for meals, recreation, wellness, rehabilitation, medical, nursing, cleaning and respite care for the occupants and authorised visitors.

residential building: has the same meaning given to it in the *Residential Design Codes*;

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);
- (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.

roadhouse: 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; and
- (f) dump points for the disposal of black and/grey water from recreational vehicles.

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;

second hand dwelling: means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a modular home or transportable dwelling.

service station: means premises used for—

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

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.

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;

single house: has the same meaning given to it in the *Residential Design Codes*;

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 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 purposes of advertisement;

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 the sale by wholesale of goods.

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 occupant and authorised visitors.

Schedules

Schedule 1	Additional uses
Schedule 2	Special use zones
Schedule 3	Exempted advertisements
Schedule 4	Requirements for the zoning or subdivision of Rural Residential land
Schedule 5	Standards for Car Parking Spaces
Schedule 6	Detailed Design and Streetscape Policy Guidelines for the Town Centre Conservation Special Control Area
Schedule A	Supplemental provisions

SCHEDULE 1 SPECIFIED ADDITIONAL USES FOR ZONED LAND IN SCHEME AREA

No	Description of Land	Location	Additional Use	Conditions
A 1	OAKABELLA Portion of Lot 4 (Pt Oakabella Estate Lots 38 and 39)	Starling Road	Caravan Park, Camping Area, Motel Units, Store/Office/ Caretaker's Residence, Restaurant/ Reception Centre, Backpacker's Accommodation, Display and Sale of Local Arts & Crafts/Market, Native Animal/ Bird Enclosure.	<ol style="list-style-type: none"> 1. All development and related matters is to be generally in accordance with a local development plan approved by the local government and a Conservation Plan prepared by the proponents to the satisfaction of the Heritage Council; 2. Maximum number of 20 powered caravan sites, 15 camping sites and 4 motel units; 3. Restaurant and Reception Centre to be developed within the existing 'tearoom' building; 4. Caravan Park Store/Office- sale of convenience items to caravan park/motel unit patrons only; 5. Suitable fire control measures being undertaken to the satisfaction of the local government and the Bush Fire Service; 6. Ablution block and the use of an approved on-site effluent disposal system designed to prevent nutrient loss to the creek, will be required to the satisfaction of the Health Department and the local government; 7. Registration of the property as a Caravan Park/Camping Ground and payment of appropriate fees;

				<p>8. Meeting the local government's Health and Building requirements a required under relevant legislation; and</p> <p>9. All tree planting to utilise indigenous native tree species to the satisfaction of the local government.</p> <p>10. The local government may impose a condition at the time of issuing Development Approval for the development of the tourist accommodation and activities requiring contribution to the upgrading of Starling Road to the local government's satisfaction.</p>
A 2	<p>Portion of Lot 100 and whole of Lot 18 North West Coastal Highway, Alma</p> <p><i>AMD 8 GG 22/12/23</i></p>	North West Coastal Highway	Tourist accommodation and day visitor/tourist activities	<p>1. All development is to be generally in accordance with a local development plan approved by the local government.</p> <p>2. Use of a Country Kitchen subject to compliance with the directions of the local government's Environmental Officer regarding health matters and refuse/effluent disposal.</p> <p>3. Office/Store-sale of convenience items to tourist accommodation patrons and day visitors only.</p> <p>4. No removal of any remnant vegetation is permitted within the Special Site zone without the prior approval of the local government.</p> <p>5. All buildings shall be sympathetic to existing landscape elements, namely landform and vegetation, in terms of their design, height, materials and cladding colours.</p> <p>6. All new buildings shall be constructed utilising roof and external wall materials comprising natural earth or green vegetation colours.</p> <p>7. The development being connected to approved on-site effluent disposal systems design for long term usage to the satisfaction of the Health Department of WA and the local government.</p> <p>8. Suitable fire control measures being undertaken to the satisfaction of the local government in consultation with the</p>

				<p>Fire and Emergency Services Authority of WA.</p> <p>9. Registration of the property as a Caravan Park/Camping Ground/Accommodation Premises and payment of the appropriate fees.</p> <p>10. Landscaping to be undertaken throughout the development in accordance with an overall landscape plan prepared by the proponent to the satisfaction of the local government.</p> <p>11. All access ways and car parking areas shall be designed, constructed and drained to the satisfaction of the local government.</p> <p>12. All access intersections with North West Coastal Highway are to be redesigned, constructed and sealed by proponent with approval of the Regional Manager for Mid-West Region Office of Main Roads Western Australia.</p> <p>13. No building or effluent disposal system is to occur within any area identified on the approved local development plan as the Building/Effluent Disposal System Exclusion Area.</p> <p>14. All stormwater and runoff from the development shall be contained within and disposed of within the lot to the satisfaction of the local government, in consultation with the Department responsible for water and environmental regulation, to ensure the protection of water quality within the Northampton Water Reserve.</p> <p>15. The proponent preparing a Foreshore Management Plan for that portion of the Udandarra Gully impacted upon by the development to the satisfaction of the local government, in consultation with the Department responsible for water and environmental regulation.</p> <p>16. All habitable buildings (i.e. dwelling(s) and other publicly accessible buildings (i.e. eating house, restaurant and shop) shall be provided with an individual supply of potable water, as defined in the <i>“Australian Drinking</i></p>
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				<p><i>Water Guidelines 1996</i>” published by the National Health and Medical Research Council and the Agriculture and Resource Management Council of Australia and New Zealand, to the satisfaction of the local government.</p>
A3	<p>WAGOE Portion of Lot 1 (Pt Victoria Location 7052)</p>	<p>Grey Road</p>	<p>Holiday Accommodation</p>	<ol style="list-style-type: none"> 1. All development and land uses are to be generally in accordance with a local development Plan approved by the local government. 2. No removal of any remnant vegetation is permitted within the Special Site zone without the prior approval of the local government. 3. All buildings and structures shall be suitably screened to the satisfaction of the local government in accordance with the local development plan. 4. The holiday accommodation premises being connected to an approved on-site effluent disposal system designed for long term usage to the satisfaction of the Health Department of WA and the local government. 5. Suitable fire control measures being undertaken to the satisfaction of the local government in consultation with the Fire and Emergency Services Authority of WA. 6. Office/Store – sale of convenience items to chalet, camping and caravan park patrons only. 7. That an Environmental Management Plan for the portion of Lot 1 being prepared and endorsed by the local government and the Department of Planning and Infrastructure prior to the commencement of development. The Environmental Management Plan is to address, but not be restricted to, access through and impacts upon the adjoining Crown Reserve 35206 and coastline as determined through site assessment. Management commitments made in the approved Environmental Management Plan will be implemented, and ongoing environmental management of the

				agreed area will be monitored by the local government.
A4	<p>Portion of Lot 101 Gance Street, Horrocks</p> <p><i>AMD 8 GG</i> <i>22/12/23</i></p>	Gance Street	'D' – Caravan Park	As determined by the Local Government

SCHEDULE 2 SPECIAL USE ZONES IN SCHEME AREA

No.	Description of Land	Special Use	Conditions
S1	Lot 7 Essex Street, Northampton	Aged Persons Accommodation	As determined by the local government.
S2	Reserve 107 & Lots 21 & 26, Mary Street, Northampton	Roman Catholic School	As determined by the local government.
S3	Lot 50 Stephen Street, Northampton	Cemetery	
S4	Pt Lot 5695 Nabawa-Northampton Road, Northampton	Industry	As determined by the local government.
S5	Lot 130 North West Coastal Highway, Northampton	"Chiverton House" Museum	As determined by the local government.
S6	Lot 133 North West Coastal Highway, Northampton	Service Station	As determined by the local government.
S7	Lot 5 North West Coastal Highway, Northampton	C.B.H. Bulk Storage	As determined by the local government.
S8	Reserve 7930 Stephen Street, Northampton	Church	As determined by the local government.
S9	Lot 352 Wannerenooka Road, Northampton	Single House Group Dwellings	<p>1. A single house is permitted at a base density of R10</p> <p>2. No more than 2 grouped dwellings at a density of R20 on one lot with a minimum size of 1000m²</p> <p>3. Approval from the Health Department of WA and on-site wastewater disposal (common systems) as per Appendix 1 of the Draft Country Sewerage Policy</p>
S10	Reserve 29209 North West Coastal Highway, Northampton	Community Purposes	As determined by the local government.
S11	Lots 7 & 8 North West Coastal Highway, Binu	Roadhouse	As determined by the local government.
S12	Victoria Locations 10, 405, 7454 & 12144, Lynton (Site Ruins & Graveyard listed as Place of Heritage Value)	Holiday Accommodation	<p>1. All development and land uses are to be generally in accordance with the local development plan approved by the local government;</p> <p>2. No removal of any remnant vegetation is permitted within the Special Site Zone without the prior approval of the local government;</p> <p>3. All buildings shall be designed, located and constructed in such a manner and utilise materials and finishes that will not have a detrimental impact on the visual and cultural heritage landscape values of the area in accordance with</p>

			<p>the approved Design guidelines prepared by the proponent to the satisfaction of the local government in consultation with the Heritage Council of WA;</p> <p>4. All buildings and structures shall be suitably screened to the satisfaction of the local government in accordance with the local development plan;</p> <p>5. The tourist accommodation premises being connected to an approved effluent disposal system designed for long term usage to the satisfaction of the Health Department of WA and the local government.</p> <p>6. Compliance with the local government's Local Laws relating to Signs;</p> <p>7. Suitable fire control measures being undertaken to the satisfaction of the local government which shall include:</p> <p>STRATEGIC FIREBREAKS</p> <ul style="list-style-type: none"> The developer is to provide and maintain a 6 metre wide strategic firebreak, with a 5 metre trafficable surface capable of providing dual access to a fully loaded 7 tonne fire appliance. Gates (unlocked) shall be provided where fences cross the strategic firebreaks to ensure that access/egress is available at all times. <p>LOW FUEL ZONES</p> <p>The developer to provide and maintain a low fuel zone within the boundaries of each accommodation group as follows:</p> <ul style="list-style-type: none"> All tree-planting areas to utilise fire retardant tree species where possible. The provision of a 20 metre cleared and/or slashed area around each building. <p>WATER SUPPLIES FOR FIRE FIGHTING</p> <p>The developer to supply an emergency water supply facility for firefighting purposes in the form of a static water supply from a 25 000 litre concrete or other suitable material tank with an overhead standpipe and a minimum outflow of 450 litres per minute.</p> <p>8. No development shall occur to the stable building or surrounds located on Location 10 without prior approval of the Heritage Council of WA as the site is included on the State Register of Heritage Places.</p>
S13	Lots 68 & 69 North West, Galena	Transit Caravan Park	As determined by the local government.
S14	Lot 43 Gance Street, Horrocks	Tourist Development	<p>1. Development to be compatible with the residential amenity of the area; and</p> <p>2. Any other matter as determined by the local government.</p>
S15	<p>Portion Lot 110 White Cliffs Road Sandy Gully.</p> <p>AMD 7 GG 17/02/2023</p>	<p>Permitted</p> <p>Tourist Development Caravan Park Convenience Store</p>	<p>1. All subdivision, development and land uses are to be generally in accordance plan approved by the local government</p> <p>2. The LDP should provide sufficient information to address the requirements of the Scheme and the</p>

		<p>Restaurant/Café Art/Craft Gallery Civic/Public Use</p> <p>Discretionary Shop Service Station Fast Food Outlet Tavern Caretakers Dwelling Holiday House</p>	<p>following matters:</p> <ul style="list-style-type: none"> • Staging of development • Land tenure • Provision of public and private open space and landscaping • Retention of vegetation • Design and scale of development to ensure tourism orientated development is the dominant land use • Consideration of visual impacts of development • Any other matter that the local government considers relevant to ensure proper and orderly planning of the site/s <p>3. All buildings shall be designed located and constructed in such a manner and utilise materials and finishes that will not have a detrimental impact on the visual and landscape values of the area</p> <p>4. All development on the land should be connected to a reticulated water supply from a licensed water provider and a suitable method of effluent disposal approved by the local government and Department of Health</p>
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SCHEDULE 3 EXEMPTED ADVERTISEMENTS

[cl.61(1)(h) of deemed provisions]

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 in the function and/or the activities of the institution concerned.	0.2m ²
Cinema 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/Storage.	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 10 m 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
Local Government 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 local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and 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	Not Applicable Not Applicable

	<p>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>	Not Applicable
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 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>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</p>	Each advertisement shall not exceed an area of 2m ² .

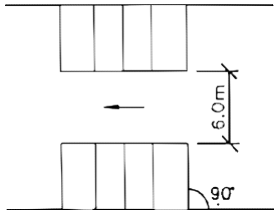
<p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or all types of Industry use classes where all of the buildings are a maximum of three storeys in height.</p> <p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or all types of Industry use classes where any of the buildings are in excess of three storeys in height, or rural properties in excess of 5ha.</p>	<p>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 5m²</p> <p>Each advertisement shall not exceed an area of 10m²</p>
<p>Display Home Centre</p>	<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 (i) 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>
<p>All buildings other than Residential Dwellings.</p>	<p>One portable A frame type advertisement per building.</p>	<p>1m² on each side.</p>

SCHEDULE 4 REQUIREMENTS FOR THE ZONING OR SUBDIVISION OF RURAL RESIDENTIAL LAND

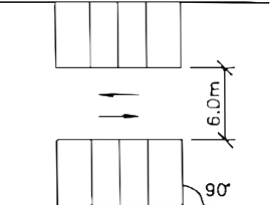
When considering proposals to zone or subdivide Rural Residential land, the local government shall require the preparation of a structure plan in accordance with Part 4 of the deemed provisions for local planning schemes, which is to include:

- (a) a plan and accompanying report assessing the existence of basic raw materials in the locality and the impact of the proposal on existing and potential extractive operations in the locality;
- (b) where the land is within or adjacent to the Northampton Townsite, a report on the outcome of consultation with, and the requirements of the Department responsible for mining, industry regulation and safety as to whether:
 - a geotechnical study is required to ensure that there are no hidden underground workings; and/or
 - an environmental geological study should be conducted to ensure that the soils are not contaminated by heavy metals such as lead from natural erosion of the lode from mining activities;
- (c) the restrictions on the type and scale of any agricultural land uses or rural pursuits;
- (d) the identification of clearing, land management controls and environmental repair requirements including the retention of areas of bushland or regeneration of degraded areas;
- (e) the identification of either a building envelope, or building exclusion area, on each lot to which all development is restricted;
- (f) the restriction of development to only one dwelling per lot;
- (g) the control over the location of development (including the siting of dwellings, ancillary buildings, service roads and firebreaks) so that it does not significantly detract from any scenic landscape and/or conservation attributes;
- (h) the compliance with State and local government environmental and health standards in respect of dwellings and ancillary buildings and the associated services (ie drainage and wastewater disposal);
- (i) the disposal of stormwater on-site such that it will not drain directly into existing waterbodies or watercourses, or result in any net export of nutrients from the land to any wetland, water course or underground aquifer;
- (j) provisions for structures in high bushfire risk areas to be constructed to Australian Standard AS3959;
- (k) the road design to allow for safe access and egress in the event of an emergency; and
- (l) the preparation and implementation of a bushfire management plan; and
- (m) provisions relating to stocking rates, where livestock are proposed to be permitted as part of the use of the land.

SCHEDULE 5

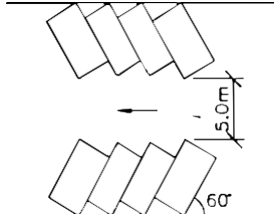
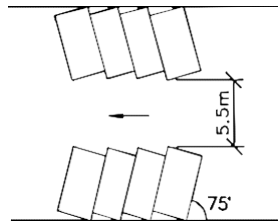


STANDARDS FOR CAR PARKING SPACES



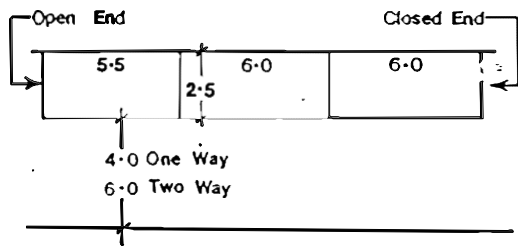
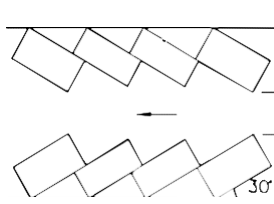
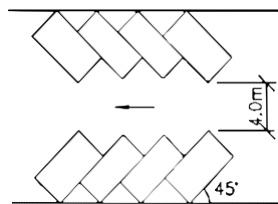
90° Parking

All intermediate Bays: 5.5m x 2.5m min.
End Bays: 5.5m x 3.0m

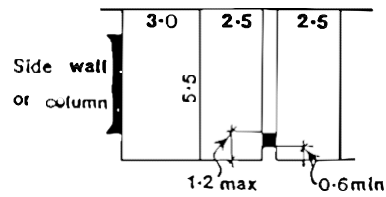


Angle Parking

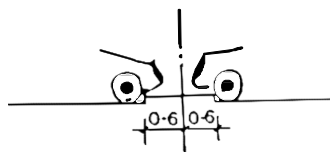
All intermediate Bays: 5.5m x 2.5m min.
End Bays: 5.5m x 3.0m



Parallel Parking

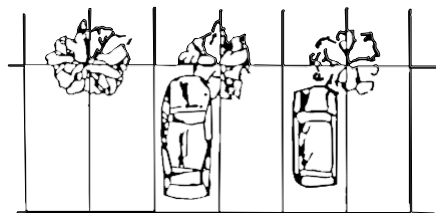


Obstructions



Wheel Stop Modifications

Not to affect drainage



Shade Tree Landscaping

Kerb ring not to exceed 900mm diam.

SCHEDULE 6 DETAILED DESIGN AND STREETScape POLICY GUIDELINES FOR THE TOWN CENTRE CONSERVATION SPECIAL CONTROL AREA

Objectives

These Guidelines apply to the Town Centre Conservation Special Control Area indicated on the Scheme Map. The Guidelines are illustrated to give clear understanding of the intended controls.

The general objectives of the Guidelines are:

- To seek to retain and conserve buildings, places things and resources of heritage value. The places will include those on the Register of the Heritage Council of Western Australia, the Municipal Heritage Inventory and/or places on the Heritage List.
- To ensure where new development or alteration work is proposed for significant places, as defined above, it is in accordance with a conservation plan where one exists or in the absence of a plan, development will have a minimum impact on the value of the place and be in sympathy with it.
- To guide new development on sites that impact on heritage sites to ensure that development will not diminish the heritage value of the adjacent site and be of sympathetic kind.
- To ensure any new development within the Special Control Area takes cognizance of Northampton's Historic Town Status and Townscape objectives.
- To identify from time to time, further valuable resources and to add them to the Municipal Heritage Inventory, to afford them protection and to guide development related to them.
- To ensure that providers of public utilities are aware of these objectives and comply with the guidelines that flow from them.

1 DESIGN OF NEW BUILDINGS AND ADDITIONS

1.1 Objectives

The Objectives for these Guidelines are:-

- To seek to retain and conserve the significance of places of heritage value by establishing guidelines for new development on sites or places of heritage or some other value to the community.
- To ensure that new developments on sites adjacent to places of significance do not diminish the significance of places so adjoined.
- To ensure that new development is sympathetic to adjacent places of value and the overall objectives of Townscape.
- To maintain the particular character of Northampton Town Centre and ensure future development is in harmony with the character.
- To encourage development that is generally sympathetic to its context.
- To ensure that transportable, prefabricated or relocated buildings achieve an acceptable standard.

1.2 APPLICATION OF THE GUIDELINES

It is important that in applying the Guidelines, some weighting be given to the relative importance of the location under consideration, the likely impact, and whether or not the applicant would be disadvantaged by complying and whether or not a discernable townscape or heritage benefit was to be derived in any case.

Further, there is a case for controlling siting of buildings where a significant landscape feature or historic precinct may be impacted upon. The Scheme envisages building envelopes which will be developed at the subdivision stage for each intended site. It is especially important that envelopes be determined for larger and more prominent sites.

1.3 GUIDELINES FOR THE DESIGN OF NEW BUILDINGS AND ADDITIONS

The illustrations in this Schedule are included to give a clear understanding of the intended controls.

- Setbacks in town centre developments will generally be nil for the front/street and side boundaries. Rear setbacks are required to provide the on site car parking requirements for the development within the rear setback area. Some discretion may be considered on an individual basis to ensure that any proposal relates properly to its neighbour and context.
- Setbacks elsewhere may be varied from those prescribed in the Scheme or Residential Design Codes where-
 - The context suggests different front/street and /or side setbacks would better serve townscape objectives.
 - The context suggests a setback so as not to adversely impinge on significant adjacent places or landscape elements. The local government may prescribe building set back envelopes for particular sites.
- Wall heights, materials and construction, shall be drawn from their context. Heights shall be similar to those adjacent. Materials shall be sympathetic and preferably drawn from the existing palette and include –
 - Face brickwork; generally soft red with pin tuck or cut & stuck joints;
 - Stone: generally random rubble;
 - Limewash finished masonry;
 - Weatherboard;
 - Rammed earth may be appropriate; and
 - Render finished masonry.
- Window proportions shall be similar to those in context where compatible with the intended use and, in residential development in the Town Centre, windows shall have vertical proportions. Timber framed windows are preferred to metal. Window and door proportions elsewhere should preferably be vertical.
- Roof forms shall be pitched and have appropriate rainwater goods. Materials shall be sympathetic and preferably be drawn from the existing palette and include –
 - Corrugated steel sheeting, zincalume, colorbond or paint finished; and
 - Shingles.Tiled roofs are not acceptable.

Roof pitches shall be sympathetic to neighbouring existing buildings and generally range between 25 degrees and 35 degrees.

- Roof design configurations should generally be simple, rectangular shapes with hipped and gabled roofs.
- New buildings shall have verandahs, where appropriate, either within the road reserve or within their allotment, according to the context.
- All new buildings will be considered within context and measured by the contribution they make towards townscape improvement.
- The local government may make non-financial incentives or relax controls in special circumstances in the interests of achieving worthwhile townscape objectives or some other objective in conformity with the overall objectives of the Scheme.
- Transportable, prefabricated or relocated buildings are not encouraged, but may be allowed where a design is satisfactory to the local government. Transportable, prefabricated or relocated buildings shall be treated as new buildings and shall be completed in accordance with the conditions of approval. If not completed in accordance with the approval, the local government may order completion to its

satisfaction or removal of the premises. The transportable, prefabricated or relocated shall be of a type that is suitable for the area where it is intended to be located. Normal building licence application conditions, together with certificates of structural adequacy, termite treatments and photographs, shall be provided with the application. Works shall be completed in accordance with the plans and to the approval of the local government.

2 ENHANCEMENT OF SIGNIFICANT FEATURES

2.1 OBJECTIVES

The objectives below are aimed at offering further guidance for people intending to develop or extend or alter existing buildings where the latter are not subject to other forms of control. To assist applicants the Guidelines seeks to identify significant features in Northampton and to develop a vocabulary which will offer assistance. The features are to be drawn upon for the Town Centre Conservation Special Control Area and are encouraged elsewhere.

- To identify a range of significant component parts of buildings that are features of Northampton;
- To develop a palette of significant features to assist those intending development to appreciate the role those distinctive features play in Northampton's special nature;
- To encourage development that achieves design excellence, is directed towards achieving townscape objectives and contributes positively toward general improvement of the place, using, where appropriate design elements that are significant to Northampton.

2.2 APPLICATION OF THE GUIDELINES

These guidelines apply to all elements that impact on external visual character, but alternatives should always be available for consideration, given that history is a continuum and the objectives in planning are not intended to stifle progress or preclude excellence in design. They will consider its townscape goals, relative importance and balance in considering development applications.

- The local government shall give favourable consideration to development applications that employ significant Northampton design features, especially in the Special Control Area.
- The use of significant features shall be incorporated into an overall design; coherence is paramount and a mere combination of features may not necessarily constitute an acceptable proposal.

2.3 GUIDELINES FOR THE ENHANCEMENT OF SIGNIFICANT FEATURES

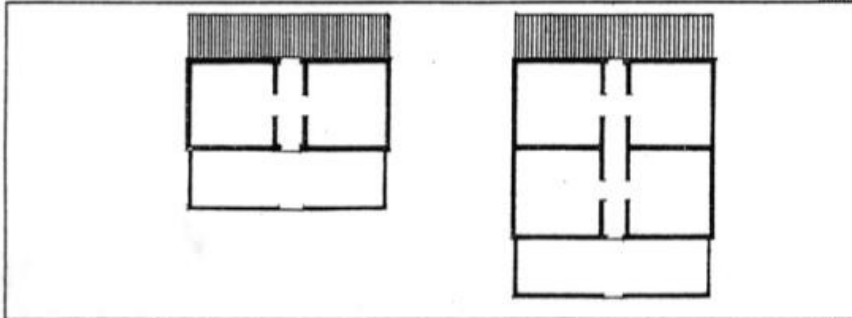
This section is illustrated to give clear understanding of the intended controls.

- Plan forms are characteristically simple and plans for new development should be simple where possible. (see Illustration 1).

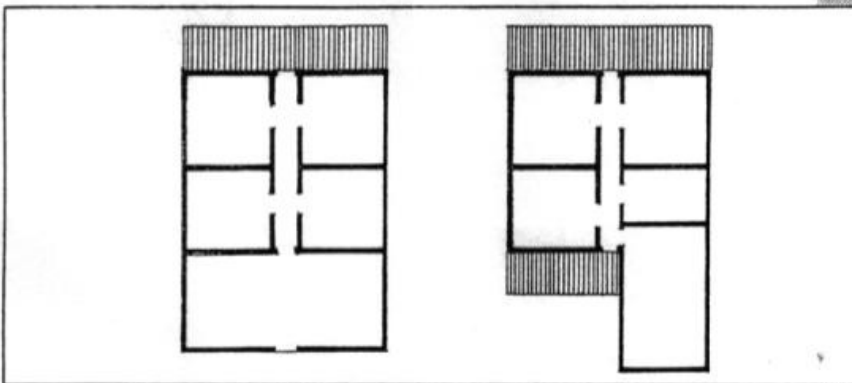
Illustration 1 Plan Form

The shapes of traditional building plan forms in Northampton are characteristically simple. They are composed of basic rectangle and square combinations and are usually symmetrically arranged around a central corridor. Plans for new developments should reflect this where possible. Complex plans with walls that step in and out, are not acceptable.

TYPICAL PLAN FORMS

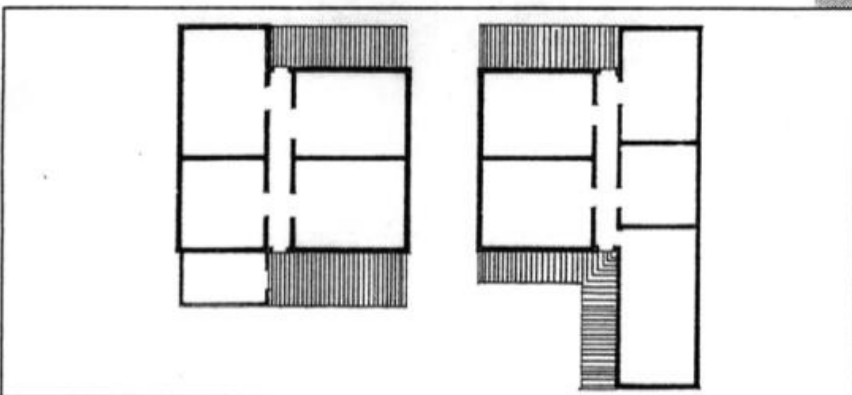


Symmetrically arranged 2 and 4 room buildings with a front verandah, a lean-to room or enclosed verandah at the rear and a central corridor.



Buildings with symmetrically arranged facades and front rooms, and a large room at the end of the central corridor.

- 1. back room under two hipped roofs
- 2. back room with hipped roof next to lean-to verandah



Asymmetrically arranged buildings with front and back verandahs.

- 1. part of back verandah enclosed for back room
- 2. back wing under hipped roof with a continuation of the back verandah

- The earliest buildings were often built without verandahs, but verandahs were in the main added very soon after. Verandahs are characteristic and therefore encouraged.

In the Town Centre commercial developments, the verandah characteristically attaches to a decorative parapet and is bull nosed in form with raked pitch back to the building line. (see Illustration 2). Other relevant forms are also illustrated.

Domestic verandahs and some other verandahs, display different characteristics, such as:

- Verandahs that are continuations of main roof pitches; and
- Verandahs that attach to the main building wall at a lower level than the roof.

Posts are typically spaced at about 2.4 to 3 metres and are of 100 x 100mm section or greater. Verandah depths vary from 2.4 to about 3.6 metres. Verandahs sometimes had valances and decorative brackets, but were often quite simple. Elevated verandahs frequently had balustrades. Verandahs are encouraged on all buildings where they are appropriate. Aluminum awnings are not encouraged.

- Main roofs are characteristically pitched custom orb profile steel roofs. Originally, they were galvanised and frequently they were painted. Many new roofs were shingled until the mid-1860s when corrugated iron gradually came into use. Shingled roofs remained in evidence until well into the twentieth century. Flat roofs are neither characteristic nor acceptable.

Roof forms vary according to the complexity and size of the plan and the sequence of construction.

Main roofs were usually pitched between 29 degrees and 35 degrees with steeper pitches to churches and other civic structures. Some typical forms are illustrated (see Illustration 3) and described as:

- Gable;
- Gable and lean-to
- Hipped;
- Hipped with gablets and louvred vents;
- Hipped and gabled;
- Gently curved roofs; and
- Some more complex arrangements exist where buildings have been added to several times over.

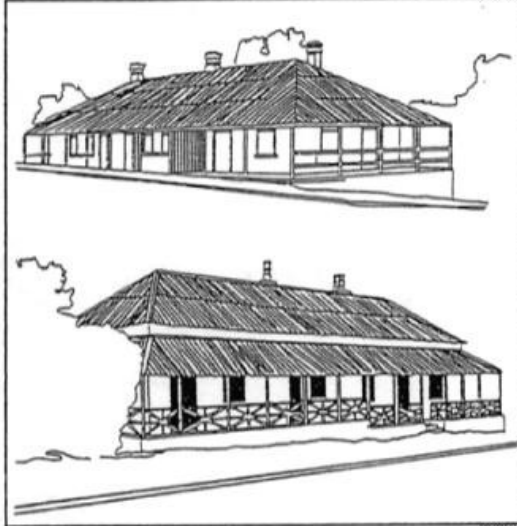
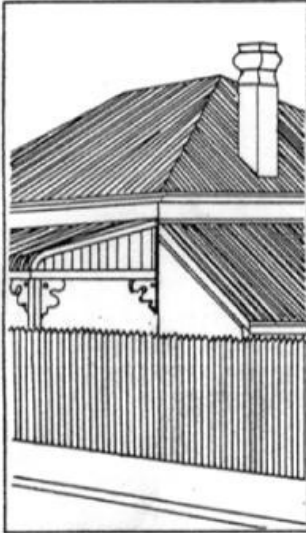
Roofs drawn from the above examples are encouraged. Finishes might include zincalume, colorbond or painted. Flat and very low-pitched roofs are inappropriate.

Illustration 2 Verandahs

Traditionally both domestic and commercial buildings in Northampton have been built with verandahs. Where appropriate, additions and new buildings should follow this precedent and take their form from local examples.



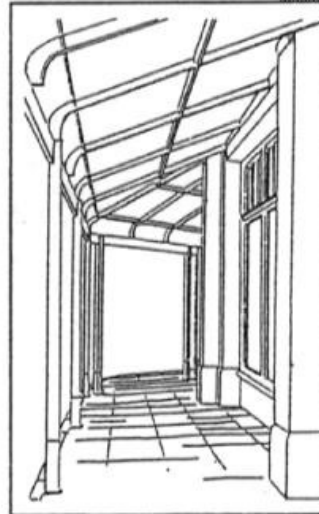
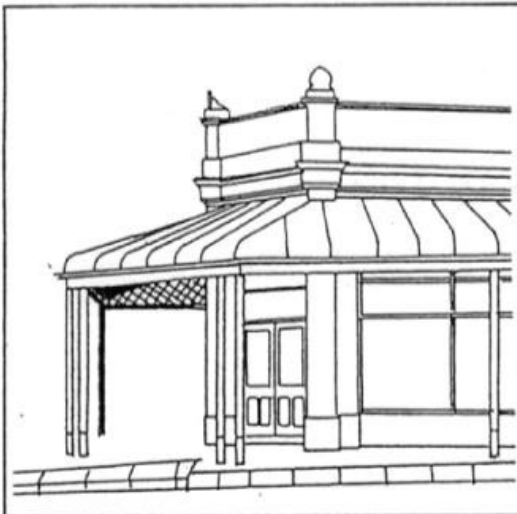
DOMESTIC BUILDINGS



Amongst Northampton's domestic heritage buildings, there are two major types of verandah

1. the verandah as a continuation of the roof pitch
2. the verandah attached to the main building wall at a level lower than the roof

COMMERCIAL BUILDINGS



In surviving commercial buildings in Northampton, the verandah attaches to a decorative parapet, and is bullnosed in form, raking up back to the building.

Illustration 3 Roof Forms

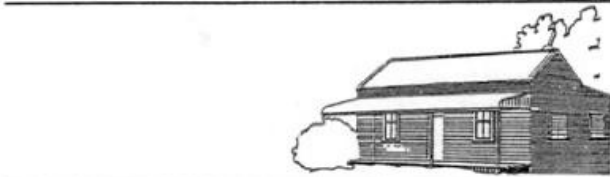
Main roofs in Northampton, have characteristically been clad with shingles or custom orb profile steel roof sheeting (not tile) and pitched between 29 and 35 degrees, with steeper profiles to churches and other civic structures. Design configurations should be simple with rectangular plans and a combination of hipped or gabled roofs.



COMMON NORTHAMPTON ROOF TYPES



SIMPLE GABLE
Old Road Board Building



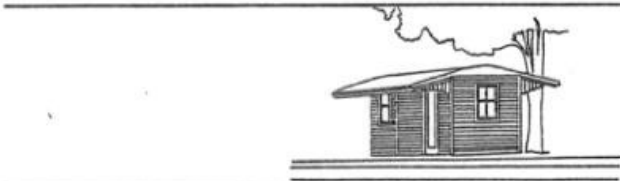
GABLE AND LEAN-TO
Weatherboard and corrugated iron cottage



HIPPED
Old Police Station



HIPPED WITH GABLETS AND LOUVRED VENTS
Weatherboard cottage



GENTLY CURVED ROOFS
Old Railway Station Ancillary Building



COMPLEX ROOF (COMBINATION OF THE ABOVE)
Weatherboard cottage

Roof sheets were historically only available in short lengths and this is a distinct characteristic of surviving roofs where two or three sheet lines across the pitch are evident. Replacement and new roofs should reflect this pattern.

Earlier roofing materials included shingles, but their comparatively short life does not suggest this as a practical alternative.

- Gutters are characteristically cyma recta, cyma reversa or half round profile with round downpipes, all supported with straps.

Traditionally gutters were made in short lengths and bolted together, it is not suggested that this is an approach that be employed in new buildings.

A feature of some buildings is that they have no rainwater goods (i.e. gutters and downpipes) and show no evidence of ever having had them.

- Walls in Northampton are made of a variety of materials, with typical plate heights around 3.3m. The range of heights is 2.4m for modest houses to 3.4m, or more, for more important places. Many stone walls were whitewashed and have subsequently lost the finishing coats.

Characteristic types include –

- Rendered finish to random rubble sub-strata, quoined and unquoined;
- White washed random rubble;
- Random rubble, brick or stone quoined;
- Pebble dash render over masonry;
- Face brick or face brick and render;
- Weatherboards, mostly ship lap feather edged and some rusticated; and
- Corrugated iron, usually in horizontal format.

Flat fibro cement sheets are not preferred, unless areas being considered for treatment are permanently concealed from public view, or there is some other justifiable reason for its use in an incidental context.

- Shop fronts that survive in original or early form are small in number. Some examples are illustrated (see Illustration 4). Sources may have to be drawn from elsewhere.
- House windows were occasionally set in square openings, usually having two sashes within the opening sash, either double hung sash balance or casement types. A variety of configurations occur which range from the square-up to the 2:1 vertical rectangle. These formats represent the dominant range. Types vary but are predominantly double-hung or side-hung casements in 2, 4 and 6 pane formats.

Windows of rectangular proportions in the horizontal format are confined to retail places.

Illustration 4 Shopfronts

Additions or alterations to existing shopfronts in Northampton's heritage area should follow traditional window, door, verandah, balcony and parapet forms in size, proportion and placement. The heights of these elements, especially the parapets, verandahs and the dwarf wall under the display window should follow those of adjacent original shopfronts. Although there are few remaining original shopfronts in Northampton, precedents could be sourced from appropriate examples from this time period, found elsewhere.



PRESENT	POSSIBLE	
		<p>Repair pitched verandah with bullnose edge and replace windows and doors with new timber frames.</p>

PRESENT	POSSIBLE	
		<p>Pitched verandah with bullnose edge added, windows and doors replaced with new timber frames, and dwarf wall under the display window reduced in height.</p>

PRESENT	POSSIBLE	
		<p>Where possible, future alterations should include reinstating demolished verandahs and balconies in their traditional materials, and where possible to match the original structure.</p>

A vertical rhythm and window proportion format is encouraged, especially in principal elevations (see Illustration 5).

- Doors are typically 4 panel or more and often contain glazed elements (see Illustration 5).
- Chimneys are a feature of many buildings and some typical elements are shown in Illustration 6. Chimneys are no longer essential, but should a chimney be required, guidance from the illustrated palette is suggested (see Illustration 6).

3 FENCING

3.1 OBJECTIVES

It is important that the general character of Northampton not be lost by the intrusion of fence types and heights that will transform the country town tenor into that of a suburban subdivision. High screening, certain types of corrugated sheet material and bland brick walls are examples of fence types that are quite inappropriate to Northampton. Property line fencing is generally low and made from materials ranging from dry stone walling to steel framed chain link fencing.

Different fencing types will be appropriate to different property types. Generally, the smaller and more urban the lot, the more sophisticated the fencing type. Properties having acknowledged heritage value require special attention and places on the Heritage Register will require a rigorous approach.

The chief objectives of these Guidelines relate to the preservation of the present character and offering guidance for future fence construction, either for replacement fences or on new subdivisions (see Illustration 8).

- New and replacement fences should be designed giving due cognizance of the place and its character to ensure that the essentially country town flavour is retained.

3.2 APPLICATION OF THE GUIDELINES

Traditionally in planning there has been little control over fence design and construction. Controls have been limited to heights and placement. These Guidelines for fence control aim to control fencing to places of heritage value, control general principles around the Town Centre.

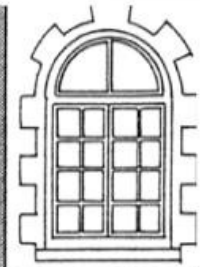
3.3 GUIDELINES FOR FENCING

Fences in Northampton that contribute towards its character and represent its most important period of development comprise the following types –

- Mortar bedded random stone walling;
- Dry stone walling;

Illustration 5 Windows & Doors

Traditionally, the windows and doors of Northampton's heritage buildings are of a vertical rectangular format, the exception being shopfront windows, and these tend to be multi-paned with highlights, rather than the modern single large pane shopfront design. Most windows have sills and decorative treatments to window and door surrounds, such as quoins. These are common to Northampton's larger and more important buildings.

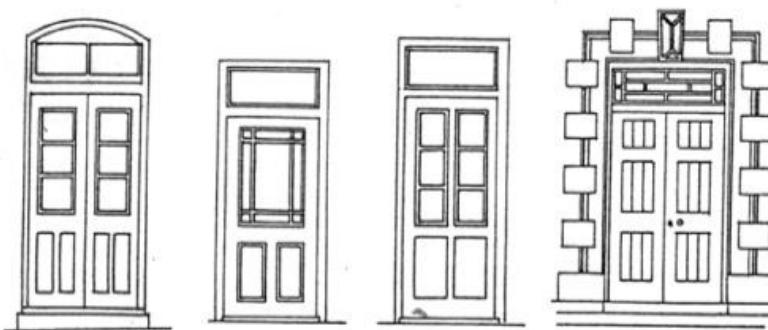


WINDOWS



Windows are predominantly double hung or side hung casements in 2, 4 and 6 pane formats. House windows are occasionally square with two sashes within the opening. Windows of a horizontal format, are confined to shop display windows. Timber frames are preferred to aluminium frames.

DOORS

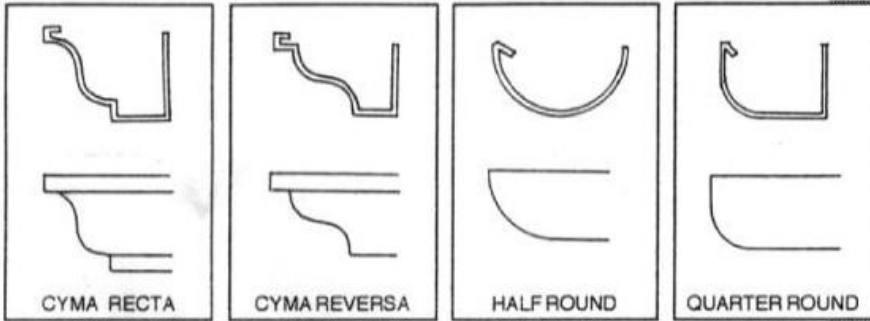


Doors are typically 4 panel and often contain multi-pane glazed elements. Horizontal format and sliding doors are not appropriate and timber frames are preferred.

Illustration 6 Chimneys & Rainwater Goods

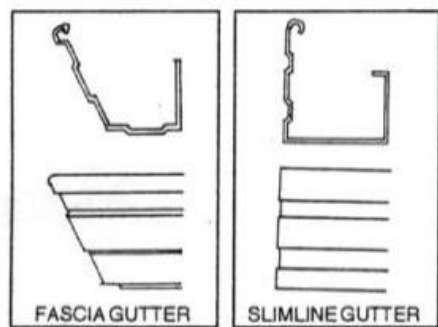
Appropriate gutter and chimney shapes are an important visual element in a traditional roof. Recent re-roofing has often seen the removal of these original elements and their replacement with modern forms which detract from the building. Where possible, these traditional elements should be reinstated. Additions and new buildings should take their cue from the remaining original building fabric or choose from the palette of traditional forms.

TRADITIONAL GUTTER SHAPES



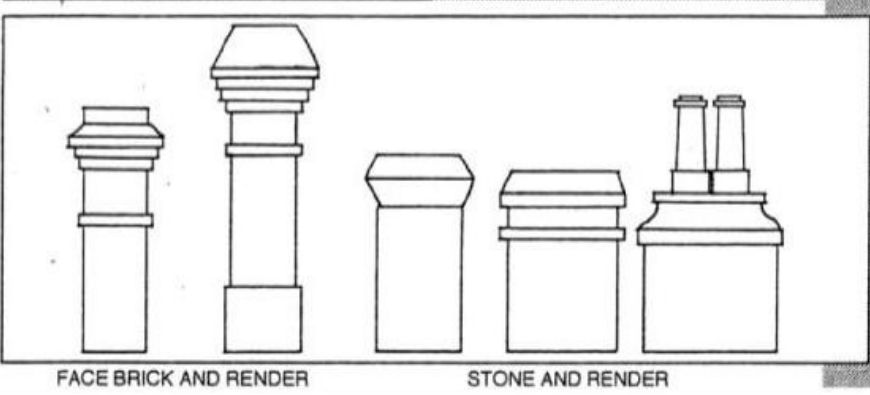
✓
 These traditional gutter shapes are all supported with straps and have round downpipes. Some heritage buildings show no evidence of ever having had gutters or downpipes.

INAPPROPRIATE MODERN GUTTER SHAPES



✗
 Square and rectangular downpipes are inappropriate. Where possible rectangular rainwater heads should be avoided or restricted to fascades of low importance.

TRADITIONAL CHIMNEY SHAPES



Traditionally chimneys were built out of red face brick or rendered stone, with decorative corbelling, stringing courses and sometimes chimney pots. Bare metal flues are inappropriate except for kitchens or outbuildings.

- Post rail and chain link mesh;
- Post rail and open picket; and
- Post and wire.

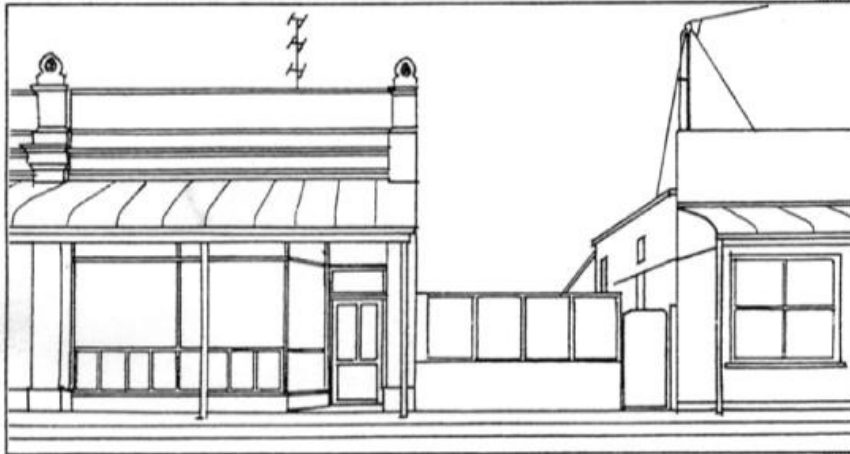
A number of types of fences appropriate to the Special Control Area are shown in Illustration 8. These are intended as a guide to those developing new sites and to those constructing new and replacement fences.

- Perimeter fencing to places on the Heritage Council's Register of Places shall be constructed to the approval of the Heritage Council. Reconstruction of fences whose authenticity can be verified by documentary or physical evidence is the preferred option.
- Perimeter fences to other places of heritage value should, where possible and practicable, be reconstructions, or where no evidence remains, be drawn from the Northampton palette and comply with the general principles laid down below in relation to height.
- All new and replacement fences in the Special Control Area shall be drawn from the palette. Street fences such as shadowline or super six profile cement products are unacceptable.
- Fences of sheet form products are inappropriate to most properties.
- In all cases, fences to property perimeters shall comply with the following controls: -
 - Front fences and dividing fences from the front boundary to the building line be a maximum of 1.2m high when made of not solid construction and 0.8m high when made of solid construction on properties zoned R2.5 or greater.
 - Dividing fences beyond the building line may be construction up to 1.8m on properties zoned R2.5 or greater. Solid fences are not encouraged.
 - Fences of a more rural tenor are appropriate to R5 or lesser zoned properties.

Illustration 7 Infill Buildings

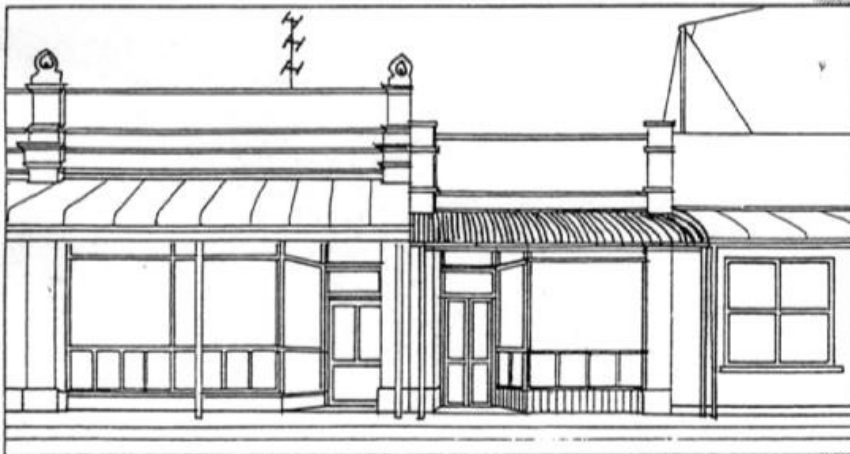
Building infill to the commercial street should seek to provide continuity and harmony with the existing "street wall" by continuing the parapet height, verandah height, window and door format, dado and stringing lines, of the adjacent traditional buildings. Building construction should be limited to a palette of sympathetic materials such as random rubble stone, limewashed masonry, weatherboard, rammed earth, render finished masonry, and face red brick with cream joints.

PRESENT EMPTY BLOCK



Empty blocks and shop frontages set back from the building line, destroy the shape of the traditional town high street. Buildings with an emphasis on horizontal lines and shapes, do not match the vertical rhythms and proportions of the existing heritage buildings in the area.

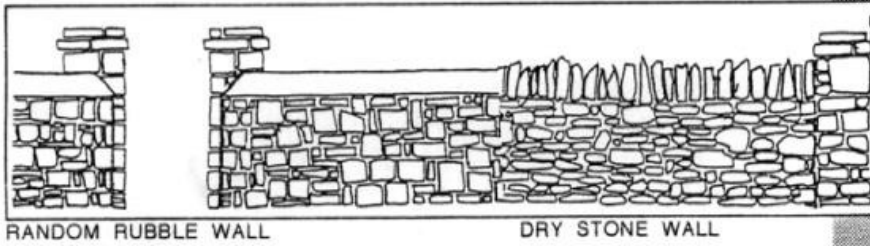
POSSIBLE INFILL BUILDING



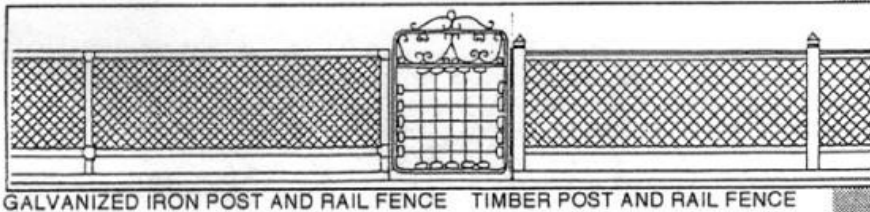
New infill buildings should be built up to the building line, and take their cues for parapet and verandah heights from intact adjacent heritage buildings. Window, door frames and verandah structure should be timber and follow traditional details.

Illustration 8 Fences

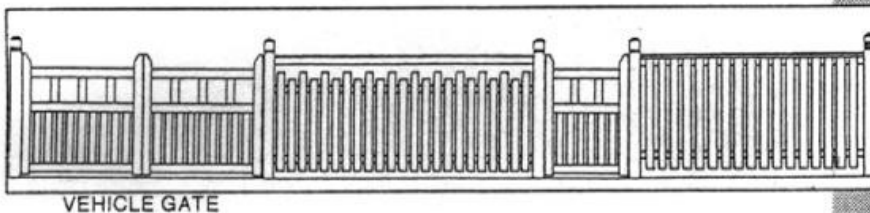
It is important that the character of Northampton is not lost by the intrusion of fence types and heights that will transform its country town tenor into that of a suburban subdivision. Front fencing is low (0.8 - 1.0m) and built from a pallet of stone, timber post and rail, and timber picket. High fences, shadowline, super six fibro cement and timberlap fencing are inappropriate. Different fence types suit different property types, the smaller and more urban the plot, the more sophisticated the fence. Side fences beyond the property line, and rear fences step up to approximately 1.8 m.



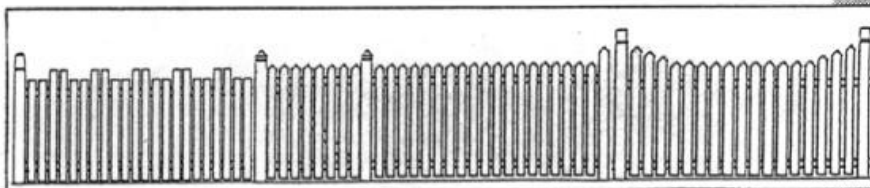
STONE WALLS
Traditional Northampton stone walls were generally built from local granite and occasionally sandstone.



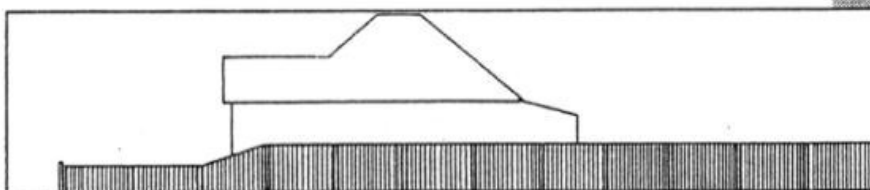
POST AND RAIL WITH CHAIN LINK
2 varieties of the traditional post and rail chain link fence and matching gate in decorative iron.



TIMBER PICKET AND TOP RAIL
2 varieties of traditional timber picket fence with top rail and, a front and vehicle gate.



TIMBER PICKET
3 varieties of traditional timber picket fence and a matching front gate.



FENCE HEIGHTS
Front fences should be 0.8 - 1.0m, and side fences beyond the property line of the house can slope up to 1.8m.

4 ADVERTISING

4.1 OBJECTIVES

The Scheme seeks to exert a measure of control over advertising. Certain exemptions are granted and certain existing arrangements are permitted to remain.

The Scheme gives applicants some guidance as to what matters will be taken into account in the processing of an application.

The exempted sign categories need further clarification and the conservation area referred to has been defined on the map to give provisions under this heading some force. Further, places on the Heritage Council's Register of Places have their own policy statement.

The Scheme is essentially a limiting tool in respect of signage and gives no guidance to what it is that the Council is endeavouring to achieve. These Guidelines address the issue.

The objective of these Guidelines is to supplement the Scheme provisions, offer some positive guidance, and judge the appropriateness of all signs in terms of how they meet with townscape objectives and how they related to the heritage value of the place.

4.2 APPLICATION OF THE GUIDELINES

The Guidelines are directed at amplifying the objectives, processes and offering some positive guidance to applicants and should flow naturally from the general objectives of the Town Centre Conservation Special Control Area – Design Guidelines.

4.3 GUIDELINES FOR ADVERTISING

The following Guidelines support the provisions of the Scheme and assist in giving direction to applicants, reminding them of townscape improvement objectives.

Illustration 9, gives some guidance to appropriate sign types and locations

- Advertising and signage places on the Heritage Council's Register of Places shall be referred to the Heritage Council for its advice, prior to approval by the local government. Advertising and interpretation signage is to be appropriate to the place and should not adversely impact upon the significance of the place. Minor signs will not require specific consent, but should accord with the theme of the place.
- Advertising on places listed in the Municipal Heritage Inventory and/or places on the "Heritage List" under Part 7 of the Scheme, require approval of the local government. Similarly, places classified by the National Trust, or on the Register of The National Estate will also require the approval of the

Illustration 9 Advertising Signs

Advertising and signage should respect Northampton's historic town status in their context, scale and location. Externally lit, painted signs with serif type lettering are preferred to neon and internally lit box signage with modern print styles. Signs to shop windows should not totally impede pedestrians views into the shopfront, and should only cover part of the window. Painted signs to roofs may be appropriate in special circumstances.



EXAMPLES OF HISTORICAL SIGNS



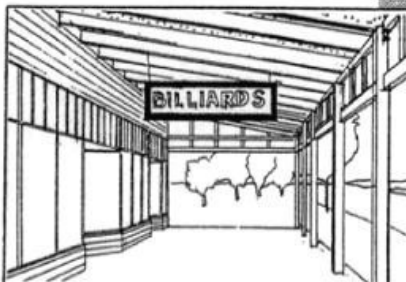
TRADITIONAL TYPES OF SIGNAGE TO SHOPFRONTS



SIGNAGE ON SUN AWNINGS



SIGNAGE TO SHOP WINDOWS



SIGN BOARD HUNG UNDER VERANDAH

Signage based on archival or physical evidence is to be encouraged. Cues for new signage can be found in old logos and signs from this era

PRIMARY SIGNAGE

To be on the parapet and to respect its shape and divisions.

EXTRA SIGNAGE

Sign boards hung under the verandah

Signs to the front edge of verandahs

Signs to bullnose verandah ends

Signs to sun awnings hung below verandahs

Traditional picture advertisements to exposed side walls of buildings

Discrete and semi-transparent signs to shop windows

Signs to the lower sash of double hung upper floor windows

local government for signs. Advertising is to be subservient to the place to ensure the heritage value of the place is not adversely affected.

- Signage based upon archival or physical evidence is encouraged.
- Externally lit signs are preferred over neon and internally lit box signage.
- Primary signs should be located above canopy or verandah lines to shop fronts and take due cognizance of the geometry and design of the façade.
- Secondary signs should be located on shopfronts and/or in the form of hanging signs under verandahs and awnings.
- Painted signs are preferred.
- Serif type lettering is preferred – Some examples related to Northampton Buildings, and some others, are illustrated.
- Painted signs to roofs may be appropriate in special circumstances.

5 ALTERATIONS AND ADDITIONS TO HERITAGE PLACES

5.1 OBJECTIVES

Alteration to heritage places is controlled by Statute and the Town Planning Scheme, together with these Guidelines that support and amplify the Scheme. These controls refer to identified places, either on the Heritage Council's Register of Places, the Register of the National Estate, Classified by the National Trust or and/or places on the "Heritage List" under Part 7 of the Scheme. The Municipal Heritage Inventory also needs to be given some status. Most of the direction given is to do with control and process.

Many places in Northampton are, themselves, of minor heritage significance, but play an important contextual role in the story and character of Northampton.

It is not possible or feasible for every applicant to have to seek professional assistance for design work, however desirable it may be. Many homes are quite modest and applicant's desire for change may also be modest in scale.

It is important, therefore, to offer some guidance at different levels to ensure that the character of a place is not diminished and that opportunities for townscape improvement are maximised when works are being undertaken.

The local government has developed and will continue to develop guidelines for alterations to Heritage Buildings to achieve its conservation and townscape objectives.

5.2 APPLICATION OF THE GUIDELINES

The Guidelines are directed at a number of levels to ensure that the most important places are appropriately dealt with to conserve their significance and comply with legal requirements; at another level, the measures need to provide guidance for those intending to add to or alter places of lesser importance, but which in some way contribute positively to Northampton's character.

The following matters are intended to offer some guidance to applicants intending to carry out works to the kinds of places referred to above.

- Any work defined as development within the meaning of the Heritage Act that is proposed for a place on the Heritage Council's Register of Heritage Places shall be referred to the local government who will, in turn, seek the advice of the Heritage

Council prior to granting an approval. The involvement of a conservation practitioner is required for major works and any works that might affect the integrity of the place. General guidance is not normally appropriate for places on the Register.

- Work to places on the Municipal Heritage Inventory and/or places on the “Heritage List” under Part 7 of the Scheme require approval under the Scheme.
- In processing any application for development for buildings or places referred to above:
 - Consideration will be given to those things that make a place significant or important and how proposals may intrude upon these elements. The protection of those elements or things will be of prime consideration.
 - Elements that contribute to the place may also require protection.
 - Elements of little significance will be dealt with according to the necessity for change.
 - Elements that detract from the significance may be removed or, indeed, Development Approval may be conditional upon its removal (e.g. inappropriate signage, or a very poorly conceived addition).
 - Proposals in sympathy with the places and that impact in a minimal way will be viewed favourably. New works shall not normally be larger than the existing heritage building or overwhelm the heritage building.

5.3 GUIDELINES FOR ALTERATIONS AND ADDITIONS TO HERITAGE PLACES

The following guidelines apply:

- Development involving alterations and / or additions to heritage buildings needs to be guided by consideration of either the Statement of Significance in the Heritage Assessment or, where none exists, an assessment of what makes the place important or special.
- Alterations should be planned in such a way as not to diminish the significance of the place and, indeed, to enhance it.
- When the opportunity is available, alteration work may be directed at revealing the significance of the place. In a practical sense, this might include using old opening locations that have been blocked up in the past, for new openings that may be required. Reversing previous alterations can be quite legitimate if it suits current programmes, or if reinstatement is an objective.
- Alterations of an essential nature that are required in the external fabric of the place, should be informed by reference to remaining elements in the place (e.g. doors, windows, rainwater goods, etc., their style, placement, etc.).
- Placement of new elements needs to be considered in the light of the methods employed historically in the place. Considerations such as the place in the wall, in plan, in height, and alignment with other similar elements.
- Reference to other related examples in other places may legitimately be made.
- The kinds of alterations that ought to be contemplated will depend upon the relative importance of the place. The least alteration possible, compatible with requirements, is generally the best guide. Places of minor heritage value might tolerate more liberal intervention or change.

- Alterations, where required, ought to be distinguishable from the authentic fabric in important places and be capable of being reversed at some future point should someone, at a later date, wish to make a more thoroughgoing reinstatement to some earlier date.
- Use of compatible materials is important to ensure the conservation of fabric. Important examples include the correct selection of mortar types, placement of damp proof treatments and avoiding damage to under floor ventilation systems.
- The more important the place, the more important it is not to let alterations or additions subvert the significance of the place.
- Alterations that contrast with the existing building may be acceptable, providing that the existing building is of minor significance and that the

Illustration 10 Additions

Additions to heritage buildings should not dominate their character or diminish their value but enhance them by reflecting their shape, style and scale. By keeping additions to the side and rear of buildings, disruption to the main facade can be minimized. Attention should be paid to matching the materials, wall heights, roof pitches and detailing of the existing building. New roofs should be in traditional lean-to, hipped or gabled form, and new detailing should include appropriate eaves, gutters, vents and window hoods.

PLAN	GABLE ROOF	HIPPED ROOF	
			<p>SKYLIGHTS Small gables can be built to house skylights, and existing gables traditionally used for roof vents can be converted and /or enlarged.</p>
			<p>CATSLIDE / LEAN-TO Traditional addition to rear or side of a house. The roof pitch can match the original or be as low as 12 degrees. The addition size will be limited by head height.</p>
			<p>SINGLE WING A simple gable roofed addition, preferably built at the rear so it will not dominate a simple front facade.</p>
			<p>DOUBLE WING A traditional way to cover a large area of space with parallel gable roofs. An added advantage is the small scale addition, that won't upstage the original building.</p>
			<p>SECOND STOREY 1 storey, simple catslide 2 storey addition, if the roof volume is large an attic room with a dormer window or gablet could be added, preferably to the rear if will dominate the facade.</p>

local government is convinced that the design makes an acceptable positive contribution to Townscape.

- Some methods of attaching additions to existing property are illustrated for guidance (see Illustration 10).
- Care needs to be taken in alterations to ground levels around existing buildings to ensure that new levels will not negate the function of damp proof courses or damage vulnerable wall construction.
- Rainwater discharge needs to be terminated well away from walls. This is especially true of the older and softer brick walls, random rubble walls and the like.

6 LOT SIZES

6.1 OBJECTIVES

Northampton continues to grow and develop at a modest pace. Some of this development is due to Northampton's location and, to a greater extent, its qualities and the perception that it quite simply a nice place to live.

Growth means that ultimately there will be pressure to allow an increase in development densities, which will impact upon town centre urban blocks and the remaining rural land within the townsite.

- The ultimate objective of provisions, in relation to determining lot size, is the preservation of amenity and attempting to ensure that the particular qualities that make Northampton a desirable location are conserved.
- The local government shall, in considering applications for subdivision, give due consideration to the need for growth against or alongside the requirement for balance.
- Further subdivision of urban sites will need to obtain local government approval to ensure that the historic context is respected.
- Lot size will need to be controlled by technical requirements, quite apart from planning and townscape considerations. Limits imposed by technical requirements will be sufficiently flexible to allow for technological change.
- Density codes give an indication of what might theoretically be achieved within a given zone. It must be appreciated by potential applicants that particular sites may be subject to particular conditions relating to terrain, important vistas, context, and other technical matters that were not apparent at the time that zoning densities were determined. The local government may consider concession or transfer of development rights in cases where owners are adversely affected by development conditions. Transfer rights might include concessions on another site or sites to compensate for opportunities forgone in the interests of heritage or townscape objectives, e.g. site cover, plot ratio, R. code bonus.

6.2 APPLICATION OF THE GUIDELINES

The local government has developed Guidelines to accord with the objectives. Some flexibility is built into the Guidelines to take into account consolidation opportunities, changes in technology and other worthwhile objectives that may not be apparent at present.

6.3 GUIDELINES FOR LOT SIZES

- The zoning maps indicate a theoretical maximum development achievable under the Town Planning Scheme. Development applicants need to be aware that there are factors that may affect the theoretical density.
- Applicants are advised that factors impacting on theoretical density include the existence of:
 - Heritage places on the land
 - Natural springs
 - Items of archaeological significance
 - Places of significance to aboriginal culture
- Applicants must satisfy the local government that effluent containment will be achieved and that adjoining sites will in no way be contaminated. Future means of sewerage disposal, including deep sewerage at some future time, may allow the local government to consider or reconsider lot size in the light of technological development.
- Applicants may be required to conserve important historic vistas.
- All allotment size determination will be on the basis of retaining the particular character of Northampton.
- Should an applicant be adversely affected by these Guidelines, the local government, at its sole discretion, may consider concessions or transfer of development rights within the local government area.

SCHEDULE A SUPPLEMENTAL PROVISIONS TO 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*.

61 (1)

- (k) The erection or extension of a single house on a lot if a single house is listed as a 'P' use in Table 2: Zoning Table as applicable to the relevant zone, and the development satisfies the site and development requirements set out in this Scheme unless the development:
 - (i) is located in a place that is entered in the Register of Heritage Places under the *Heritage Act 2018*; or
 - (ii) is located in a place that is the subject of an order under the *Heritage Act 2018 Part 4*; or
 - (iii) is located in a place that is included on a heritage list prepared in accordance with this Scheme; or
 - (iv) is located in a place that is within an area designated under the Scheme as a heritage area; or
 - (v) is located in a place that is the subject of a heritage agreement entered into under the *Heritage Act 2018 section 90*.

- (l) The erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence or patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is listed as a 'P' use in Table 2: Zoning Table as applicable to the relevant zone, and the development satisfies the site and development requirements set out in this Scheme unless the development:
 - (i) is located in a place that is entered in the Register of Heritage Places under the *Heritage Act 2018*; or
 - (ii) is located in a place that is the subject of an order under the *Heritage Act 2018 Part 4*; or
 - (iii) is located in a place that is included on a heritage list prepared in accordance with this Scheme; or
 - (iv) is located in a place that is within an area designated under the Scheme as a heritage area; or
 - (v) is located in a place that is the subject of a heritage agreement entered into under the *Heritage Act 2018 section 90*.

- (m) The demolition of any building or structure except where the building or structure is:
 - (i) located in a place that has been entered in the Register of Heritage Places under the *Heritage Act 2018*;
 - (ii) the subject of an order under Part 4 of the *Heritage Act 2018*;
 - (i) included on the Heritage List under Part 7 of the deemed provisions; or
 - (ii) located in a heritage area designated under the Scheme;

- (n) Any of the exempted classes of advertisements listed in Schedule 3 except in respect of a place included in the Heritage List or in a heritage area or within the Town Centre Conservation Special Control Area.