SHIRE OF CARNARVON

Local Planning Scheme No. 13

Updated to include AMD 13 GG 27/10/2026

GOVERNMENT OF WESTERN AUSTRALIA

Department of **Planning, Lands and Heritage**

Original Town Planning Scheme Gazettal
3 November 2020

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Department of Planning,
Lands and Heritage

Gordon Stephenson House
140 William Street
Perth WA 6000

Locked Bag 2506
Perth WA 6001

website: www.dplh.wa.gov.au
email: info@dplh.wa.gov.au
tel: 08 6551 9000
fax: 08 6552 4417
National Relay Service: 13 36 77
Infoline: 1800 626 477

SHIRE OF CARNARVON LOCAL PLANNING SCHEME NO 13 – TEXT AMENDMENTS

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
New Scheme	03/11/2020	10/11/2020	MLD	New Scheme
1	14/02/2023	21/02/2023	HBA	Replace the term 'overnight vistors' with 'beds' throughout Local Planning Scheme No. 13. Modify Schedule 1 No. 4 by rewording condition 1 to: The maximum number of beds is restricted to 280 (inclusive of workforce accommodation). Replace Restricted Use 3 -: No. 3 parent 308 Coral Bay - Restriced Uses & Contitions.
2	05/05/2023	23/05/2023	GL	Rezone portion of Lot 626 Binning Rd, Babbage Island, Carnarvon, from 'Special Use 2' to 'Tourism' Reclassify a portion of Lot 626 and all of Lot 1044 and Lot 1198 Binning Road, Babbage Island, Carvarvon, to 'Foreshore Reserve'; In Schedule 4 – Special use zones, delete row 2, and renumber existing rows accordingly; and update the scheme maps accordngly.
4	19/05/2023	25/05/2023	GL	Rezone part of Lot 9001 on Plan 402324 frm the Urban Development zone to the Residential R20 zone and Amend the Scheme map accordingly.
5	4/07/2023	4/7/2023	HB	Amend Schedule 2 specified additional uses for zoned land in scheme area Amend LPS Map 24
6	8/08/2023	8/08/2023	HAB	Reclassify Lot 500 on Deposited Plan 74108 North River Road in the locality of North Plantations from the Local Planning Scheme reserve 'Environmental Conservation' to the Local Planning Scheme zone 'Priortity Agriculture'.
7	17/04/2025	17/04/2025	HAB	Rezone Lot 12 North West Coastal Highway, Wooramel 'Rural'. Within Schedule 4, No. 1 Delete '(a) Lot 12 North West Coastal Highway, Wooramel (Wooramel Roadhouse)' and replace with '(a) Lot 1 North West Coastal Highway, Wooramel (Wooramel Roadhouse)'. Within Schedule 4, No. 1 insert 'Hotel' within the Special Use Column. Within Schedule 4, No. 1 delete all conditions and replace with this condition: The only uses permissible are: • Roadhouse as a 'D' use. • Workforce Accommodation as an 'I' use. • Hotel as a 'A' use that only applies to Lots 1 and 50 North West Coastal Highway (Roadhouses). Update the scheme maps accordingly.

<table>
<tr>
<td>9</td>
<td>10/09/2025</td>
<td>1/10/2025</td>
<td>HAB</td>
<td>Amend Schedule 2 Specified Additional Uses for Zoned Land in Scheme Area. In Schedule 2 add:
<table>
<tr><th>No.</th><th>Description of Land</th><th>Additional Use</th><th>Conditions</th></tr>
<tr><td>8</td><td>Lot 20 on Diagram 30459 (HN 9) Hill Street Carnarvon</td><td>Caretaker's Dwelling</td><td>1. The Caretakers Dwelling requires the development approval of the local government prior to being developed upin the lot; and
2. The development of the Caretaker's Dwelling shall accord with all provisions listed at clause 29 in Schedule 5 to this schemee.</td></tr>
<tr><td>9.</td><td>Lot 25 on Diagram 62387 (HN 11) Hill Street Carnarvon</td><td>Caretaker's Dwelling</td><td>1. The Caretakers Dwelling requires the development approval of the local government prior to being developed upin the lot; and
2. The development of the Caretaker's Dwelling shall accord with all provisions listed at clause 29 in Schedule 5 to this schemee.</td></tr>
</table>
Amend the Local Planning Scheme map 27 accordingly. On Map 27 apply additional use designation A8 and A9 to Lot 20 (No 9) Hill Street Carnarvon and Lot 25 (No 11) Hill Street, Carnarvon in that order. The existing commercial zoning is to remain unchanged.</td>
</tr>
<tr>
<td>11</td>
<td>29/09/2026</td>
<td>1/10/2026</td>
<td>RW</td>
<td>Rezone Lot 802 on Deposited Plan 415912 from 'Rural' to 'Tourism'.

Reclassify the residual land of the former Gnaraloo Road reserve contained within Lot 137 on Deposited Plan 187582 from 'Local Distributor Road' reserve to ‘Tourism’ zone.

Reclassify Lots 912,913, and 914 on Deposited Plan 415911 from 'Foreshore' reserve to 'Tourism' zone.

In Schedule 3, No 9 insert Lots 802,912,913, and 914 within the Description of land column.

Update the scheme map accordingly.</td>
</tr>
<tr>
<td>12</td>
<td>29/09/2026</td>
<td>2/10/2026</td>
<td>RW</td>
<td>Reclassify Lot 556 on Deposited Plan 415840 from 'Foreshore' reserve to 'Tourism' zone

In Schedule 3, No 12 insert Lot 556 within the Description of land column</td>
</tr>
</table>

				Update scheme map accordingly
13	27/10/2026	29/10/2026	RW	Rezone Lot 1 on Diagram 27815 Rezone Lot 1 on Deposit Plan 27815 from 'Priority Agriculture' to 'Light Industry' zone. Update Local Planning Scheme map accordingly

PARTS

Part 1 **Preliminary** — sets out the Scheme title, responsible authority for implementing the Scheme, definitions used in the Scheme, Scheme area, contents, purpose, aims and relationship to other Schemes and laws.

Part 2 **Reserves** — sets out the local reserves which apply in the Scheme area and related provisions.

Part 3 **Zones and the use of land** — sets out the zones which apply in the Scheme area and the uses which may require approval or may be prohibited.

Part 4 **General development requirements** — sets out the planning requirements which may apply to a particular use or development in a zone.

Part 5 **Special control areas** — sets out particular provisions which may apply in addition to the zone requirements and generally concerns landscape.

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Part 1 — Preliminary

1. Citation

This local planning scheme is the Shire of Carnarvon Local Planning Scheme No 13.

2. Commencement

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

3. Schemes revoked

The following local planning schemes are revoked —

Shire of Carnarvon Local Planning Scheme No 10, *Gazetted* on 28 February 1988

Shire of Carnarvon District Zoning Scheme No 11, *Gazetted* on 11 August 1995

4. Notes do not form part of Scheme

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

5. Responsibility for Scheme

The Shire of Carnarvon 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 that covers the entire local government district of the Shire of Carnarvon as 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 includes the following —

(a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2);
(b) the supplemental provisions to the deemed provisions contained in Schedule A;
(c) the Scheme Maps (Sheets 1 – 28).

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

8. Purposes of Scheme

The purposes of this Scheme are to —

(a) set out the local government's planning aims and intentions for the Scheme area; and
(b) set aside land as local reserves for public purposes; and
(c) zone land within the Scheme area for the purposes defined in this Scheme; and
(d) control and guide development including processes for the preparation of structure plans, activity centre plans and local development plans; and
(e) set out procedures for the assessment and determination of development applications; and
(f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
(g) make provision for the administration and enforcement of this Scheme; and

(h) address other matters referred to in Schedule 7 of the Act.

9. Aims of Scheme

The aims of this Scheme are to —

(a) Support economic growth and employment by the timely delivery of suitable and appropriately located land for housing, commercial and industrial enterprises, community facilities, recreation and open space;
(b) Facilitate the development of the Carnarvon town as a regional centre that provides a range of high order services and facilities for residents of and visitors to the Gascoyne region;
(c) Provide for variety and choice of affordable housing in the town of Carnarvon to meet the changing needs of the community;
(d) Protect tourist destinations of State, regional and local significance and support the provision of a range of tourist facilities and accommodation;
(e) Support Coral Bay as a tourism centre with tourist and commercial uses only, focused on servicing visitors and operating sustainably within environmental limits and the capacity of available utilities;
(f) Protect and enhance the natural environment, important ecosystems and biodiversity values;
(g) Support the protection, conservation and management of the values of the Ningaloo Coast and Shark Bay World Heritage Areas;
(h) Safeguard the scenic qualities and sense of place provided by important visual landscapes such as the coastal areas, Kennedy Ranges and Brown Range;
(i) Recognise and support the protection of Aboriginal heritage and places of cultural heritage significance;
(j) Support the diversification of the pastoral and resource industries where proposed uses are demonstrated to be compatible with and complementary to these industries;
(k) Support the continued use of priority agricultural land for productive horticultural and other agricultural pursuits;
(l) Protect the agricultural land resource by establishing a strong presumption against unplanned fragmentation of land zoned for rural and priority agricultural purposes;
(m) Manage land uses and development so as to minimise conflicts between potentially incompatible land uses;
(n) Assist in the implementation of regional plans and policies and other elements of the State Planning Framework.

10. Relationship with local laws

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

11. Relationship with other local planning schemes

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

12. Relationship with region 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
Car Park	• To set aside land required for a car park and for a road train assembly area.
Cemetery	• To set aside land required for a cemetery.
Civic and Community	• To provide for a range of community facilities which are compatible with surrounding development. • To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.
Cultural Facilities	• Civic and Community which specifically provide for a range of essential cultural facilities.
District Distributor Road	• To set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.
Education	• Public Purposes which specifically provide for a range of early childhood, primary and tertiary education facilities.
Emergency Services	• Public Purposes which specifically provide for a range of essential emergency services.
Environmental conservation	• To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision. • To identify areas required for flood protection including levees and drainage and to prevent soil erosion. • To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.

Reserve name	Objectives
Foreshore	• To set aside areas abutting a body of water or water course, particularly those required pursuant to State Planning Policy 2.6 State Coastal Planning Policy and any other Commission policy. • To provide for the protection of natural values (terrestrial and marine), indigenous culture and heritage, a range of nature based active and passive recreational uses, community activities, and/or coastally dependent development that is temporary or easily relocatable and compatible with the amenity of the reservation.
Heritage	• Public Purposes which specifically provide for a range of heritage purposes.
Infrastructure Services	• Public Purposes which specifically provide for a range of essential infrastructure services including power, water, wastewater, telecommunications, solid waste disposal.
Local Distributor Road	• To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
Local Road	• To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.
Medical Services	• Public Purposes which specifically provide for a range of essential medical services.
Primary Distributor Road	• 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.
Public Open Space	• To set aside areas for public open space, particularly those established under the Planning and Development Act 2005 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	• To provide for a range of essential physical and community infrastructure.
Recreational	• Public Purposes which specifically provide for a range of public recreational facilities.
Special Purpose	• To set aside land for a special purpose. • Purposes that do not comfortably fit in any other reserve classification.
Strategic Infrastructure	• To set aside land required for port or airport facilities.

15. Additional uses for local reserves

(1) Schedule 1 sets out —

(a) classes of use for specified land located in local reserves that are additional to classes of use determined in accordance with the objectives of the reserve; and

(b) the conditions that apply to that additional use.

(2) Despite anything contained in clause 14, land that is specified in the Table to subclause (1) may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.

Part 3 — Zones and use of land

16. Zones

(1) Zones are shown on the Scheme Map according to the legend on the Scheme Map.

(2) The objectives of each zone are as follows —

Table 2 — Zone objectives

Zone name	Objectives
Residential	• To provide for a range of housing and a choice of residential densities to meet the needs of the community. • To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. • To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
Urban Development	• To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme. • To provide for a range of residential densities to encourage a variety of residential accommodation. • To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.
Rural	• To provide for the maintenance or enhancement of specific pastoral and rural character. • To protect pastoral and broad acre agricultural activities and intensive agricultural uses as primary uses, with other rural pursuits and rural industries as secondary uses where compatibility with the primary use is demonstrated. • To maintain and enhance biodiversity, the landscape character, remnant vegetation, soils and water bodies and to protect wetlands and other ecologically sensitive areas. • 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.
Priority agricultural	• To identify land of State, regional or local significance for food production purposes. • To retain priority agricultural land for agricultural purposes. • To limit the introduction of sensitive land uses that may compromise existing, future or potential agriculture production. • To protect and enhance wetlands and other ecologically sensitive areas.
Rural Residential	• To provide for lot sizes in the range of 1ha to 4ha. • To provide opportunities for a range of rural uses, including horticulture, and related ancillary pursuits 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.
Light Industry	• To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones. • To ensure that where any development adjoins zoned or developed residential properties, the development is suitable set back, screened or otherwise treated so as not to detract from the residential amenity.

Zone name	Objectives
General Industry	• 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.
Commercial	• To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites. • 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 properties in the locality.
Service Commercial	• To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites. • To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.
Regional Centre	• To provide a range of services and uses to cater for both the local and regional community, including but not limited to specialty shopping, restaurants, cafes and entertainment. • To make provision for a transition between uses in the regional centre and the surrounding residential areas to ensure that the impacts from the operation of the regional centre are minimized. • To provide a broad range of employment opportunities to encourage diversity and self-sufficiency within the Centre. • To encourage pedestrian-friendly, street-orientated development that responds to and enhances the key elements of the Regional Centre and to develop areas for public interaction. • To ensure the provision of residential opportunities within the Regional Centre including higher density housing and tourist accommodation that supports the role of the Regional Centre and meets the needs of the community. • To retain the cultural heritage value of the built environment and highlight Aboriginal and pioneer connections to place.
Tourism	• To promote and provide for tourism opportunities. • To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area. • To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.
Enterprise	• To provide for light industrial and ancillary residential development on one lot. • To provide for average lot sizes of 4, 000m² or greater. • To provide well designed estates that afford a reasonable standard of residential amenity without limiting light industrial land uses. • To notify prospective purchasers of potential amenity impacts from light industrial land uses.
Special Use	• 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 3 – Zoning Table

Use Class	Regional Centre	Residential	Urban Development	Rural Residential	Enterprise	Rural	Priority Agriculture	Commercial	Service Commercial	Tourism	Light Industry	General Industry
Aerodrome	X	X	Refer Clause 18(7)	X	X	D	X	X	X	A	X	X
Abattoir	X	X		X	X	D	A	X	X	X	X	X
Aged and dependent persons dwelling	P	P		X	X	X	X	X	X	X	X	X
Agriculture – extensive	X	X		X	X	P	P	X	X	X	X	X
Agriculture – intensive	X	X		D	X	P	P	X	X	X	X	X
Amusement parlour	D	X		X	X	X	X	D	D	D	X	X
Ancillary dwelling	P	P		D	D	P	D	X	X	D	X	X
Animal establishment	X	X		X	X	P	X	X	X	X	X	X
Animal husbandry – intensive	X	X		X	X	P	A	X	X	X	X	X
Art gallery	P	X		X	A	X	A	P	D	P	X	X
Bed and breakfast	P	D		D	A	I	I	X	X	P	X	X
Betting agency	A	X		X	X	X	X	A	X	X	X	X
Bulky goods showroom	X	X		X	X	X	X	X	P	X	D	X
Camping ground	X	X		X	X	D	X	X	X	P	X	X
Caravan Park	X	X		X	X	A	X	X	X	D	X	X
Caretaker's dwelling	X	X		X	X	I	I	X	X	I	I	X
Car Park	P	D		X	X	X	X	P	P	D	X	X
Child care premises	D	A		X	X	X	X	D	A	X	X	X
Cinema / theatre	P	X		X	X	X	X	D	X	D	X	X
Civic use	P	P		X	X	D	X	P	P	P	D	X
Club premises	P	A		A	A	X	X	D	D	X	X	X
Commercial vehicle parking	X	A		D	D	P	P	D	P	X	P	P
Community purpose	P	A		A	X	X	X	D	D	D	X	X
Consulting rooms	D	A		X	X	X	X	P	X	X	X	X
Convenience store	P	A		X	X	X	X	P	D	P	D	X
Corrective institution	X	X		X	X	X	X	X	X	X	X	X
Education establishment	A	A		X	X	X	X	A	A	X	X	X
Exhibition centre	P	A		X	X	X	X	P	D	P	X	X
Family day care	A	A		D	X	D	X	X	X	X	X	X
Fast food outlet	P	X		X	X	X	X	D	D	D	X	X
Fuel depot	X	X		X	X	X	X	X	X	X	D	P
Funeral parlour	A	X		X	X	X	X	A	D	X	D	X
Garden centre	X	X		D	D	P	A	D	P	X	D	X
Grouped dwelling	P	P		X	X	D	X	X	X	D	X	X
Holiday accommodation	P	A		X	X	X	X	X	X	P	X	X
Holiday house	P	D		X	X	X	X	X	X	P	X	X
Home business	P	D		D	P	P	X	X	X	X	X	X
Home occupation	P	P		P	P	P	P	X	X	I	X	X
Home office	P	P		P	P	P	P	X	X	I	X	X
Home store	A	A		I	D	X	D	X	X	X	X	X
Hospital	A	X		X	X	X	X	X	X	X	X	X

Use Class	Regional Centre	Residential	Urban Development	Rural Residential	Enterprise	Rural	Priority Agriculture	Commercial	Service Commercial	Tourism	Light Industry	General Industry
Hotel	A	X		X	X	X	X	X	X	A	X	X
Industry	X	X		X	X	X	X	X	X	X	D	P
Industry – extractive	X	X		X	X	D	X	X	X	X	X	X
Industry – light	X	X		X	D	X	X	X	X	X	P	D
Industry – primary production	X	X		X	X	P	P	X	X	X	D	D
Industry – service	X	X		X	D	D	X	X	D	X	P	X
Liquor store – large	A	X		X	X	X	X	X	A	A	X	X
Liquor store – small	D	X		X	X	X	X	X	A	A	X	X
Lunch bar	P	X		X	X	X	X	P	P	P	D	D
Marina	A	X		X	X	X	X	X	X	A	X	X
Marine filling station	A	X		X	X	X	X	X	X	A	X	X
Market	D	X		I	X	I	X	D	D	D	X	X
Medical centre	D	X		X	X	X	X	D	A	X	X	X
Mining operations	X	X		X	X	D	X	X	X	X	X	X
Motel	A	X		X	X	X	X	X	X	A	X	X
Motor vehicle, boat or caravan sales	X	X		X	X	X	X	X	P	X	D	X
Motor vehicle repair	X	X		X	D	X	X	X	D	X	P	X
Motor vehicle wash	A	X		X	X	X	X	X	P	X	D	X
Multiple dwelling	P	D		X	X	X	X	X	X	A	X	X
Nature based park	X	X		X	X	D	X	X	X	D	X	X
Nightclub	A	X		X	X	X	X	X	X	A	X	X
Office	P	X		X	X	X	X	P	D	D	X	X
Place of worship	A	A		X	X	X	X	X	A	X	X	X
Reception centre	P	X		X	X	X	X	D	A	D	X	X
Recreation – private	D	A		X	X	X	X	D	D	D	X	X
Renewable energy facility	X	X		X	D	P	X	X	D	X	D	D
Repurposed dwelling	D	D		D	D	D	D	X	X	D	X	X
Residential aged care facility	D	A		X	X	X	X	X	X	X	X	X
Resource recovery centre	X	X		X	X	X	X	X	D	X	P	P
Restaurant / café	P	X		D	X	D	A	D	X	P	X	X
Restricted premises	A	X		X	X	X	X	A	X	A	X	X
Roadhouse	X	X		X	X	A	X	X	X	A	X	X
Rural home business	X	X		D	P	P	X	X	X	X	X	X
Rural pursuit / hobby farm	X	X		P	D	D	X	X	X	X	X	X
Second-hand dwelling	D	D		D	D	D	D	X	X	X	X	X
Serviced apartment	P	A		X	X	X	X	X	X	D	X	X
Service station	A	X		X	X	X	X	X	D	A	D	X
Shop	P	X		X	X	X	X	P	D	P	X	X
Single house	P	P		P	P	P	P	X	X	D	X	X
Small bar	P	X		X	X	X	X	A	X	P	X	X
Tavern	D	X		X	X	X	X	X	X	D	X	X
Telecommunications infrastructure	A	A		A	A	D	A	A	A	A	D	P
Tourist development	A	X		X	X	X	X	X	X	A	X	X
Trade supplies	X	X		X	X	X	X	X	D	X	P	X
Transport depot	X	X		X	A	D	X	X	X	X	D	D
Veterinary centre	D	X		X	A	D	X	X	D	X	X	X
Warehouse / storage	X	X		X	D	X	X	X	P	X	P	P
Waste disposal facility	X	X		X	X	D	X	X	X	X	X	X

Use Class	Regional Centre	Residential	Urban Development	Rural Residential	Enterprise	Rural	Priority Agriculture	Commercial	Service Commercial	Tourism	Light Industry	General Industry
Waste storage facility	X	X		X	X	X	X	X	A	X	D	P
Wayside stall	X	X		I	I	I	I	X	X	X	X	X
Winery	X	X		X	X	D	A	X	X	X	X	X
Workforce accommodation	X	X		X	X	I	D	X	X	D	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 relevant development standards and requirements of this Scheme;

I means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with all relevant development standards and requirements of this Scheme;

D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions;

X means that the use is not permitted by this Scheme.

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) 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.

19. Additional uses

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

20. Restricted uses

(1) Schedule 3 sets out —

(a) restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and

(b) the conditions that apply to that restricted use.

(2) Despite anything contained in the zoning table, land that is specified in the Table to subclause (1) may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.

21. Special use zones

(1) Schedule 4 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 any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.

Note:

Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.

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 before the commencement of this Scheme; or

(b) the carrying out of development on land if —

(i) before the commencement of this Scheme, the development was lawfully approved; and

(ii) the approval has not expired or been cancelled.

(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 use

(1) A person must not, without development approval —

(a) alter or extend a non-conforming use of land; or

(b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or

(c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or

(d) change the use of land from a non-conforming use to another use 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; and

(b) 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. R-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-Codes.

26. Modification of R-Codes

(1) Where a lot has a dual residential density, the local government, in considering an application for development approval or when making a recommendation to the Commission in respect of subdivision, shall apply the lower of the two R-Codes unless the lot is connected to reticulated sewerage.

(2) General site requirements for lots abutting revetment canal walls, lots abutting vertical canal walls and lots abutting the fascine sea wall in the town of Carnarvon shall be determined in accordance with Local Planning Policy adopted in accordance with Division 2 of the deemed provisions.

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 Table 4, modified as set out in clause 30, are to be read as part of this Scheme.

Table 4 – State Planning Policies to be read as part of the Scheme

State planning policies to be read as part of Scheme
State Planning Policy 2.6 – State Coastal Planning
State Planning Policy 3.7 – Planning in Bushfire Prone Areas
State Planning Policy 6.3 – Ningaloo Coast

(2) The local government —

(a) must make a copy of each State planning policy 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 those State planning policies 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. Additional site and development requirements

(1) Schedule 5 sets out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.

(2) To the extent that a requirement referred to in subclause (1) is 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) prevails.

33. Additional site and development requirements for areas covered by structure plan, activity centre plan or local development plan

Schedule 6 sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

34. Variations to site and development requirements

(1) In this clause —

additional site and development requirements means requirements set out in clauses 32 and 33.

(2) The local government may approve an application for a development approval that does not comply with an additional site and development requirements.

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

(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 grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the deemed provisions.

Part 5 — Special control areas

36. 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 Schedule 7.

Part 6 — 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 —

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

building height, in relation to a building —

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

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

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

(a) an individual unit other than a chalet; and

(b) designed to provide short-term accommodation for guests;

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

(a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and

(b) designed to provide short-term accommodation for guests;

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

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

(a) a utility, van, truck, tractor, bus or earthmoving equipment; and

(b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);

floor area has meaning given in the Building Code;

frontage, in relation to a building —

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

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

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

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

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

(a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;

(b) lobbies between lifts facing other lifts serving the same floor;

(c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;

(d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building;

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

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

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

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

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

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

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

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

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

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

(2) A word or expression that is not defined in this Scheme —

(a) has the meaning it has in the *Planning and Development Act 2005*; or

(b) if it is not defined in that Act — has the same meaning as it has in the R-Codes.

Division 2 — Land use terms used in Scheme

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 —

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

aerodrome means an area of land used for the arrival, departure and surface movement of aircraft and includes facilities inside or outside of the aerodrome that are installed and maintained for use by aircraft operating at the aerodrome.

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

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

(a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;

(b) the establishment and operation of plant or fruit nurseries;

(c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);

(d) aquaculture;

airpark means land and buildings used for an aviation themed residential estate, including outbuildings that cater for the housing, parking, storage, servicing and repairing of light aircraft.

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;

ancillary dwelling has the same meaning as in the R-Codes.

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 or other livestock in feedlots, sheds or rotational pens. This development excludes agriculture extensive;

art gallery means premises —

(a) that are open to the public; and

(b) where artworks are displayed for viewing or sale;

bed and breakfast means a dwelling —

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

(b) containing not more than 2 guest bedrooms;

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

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

bulky goods showroom means premises —

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

  or

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

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

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

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

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

(a) any part of a public road used for parking or for a taxi rank; or

(b) any premises in which cars are displayed for sale;

child care premises means premises where —

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

(b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided;

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

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

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

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

(a) any part of a public road used for parking or for a taxi rank; or

(b) parking of commercial vehicles incidental to the predominant use of the land;

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

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

convenience store means premises —

(a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and

(b) operated during hours which include, but may extend beyond, normal trading hours; and

(c) the floor area of which does not exceed 300 m2 net lettable area;

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

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

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

family day care means premises where a family day care service as defined in the

Education and Care Services National Law (Western Australia) is provided;

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

(a) without further preparation; and

(b) primarily off the premises;

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

(a) service station facilities;

(b) emergency breakdown repair for vehicles;

(c) charging points for electric vehicles;

(d) facilities for cyclists;

(e) restaurant, cafe or fast food services;

(f) take-away food retailing;

(g) public ablution facilities, including provision for disabled access and infant changing rooms;

(h) parking for passenger and freight vehicles;

(i) outdoor rest stop facilities such as picnic tables and shade areas;

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

(a) as a service station; or

(b) for the sale of fuel by retail into a vehicle for use by the vehicle;

funeral parlour means premises used —

(a) to prepare and store bodies for burial or cremation;

(b) to conduct funeral services;

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

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

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

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

(a) does not involve employing more than 2 people who are not members of the occupier's household; and

(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and

(c) does not occupy an area greater than 50 m2; and

(d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and

(f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and

(g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

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

(a) does not involve employing a person who is not a member of the occupier's household; and

(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and

(c) does not occupy an area greater than 20 m2; and

(d) does not involve the display on the premises of a sign with an area exceeding 0.2 m2; and

(e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

(f) does not —

  (i) require a greater number of parking spaces than normally required for a single dwelling; or

  (ii) result in an increase in traffic volume in the neighbourhood; and

(g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and

(h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and

(i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

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

(a) is solely within the dwelling; and

(b) does not entail clients or customers travelling to and from the dwelling; and

(c) does not involve the display of a sign on the premises; and

(d) does not require any change to the external appearance of the dwelling;

home store means a shop attached to a dwelling that —

(a) has a net lettable area not exceeding 100 m2; and

(b) is operated by a person residing in the dwelling;

hospital means premises that are a hospital within the meaning given in the *Health Services Act 2016* section 8(4) but does not include a nursing home or residential aged care facility;

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

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

(a) the storage of goods;

(b) the work of administration or accounting;

(c) the selling of goods by wholesale or retail;

(d) the provision of amenities for employees;

(e) incidental purposes;

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

(a) the processing of raw materials including crushing, screening, washing, blending or grading;

(b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration;

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

industry — primary production means premises used —

(a) to carry out a primary production business as that term is defined in the *Income Tax Assessment Act 1997* (Commonwealth) section 995-1; or

(b) for a workshop servicing plant or equipment used in primary production businesses;

industry — service means an industry – light carried out from premises which may have a retail shop front and from which goods manufactured on the premises are sold.

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

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

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

marina means —

(a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and

(b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services;

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

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

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

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

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

(a) used to accommodate guests in a manner similar to a hotel; and

(b) with specific provision for the accommodation of guests with motor vehicles;

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

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

(a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or

(b) repairs to tyres other than recapping or re-treading of tyres;

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

nature based park means premises that are a nature based park as defined in the *Caravan Parks and Camping Ground Regulations 1997*.

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

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

park home park means a caravan park at which park homes, but not any other caravans or camps, are situated for habitation as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Part 1 Clause 3;

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 that are —

(a) used for indoor or outdoor leisure, recreation or sport; and

(b) not usually 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, where energy is being produced for commercial gain.

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

residential aged care facility means 'a residential facility providing personal and/or nursing care primarily to people who are frail and aged and which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. May also include residential respite (short term) care but does not include a hospital or psychiatric facility.

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

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

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

(a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth); or

(b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or

(c) smoking-related implements;

roadhouse means premises that has direct access to a State road other than a freeway and which provides all or some of the following services or facilities but does not provide bulk fuel services —

(a) service station facilities;

(b) emergency breakdown and a full range of automotive repair services;

(c) charging points for electric vehicles;

(d) facilities for cyclists;

(e) restaurant or café, excluding the sale or consumption of alcohol under the *Liquor Control Act 1988;*

(f) take-away food retailing, without a drive-through facility;

(g) public ablution facilities, including provision for truckers, disabled access and infant changing rooms;

(h) parking for passenger and freight vehicles;

(i) outdoor rest stop facilities such as picnic tables and shade areas;

(j) dump points for the disposal of black and/or grey water from recreational vehicles;

(k) wrecking, panel beating and spray painting services;

(l) transport depot facilities;

(m) short-term accommodation for guests; and

(n) facilities for being a muster point in response to accidents, natural disasters and other emergencies;

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

(a) does not involve employing more than 2 people who are not members of the occupier's household; and

(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and

(c) does not occupy an area greater than 200 m2; and

(d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and

(f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight;

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

(a) the rearing, agistment, stabling or training of animals;

(b) the keeping of bees;

(c) the sale of produce grown solely on the premises;

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.

serviced apartment means a group of units or apartments providing —

(a) self-contained short stay accommodation for guests; and

(b) any associated reception or recreational facilities;

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

(a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and/or

(b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

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

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

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

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

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

(a) short-term accommodation for guests; and

(b) onsite facilities for the use of guests; and

(c) facilities for the management of the development;

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

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

(a) automotive repairs and servicing;

(b) building including repair and maintenance;

(c) industry;

(d) landscape gardening;

(e) provision of medical services;

(f) primary production;

(g) use by government departments or agencies, including local government;

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

(a) any ancillary maintenance or refuelling of those vehicles; and

(b) any ancillary storage of goods brought to the premises by those vehicles; and

(c) the transfer of goods or persons from one vehicle to another;

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

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

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

(a) the storage of goods, equipment, plant or materials; or

(b) the display or sale by wholesale of goods;

waste disposal facility means premises used —

(a) for the disposal of waste by landfill; or

(b) the incineration of hazardous, clinical or biomedical waste;

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

wayside stall means a hut or kiosk located adjacent to a street, but not in a road reserve that:

(a) sells or offers for sale fruit, vegetables and artefacts grown, produced or made on the same site as the stall;

(b) will not adversely affect the amenity of the neighbourhood;

(c) does not occupy an area greater than 20m2; and

(d) does not display a sign exceeding 0.2m2.

wind farm means premises used to generate electricity by wind force and any associated turbine, building or other structure but does not include anemometers or turbines used primarily to supply electricity for a domestic property or for private rural use;

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

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

(a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and

(b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

SCHEDULE 1 — Specified additional uses for land in local reserves in Scheme area

No.	Description of land	Additional use	Conditions
1	Reserve 37457 reserved for Foreshore (*Blowholes Reserve*)	Holiday accommodation Caravan Park	1. All land use and development shall be at the local government's discretion. 2. The maximum number of holiday accommodation units that shall be permitted on the land shall be 40. 3. The maximum number of caravan sites and tent sites that shall be permitted on the land shall be 60 and 15 respectively. 4. All land use and development on the land shall be consistent with the Blowholes Reserve Management Plan 2014 – 2036 approved by the Shire and endorsed by the Minister for Lands or with a Local Development Plan prepared and approved in accordance with Part 6 of the deemed provisions.
2	Reserve 1337, 107 Harbour Road South Carnarvon (*Carnarvon Small Boat Harbour*)	Marina Marine Filling Station Restaurant / café Warehouse / storage Industry – Light Car park Civic use Community purpose	1. All land use and development shall be consistent with a Local Development Plan for Reserve 1337 prepared and approved in accordance with Part 6 of the deemed provisions.
3	Portion of tenement reserved for Environmental Conservation and subject to the *Evaporites (Lake MacLeod) State Agreement Act 1967*	Brine collection ditch Maintenance, monitoring and research	1. All land use shall be consistent with the *Evaporites (Lake MacLeod) State Agreement Act 1967* and in accordance with any licenses and works approvals issued under the *Environmental Protection Act 1986*.
4	Lot 64, 61 Banksia Drive and the adjoining portion of Lot 501 Coral Bay reserved for Public Purposes	Caravan park Camping ground Workforce accommodation	1. The maximum number of beds is restricted to 280 (inclusive of workforce accommodation). *AMD 1 GG 14/02/2023*

SCHEDULE 2 — Specified additional uses for zoned land in Scheme area

No.	Description of land	Additional use	Conditions
1.	Lot 290 on Plan 193365 (HN 1896) North West Coastal Highway	Veterinary centre Animal establishment	1. All development relating to the additional use shall be at the local government's discretion after consulting with the State agency responsible for agriculture and taking into account matters set out in *State Planning Policy 2.5 Rural Planning*.
2.	Lot 9, 289 Margaret ROW *River Gums Cafe*	Restaurant / Cafe	1. All development relating to the additional use shall be at the local government's discretion after consulting with the State agency responsible for agriculture and taking into account matters set out in *State Planning Policy 2.5 Rural Planning*.
3.	Lot 7, 153 William Street East Carnarvon	Tavern	1. All development relating to the additional use shall be at the local government's discretion after consulting with the State agency responsible for the granting of a license under the *Liquor Control Act 1988*.
4.	Lot 145, 449 North River Road North Plantation *Bumbaks*	Shop	1. All development relating to the additional use shall be at the local government's discretion after consulting with the State agency responsible for agriculture and taking into account matters set out in *State Planning Policy 2.5 Rural Planning*. 2. Goods offered for sale are restricted to fruit and vegetables and associated products grown, produced and made on the same site as the shop.
5.	Lot 250 (No 50) Bibbawarra Rd North Plantations *Terra Temptations*	Rural home business Shop	1. All development relating to the additional use shall be at the local government's discretion after consulting with the State agency responsible for agriculture and taking into account matters set out in *State Planning Policy 2.5 Rural Planning*.
6.	East Carnarvon Lots as indicated on the scheme map	Rural pursuit/ hobby farm	1. All development relating to the additional use shall be at the local government's discretion. 2. All other provisions of the zone, and any general provisions of the scheme, shall apply.

7	Lot 195 (No. 231) Robinson Street Morgantown *AMD 5 GG 4/7/2023*	Veterinary centre	1. All development relating to the additional use shall be at the local government's discretion. 2. All other provisions of the zone and any general provisions of the scheme shall apply.
8	Lot 20 on Diagram 30459 (HN 9) Hill Street Carnarvon. *AMD 9 GG 19/9/2025*	Caretaker's Dwelling	1. The Caretaker's Dwelling requires the development approval of the local government prior to being developed upon the lot; and 2. The development of the Caretaker's Dwelling shall accord with all provisions listed at clause 29 in Schedule 5 to this scheme.
9	Lot 25 on Diagram 62387 (HN 11) Hill Street Carnarvon. *AMD 9 GG 19/9/2025*	Caretaker's Dwelling	1. The Caretaker's Dwelling requires the development approval of the local government prior to being developed upon the lot; and 2. The development of the Caretaker's Dwelling shall accord with all provisions listed at clause 29 in Schedule 5 to this scheme.

SCHEDULE 3 — Restricted uses for land in Scheme area

No.	Description of land	Restricted use	Conditions
1.	Lot 52 / 66 Robinson Street Coral Bay *AMD 1 GG 14/02/2023*	Camping ground Caravan park	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply. 2. No short-term accommodation other than forcaravan and camping is permitted . 3. The number of beds is restricted to 828. (incluvise of workforce accommodation) *AMD 1 GG 14/02/2023*
		Workforce Accommodation	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply. 2. Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use.
2.	Parent Lot 50, Survey Strata 70565, Coral Bay	Holiday houses	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply. 2. No workforce accommodation is permitted, other than for a manager/caretaker for all the holiday houses located on the parent lot. 3. The number of beds is restricted to 208. *AMD 1 GG 14/02/2023*
3.	Parent Lot 308 Coral Bay *AMD 1 GG 14/02/2023*	Holiday accommodation Holiday House Workforce accommodation	1. The general development standards of the Scheme apply unless prescribed in a Structure Plan approved under Part 4 of the deemed provisions or a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in

No.	Description of land	Restricted use	Conditions
			which case the requirements of the Residential Design Codes shall apply. 2. A structure Plan shall be prepared in accordance with Part 4 of the deemed provisions for the whole of the land holding (Parent Lot 308). The Structure Plan shall spatially define the location of 'workforce accommodation', 'holiday house' and 'holiday accommodation' uses. 3. The Structure Plan be referred to the Department responsible for the *Contaminated Sites Act 2003.* 4. Notwithstanding any other provision of the scheme, for the purposes of Restricted Use 3, the definition of a 'lot' within the 'Holiday House' definition is to also apply to survey-strata lots under the *Strata Titles Act 1985.* 5. Freehold subdivision of the whole of the land holding (Parent Lot 308) shall be limited to 'superlots' with a minimum size of 4,000m^2 and generally be in accordance with an endorsed Local Structure Plan. 6. Subdivision of the 'superlots' shall be limited to survey strata subdivision. No subdivision of lots in fee simple of less than 4,000m^2 will be approved. 7. For all lots, both green title and survey strata or lease areas identified on a structure plan, the maximum number of beds is restricted to 920 (inclusive of workforce accommodation). 8. At any stage of subdivision, section 70A notifications under the *Transfer of Land Act 1893* shall ensure future interest holders are made aware of the provisions that apply to Lot 308 relating to restriction of use.

No.	Description of land	Restricted use	Conditions
			9. Holiday accommodation and holiday house may require management plans to be submitted to the Local Government for approval prior to occupation and should address the following: 9.1 Nomination of a management agent and details of management approval/protocol shall form a legally binding agreement with the Local Government; 9.2 Car Parking and signage provision; and 9.3 The maintenance of a booking register. 10. Strata subdivision under the *Strata Titles Act 1985* shall only be considered once the Local Government has granted development approval. 11. Strata subdivision may include the following additions to the by-laws contained in the Schedules 1 and 2 of the *Strata Titles Act 1985.* 11.1 Development or redevelopment on the Strata lots must comply with an existing development approval issued by the Shire of Carnarvon, or such alternative development approval as the Local Government may grant, which complies with the requirements of the Scheme. 11.2 Controls to ensure the overall management of the short-term accommodation. 11.3 Provisions stipulating that the proposed short-term accommodation cannot be used for permanent residential purposes at any time and occupation by any individual shall not exceed 3 months in any 12 month period;

No.	Description of land	Restricted use	Conditions
			11.4 Provisions that the owners of the proposed short-term accommodation may allow their property to be rented out for short-term accommodation purposes; 11.5 Provisions requiring all common property, including the communal open space areas, to be landscaped and maintained by the Strata Company/Managing Authority; 11.6 Amendment to or repeal of the provisions cannot be effected without approval of the Western Australian Planning Commission.
4.	Lot 800 / 79 Banksia Drive Coral Bay *AMD 1 GG 14/02/2023*	Camping ground Caravan park Hotel Motel Tourist Development	1. The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply. 2. The number of beds to be accommodated is restricted to 340 (inclusive of workforce accommodation).
		Workforce Accommodation	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply. 2. Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use.
5.	Lot 13 / No 20 Robinson Street, Coral Bay *AMD 1 GG 14/02/2023*	Caravan park Camping ground Tourist Development Hotel Motel	1. The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply.

No.	Description of land	Restricted use	Conditions
			2. The number of beds to be accommodated is restricted to 534 (inclusive of workforce accommodation).
		Workforce Accommodation	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply. 2. Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use.
6.	Lot 1 / 14 Robinson Street, Coral Bay *AMD 1 GG 14/02/2023*	Camping ground Caravan park Hotel Motel Tourist development	1. The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Codes is designated, in which case the requirements of the Residential Design Codes shall apply. 2. The number of beds to be accommodated is restricted to 270 (inclusive of workforce accommodation).
		Workforce Accommodation	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply. 2. Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use.
7.	Lot 9500, Coral Bay *AMD 1 GG 14/02/2023*	Camping ground Caravan park Hotel Motel Tourist development	1. The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply.

No.	Description of land	Restricted use	Conditions
			2. The number of beds to be accommodated is restricted to 816 (inclusive of workforce accommodation).
		Workforce Accommodation	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply. 2. Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use.
8.	Lot 1 / 44 Robinson Street and Lot 2 / 24 French Street, Coral Bay *AMD 1 GG 14/02/2023*	Camping ground Caravan park Hotel Motel Tourist development	1. The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Codes is designated, in which case the requirement of the Residential Design Codes shall apply. 2. The number of beds to be accommodated is restricted to 546 (inclusive of workforce accommodation).
		Workforce Accommodation	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply. 2. Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of to use will support the predominant use.
9.	Lot 137 McLeod *Gnaraloo Homestead Tourism Node* Lots 802, 912, 913, and 914 *AMD 11 GG 29/09/2026*	Bed and breakfast Camping ground Caravan park Caretakers dwelling Holiday accommodation Home store Restaurant/Café	1. Notwithstanding any other provision of the Scheme, a person shall not commence or carry out any works or development, other than for a single house, without first having applied for and obtained the approval of the local government under Part 8 and Part 9 of the deemed provisions, unless exempted in accordance with

No.	Description of land	Restricted use	Conditions
		Single house Tourist development Workforce accommodation	condition (2) below. 2. The local government shall require the preparation and approval of a Local Development Plan under Part 6 of the deemed provisions. The Local Development Plan may include exemptions from the requirement to obtain development approval in accordance with condition (1) above. 3. The Local Development Plan shall be supported by information to demonstrate that the environmental and landscape outcomes of development are consistent with World Heritage and State planning and environmental objectives, values and principles for the locality. The supporting information and assessment shall be prepared having due regard to the 'Planning and environmental guidelines for sustainable tourism on the Ningaloo coast' (Ningaloo Coast Regional Strategy Carnarvon to Exmouth 2004) or any guidelines that supersedes it. 4. The local government shall provide a copy of a Local Development Plan to the State agency responsible for biodiversity and conservation and the Ningaloo Coast World Heritage Advisory Committee under Clause 50 of the deemed provisions. 5. Where development standards are not prescribed in a Local Development Plan approved under the Scheme, the general development standards of the Scheme shall apply. 6. The local government may require the applicant to advertise an application for development approval in accordance with Clause 64 of the deemed provisions. 7. The local government shall provide a copy of a development application to the State agency responsible for biodiversity and conservation under Clause 66 of the deemed provisions

No.	Description of land	Restricted use	Conditions
			where the proposed work or use may impact on the marine park or conservation estate.
10.	Lot 350 / No 937 Gnaraloo Road, MacLeod *Quobba Homestead Tourism Node*	Bed and breakfast Camping ground Caravan park Caretakers dwelling Holiday accommodation Home store Restaurant/Café Single house Tourist development Workforce accommodation	1. Notwithstanding any other provision of the Scheme, a person shall not commence or carry out any works or development, other than for a single house, without first having applied for and obtained the approval of the local government under Part 8 and Part 9 of the deemed provisions, unless exempted in accordance with condition (2) below. 2. The local government shall require the preparation and approval of a Local Development Plan under Part 6 of the deemed provisions. The Local Development Plan may include exemptions from the requirement to obtain development approval in accordance with condition (1) above. 3. The Local Development Plan shall be supported by information to demonstrate that the environmental and landscape outcomes of development are consistent with State planning and environmental objectives and principles for the locality. The supporting information and assessment shall be prepared having due regard to the 'Planning and environmental guidelines for sustainable tourism on the Ningaloo coast' (Ningaloo Coast Regional Strategy Carnarvon to Exmouth 2004) or any guidelines that supersedes it. 4. The local government shall provide a copy of a Local Development Plan to the State agency responsible for biodiversity and conservation under Clause 50 of the deemed provisions. 5. Where development standards are not prescribed in a Local Development Plan approved under the Scheme, the general development standards of the Scheme shall apply.

No.	Description of land	Restricted use	Conditions
			6. The local government may require the applicant to advertise an application for development approval in accordance with Clause 64 of the deemed provisions.
11.	Lot 378 MacLeod *Red Bluff Minor Tourism Node*	Caravan park Camping ground Nature based park Workforce accommodation	1. Notwithstanding any other provision of the Scheme, a person shall not commence or carry out any works or development, other than for a single house, without first having applied for and obtained the approval of the local government under Part 8 and Part 9 of the deemed provisions, unless exempted in accordance with condition (2) below. 2. The local government shall require the preparation and approval of a Local Development Plan under Part 6 of the deemed provisions. The Local Development Plan may include exemptions from the requirement to obtain development approval in accordance with condition (1) above. 3. The Local Development Plan shall be supported by information to demonstrate that the environmental and landscape outcomes of development are consistent with World Heritage and State planning and environmental objectives, values and principles for the locality. The supporting information and assessment shall be prepared having due regard to the 'Planning and environmental guidelines for sustainable tourism on the Ningaloo coast' (Ningaloo Coast Regional Strategy Carnarvon to Exmouth 2004) or any guidelines that supersedes it. 4. The local government shall provide a copy of a Local Development Plan to the State agency responsible for biodiversity and conservation and the Ningaloo Coast World Heritage Advisory Committee under Clause 50 of the deemed provisions.

No.	Description of land	Restricted use	Conditions
			5. Where development standards are not prescribed in a Local Development Plan approved under the Scheme, the general development standards of the Scheme shall apply. 6. The local government may require the applicant to advertise an application for development approval in accordance with Clause 64 of the deemed provisions. 7. The local government shall provide a copy of a development application to the State agency responsible for biodiversity and conservation under Clause 66 of the deemed provisions where the proposed work or use may impact on the marine park or conservation estate.
12.	Lot 161 MacLeod *Three Mile Camp Minor Tourism Node* Lot 556 *AMD 12 GG 29/09/2026*	Camping ground Caravan park Nature based park Workforce accommodation	1. Notwithstanding any other provision of the Scheme, a person shall not commence or carry out any works or development, other than for a single house, without first having applied for and obtained the approval of the local government under Part 8 and Part 9 of the deemed provisions, unless exempted in accordance with condition (2) below. 2. The local government shall require the preparation and approval of a Local Development Plan under Part 6 of the deemed provisions. The Local Development Plan may include exemptions from the requirement to obtain development approval in accordance with condition (1) above. 3. The Local Development Plan shall be supported by information to demonstrate that the environmental and landscape outcomes of development are consistent with World Heritage and State planning and environmental objectives, values and principles for the locality. The supporting information and assessment shall be prepared having due regard to the 'Planning

No.	Description of land	Restricted use	Conditions
			and environmental guidelines for sustainable tourism on the Ningaloo coast' (Ningaloo Coast Regional Strategy Carnarvon to Exmouth 2004) or any guidelines that supersedes it. 4. The local government shall provide a copy of a Local Development Plan to the State agency responsible for biodiversity and conservation and the Ningaloo Coast World Heritage Advisory Committee under Clause 50 of the deemed provisions. 5. Where development standards are not prescribed in a Local Development Plan approved under the Scheme, the general development standards of the Scheme shall apply. 6. The local government may require the applicant to advertise an application for development approval in accordance with Clause 64 of the deemed provisions. 7. The local government shall provide a copy of a development application to the State agency responsible for biodiversity and conservation under Clause 66 of the deemed provisions where the proposed work or use may impact on the marine park or conservation estate.
13.	Survey Lease Lot 523 *Bruboodjoo Minor Tourism Node*	Camping ground Caravan park Nature based park Workforce accommodation	1. Notwithstanding any other provision of the Scheme, a person shall not commence or carry out any works or development, other than for a single house, without first having applied for and obtained the approval of the local government under Part 8 and Part 9 of the deemed provisions, unless exempted in accordance with condition (2) below. 2. The local government shall require the preparation and approval of a Local Development Plan under Part 6 of the deemed provisions. The Local Development Plan may include exemptions from the requirement to obtain development

No.	Description of land	Restricted use	Conditions
			approval in accordance with condition (1) above. 3. The Local Development Plan shall be supported by information to demonstrate that the environmental and landscape outcomes of development are consistent with World Heritage and State planning and environmental objectives, values and principles for the locality. The supporting information and assessment shall be prepared having due regard to the 'Planning and environmental guidelines for sustainable tourism on the Ningaloo coast' (Ningaloo Coast Regional Strategy Carnarvon to Exmouth 2004) or any guidelines that supersedes it. 4. The local government shall provide a copy of a Local Development Plan to the State agency responsible for biodiversity and conservation and the Ningaloo Coast World Heritage Advisory Committee under Clause 50 of the deemed provisions. 5. Where development standards are not prescribed in a Local Development Plan approved under the Scheme, the general development standards of the Scheme shall apply. 6. The local government may require the applicant to advertise an application for development approval in accordance with Clause 64 of the deemed provisions. 7. The local government shall provide a copy of a development application to the State agency responsible for biodiversity and conservation under Clause 66 of the deemed provisions where the proposed work or use may impact on the marine park or conservation estate.

No.	Description of land	Restricted use	Conditions
14.	Lot 62 / 45 Banksia Drive Coral Bay	Service station Car park	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.
15.	Lot 10 / 16 Robinson Street, Coral Bay	Camping ground Caravan park Hotel Motel	1. The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply. 2. The number of beds to be accommodated is restricted to 265 (inclusive of workforce accommodation).
		Workforce Accommodation	1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.

SCHEDULE 4 — Special use zones in scheme area

No.	Description of land	Special use	Conditions
1	(a) Lot 1 North West Coastal Highway, Wooramel (Wooramel Roadhouse) *AMD 7 GG 17/04/2025* (b) Lot 50 (No 13000) North West Coastal Highway, Minilya (Minilya Bridge Roadhouse) (c) Lot 1 (No 1122) and Lot 2 (No 1134) North West Coastal Highway, Brown Range (BP OPT) (d) Lot 8 (No 1014) North West Coastal Highway, Brown Range (Shell) (e) Lot 1 (No 595 Robinson Street, Kingsford (Caltex Star Mart)	Roadhouse Hotel *AMD 7 GG 17/04/2025*	1. The only uses permissible are: • Roadhouse as a 'D' use. • Workforce Accommodation as an 'I' use. • Hotel as a 'A' use that only applies to Lots 1 and 50 North West Coastal Highway (Roadhouse). *AMD 7 GG 17/04/2025*
2	Lots 1046, 562 and 560 Babbage Island Road (*Carnarvon Christian School*) *AMD 2 5/05/2023*	Educational establishment	1. All land use and development shall be at the local government's discretion after consultation with the Water Corporation. 2. The local government may require the applicant to advertise an application for development approval in accordance with Clause 64 of the deemed provisions. 3. The local government may consider that a local development plan prepared and approved in accordance with Part 6 of the deemed provisions is required for the purposes of orderly and proper planning.
3	Part Lot 1193 (on plan 181640), Lot 1179 (Plan 213005)	Grouped dwellings	1. Subdivision of land shall be limited to built or survey strata subdivision.

	and Lot 1147 (Plan 173472) David Brand Drive, Carnarvon *AMD 2 5/05/2023*	Multiple dwellings Residential aged care facility Medical centre	2. At subdivision stage use restrictions shall be imposed on lots to limit occupancy to persons 55 years and older. 3. The R-Codes are to apply to grouped and multiple dwellings. Subdivision and development shall generally be in accordance with the 'R30' density code. 4. Lots shall be connected to a reticulated water supply and sewerage system. 5. Prior to the submission of an application for development approval, a Local Development Plan (LDP) for the land is to be prepared and approved by the local government under Part 6 of the deemed provisions. The LDP should provide sufficient information to address the requirements of the Scheme including traffic management, car parking, waste management, pedestrian access and walk ways and the management of internal open space.
4	Portion of the tenements subject to the *Evaporites (Lake MacLeod) State Agreement Act 1967* zoned 'Special Use' *AMD 2 5/05/2023*	Mining operations Industry-extractive (Solar salt manufacturing; Non-metallic mineral processing; Bulk material loading or unloading; Class II and III putrescible landfill)	1. All land use and development shall be in accordance with the *Evaporites (Lake MacLeod) State Agreement Act 1967*, and any licenses and works approvals issued under the *Environmental Protection Act 1986*.

SCHEDULE 5 — Additional site and development requirements

ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS FOR ALL ZONES

The following development requirements shall apply to development and use of land within all zones under the Scheme.

1. Stormwater drainage

1.1 Management of stormwater on all developments shall be in accordance with current best practice as endorsed by the State agency responsible for water.

1.2 The local government may require the preparation of a water management plan as a condition of development approval, prepared in accordance with the current policy and guidance of the State agency response for water.

2. Sewerage disposal

Where access to a reticulated sewerage disposal system is demonstrated to not be available, on-site effluent disposal facilities are to be provided to treat and dispose of any effluent generated on the site in accordance with the current Government Sewerage Policy.

3. Potable water supply

3.1 Where lots with an individual area of four hectares or less are proposed and a reticulated water supply of sufficient capacity is available in the locality, the lots shall be serviced with reticulated potable water by a licensed service provider.

3.2 Where lots with an individual area of four hectares or less are proposed and it is satisfactorily demonstrated that a licensed supply is not available, the local government may consider a fit-for- purpose domestic potable water supply, which includes water for fire-fighting where required. The supply must be demonstrated, sustainable and consistent with the standards for water and health.

3.3 Where lots with an individual area of greater than four hectares are proposed the local government will consider a fit-for-purpose domestic potable water supply, which includes water for fire-fighting where required. The supply must be demonstrated, sustainable and consistent with the standards for water and health.

4. Rivers, creeks and other waterways

4.1 The minimum acceptable separation distance for all uses and works (including earthworks) from a waterway shall be 30 metres measured outwards from the outer edge of the riparian vegetation unless demonstrated that special circumstances, as established by the State department responsible for water, apply.

4.2 The natural flow of water within waterways shall be maintained and no development, including fencing, which would prevent or reduce the natural flow of water shall be approved.

4.3 No development that would direct any stormwater or other liquid from any source to a waterway shall be approved unless it can be demonstrated to the satisfaction of the local government that there will be no adverse impacts on the waterway or the dependent environment.

4.4 In considering an application for subdivision the local government may recommend, or in considering an application for development the local government may impose, conditions of approval that land within the separation distance from a waterway as specified in clause 4.1 is:

(a) rehabilitated within a specified period;

(b) ceded and included in a reserve for environmental conservation or public open space; and

(c) otherwise managed for conservation purposes.

5. Wetlands

5.1 The minimum acceptable separation distance for all uses and works (including earthworks) from a wetland of national importance, a conservation category wetland and wetlands with commensurate values shall be 50 metres from the spatial boundary of the wetland and for a resource enhancement or multiple use wetland shall be 30 metres.

5.2 The natural attributes and functions of wetlands categorised as wetland of national importance, conservation and resource enhancement wetlands and wetlands with commensurate values shall be preserved, maintained or enhanced and no development that would negatively impact on their natural attributes and functions shall be approved.

5.3 In considering an application for subdivision the local government may recommend, or in considering an application for development the local government may impose, conditions of approval that land within the separation distance from a wetland as specified in clause 5.1 is:

(a) rehabilitated within a specified period;

(b) ceded and included in a reserve for environmental conservation or public open space; and

(c) otherwise managed for conservation purposes.

6. Floodplain management – Carnarvon townsite and surrounds

6.1 No new development shall impede floodwater flows or impact on the existing flooding regime for land within the floodplain of the Gascoyne River (refer to Schedule 7, Special Control Area 3 Flood Prone Areas.

6.2 For land within the floodplain of the Gascoyne River considered to be at risk of flooding, a minimum habitable floor level for all habitable buildings, commercial buildings and industrial buildings of 0.50 metre above the adjacent 1% AEP flood level shall be provided, unless the local government has exercised its discretion under Clause 34 of the Scheme or in accordance with a Local Planning Policy approved in accordance with Clause 4 of the deemed provisions.

6.3 For areas zoned Rural or Priority Agriculture within the floodplain of the Gascoyne River considered to be at risk of flooding, onsite finished development levels (with the exception of habitable buildings, commercial buildings and industrial buildings) shall not exceed existing ground levels.

6.4 Structures at road crossings over major waterways shall be sized to adequately convey floodwater flows so that there is minimal afflux at the entrance of the structure.

7. Land clearing and earthworks

No person shall allow land to be cleared or degraded in such a way as to cause environmental harm, including the alteration of surface water flows, or to adversely affect the amenity of adjoining or nearby residents by the creation of soil erosion or dust.

8. Visual amenity

8.1 A development requiring planning approval under this Scheme shall not be approved if, in the opinion of the local government, the proposed siting, design, materials, colour(s), texture(s) or reflectivity of the development would adversely impact on the visual amenity of the locality.

8.2 In order to avoid adverse impact on the visual amenity of the area, the local government may impose conditions on any planning approval requiring the screening of the development by vegetation or the siting of development to avoid visually prominent locations and to blend with the surrounding area.

8.3 Where development is proposed on land adjacent to the Shark Bay and Ningaloo World Heritage Areas the preparation of a visual landscape assessment may be required.

9. Keeping, stabling and training of animals and other rural pursuits

9.1 Rural pursuits that involve the keeping and stabling of horses or other animals are discretionary uses and require an approved livestock management plan which includes information on the proposed stocking rate (number of livestock and the area used to houses and graze livestock) and the manner in which the animals are to be kept. At a minimum, the plan should provide information to the shire about water supply, fencing, setbacks from neighbouring properties, feed sources and storage, the management and disposal of manure and other waste and pest management including weeds and insects.

9.2 Development associated with a rural pursuit on a lot zoned 'Residential', 'Rural Residential' or 'Enterprise' shall not precede development of a single house.

9.3 The carrying out of a rural pursuit shall comply with relevant State government requirements and any applicable local law and local planning policy.

9.4 Rural pursuit activities shall be compatible with the maintenance of amenity and environmental health for all sensitive land uses and offices:

- All rural pursuit activities (including yards, paddocks, stables and other structures housing animals) shall be set back from site boundaries and buffers established from adjacent properties;
- Fencing shall be erected as required and maintained;
- Activities that generate noise, dust, odour, flies, vermin and other nuisances shall be appropriately managed. The local government may require the preparation and implementation of management plans (including manure and dust management plans) where appropriate.

9.5 Sufficient space shall be provided on each lot to accommodate trailers, loose boxes and any other vehicles associated with the rural pursuit.

9.6 The local government may require that notice of an application for development of a rural pursuit be given (in accordance with Clause 64(3)(a) of the deemed provisions) to owners and occupiers of properties in the vicinity of the proposed development.

9.7 In the rural zone, this clause only applies to the keeping of horses.

10. Light overspill

10.1 Floodlights, spotlights and all other forms of lighting shall be constructed, oriented and controlled so as not to adversely impact on the amenity of adjacent residents; cause a traffic hazard to the adjacent road network; impact on sea turtle nesting sites; and/or affect the maintenance of acknowledged dark sky localities.

10.2 Where development is proposed on land adjacent to the Shark Bay and Ningaloo World Heritage Areas an assessment of the impact of proposed lighting on the areas outstanding universal values and associated management measures may be required.

11. Radio Quiet Zone

Prior to the local government considering any development application that includes the need for a radio communications license from the Australian Communication and Media Authority and is located within the Radio Quiet Zone associated with the Square Kilometre

Array, the proponent shall seek the advice of the Murchison Radioastronomy Observatory and provide that advice to the local government.

12. High-pressure gas pipelines

Where development is proposed on land intersected by a high-pressure gas pipeline or within 300 metres of a high-pressure gas pipeline, the advice of the pipeline owner/operator and the state agency responsible for lands shall be sought and the preparation of a Pipeline Risk Management Plan may be required.

13. Requirement for consultation to commence mining

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

14. External storage areas

All external storage of goods and materials, which in the opinion of the local government may have an adverse visual impact, shall be effectively screened from view from any street, public place and any adjacent residence.

15. Sea containers

15.1 All sea containers fall within the land use definition 'storage' and shall not be placed on any lot zoned Regional Centre or Residential unless a temporary development approval under clause 72 of the deemed provisions has been granted.

15.2 In considering an application for a sea container in other zones, the Shire shall take into account whether the appearance of the structure would be compatible with the character and visual amenity of the locality to which it is proposed to be sited.

15.3 A sea container shall not be used for any form of accommodation.

15.4 A sea container shall be adequately screened from the street and shall not be stacked vertically unless otherwise approved.

15.5 Where a sea container has fallen into disrepair or become unsightly, the local government shall require the container to be removed from the lot or suitably upgraded.

16. Sealing of Vehicle Parking and Access

All areas utilised for vehicle parking, manoeuvring, access, egress and storage in the Commercial, Service Commercial, Light Industry, General Industry and Enterprise zones are to be sealed and formalised as per Australian Standard 2890.1-2004 as amended.

17. Minimum setbacks and landscaping

The minimum standards for setbacks and landscaping are shown in Table 5 below.

Table 5 – Setbacks and landscaping

ZONE	MINIMUM SETBACKS (metres)			MINIMUM LANDSCAPING
	Primary	**Secondary**	**Rear / Other**	% of the site area
Residential	As per the Residential Design Codes			
Regional centre	2	Nil[a]	Nil[a]	5%
Commercial	5	Nil[a]	5[a]	5%
Service commercial	5	3[a]	Nil[a]	10%
Light industry	10	5[a]	Nil[a]	10%
General Industry	10	5[a]	Nil[a]	10%

Rural residential	25	10	10	As required
Enterprise	25	10	10	As required
Tourism	5	Nil[a]	5[a]	10%
Rural	15	Nil	Nil	Nil
Priority agriculture	15	10	10	Nil

[a] As per the R-Codes where adjoining a Residential zone

17.1 Local government may approve interchanging of side and rear setbacks where it is satisfied that the objectives of the zone are not compromised.

17.2 Local government may vary the minimum standards in all zones other than the Residential zone subject to consultation with affected landowners.

17.3 A landscape plan, which details the proposed landscaping and retention of remnant vegetation or trees, may be required as a condition of development approval.

17.4 Landscaping shall be maintained and retained in accordance with this Scheme and any applicable landscape plan and/or local planning policy.

18. Site with more than one street frontage

Where a development site has frontage to more than one street the local government may: –

(a) Designate one of the streets to be a primary street for the purpose of determining front setbacks;

(b) Require that the specified front setbacks shall apply to each road;

(c) Permit the setback on a secondary street to be reduced to half of the specified front setback or averaged; or

(d) Refuse vehicular access to one of the roads.

19. Use of setback areas from streets

19.1 The building setback area from any street alignment shall only be used for one or more of the following:

(a) vehicular and pedestrian access;

(b) car parking for visitors, employees or customers;

(c) landscaping; and

(d) loading and unloading of vehicles.

19.2 The building setback area shall not be used for repair or dismantling of vehicles; parking of boats, caravans or trailers; nor for storage purposes.

20. Site area, site coverage and plot ratios

Minimum site area and plot ratios for residential uses shall comply with the R-Codes. For all other land uses the extent of any development on any lot shall be dependent upon other general development requirements or site and development requirements specified in an approved local development plan. Notwithstanding the foregoing, the local government may establish local planning policy under Part 2, Division 2 of the deemed provisions setting out minimum site or lot area, maximum site coverage and maximum plot ratio for specific types of development where it considers it prudent to do so.

21. Loading areas

21.1 Any commercial, service commercial, light or general industrial or other use which requires separate access for service vehicles shall be provided with an adequate area, separate from car parking areas, for loading and unloading of vehicles. Any such loading areas shall be located so as to allow vehicles to enter and leave the site from/to a public road in forward gear, with vehicular entrances and exits located so as to avoid or minimise traffic hazards.

21.2 The dimensions and height clearance of each loading bay referred to in clause 21.1 shall comply with relevant parts of Australian Standard 2890 relating to parking.

22. Set down areas

A designated set down area designed for the purpose of setting down and picking up passengers, to the satisfaction and requirements of the Shire, shall be provided on or adjacent to the site of any of the following uses, but not within a public road reserve:

(a) child care premises;

(b) educational establishment;

(c) hospital / residential aged care facility;

(d) hotel / tourist development; and

(e) any other facility which, in the opinion of the Shire, will generate the need for a set down area for the safety of people attending that use and of road users generally.

23. Bin storage areas for non-residential development

Bin storage areas shall be provided for non-residential development. Such areas shall be:

(a) located so as to be accessible by service vehicles;

(b) of sufficient size to accommodate rubbish generated by the use(s) on each property in the interval between rubbish collections; and

(c) effectively screened from view from any street, public place and any adjacent residence.

24. Development height

24.1 With the exception of buildings for which development approval is not required under Clause 61 of the deemed provisions and structures and equipment necessary for radio, television and communications facilities, no building in excess of a height of 12 metres above natural ground level shall be erected within the Scheme area unless otherwise specified in the Scheme, an approved Structure Plan or approved Local Development Plan.

24.2 Notwithstanding clause 24.1 no development shall be constructed to exceed or infringe on the height limits of the Carnarvon Airport Obstacle Limitation Surface.

25. Outbuildings

Erection of an outbuilding on a Regional Centre, Residential, Rural Residential, Enterprise or Tourism zoned lot is not permitted unless development approval has already been issued for the erection of a single house, grouped dwelling or multiple dwelling on the lot.

26. Second-hand dwellings and repurposed dwellings

26.1 Notwithstanding any other provision of the Scheme, all repurposed and second-hand dwellings shall require development approval.

26.2 Only one second-hand dwelling, repurposed dwelling or single house is permitted on a lot zoned Residential, Rural Residential and Enterprise zones.

26.3 In the Residential zone the R-Codes apply to second hand dwellings and repurposed dwellings as if the dwelling is a single house.

27. Home occupation and Home business

27.1 Approval to conduct a home business or home occupation shall be personal to the applicant and shall neither run with the land nor be transferable or assignable to any other person or property. Should there be a change of the occupier of the land in respect of which a home business or home occupation approval is issued the approval is no longer valid.

27.2 The use of land for any ‘Home occupation’ and ‘Home business’ shall not entail the storage of materials, supplies or other goods, unless the local government has

determined that such storage is not detrimental to fire safety and the amenity of the locality.

27.3 Apart from a sign not exceeding 0.2 square metres, there shall be no external indication that the dwelling or outbuilding in which a 'Home occupation' and 'Home business' is conducted is used for other than the primary residential use of the property.

28. Workforce Accommodation

28.1 Workforce accommodation shall be used for this purpose only for the duration for which the use to which it appertains is being carried out.

28.2 In considering an application for development approval the local government shall consider the seasonal or temporary nature of the accommodation and the need for removal of the structures and rehabilitation of the site.

28.3 Whenever workforce accommodation is located on sites where agriculture – intensive or industry – primary production occur, the accommodation buildings shall not be considered a sensitive land use noting that occupational health, workplace safety and biosecurity requirements apply.

28.4 The location, siting and design of workforce accommodation shall blend with the environment and not adversely impact on the amenity of the surrounding area.

29. Caretaker's dwelling

29.1 Only one (1) caretaker's dwelling is permitted on a lot or parent lot of a strata or survey strata lot;

29.2 Development of a caretaker's dwelling shall not precede development of a use class to which it appertains;

29.3 The maximum floor area of a caretaker's dwelling including any veranda, pergola and patio, but excluding an attached garage or carport, shall not exceed 120m2;

29.4 The caretaker's dwelling will generally comply with the R-Code provisions for ancillary dwellings with the exception of lot size and plot ratio area;

29.5 A caretaker's dwelling shall be used for this purpose only for the duration for which the use to which it appertains is being carried out;

29.6 A caretaker's dwelling may only be occupied by the owner, manager, lessee or employee (and immediate family thereof) of the lawfully established or approved land use; and

29.7 The use of a caravan as a caretaker's dwelling is not permitted.

30. Development of lots on unconstructed roads

30.1 Notwithstanding any other provisions of this Scheme, development approval is required for development of land abutting an unconstructed road or a lot which does not have frontage to a gazetted road.

30.2 When considering an application the local government shall give consideration to the matters set out in clause 67 of the deemed provisions, and more specifically:

(a) any alternative legal means of access to the lot;

(b) the quality of any unconstructed road access provided to the lot;

(c) the costs and/or complexity involved in providing constructed road and/or legal road frontage; and

(d) the type and quantity of traffic expected to be generated by the proposed development.

30.3 In considering an application the local government shall 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;

(b) grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of construction of the road or part thereof; or

(c) require such other arrangements are made for permanent access to the satisfaction of the local government.

31. Vehicle parking

31.1 The car parking requirements for various land uses are set out in Table 6. Unless otherwise approved by the local government, car parking spaces shall be provided for a use in accordance with the requirements of Table 6.

31.2 Except as provided for in clauses 31.7 to 31.9, or unless otherwise approved by the local government, the required car parking spaces shall be provided on the site of the use generating the requirement.

31.3 Where the car parking requirement for a use in Table 6 is not a whole number, the car parking requirement shall be the next highest whole number.

31.4 Parking areas, including car parking bays, disabled bays, bicycle and scooter / motorcycle bays, loading bays, vehicle access, pedestrian circulation areas, landscaped areas adjacent to and within car parking areas, shall be designed and constructed in accordance with relevant Australian Standards, any applicable local planning policy or any other standard endorsed by the local government, and thereafter maintained.

31.5 Subject to the R-Codes, the local government will not require the provision of onsite car parking for proposals of development or change of use less than 500m² in gross floor area per lot, strata lot or survey strata lot within the Regional Centre Zone.

31.6 Where a development results in the likely demand for parking of trailers, caravans, buses and/or coaches, parking spaces for such vehicles shall be integrated with the development.

31.7 Car parking spaces may be provided jointly by two or more owners or users of land or by one owner or user of land in respect of separate buildings or uses, subject to the following requirements:

(a) the peak hours of operation of the buildings or uses sharing such parking are different and do not substantially overlap;

(b) the peak hours of operation of the buildings or uses sharing such parking are different and do not substantially overlap;

(c) reciprocal access and circulation arrangements are provided when, in the opinion of the local government, such arrangements are necessary;

(d) a legal agreement is prepared between the two parties, at the proponent's expense and to the shire's satisfaction, detailing the relevant issues of joint usage;

(e) that a legally binding agreement has been made between the owners and users to ensure that the joint or reciprocal rights of access, parking facilities and circulation arrangements exist and that the use of the parking facilities can be maintained. The agreement shall be to the local government's satisfaction and at the applicant / proponent's cost.

31.8 If the local government is satisfied that adequate parking exists or is to be provided in close proximity to a proposed development, notwithstanding the requirements of this Scheme and any applicable local planning policy, it may accept a cash payment in lieu of the provision of any or all types of parking spaces as required under clause 31.1.

31.9 The following requirements shall apply to any cash payment in lieu of providing car parking spaces under clause 31.8:

(a) the payment shall comprise the value of the land which would have been occupied by the required car parking spaces and associated manoeuvring areas, as well as the estimated cost of providing and constructing those car parking spaces and manoeuvring areas;

(b) the payment shall be made prior to the commencement of the development generating the parking requirement, or at such other time as agreed between the Shire and the applicant;

(c) the payment shall be held by the Shire in a separate reserve or trust account and shall be spent by the Shire in providing, maintaining, upgrading or replacing public car parking spaces or facilities in a location within reasonable walking distance of the use in respect of which the payment was made, or on the acquisition of land for such public car parking spaces or facilities.

31.10 Where a car park is to be provided as part of a development, a landscaping plan shall be submitted to the local government and approved prior to development occurring. Landscaping provided shall be consistent with the objectives of the Designing Out Crime Planning Guidelines, published by the Commission, and any local planning policy.

Table 6 – Car parking requirements for various land uses

Land Use Classes	Minimum Car Parking Requirements
Grouped Dwelling Multiple Dwelling Single Bedroom Dwelling Single House Ancillary Dwelling HolidayAccommodation	In accordance with the Residential Design Codes.
Serviced Apartment	In accordance with the Residential Design Codes for grouped and/or multiple dwellings.
Holiday House	In accordance with the Residential Design Codes for a single house.
Caretaker's Dwelling Workforce Accommodation	In accordance with the relevant dwelling type under the Residential Design Codes.
Cinema / Theatre Civic Use Club Premises Convention Centre Exhibition Centre Night Club Place of Worship Reception Centre Restaurant / Café Recreation – Private	1 bay per 4 persons the premises is designed and approved to accommodate.
Land Use Classes	**Minimum Car Parking Requirements**
Amusement Parlour	1 bay per 20 square metres of net lettable area (nla); or 1 bay for every 4 persons the premises is designed and approved to accommodate, whichever is the greater.
Animal Establishment Animal Husbandry - Intensive	1 bay per employee; plus 1 visitor parking bay.
Bed and Breakfast	1 bay per guest bedroom or accommodation unit in addition to the parking requirement for the dwelling in accordance with the Residential Design Codes.
Betting Agency	1 bay per 30 square metres of nla used for the purposes of administration or accounting; plus 1 bay per 20 square metres of nla open to the public.
Bulky Goods Showroom	1 bay per 50 square metres of nla of premises open to the public and used for display, sale or hire; plus 1 bay per 100 square metres of nla of premises not open to the public and used for storage.
Caravan Park	1 bay per caravan, cabin or camp site; plus parking bays for visitors, employees, and the storage of trailers and other vehicles.
Child Care Premises	1 bay per 10 children the premises is designed and approved to accommodate; plus 1 bay per employee or staff member.
Consulting Rooms	5 bays per consulting room.
Convenience Store	1 bay per 25 square metres of nla of premises used for convenience store purposes.
Dry Cleaning Premises	1 bay per 75 square metres of nla not open to the public and used for dry cleaning purposes only, or 1 bay per employee, whichever is the greater; plus an additional 1 bay per 30 square metres of nla open to the public and

	used for customer service.
Educational Establishment (Pre-primary / Primary and Secondary)	1 bay per 10 students the premises is designed and approved to accommodate; plus 1 bay per employee; plus a set-down and pick- up area sufficient to accommodate 10 cars.
Educational Establishment (Tertiary)	1 bay per 4 students the premises is designed and approved to accommodate; plus 1 bay per employee.
Family Day Care	1 bay in addition to the residential requirement, in accordance with the Residential Design Codes.
Fast Food Outlet	1 bay per 15 square metres of nla; plus a car queuing area sufficient to accommodate 4 cars where a drive through facilities is included.
Fuel Depot	1 bay per 100 square metres of nla of premises used for fuel depot purposes or 1 bay per employee, whichever is the greater; plus 1 visitor parking bay per petrol and/or service bay.
Funeral Parlour	1 bay per employee. Where a chapel, mortuary or assembly area is included, 1 bay for every 4 persons the premises is designed and approved to accommodate for the chapel area.
Garden Centre	1 bay per 50 square metres of nla of premises open to the public and used for display, sale or hire; plus 1 bay per 100 square metres of nla of premises not open to the public and used for storage.
Home Business	1 bay per employee in addition to the residential requirement.
Home Occupation	No additional requirement over and above residential requirement.
Home Office	No additional requirement over and above residential requirement.
Home Store	1 bay per 25 square metres of nla in addition to the residential requirement.
Hospital	1 bay per 4 beds; plus 1 bay per employee or staff member on the premises at any one time.
Hotel	1 bay per bedroom or accommodation unit; plus 1 bay per 15 square metres nla of floorspace other than that used for accommodation purposes; plus a car queuing area sufficient to accommodate 3 cars where drive through facilities are included.
Industry	1 bay per 100 square metres of nla of premises used for industry purposes or 1 bay per employee, whichever is the greater.
Industry - Light	1 bay per 75 square metres of nla of premises used for light industry purposes or 1 bay per employee, whichever is the greater; plus an additional 1 bay per 50 square metres of nla used for the purposes of retailing and/or wholesaling.
Industry - Primary Production	1 bay per employee, plus 1 visitor parking bay.
Laundromat	1 bay per 30 square metres of nla; plus 1 bay per employee.

Liquor Store - Large Liquor Store - Small	1 bay per 20 square metres of nla; plus a car queuing area sufficient to accommodate 3 cars where drive through facilities are included.
Lunch Bar	1 bay per 25 square metres of nla.
Marina	1 bay per wet berth; 1 bay per 5 dry berths or swing moorings; plus 1 bay per 50 square metres of nla of ancillary and/or incidental uses/developments associated with the marina.
Marine Filling Station	1 bay per 100 square metres of nla of premises used for marine filling station purposes; or 1 bay per employee, whichever is the greater; plus 1 visitor parking bay per petrol and/or service bay.
Market	1 bay per 30 square metres of nla of premises used for market purposes.
Medical Centre	5 bays per consulting room or practitioner.
Motel	1 bay per motel unit; plus 1 bay per employee or staff member on the premises at any one time; plus bays required for each additional land use.
Motor Vehicle, Boat or Caravan Sales	1 bay per 200 square metres of nla
Motor Vehicle Repair	4 bays per vehicle service and/or work bay; or 1 bay for every 50 square metres of nla of premises used whichever is the greater; plus one space per employee or staff member.
Motor Vehicle Wash	1 bay per employee; plus 2 bays per wash bay; plus queuing space for 3 waiting vehicles for each wash bay.
Nursing home	1 bay per 4 beds; plus 1 bay per employee or staff member on the premises at any one time.
Office	1 bay per 50 square metres of nla.
Park Home Park	1 bay per park home site; plus 1 bay per 10 park home sites for visitor parking; plus 1 bay per employee or staff member on the premises at any one time.
Residential Building	1 bay per bedroom; plus 1 bay per 4 bedrooms for visitor parking; plus 1 bay per employee.
Resource Recovery Centre	1 bay per employee or staff member, plus 1 visitor parking bay.
Restricted Premises	1 bay per 25 square metres of nla.
Rural Home Business	1 bay per employee in addition to the residential requirement.
Rural Pursuit / Hobby Farm	1 bay in addition to the residential requirement.
Service Station	4 bays per workshop and/or service bay; plus 1 bay per employee.
Shop	1 bay per 20 square metres of nla in the Regional Centre Zone and 25 square metres in other zones.
Small Bar	1 bay for every 4 persons the premises is designed and approved to accommodate.
Tavern	1 bay for every 4 persons the premises is designed and approved to accommodate; plus a car queuing area sufficient to accommodate 3 cars where drive through facilities are included.
Tourist Development	In accordance with the relevant dwelling type under the Residential Design Codes, and/or 1 bay per bedroom or accommodation unit; plus 1 bay per 15 square metres nla of floorspace other than that used for accommodation

	purposes.
Trade Display	1 bay per 50 square metres of nla of premises open to the public and used for display, sale or hire; plus 1 bay per 100 square metres of nla of premises not open to the public and used for display only.
Trade Supplies	1 bay per 50 square metres of nla of premises open to the public and used for display, sale or hire; plus 1 bay per 100 square metres of nla of premises not open to the public and used for storage.
Transport Depot	1 bay per employee in addition to any commercial vehicle parking bays that the premises is designed and approved to accommodate.
Veterinary Centre	5 bays per consulting room.
Warehouse / Storage	1 bay per 50 square metres of nla of premises used for display and sale by wholesale; plus 1 bay per 100 square metres of nla of premises not open to the public and used for storage.
Any other land use classes	As determined by the local government

ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS FOR THE RESIDENTIAL ZONE

The following development requirements shall apply to development and use of land within the Residential zone under the Scheme

32. Development setbacks for non-residential development

32.1 All setbacks shall be in accordance with the Residential Design Code that applies to residential development on land with the same Residential Design Code density.

32.2 Where there is a combination of residential and non-residential development on the same lot, the private open space requirements of the Residential Design Codes shall apply to the lot as a whole.

33. Lots abutting a canal or the fascine waterway

33.1 In assessing the minimum site requirements under the Residential Design Codes, calculations shall exclude any portion of the lot that falls within the 'revetment wall area' or 'wet area' adjacent to the canal or waterway.

33.2 Requirements for fencing, landscaping and screening of clothes drying and utility areas shall be in accordance with the Northwater Carnarvon Design Guidelines, adopted as Local Planning Policy under Division 2 of the deemed provisions, or with the Residential Design Codes where applicable.

33.3 The maintenance, repair or replacement of all water frontage walling, retaining, revetment and attached structures within 'revetment wall area' or 'wet areas' adjacent to a canal or waterway shall be the responsibility of each lot owner.

33.4 The wall treatment, including attached structures along a canal or waterway frontage, shall be kept in a structurally sound condition to the satisfaction of the local government, and shall not be altered, extended or removed without the written approval of the local government first being applied for and obtained.

34. Subdivision of lots in East Carnarvon and Kingsford

34.1 Subdivision of lots in East Carnarvon and Kingsford shall be supported where the application is in accordance with an approved local development plan prepared and approved in accordance with Part 6 of the deemed provisions.

34.2 Where there is no approved local development plan for a site in East Carnarvon and Kingsford, or where such a plan does not specify preferred or minimum lot sizes for a site, an application for subdivision will only be supported where the proposed subdivision is consistent with the approved Structure Plan for the area.

ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS FOR THE REGIONAL CENTRE ZONE

The following development requirements shall apply to development and use of land within the Regional Centre zone under the Scheme

35. Residential and non-residential development

35.1 Development within the Regional Centre zone shall have regard to the built heritage and cultural heritage significance of and to design guidelines for the area, including any Local Planning Policy adopted under Division 2 of the deemed provisions.

35.2 The local government may require the preparation of a local development plan for the purposes of orderly and proper planning of a particular site.

35.3 Where development or re-development of properties in the Regional Centre zone is envisaged, the incorporation of residential uses up to a density of R60 will be considered, to create greater diversity of use, increased security and to stimulate additional life and vitality within the centre of the town. Any such residential development shall comply with the design elements for multiple dwellings in the Residential Design Codes.

35.4 Where a mixed use development is proposed, the residential use shall be confined to an upper storey.

35.5 Where development setbacks, plot ratio and site coverage for a particular site are not specified in the Residential Design Codes or an adopted local development plan, or where there is no adopted local development plan for a particular site, development setbacks and site coverage shall be at the local government's discretion and shall be determined having regard to the objectives of the Regional Centre zone and any approved Structure Plan for the area.

ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS FOR THE RURAL RESIDENTIAL ZONE

The following development requirements shall apply to development and use of land within the Rural Residential zone under the Scheme

36. Subdivision

Further subdivision of lots zoned Rural Residential shall be supported only where the local government is satisfied that the compatibility of rural residential uses with existing agricultural and horticultural activity on surrounding lots will not compromise those uses.

37. Incidental and discretionary uses

The local government may permit the development and use of Rural Residential land for those uses reflected as incidental or discretionary uses in the zoning table provided that:

(a) the use is compatible with any existing agricultural including horticultural land uses – both internal and external to the site;

(b) proposed separation distances from a sensitive land use to the source of dust, noise, odour and spray drift are consistent with State environmental and health policy;

(c) access is shared with the dwelling on the site and parking for the use is additional to the dwelling and in accordance with Table 6;

(d) the scale, scope and intensity of the use is commensurate with the amenity of adjoining lots and the locality;

(e) sufficient landscaping is provided to screen the use where needed.

38. Lots abutting North West Coastal Highway and Robinson Street — Landscaping

38.1 To retain a vegetated streetscape the local government shall require the preparation of a landscape plan for primary street setback areas where lots in the Rural Residential zone abut North West Coastal Highway and Robinson Street.

38.2 Primary street setback areas shall only be used for landscaping unless otherwise approved by the local government.

38.3 Front fences shall be visually permeable and the design, height, colour and materials used should reflect the neighbourhood character.

ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS FOR THE RURAL ZONE

The following development requirements shall apply to development and use of land within the Rural zone under the Scheme.

39. Tourism uses

39.1 For the purposes of orderly and proper planning of a particular site the local government may require the preparation and approval of a local development plan in accordance with Part 6 of the deemed provisions.

39.2 The local government may permit the development and use of the land for tourism uses provided that:

(a) the use is compatible with any existing rural land use;

(b) the use is small scale and low impact: the height, form and scale, building and roofing materials, colours and landscaping associated with a building, parking area, telecommunications device, waste disposal area or any other structure are compatible with the setting and demonstrated to blend with, or be inevident in, the surrounding landscape and seascape from roads and important viewpoints;

(c) measures are taken to maintain ecological processes and to protect and rehabilitate the recognised biodiversity, environmental and landscape values of the site and the locality, including the protection of turtle rookeries;

(d) the remote and natural experience is maintained, including ‘dark skies’ where applicable;

(e) separation and buffer distances between rural uses and sensitive land uses are demonstrated to be consistent with State environmental, health and planning policy;

(f) a fit-for-purpose potable water supply that meets the standards for health and sufficient water for firefighting is demonstrated;

(g) consistency with State Planning Policy 3.7 Planning in Bushfire Prone Areas and State Planning Policy 2.6 State Coastal Planning Policy is demonstrated.

39.3 Prior to considering an application for development the local government shall consult with the State agencies responsible for the environment, conservation and agriculture and the Pastoral Lands Board in accordance with clause 66 of the deemed provisions.

40. Telecommunications infrastructure and renewable energy facilities

40.1 The local government shall permit the development and use of the land for telecommunications and renewable energy facilities provided that the location, siting and design minimise the visual impact in accordance with State policy.

40.2 The local government may require the preparation of a visual impact assessment prepared in accordance with the methodology established in the WAPC guideline Visual Landscape Planning in Western Australia.

41. Additional dwellings in the Rural zone

In the Rural zone, the local government may, at its discretion, approve the erection of one (1) additional dwelling on a rural lot provided that:

(a) the total number of dwellings on the lot shall not exceed three (3) dwellings;

(b) the additional dwelling(s) complies with the setback requirements not less than those specified for the Residential Design Code 'R2';

(c) the lot has an area of not less than 40 hectares;

(d) it can be demonstrated that the additional dwelling(s) is for workers or family members employed for agricultural activities on that lot;

(e) adequate provision of potable water for and disposal of sewage from the additional dwelling(s) can be demonstrated;

(f) the additional dwelling(s) shall not adversely detract from the rural character and amenity of the area or conflict with agricultural production on the subject lot or adjoining land;

(g) access to the existing road network is to be provided for any additional dwelling(s) and shared with any existing dwelling(s) where practicable;

(h) the existence of more than one dwelling on a lot in the Rural zone shall not be considered by itself to be sufficient grounds for subdivision.

ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS FOR THE PRIORITY AGRICULTURAL ZONE

The following development requirements shall apply to development and use of land within the Priority Agricultural zone under the Scheme

42. Subdivision

The creation of new or smaller lots shall only be supported by exception and in accordance with State planning policy or if provided for in a Structure Plan prepared and approved in accordance with Part 4 of the deemed provisions.

43. Environmental management

43.1 Prior to subdivision or development a Level 2 Terrestrial fauna survey and a Level 2 Flora and vegetation survey shall be undertaken in accordance with the requirements of the Environmental Protection Authority.

43.2 Where significant local natural areas of flora and fauna are identified as an outcome of Clause 43.1 the local government, following consideration of advice from the Environmental Protection Authority, shall only support subdivision or development where conditions are placed on the subdivision or development to ensure the protection and management of the sites environmental assets that may include the

ceding of land, a restrictive covenant, and requirements for fencing, buffers and other environmental management measures.

44. Stormwater management

44.1 Post-development flow paths, flow rates and volumes shall be similar to predevelopment conditions.

44.2 An overland flow path shall be provided within the lots to direct runoff away from dwellings and other structures.

44.3 Roof runoff shall be directed into soakwells to retain a 1 year 1-hour event on-site.

44.4 Runoff from crops shall generally be directed to swale systems and disconnected from internal lot conveyance drains.

45. Sensitive land uses

45.1 Land zoned Priority Agricultural shall be retained for agriculture – intensive and industry – primary production uses and protected from encroachment by sensitive land uses.

45.2 The introduction of sensitive land uses shall not be permitted in the Priority Agricultural zone.

45.3 A single dwelling, ancillary accommodation, caretaker's dwelling, grouped dwelling and workforce accommodation shall not be considered a sensitive land use in the Priority Agricultural zone and buffers to the dwelling or accommodation shall provide a reasonable level of amenity noting that occupational health, workplace safety and biosecurity requirements apply.

46. Additional dwellings in the Priority Agricultural zone

In the Priority Agricultural zone, the local government may, at its discretion, approve the erection of one (1) additional dwelling on a priority agricultural lot provided that:

(a) the additional dwelling complies with the setback requirements not less than those specified for the Residential Design Code 'R2';

(b) the lot has an area of not less than 6 hectares;

(c) it can be demonstrated that the additional dwelling is for workers or family members employed for agricultural activities on that lot;

(d) adequate provision of potable water for and disposal of sewage from the additional dwelling can be demonstrated;

(e) the additional dwelling shall not adversely detract from the character and amenity of the area or conflict with agricultural production on the subject lot or adjoining land;

(f) access to the existing road network is provided for any additional dwelling and shared with any existing dwelling where practicable; and

(g) the existence of more than one dwelling on a lot in the Priority Agricultural zone shall not be considered to be grounds for subdivision.

47. Discretionary ('A') uses

The local government may permit the development of land for discretionary uses that require the giving notice in accordance with clause 64 of the deemed provisions provided that:

(a) the scale and form of the proposed development is commensurate with the subject lot's size;

(b) the proposed development shall not conflict with existing horticulture and the future potential for horticulture on the subject lot or on adjoining land;

(c) buffers including separation distances shall be accommodated on the subject land;

(d) separation distances shall be equal to or greater than that set out in Government policy or prescribed standards unless modelling undertaken in accordance with an agreed methodology demonstrates that a lesser separation distance applies;

(e) adequate provision of potable water for and disposal of sewage from the proposed development can be demonstrated;

(f) access and parking shall be provided in accordance with Clause 29 of the Scheme and shall not sterilise productive horticultural land; and

(g) adequate biosecurity measures are implemented to the satisfaction of the State agency responsible for agriculture.

ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS FOR THE ENTERPRISE ZONE

The following development requirements shall apply to development and use of land within the Enterprise zone under the Scheme

48. Subdivision

Prior to supporting the subdivision of rural enterprise lots the local government shall require the preparation of a structure plan in accordance with Part 4 of the deemed provisions to co-ordinate future development. The structure plan shall establish an average lot size of 4 000m2 or greater and show building envelopes and building exclusion areas if required.

49. Dwelling

49.1 Development of a single house shall be in accordance with the R2 density provisions of the Residential Design Codes, with the exception of the minimum lot size area, which is not applicable.

49.2 No more than one dwelling will be permitted on each lot.

49.3 Where an enterprise has been established in association with a single house, the house shall only be occupied by the owner/occupier of the business and their family.

49.4 All lots shall be connected to a reticulated potable water supply provided by a licensed service provider, in accordance with State government policy.

49.5 Each single house shall be connected to effluent disposal, in accordance with State government policy.

50. Enterprise

50.1 No enterprise will be granted development approval for a lot within the zone, unless a single house exists on the lot, or a single house is to be constructed within the first stage of a development.

50.2 The location of the enterprise relative to the dwelling shall comply with separation distances required for environmental and health purposes.

50.3 Development approval shall be required for the display of a sign with an area exceeding 0.2m2.

50.4 Car parking shall be provided for the enterprise use in accordance with the requirements of Table 6

50.5 On site effluent disposal systems are to be provided in accordance with State government policy.

50.6 Waste storage areas and land used for the open storage of goods and materials shall be screened from view from a public street by a fence or landscaping.

50.7 The enterprise shall be compatible with the provision of a reasonable level of amenity to the locality with the local government applying conditions to limit hours of operation, light spill, noise and vibration, dust and other pollutants as required.

ADDITIONAL SITE AND DEVELOPMENT REQUIREMENTS FOR THE TOURISM ZONE

The following development requirements shall apply to development and use of land within the Tourism zone under the Scheme

51. Local Development Plan

For the purposes or orderly and proper planning of a particular site the local government may require the preparation and approval of a local development plan in accordance with Part 6 of the deemed provisions.

52. Mixed tourism and residential use

Within the town of Carnarvon, the local government may approve a combination of short-term tourism accommodation uses and permanent residential use on the same site provided that it complies with the following:

(a) the predominant use of the site remains for tourism uses;

(b) the tourism component is given priority in those areas of highest tourism amenity such as the beachfront;

(c) reticulated water and sewerage services are available;

(d) the scale, bulk and design of the site complements the surrounding landscape and character of the area;

(e) the residential component is integrated with both the tourism uses and management structure of the proposal;

(f) the protection of residential amenity through careful design of both facilities and accommodation on the site to minimise disturbance and conflicts between land uses;

(g) where strata titling is proposed, a Management statement is registered at the same time as the strata or survey-strata plan is registered that restricts the maximum length of stay to three months in any twelve month period applied to the tourism accommodation.

SCHEDULE 6 — ADDITIONAL REQUIREMENTS THAT APPLY TO LAND COVERED BY STRUCTURE PLAN OR LOCAL DEVELOPMENT PLAN

No.	Description of land	Requirement
1	Carnarvon Airport Precinct Structure Plan	1. The local government shall not support any proposed development, subdivision or rezoning of land covered by the Carnarvon Airport Precinct Structure Plan (August 2014) that may prejudice the overall development potential of the area as reflected in the structure plan. 2. The local government may require an application for development approval that is generally consistent with the structure plan to be accompanied by specialist studies regarding any potential impact including on the environment, Aboriginal and cultural heritage, essential services, bushfire, coastal vulnerability and landscape.
2	Babbage and Whitlock Islands Structure Plan	1. The local government shall not support any proposed development, subdivision or rezoning of land covered by the Babbage and Whitlock Islands Structure Plan (October 2014) that may prejudice the overall development potential of the area as reflected in the structure plan. 2. The local government may require an application for development approval that is generally consistent with the structure plan to be accompanied by specialist studies regarding any potential impact including on the environment, Aboriginal and cultural heritage, essential services, bushfire, coastal vulnerability and landscape.
3	East Carnarvon and Kingsford Structure Plan	1. The local government shall not support any proposed development, subdivision or rezoning of land covered by the East Carnarvon Kingsford Structure Plan (October 2015) that may prejudice the overall development potential of the area as reflected in the structure plan. 2. The local government may require an application for development approval that is generally consistent with the structure plan to be accompanied by specialist studies regarding any potential impact including on the environment, Aboriginal and cultural heritage, essential services, bushfire, coastal vulnerability and landscape.
4	Gascoyne Food Bowl District Structure Plan	1. The local government shall not support any proposed development, subdivision or rezoning of land covered by the Gascoyne Food Bowl District Structure Plan (May 2017) that may prejudice the overall development potential of the area as reflected in the structure plan. 2. The local government may require an application for development approval that is generally consistent with the structure plan to be accompanied by specialist studies regarding any potential impact including on the environment, Aboriginal and cultural heritage, essential services, bushfire, coastal vulnerability and landscape.

No.	Description of land	Requirement
5	Coral Bay Settlement Structure Plan	1. The local government shall not support any proposed development, subdivision or rezoning of land covered by the Coral Bay Settlement Structure Plan (2014) that may prejudice the overall development potential of the area as reflected in the structure plan. 2. The local government may require an application for development approval that is generally consistent with the structure plan to be accompanied by specialist studies regarding any potential impact including on the environment, Aboriginal and cultural heritage, essential services, bushfire, coastal vulnerability and landscape.

SCHEDULE 7 — SPECIAL CONTROL AREAS IN SCHEME AREA

1. SPECIAL CONTROL AREA 1: TOWN OF CARNARVON WASTEWATER TREATMENT PLANT (WWTP)

Purpose	Objectives	Additional Provisions
Maintain a buffer between the WWTP and sensitive land uses.	1. Maintain adequate separation between the WWTP and new residential development and other sensitive land uses. 2. The long-term operation of the WWTP is not constrained by land use and development decisions. 3. Public health and environmental standards are met at the boundary of the Special Control Area.	1. No further subdivision for residential or other sensitive land use within SCA1 shall be supported by the local government. 2. Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any development or use of land within SCA1 without first having applied for and obtained the development approval of the local government under Part 8 and Part 9 of the deemed provisions. 3. The local government shall provide a copy of any development application that applies to land within or partially within SCA1 to the operator of the WWTP and the State agency responsible for environmental regulation under Clause 66 of the deemed provisions. 4. The local government in considering a rezoning or subdivision proposal or an application for development approval within SCA1 is to have due regard to matters referred to in Clause 67 of the deemed provisions, in particular: 4.1 Clause 67 (c and f) State Planning Policy 4.1 State Industrial Buffer Policy and relevant policies of the State agency responsible for environmental regulation; 4.2 Clause 67(m , n and r) the compatibility of the use or development with the WWTP and potential associated emissions such as noise and odour; 4.3 Clause 67(v) whether the use or development would have a detrimental impact on the long term operation of the WWTP; 4.4 Clause 67 (y) the advice and recommendations of the WWTP operator and agency responsible for environmental regulation.

2. SPECIAL CONTROL AREA 2: TOWN OF CARNARVON PUBLIC DRINKING WATER SOURCE AREA (PDWSA)

Purpose	Objectives	Additional Provisions
Provision of reliable, good quality drinking water for consumers now and in the long-term.	1. Identify land designated as a Priority 1 PDWSA. 2. Reduce potential nutrient, contaminant and sediment export to the PDWSA. 3. Provide for uses compatible with Priority 1 PDWSAs.	1. Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any use (including a temporary use) or development within SCA2, without first having applied for and obtained the development approval of the local government under Part 8 and 9 of the deemed provisions. 2. The local government shall provide a copy of any development application that applies to land within or partially within SCA2 to the State agency responsible for water under Clause 66 of the deemed provisions. 3. The local government in considering an application for development approval within SCA2 shall have due regard to matters referred to in Clause 67 of the deemed provisions, in particular: 3.1. Clause 67 (c and f) State Planning Policy 2.0 Environment and Natural Resources Policy, State Planning Policy 2.7 Public Drinking Water Source and State Planning Policy 2.9 Water Resources and relevant policies of the State agency responsible for water; 3.2. Clause 67(o) the likely effect of the use or development on the drinking water source having due regard to the most recent land use compatibility tables for public drinking water sources areas and Carnarvon Water Reserve Drinking Water Source Protection Plan prepared by the State agency responsible for water. 3.3. Clause 67 (y) the advice and recommendations of the State agency responsible for water. 4 The local government may impose conditions on a development approval to prevent, manage or mitigate any potential risk to the public drinking water source such as the exclusion of stock water points; fencing; control of feral animals; prohibition on storage of noxious matter including hydrocarbons; use of fertilizers and pesticides, and methods and depth of mining.

3. SPECIAL CONTROL AREA 3: FLOOD PRONE AREA

Purpose	Objectives	Additional Provisions
	1.	
Provide an acceptable level of protection to life, property, community infrastructure and the environment from flooding that would occur in a 1% Annual Exceedance Probability (AEP) flood event.	1. Identify land at higher risk from flooding to a depth greater than one metre. 2. Provide adequate protection for development from a 1% AEP flood event. 3. Maintain the free passage and temporary storage of floodwaters.	1. The SCA applies to land within the floodplain of the Gascoyne River considered to be at high risk of flooding based on modelling for a 1% AEP event for the town of Carnarvon. 2. No new development shall detrimentally impact, alter or modify the extent of flood impact and existing flooding regime as reflected in the latest flood modelling available from the State agency responsible for water or in an approved District Water Management Strategy. 3. No new development shall be approved in designated floodways, including fences, filling and earthworks but excludes irrigation systems that are relocatable and do not hinder the free passage of water. 4. Notwithstanding any other provisions of the Scheme, a person shall not commence or carry out any works or uses within or partially within SCA3 where those works or uses may constitute an obstruction to flooding and detrimentally impact the existing flood regime without having first applied for and obtained development approval under Part 8 and Part 9 of the deemed provisions. 5. The local government shall provide a copy of any application for development approval that may constitute an obstruction to flooding and detrimentally impact the existing flood regime to the State agency responsible for water under Clause 66 of the deemed provisions. 6. The local government, on the recommendation of the State agency responsible for water and in accordance with Clause 63(1) of the deemed provisions, may require an applicant to undertake hydraulic modelling and/or other assessment to demonstrate that the existing flood regime shall not be detrimentally affected by the proposed development. 7. The local government in considering an application for development approval within SCA3 shall have due regard to matters referred to in Clause 67 of the deemed provisions, in particular: 7.1. Clause 67 (c and f) State Planning Policy 2 Environment and Natural Resources Policy and State Planning Policy 3.4 Natural Hazards and Disasters and relevant policies of the State agency responsible for water; 7.2. Clause 67(q) any hydraulic modelling or/and other study that assesses flood risk and potential impacts on the 1% AEP flooding regime; 7.3. Clause 67(r) the scale and nature of the proposed development: whether a

Purpose	Objectives	Additional Provisions
		minor extension of an existing (approved and constructed) non-habitable building or structure; a non-habitable building or structure that is ancillary development to a dwelling or habitable building (approved and constructed) on the same lot; or a non-habitable buildings or structure that replaces a similar (approved and constructed) structure is proposed; 7.4. Clause 67 (y) the advice and recommendations of the State agency responsible for water

4. SPECIAL CONTROL AREA 4: BROWN RANGE POWER HOUSE

Purpose	Objectives	Additional Provisions
Designate land surrounding the Brown Range Power House where sensitive land uses shall not be permitted.	1. Identify land that may be affected by emissions such as noise and dust from the power house. 2. The long-term operation of the power house is not constrained by land use and development decisions. 3. Provide for the development of compatible land uses in areas affected by potential off-site impacts of the power house.	1. Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any works or development within SCA4, without first having applied for and obtained the development approval of the local government under Part 8 and Part 9 of the deemed provisions. 2. The local government shall provide a copy of any development application that applies to land within or partially within SCA4 to the operator of the Brown Range Power House and the State agency responsible for environmental regulation under Clause 66 of the deemed provisions. 3. Notwithstanding any other provisions in the Scheme, the use and development of a dwelling and any other sensitive land use shall not be permitted. 4. The local government in considering an application for development approval within SCA4 shall have due regard to matters referred to in Clause 67 of the deemed provisions, in particular: 4.1. Clause 67 (c and f) State Planning Policy 4.1 State Industrial Buffer Policy and relevant policies of the State agency responsible for environmental regulation; 4.2. Clause 67(m, n and r) the compatibility of the use or development with the power house facility and associated emissions such as from noise; 4.3. Clause 67(v) whether the use or development would have a detrimental impact on the long term operation of the power house facility; 4.4. Clause 67 (y) the advice and recommendations of the operator of the power house and the agency responsible for environmental regulation.

5. SPECIAL CONTROL AREA 5: CORAL BAY SETTLEMENT

Purpose	Objectives	Additional Provisions
Protection of the natural environment and retention of the remote sense of place and low-impact nature based visitor experience	1. Protecting the Ningaloo Reef and values of the Ningaloo Coast World Heritage Area. 2. Avoiding environmental impacts of development and mitigating or managing any potential residual impacts. 3. Developing the built environment in a way that is compatible with the surrounding landscape setting. 4. Retaining the remote and natural character of the settlement.	1. Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any works or uses within SCA5, without first having applied for and obtained the development approval of the local government under Part 8 and Part 9 of the deemed provisions, unless exempted in accordance with provision (2) below. 2. The local government may require the preparation and approval of a local development plan under Part 6 of the deemed provisions. The local development plan may include exemptions from the requirement to obtain development approval in accordance with provision (1) above. 3. The local government shall provide a copy of a local development plan to the State agency responsible for biodiversity and conservation under Clause 50 of the deemed provisions. 4. The local government may require the applicant to advertise an application for development approval in accordance with Clause 64 of the deemed provisions. 5. The local government shall provide a copy of a development application to the State agency responsible for biodiversity and conservation under Clause 66 of the deemed provisions where the proposed work or use may impact on the marine park or conservation estate. 6. No subdivision or development for residential uses is permitted. 7. No permanent residential use is permitted. 8. A person cannot be an occupier of short-term accommodation for a period totalling more than 3 months in any 12 month period, other than a designated manager/caretaker of the facility. 9. Notwithstanding anything that may be contained elsewhere in the Scheme, workers other than the manager or caretaker of short-term accommodation, may only be accommodated in 'Workforce Accommodation'. 10. Notwithstanding anything contained elsewhere in the Scheme, 'Workforce Accommodation' in SCA5 means premises, which may include modular or relocatable buildings, used exclusively for the accommodation of: 10.1. the owners and operators of commercial enterprises approved under this scheme who are permanently

Purpose	Objectives	Additional Provisions
		located and work in Coral Bay (and dependant family); 10.2. seasonal and permanent employees engaged in providing services directly associated with uses or works approved under this Scheme (and dependant family); 10.3. employees of the Local Government and State Government (and dependant family); 10.4. workers engaged in construction in Coral Bay on a temporary basis. 11. Subdivision and development shall comply with State *Planning Policy 2.6 State Coastal Planning Policy*. 12. Within SCA5 there is an overall population cap of 4 800 beds, that includes workers and their dependent family, plus 500 day visitors. *AMD 1 GG 14/02/2023* 13. The siting and design of new development shall blend with or be inevident in the landscape and seascape from significant viewpoints and public roads. 14. New development shall be restricted to a maximum of 6 metres above natural ground level unless varied to a maximum of 9 metres where it is demonstrated that from significant viewpoints and public roads the buildings blend with or are inevident in the surrounding landscape and seascape. The height of a building is taken as the highest point at any part of the development immediately above natural ground level.

6. SPECIAL CONTROL AREA 6: CORAL BAY WASTEWATER TREATMENT PLANT

Purpose	Objectives	Additional Provisions
Maintain a buffer between the WWTP and sensitive land uses.	1. Prevent the establishment of sensitive land uses and development within the SCA. 2. The long-term operation of the WWTP is not constrained by land use and development decisions. 3. Public health and environmental standards are met at the boundary of the Special Control Area.	1. No further subdivision for tourism, workforce accommodation or other sensitive land use within SCA6 shall be supported by the local government. 2. Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any development or use of land within SCA6 without first having applied for and obtained the development approval of the local government under Part 8 and Part 9 of the deemed provisions. 3. The local government shall provide a copy of any development application that applies to land within or partially within SCA6 to the operator of the WWTP and the State agency responsible for environmental regulation under Clause 66 of the deemed provisions. 4. The local government in considering a rezoning or subdivision proposal or an application for development approval within SCA6 shall have due regard to matters referred to in Clause 67 of the deemed provisions, in particular: 4.1. Clause 67 (c and f) State Planning Policy 4.1 State Industrial Buffer Policy and relevant policies of the State agency responsible for environmental regulation; 4.2. Clause 67(m, n and r) the compatibility of the use or development with the WWTP and associated emissions such as from noise and odour ; 4.3. Clause 67(v) whether the use or development would have a detrimental impact on the long term operation of the WWTP; 4.4. Clause 67 (y) the advice and recommendations of the WWTP operator and agency responsible for environmental regulation.

7. SPECIAL CONTROL AREA 7: WASTE DISPOSAL FACILITIES (BROWN RANGE AND CORAL BAY)

Purpose	Objectives	Additional Provisions
Maintain a buffer between the waste disposal facility, sensitive land uses and significant environmental features.	1. Identify land that may be affected by emissions such as noise, dust and odour from the waste disposal facility. 2. The long-term operation of the waste disposal site is not constrained by land use and development decisions. 3. Provide for the development of compatible land uses in areas affected by potential off-site impacts of the waste disposal facility. 4. Protect the McNeill Claypan that abuts the Carnarvon waste disposal facility from encroachment and soil and water contamination.	1. Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any works or development within SCA7, without first having applied for and obtained the development approval of the local government under Part 8 and 9 of the deemed provisions. 2. Notwithstanding any other provisions of the Scheme, the use and development of a dwelling and any other sensitive land use shall not be permitted. 3. The local government in considering an application for development approval within SCA7 shall have due regard to matters referred to in Clause 67 of the deemed provisions, in particular: 3.1. Clause 67 (c and f) State Planning Policy 4.1 State Industrial Buffer Policy and relevant policies of the State agency responsible for environmental regulation; 3.2. Clause 67(m, n and r) the compatibility of the use or development with the waste disposal facility and associated emissions such as from noise, odour and dust ; 3.3. Clause 67(v) whether the use or development would have a detrimental impact on the long term operation of the waste disposal facility; 3.4. Clause 67 (y) the advice and recommendations of the agency responsible for environmental regulation. 4. The operation of the brown Range waste disposal facility and any expansion shall not disturb the surface of the McNeill Claypan; alter its natural drainage; reduce or disturb habitat of the Australian Painted Snipe; affect water quality of the claypan; or introduce pests or disease that may detrimentally impact the claypan.

8. SPECIAL CONTROL AREA 8: MCNEILL CLAYPAN SYSTEM

Purpose	Objectives	Additional Provisions
Conservation of the nationally important wetland	1. Maintaining, enhancing and restoring the wetlands values and functions through wise management practices. 2. Conserving the wetland habitat for the Australian Painted Snipe, migratory birds and other native fauna.	1. Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any works or development within SCA8, other than the managed grazing of livestock, without first having applied for and obtained the development approval of the local government under Part 8 and Part 9 of the deemed provisions. 2. The local government shall provide a copy of the development application to the State agencies responsible for biodiversity, conservation and water under Clause 66 of the deemed provisions. 3. The local government in considering an application for development approval within SCA8 shall have due regard to matters referred to in Clause 67 of the deemed provisions, in particular: a. Clause 67(c) State Planning Policy 2.0 Environment and Natural Resources Policy and State Planning Policy 2.9 Water Resources; b. Clause 67(n) the impact of any works (including excavation) and uses such as the potential to disturb the claypan surface; alter the natural drainage; clear native vegetation and reduce or disturb habitat of the Painted Snipe; affect water quality; and introduce pests or disease; c. Clause 67 (o) a 50 metre setback from the extent of the claypan; fencing to control access of animals and vehicles; water management; and management of invasive species.

9. SPECIAL CONTROL AREA 9: SPEEDWAY

Purpose	Objectives	Additional Provisions
Maintain a buffer between the speedway and sensitive land uses.	1. Protect the speedway from encroachment by incompatible land uses that may adversely impact on its operation. 2. Provide for the development of compatible land uses in areas affected by noise impacts associated with the use of the speedway.	1. Notwithstanding any other provisions of the Scheme, a person must not commence or carry out any residential or other noise sensitive development within SCA9, without first having applied for and obtained the development approval of the local government under Part 8 and 9 of the deemed provisions. 2. Notwithstanding any other provisions of the Scheme, the use and development of a dwelling and any other noise sensitive land use shall not be permitted unless it can be demonstrated to the local government that noise attenuation measures have been implemented in accordance with the relevant Australian Standard.

10. SPECIAL CONTROL AREA 10: KINGSFORD AND SURROUNDS

Purpose	Objectives	Additional Provisions
Protection of the character and amenity of Kingsford and surrounds	• To provide opportunities for a range of rural pursuits where these activities will be consistent with the amenity of the area. • To ensure development is sited and designed to achieve an integrated and harmonious character. • To set aside areas where the retention of vegetation and landform or other features which distinguish the land warrant a larger residential lot size than that expected in a standard residential zone.	1. The special control area applies to all land within the Kingsford area and surrounds as marked on the Scheme Map according to the legend on the Scheme Map. 2. The following special control area provisions apply to SCA10. Where there is any conflict with other provisions of the scheme, the SCA10 provisions will prevail. 2.1 The following are P uses: Rural pursuit / hobby farm 2.2 The following are I uses: Wayside stall 2.3 The following are D uses: Agriculture – intensive Child care premises Commercial vehicle parking Family day care Garden centre Grouped dwelling Recreation – private Rural home business 2.4 The following are A uses: Restaurant / café Veterinary centre

11. Special Control Area 11: Lot 308 Coral Bay

Purpose	Objectives	Additional Provisions
Future use and development within the Special Control Area 11 boundary is solely for 'Workforce Accommodation'	Land within the boundary of Special Control Area 11 is to be used solely for the 'Workforce Accommodation' use.	The following provisions apply to all land within SCA 11 as notated on the Scheme Map. 1. Notwithstanding any other provisions of the Scheme, use and development of land within SCA 11 shall be restricted to 'Workforce Accommodation' 2. All other uses are not permitted ('X').

SCHEDULE A — SUPPLEMENTAL PROVISIONS

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

Clause 61(1)

61(1)(k) the erection or extension of a single house on a lot if a single house is a permitted ("P") use in the zone where the R Codes do not apply, in which that lot is located and where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is -

(i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or

(ii) the subject of an order under Part 4 of the *Heritage Act 2018 and Heritage Regulations 2019*; or

(iii) included on a heritage list prepared in accordance with this Scheme; or

(iv) within an area designated under the Scheme as a heritage area; or

(v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90.

61(1)(l) the erection or extension of an outbuilding, external figure, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house if a single house is a permitted ("P") in the zone where the R Codes do not apply, where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is -

(i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or

(ii) the subject of an order under Part 4 of the *Heritage Act 2018 and Heritage Regulations 2019*; or

(iii) included on a heritage list prepared in accordance with this Scheme; or

(iv) within an area designated under the Scheme as a heritage area; or

(v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90.

61(1)(m) the carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act;

61(1)(n) the carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services;

61(1)(o) any professional advertisement of 0.2m^2 or less affixed to a building, object, structure or place pertaining to an approved land use unless the sign or advertisement it to be erected or installed —

(i) on a place that is entered in the register of Heritage Places under the *Heritage Act 2018*; or

(ii) on a place included on a heritage list prepared in accordance with this Scheme.

Clause 61(2)

61(2)(g) the use of land in a reserve, where such land is held by the local government or vested in a public authority:

(i) for the purpose for which the land is reserved under the Scheme; or

(ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.

61(2)(h) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.

61(2)(i) the use of land which is a permitted ("P") use in the zone in which that land is situated provided it does not involve the carrying out of any building or other works.

APPROVAL

COUNCIL EXECUTION OF LOCAL PLANNING SCHEME DOCUMENTS

Pursuant to Regulation 31(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Shire of Carnarvon submits the duly executed local planning scheme documents for endorsement

The Common Seal of the Shire of Carnarvon was hereunto affixed
in the presence of:

David Burton

CHIEF EXECUTIVE OFFICER

Eddie Smith

SHIRE PRESIDENT

Date: 29/9/2020

WAPC Endorsement (Regulation 32 (1))

Kat Neve

Delegated under S.16 of the Planning and Development Act, 2005

Date: 7/10/2020

Minister Endorsement (Regulation 32 (2))

Rita Saffioti

MINISTER FOR PLANNING

Date: 20/10/2020