

**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

4843



PERTH, TUESDAY, 22 AUGUST 2000 No. 176

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Per Column Centimetre—\$9.24

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Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

PROCLAMATIONS

AA101

NATIVE TITLE (STATE PROVISIONS) ACT 1999

No. 60 of 1999

PROCLAMATION

WESTERN AUSTRALIA G. A. Kennedy, Administrator. [L.S.]	}	By the Honourable Geoffrey Alexander Kennedy, Officer of the Order of Australia, Administrator of the State of Western Australia.
---	---	--

I, the Administrator, acting under section 1.2 of the *Native Title (State Provisions) Act 1999* and with the advice and consent of the Executive Council fix—

- (a) whichever is the earlier of—
- (i) the Part 2 commencement day as defined in section 1.2(3) of that Act; or
 - (ii) the day on which Part 4 of that Act comes into operation;
- or

(b) if the days referred to in paragraph (a) are the same day, that day,
as the day on which Part 5 Divisions 1, 2 and 3 and Part 6 of that Act come into operation.

Given under my hand and the Public Seal of the State on 8 August 2000.

By Command of the Administrator,

R. F. COURT, Premier.

GOD SAVE THE QUEEN !

FAIR TRADING

FT301*

Charitable Collections Act 1946

Charitable Collections Amendment Regulations 2000

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Charitable Collections Amendment Regulations 2000*.

2. The regulations amended

The amendments in these regulations are to the *Charitable Collections Regulations 1947**.

[* *Reprinted as authorised 26 July 1966.*

For amendments to 15 June 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 31.]

3. Regulation 3 replaced

Regulation 3 is repealed and the following regulation is inserted instead —

“

3. Form of application for licence

- (1) An application by a charitable organisation for a licence under section 11 of the Act must include the following —
 - (a) the name of the charitable organisation;
 - (b) details of the charitable purpose or purposes for which the applicant seeks the licence;
 - (c) details of each means by which the organisation proposes to collect or attempt to collect money or goods for the charitable purpose or purposes;
 - (d) an estimate of the amount of money or the value of the goods to be collected in the first 12 months of operating under the licence, if it is issued;
 - (e) the name, address and description of each of the principal executive officers of the organisation;
 - (f) the name of the bank at which the organisation holds the account required to be opened under regulation 11;
 - (g) the name, address and qualifications of the auditors of the organisation's accounts;
 - (h) any other information that the Minister requires that is relevant to deciding whether to grant or refuse the licence.
- (2) The applicant must submit the following documents with the application —
 - (a) a certified copy of the constitution or rules governing the affairs of the organisation;
 - (b) a certified copy of the organisation's last income and expenditure account and balance sheet.
- (3) The person making the application on behalf of the organisation must sign the application and indicate the office that he or she holds in the organisation.

”.

4. Regulations 5, 6 and 7 repealed.

Regulations 5, 6 and 7 are repealed.

5. Regulation 8 amended

Regulation 8 is amended as follows:

- (a) by inserting before “Any charitable organisation” the subregulation designation “(1)”;
- (b) by inserting at the end the following subregulations —

“

- (2) Without limiting the generality of subregulation (1), if there is a change of a licensee’s executive officers, the licensee must give the Minister written notice of the change in accordance with subregulation (3) within one month after the change.

Penalty: \$40.

- (3) The notice must state —
 - (a) the name, address and designation of each new executive officer of the organisation; and
 - (b) the name of each person who has stopped being an executive officer of the organisation.

”.

6. Regulation 9 repealed

Regulation 9 is repealed.

7. Regulation 11 amended

Regulation 11 is amended as follows:

- (a) in subregulation (c) by deleting “in or to the effect of Form No. 9 in the Appendix hereto”;
- (b) by repealing subregulation (d) and inserting instead the following subregulation —

“

- (d) Every bank account of a charitable organisation is to be operated by authority signed by 2 officers of the organisation appointed in writing for the purpose by the governing body of the organisation.

”.

8. Regulations 12 and 13 repealed

Regulations 12 and 13 are repealed.

9. Regulation 14 replaced

Regulation 14 is repealed and the following regulation is inserted instead —

“

14. Permitted collection times

- (1) A collector must not visit a house for the purpose of making an appeal or of selling goods for support of the charitable purpose —
 - (a) on a Sunday or public holiday; or
 - (b) on any other day before 9 a.m. or after 6 p.m.,
unless authorised by the Minister in writing to do so.
- (2) A collector must not telephone another person for the purpose of making an appeal or of selling goods for support of the charitable purpose —
 - (a) on a Sunday or public holiday; or
 - (b) on any other day before 9 a.m. or after 8 p.m.,
unless authorised by the Minister in writing to do so.

”.

10. Regulation 15 repealed

Regulation 15 is repealed.

11. Appendix repealed

The Appendix is repealed.

12. Savings and transition

- (1) A licence that was in force immediately before the commencement of these regulations, and any terms or conditions to which the licence was subject immediately before that commencement, are not taken to be affected by the amendments that are effected by these regulations.
- (2) However, on and after the commencement of these regulations, the *Charitable Collections Regulations 1947*, as amended by these regulations, apply to a licence that was in force immediately before that commencement, and to the licensee, as if the licence had been issued after the commencement of these regulations.

By Command of the Administrator,

ROD SPENCER, Clerk of the Executive Council.

JUSTICE

JM301*

Bail Act 1982

Bail Amendment Regulations (No. 2) 2000

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Bail Amendment Regulations (No. 2) 2000*.

2. Schedule amended

The Schedule to the *Bail Regulations 1988** is amended in Form 5 as follows:

- (a) after item 5A, by deleting “(Tick Box if applicable)”;
- (b) by deleting item 5B.

[* *Published in Gazette 30 December 1988, pp. 5043-80. For amendments to 12 June 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 18, and Gazette 7 March 2000.*]

By Command of the Administrator,

M. C. WAUCHOPE, Clerk of the Executive Council.

RACING, GAMING AND LIQUOR

RA301*

Casino Control Act 1984

**Casino Control (Authorised Games)
Amendment Notice 2000**

Given by the Gaming Commission of Western Australia under section 22(1).

1. Citation

This notice may be cited as the *Casino Control (Authorised Games) Amendment Notice 2000*.

2. Principal notice amended

The *Casino Control (Authorized Games) Notice 1985** given under section 22(1) of the *Casino Control Act 1984* is amended by inserting before “Progressive Blackjack” the following —

“ Pontoon ”.

[* *Published in Gazette 20 December 1985, p. 4825.*
For amendments to 17 July 2000 see 1999 Index to
Legislation of Western Australia, Table 4, pp. 29-30.]

Dated 15th August 2000.

For the Gaming Commission of Western Australia.

D. I. HAIGE, Chief Casino Officer.

— PART 2 —

HERITAGE COUNCIL

HR401*

GOVERNMENT OF WESTERN AUSTRALIA
HERITAGE OF WESTERN AUSTRALIA ACT 1990
 NOTICE OF PLACES NOT TO BE ENTERED INTO
 THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with Section 52(1) and (2) of the Heritage of Western Australia Act 1990 that, pursuant to direction from the Minister for Heritage, the place described below has not been and will not be entered in the Register of Heritage Places on a permanent basis.

House and Gallery located at 31 Malcolm Street, Perth

Portion of Perth Town Lot L50, being the whole of the land comprised in Certificate of Title Volume 1177 Folio 570.

Notice is given that the entry made at the time of interim registration is to be removed. The Heritage Council hereby invites submissions on the matter; submissions must be in writing and should be forwarded to the following address not later than 12 September 2000.

The Director, Office of the Heritage Council
 108 Adelaide Terrace, East Perth WA 6004

Dated this 22nd day of August 2000.

IAN BAXTER, Director, Office of the Heritage Council.

JUSTICE

JM401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
 GAZETTAL OF PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
LIDDIARD	Kelvin Derek	CS229	8/08/2000	8/08/2000	31/10/2000
GIFFORD	Brian Cyril	CS230	8/08/2000	8/08/2000	31/10/2000
PESJAK	Boris	CS231	10/08/2000	10/08/2000	30/07/2001
O'NEILL	Hugh	CS232	10/08/2000	10/08/2000	31/10/2000
PATMORE	Craig Christopher	CS233	10/08/2000	10/08/2000	31/10/2000
PROSSER	Wayne Geoffrey	CS234	14/08/2000	14/08/2000	31/10/2000
BAMFORD	Annette Lorraine	CS235	14/08/2000	14/08/2000	31/10/2000
BEETON	Bernard Claude	CS236	14/08/2000	14/08/2000	31/10/2000
BLOTTIN	Jean Christopher	CS237	14/08/2000	14/08/2000	31/10/2000
BURROW	Craig Andrew	CS238	14/08/2000	14/08/2000	31/10/2000
CALLAGHAN	Geoffrey Edward	CS239*	14/08/2000	14/08/2000	31/10/2000
CRIBB	Tracie Anne	CS240	14/08/2000	14/08/2000	31/10/2000
HOSKIN	Damian Emmette	CS241	14/08/2000	14/08/2000	31/10/2000
SORRELL	Gregory Brian	CS242	14/08/2000	14/08/2000	31/10/2000
FOREMAN	Samuel John	CS243	17/08/2000	17/08/2000	31/10/2000
GOULDING	Stuart John	CS244	17/08/2000	17/08/2000	30/07/2001
MARTIN	Robert Douglas	CS245	17/08/2000	17/08/2000	31/10/2000
WEST	Jason Peter	CS246	17/08/2000	17/08/2000	31/10/2000

* indicates that Permit was subsequently revoked on 17 August 2000.

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
WORLEY	Peter James	CS092	16/08/2000
OWEN	Kelvyn Hugh	CS151	16/08/2000
SCOTT	Terence	CS228	16/08/2000
CALLAGHAN	Geoffrey Edward	CS239	17/08/2000

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

ALEX TAYLOR, Director, Service Procurement.

18 August 2000.

LAND ADMINISTRATION

LA401

LAND ACT 1933 FORFEITURES

Department of Land Administration.

The following licences together with all rights, titles and interests therein have this day been forfeited to the Crown under the Land Act 1933 for the reasons stated.

A. A. SKINNER, Chief Executive Officer.

16 August 2000.

Name	Licence	District	Reason	Corres. Number	Plan
Foxon, Raymond Arthur	345B/1746	Condungup Lot 83	Non compliance with conditions	1649-1979	CH29(2) pts 13.25, 13.26, 14.25, 14.26
Thomas, Murray Gilbert	345B/2393	Eucla Lot 209	Non compliance with conditions	1063-1989	DH35(2) pts 7.3, 7.4
Sons of Gwalia Ltd	345B/20474	Marvel Loch Lot 209	Non compliance with conditions	2693-1994	Marvel Loch Townsite
Sons of Gwalia Ltd	345B/20475	Marvel Loch Lot 208	Non compliance with conditions	2692-1994	Marvel Loch Townsite

LOCAL GOVERNMENT

LG401

TOWN PLANNING AND DEVELOPMENT ACT 1928 ADVERTISEMENT OF RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME TOWN OF NORTHAM TOWN PLANNING SCHEME NO. 5

Notice is hereby given that the Council of the Local Government of The Town of Northam on 8 March 2000 passed the following Resolution—

That the local government in pursuance of Section 7 of the Town Planning and Development Act 1928, prepare the Town of Northam Town Planning Scheme No. 5 with reference to an area situated partly within the Town of Northam and partly within the Shire of Northam and enclosed within the inner edge of a black border on a plan now produced to the Council of the local government and marked and certified by Donald Stuart Burnett under his hand dated the 8 March 2000 as "Scheme Area Map".

Dated this 14th day of August 2000.

D. S. BURNETT, Chief Executive Officer.

LG402**LOCAL GOVERNMENT ACT 1995***City of Belmont*

APPOINTMENT OF AUTHORISED PERSON

It is hereby notified for public information that effective from 16th August 2000, the persons listed hereunder have been appointed an "authorised person" in accordance with Section 9.10 of the Local Government Act 1995 and are hereby authorised to exercise powers in accordance with the following Acts, Regulations and Local Laws—

- Local Government (Parking for Disabled Persons) Regulations 1996
- City of Belmont—Parking and Parking Facilities Local Laws

Authorised Person—

- Olga Dongalis
- Jamie Anthony Reed
- Paul Lawrence Strong
- Jordan Melanie
- Brian Thomas George Russell
- Lesley Reid
- Norm Rickwood
- Derek Frank Andrews

All previous appointments are hereby cancelled.

NEIL HARTLEY, Acting Chief Executive Officer.

LG403***LOCAL GOVERNMENT ACT 1995****HEALTH ACT 1911***Shire of Koorda*

MEMORANDUM OF IMPOSING RATES & CHARGES

At a meeting of the Council of the Shire of Koorda, held on the 31st July 2000, it was resolved that the rates and charges specified hereunder be imposed on rateable and non-rateable land within the district of the Shire of Koorda in accordance with the provisions of the abovementioned Acts for the financial year 1st July 2000 to 30th June 2001.

Dated 14th August 2000.

RATES/DISCOUNTS AND PENALTIES

General Rates—

Rural Land—3.201c in the dollar on the unimproved value of properties.

Kulja, Dukin and Mollerin Town Sites—9.95c in the dollar on the unimproved value of properties.

Koorda Town Site—9.95c in the dollar on the gross rental valuation.

Mining Area's—3.201 in the dollar on the unimproved value, property, tenements and leases.

Minimum General Rate—One hundred and thirty five dollars (\$135.00) per assessment throughout the Shire.

Rubbish Charge—\$104.00 p/a for weekly removal of one 240 litre mobile bin.

Rates and Charges, Due and Payable

The Rate, rubbish charge are due and payable by the 18th September, 2000.

Interim rates and interim rubbish charges will be due and payable by the 35th day after the date of service of the interim notice.

Discount—

A discount of ten percent (10 %) on all current general rates in full at the Shire Office up to 5.00pm on the 18th September, 2000.

A discount of ten percent (10%) on all interim rates issued and received in full at the Shire Office up to 5.00pm on the 35th day after the date of service of the rate notice.

Options For Payment of Rates and Rubbish Charges—

- (1) Prompt payment due no later than 5.00pm 18th September, 2000, and subject to a 10% discount on all current general rates.

(2) Four Equal Instalments

First instalment due no later than 5.00pm 18th September, 2000

Second instalment due no later than 5.00pm 20th November, 2000

Third instalment due no later than 5.00pm 22nd January, 2001

Final instalment due no later than 5.00pm 26th March, 2001

Administration Charge for payment by option two—\$24.00

Note: No discount applicable to option two.

Interest Charges on Overdue Rates—Ten per cent (10%) calculated daily basis.

Where no election has been made to pay the rate notice by instalment, interest will be charged on rates raised for the 2000/2001 financial year, that remain outstanding thirty five (35) after the date of issue of the rate, for the number of days until the day before the day on which a payment is received, calculated on a simple interest basis at the rate of 10% per annum.

Where an election has been made to pay the rate notice by instalments and an instalment remains unpaid, interest will be charged for the number of days until the day before the day on which a payment is received, calculated on a simple interest basis at the rate of 10% per annum.

Entitled Pensioners will be exempt from being charged the interest charge on Deferred Rates.

Sewerage Rate—10.58c in the dollar on gross rental values for residential and commercial properties with the sewerage defined area.

Non Rateable Properties Connected to Sewer.

Class 1—First Major Fixture—\$124.10 per annum

Each additional Major Fixture—\$54.60 per annum

Class 2—\$689.80 per connection

Class 3—\$689.80 per connection

Minimum Rate—Sewerage

Vacant Land—Properties \$138.00 per annum

Residential Properties \$186.70 per annum

Commercial Properties \$390.00 per annum

Maximum Rate—Sewerage

Residential Properties \$550.00 per annum

V. F. ORCHARD, President.
G. J. McDONALD, Chief Executive Officer.

LG404***LOCAL GOVERNMENT ACT 1995**

Shire of Koorda

ANNUAL FEE REVIEW

2000/2001 Fees and Charges

At a meeting held on 31st July, 2000, Council reviewed and set its fee and charges for the 2000/2001 Financial Year.

The fee and charges relate to the following—

Photocopying and Copy Printing

Facsimile Transmissions

Electoral Rolls

Dog Control

Fire Prevention

Health—Rentals

Housing—Rentals

Cemetery Fees

Swimming Pool Charges

Hall and Pavilion Hire

Greater Sports Ground Rentals

Caravan Park

Plant and Equipment Hire

and are available for public inspection at the Shire Office during normal office hours.

GRAEME McDONALD, Chief Executive Officer.

PLANNING

PD101**CORRECTION***TOWN PLANNING AND DEVELOPMENT ACT, 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF COCKBURN

DISTRICT ZONING SCHEME NO 2—AMENDMENT NO 76

Ref: 853/2/23/19 Pt 76

It is hereby notified for public information that the notice under the above Amendment No 76 published at page 1186 of the *Government Gazette* No 42 dated 6 March 1998, contained an error which is now corrected by replacing the clause number "8.14" with "8.15".

R W BROWN, Chief Executive Officer.

PD401***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF NEDLANDS

TOWN PLANNING SCHEME NO 2—AMENDMENT NO 128

Ref: 853/2/8/4 Pt 128

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Nedlands Town Planning Scheme Amendment on 15 August 2000 for the purpose of—

1. Rezoning Lot 195 North Street, bounded by Lyons Street, Clement Street and Pine Close, Swanbourne from Residential (R60) to Residential (R35).
2. Amending the Scheme Map accordingly.

J. PATERSON, Mayor.
S. SILCOX, Chief Executive Officer.**PD402*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF GERALDTON

TOWN PLANNING SCHEME NO 3—AMENDMENT NO 13

Ref: 853/3/2/7 Pt 13

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Geraldton Town Planning Scheme Amendment on 15 August 2000 for the purpose of inserting the following clause into the Scheme Text—

8.6 Delegation Functions

- 8.6.1 The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a Committee or the Chief Executive Officer, within the meaning of those expressions under the Local Government Act 1995, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.
- 8.6.2 The Chief Executive Officer may delegate to any employee of the local government the exercise of any of the Chief Executive Officer's powers or the discharge of any of the Chief Executive Officer's duties under Clause 8.6.1.
- 8.6.3 The exercise of the power of delegation under Clause 8.6.1 requires a decision of an absolute majority as if the power had been exercised under the Local Government Act 1995.
- 8.6.4 Sections 5.45 and 5.46 of the Local Government Act 1995 and the regulations referred to in Section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.

P. G. COOPER, Mayor.
M. N. WILSON, Chief Executive Officer.

PD701*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME
SHIRE OF ROEBOURNE
TOWN PLANNING SCHEME NO 8

Ref: 853/8/5/8

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Roebourne Town Planning Scheme No 8 on 4 August 2000 the Scheme Text of which is published as a Schedule annexed hereto.

K. J. RICHARDS, President.
T. S. RULAND, Chief Executive Officer.

SCHEDULE

SHIRE OF ROEBOURNE TOWN PLANNING SCHEME NO. 8

INCORPORATING THE ENTIRE MUNICIPALITY OF THE SHIRE OF ROEBOURNE

The Council of the Shire of Roebourne, in accordance with the powers conferred upon it by the Town Planning and Development Act, 1928 (as amended), referred to here as The Act, makes the following Town Planning Scheme for the purposes set out in the Act.

SHIRE OF ROEBOURNE TOWN PLANNING SCHEME NO. 8

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PART I—PRELIMINARY

1.1 CITATION

This Town Planning Scheme may be cited as the Shire of Roebourne Scheme No. 8 (hereinafter called 'the Scheme') and shall come into operation on the publication of the Scheme in the *Government Gazette*.

1.2 RESPONSIBLE AUTHORITY

The authority responsible for implementing the Scheme is the Council of the Shire of Roebourne (hereinafter called the Council).

1.3 SCHEME AREA

The Scheme applies to the municipal district of the Shire of Roebourne as generally shown by the Scheme area boundary on the Scheme Maps. All offshore islands are included in the municipal district including Depuch Island in the east and in the west excluding Barrow, Pascoe and Lowendal but including the Montebello Islands and those of the Great Sandy Island Nature Reserve.

1.4 CONTENTS OF THE SCHEME

The Scheme comprises—

- (a) This Scheme Text
- (b) The Scheme Maps (Sheets 1-16)

1.5 SCHEME OBJECTIVES

The general objectives of the scheme are to—

- (a) facilitate community input into planning for the appropriate balance between economic and social development, conservation of the natural environment, and improvements in lifestyle and amenity,

- (b) respond to and implement strategic planning directions for the Shire by facilitating development in accordance with development objectives for precincts of the Shire,
- (c) reserve certain portions of land required for public purposes,
- (d) zone the balance of the land within the Scheme Area for purposes described in the Scheme,
- (e) define the uses and types of development to be permitted on land within the Scheme Area, and
- (f) control and regulate the development of land, erection and demolition of buildings and the carrying out of works.

1.6 REVOCATION OF EXISTING SCHEMES

The Shire of Roebourne Town Planning Scheme Nos. 4, 6 and 7, and all amendments thereto, are revoked by the publication of this Scheme.

1.7 INTERPRETATION

1.7.1 Words and expressions used in the Scheme, and requiring a specific interpretation for the purposes of the Scheme, shall have the respective meanings given to them in Appendix 1, elsewhere in the Scheme or the Residential Planning Codes.

1.7.2 Where a word or term is defined in the Residential Planning Codes then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the Residential Planning Codes, unless the word has been specifically redefined by Appendix 1.

PART II—RESERVATIONS

2.1 CATEGORIES

The land shown as Scheme Reservations on the Scheme Maps (Reservations) is land which is intended to be used or developed for public purposes or other purposes indicated on the Scheme Maps. The following Reservations apply—

Public Purposes

- (a) Open Space
 - i. Parks, Recreation and Drainage
 - ii. Conservation, Recreation and Natural Landscapes
- (b) Roads
 - i. State and Regional
 - ii. District
 - iii. Local
- (c) Other Public Purposes
 - i. Community
 - ii. Health
 - iii. Education
 - iv. Telecommunications
 - v. Energy
 - vi. Waste Disposal and Treatment
 - vii. Water and Drainage
 - viii. Cemetery
 - ix. Airport

Other Purposes

- (d) Infrastructure

2.2 DEVELOPMENT AND USE OF RESERVATIONS

A person shall not carry out any development on, other than the erection of a boundary fence defined or accepted by Council, or change the use of a reservation without first applying for and obtaining the written approval of the Council.

2.3 MATTERS TO BE CONSIDERED BY COUNCIL

Where an application for planning consent is made with respect to land within a reservation, the Council shall have regard to the ultimate purpose intended for the reservation and Council shall confer with the organisations it considers relevant to that purpose and the proposed use or development.

PART III—ZONES

3.1 CATEGORIES

The zones on the Scheme Maps have the following categories—

- (a) Residential
 - i. Residential
 - ii. Urban Development
 - iii. Transient Workforce Accommodation

- (b) Commercial
 - i. Town Centre
 - ii. Commercial
 - iii. Tourism
 - iv. Mixed Business
- (c) Industrial
 - i. Strategic Industry
 - ii. Industry
 - iii. Industrial Development
- (d) Rural
 - i. Rural
 - ii. Rural Residential

3.2 ZONING TABLE

3.2.1 The zoning table indicates, subject to the provisions of the Scheme, the development (and uses) permitted in the Scheme area in the various zones. The permissibility of any development is determined by cross reference between the list of uses on the left side of the zoning table and the list of zones at the top of the zoning table.

3.2.2 The symbols used in the zoning table have the following meanings—

- P the development is permitted by the Scheme
- AA the development is not permitted unless the Council has granted planning approval
- SA the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3
- IP the development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council
- ~ a development that is not permitted by the Scheme

3.2.3 Notwithstanding the provisions of 3.2.2, development may only be permitted within the Urban Development and Industrial Development Zones where—

- (a) a Development Plan has been adopted for the subject land and the development is in accordance with the plan; or
- (b) Council has resolved that a Development Plan is not required.

3.2.4 Where no symbol appears in the cross reference of a development with a zone in the zoning table that development is not permitted in that zone.

ZONING TABLE		Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential
		Residential											
1	Aged or Dependent Persons Dwelling	AA	AA	AA	AA	AA	AA	~	~	~	~	AA	SA
2	Caretaker's Dwelling	IP	IP	IP	AA	AA	IP	IP	~	~	~	IP	IP
3	Grouped Dwelling	P	AA	AA	AA	AA	AA	~	~	~	~	AA	AA
4	Holiday Accommodation	~	~	~	AA	~	AA	~	~	~	~	IP	SA
5	Home Occupation	AA	AA	AA	AA	AA	AA	~	~	~	~	AA	AA
6	Hotel	~	~	AA	AA	AA	AA	~	~	~	~	SA	~
7	Motel	~	~	AA	AA	AA	AA	~	~	~	~	SA	SA
8	Movable Dwelling	~	~	AA	~	~	AA	~	~	~	~	AA	~
9	Multiple Dwelling	SA	SA	SA	SA	SA	SA	~	~	~	~	~	~
10	Residential Building	AA	AA	AA	AA	AA	AA	~	~	~	~	AA	AA
11	Rural Settlement	~	~	~	~	~	~	~	~	~	~	AA	SA
12	Single House	P	P	P	AA	AA	AA	AA	~	~	~	AA	P
13	Transient Workforce Accommodation	SA	AA	P	SA	SA	SA	AA	AA	~	AA	AA	SA
Industry													
14	Abattoir	~	~	~	~	~	~	~	~	AA	AA	AA	~
15	Aerodrome	~	~	~	~	~	~	~	~	~	~	AA	~
16	Agriculture	~	~	~	~	~	~	~	~	~	~	P	AA
17	Intensive Agriculture	~	~	~	~	~	~	~	~	AA	AA	AA	AA
18	Harbour Installation	~	~	~	~	~	~	~	P	AA	AA	~	~
19	Hire Service (Industrial)	~	~	~	~	~	~	AA	~	P	AA	~	~
20	Industry—Cottage	AA	AA	~	~	~	~	AA	~	~	~	AA	AA
21	Industry—Extractive	~	AA	~	~	~	~	~	IP	AA	AA	AA	~
22	Industry—General	~	~	~	~	~	~	~	~	P	AA	~	~
23	Industry—Light	~	~	SA	~	~	~	AA	~	P	AA	~	~
24	Industry—Noxious	~	~	~	~	~	~	~	SA	AA	AA	~	~
25	Industry—Rural	~	~	~	~	~	~	~	~	AA	AA	P	SA
26	Industry—Service	~	~	SA	~	~	~	P	~	P	AA	~	~

ZONING TABLE

	Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential
Industry—continued												
27 Industry—Resource Processing	~	~	~	~	~	~	~	P	SA	SA	SA	~
28 Infrastructure	AA	P	AA	AA	AA	AA	AA	P	AA	P	AA	AA
29 Stockyard	~	~	~	~	~	~	~	~	AA	AA	P	~
30 Storage facility/depot/laydown area	~	~	~	~	~	~	AA	IP	AA	AA	AA	~
Commerce												
31 Display Home Centre	AA	AA	~	~	~	~	~	~	~	~	~	~
32 Dry Cleaning Premises	~	~	IP	~	AA	AA	P	~	AA	P	AA	~
33 Market	~	~	~	P	P	AA	~	~	AA	AA	~	SA
34 Motor Vehicle and/or Marine Repair	~	~	~	AA	AA	~	AA	IP	P	AA	IP	~
35 Motor Vehicle and/or Marine Sales & Hire	~	~	~	AA	AA	AA	P	~	P	AA	~	~
36 Motor Vehicle and/or Marine Service Station	~	SA	~	SA	SA	SA	SA	IP	AA	AA	SA	~
37 Motor Vehicle and/or Marine Wrecking	~	~	~	~	~	~	~	~	P	AA	~	~
38 Motor Vehicle Wash	~	~	IP	AA	AA	AA	AA	IP	P	AA	~	~
39 Office	~	AA	IP	P	P	IP	AA	IP	IP	AA	IP	~
40 On-site Canteen	~	~	IP	~	~	~	~	IP	IP	IP	IP	~
41 Outdoor Display	~	~	~	AA	AA	~	P	~	P	AA	AA	~
42 Reception Centre	~	~	IP	AA	AA	IP	~	~	~	~	~	~
43 Restaurant	~	AA	IP	P	P	P	~	~	~	~	IP	~
44 Shop	~	SA	IP	P	P	IP	AA	~	IP	AA	~	~
45 Showroom	~	~	~	AA	AA	~	P	~	P	AA	~	~
46 Take-away Food Outlet	~	AA	AA	P	P	AA	~	~	AA	AA	AA	~
47 Warehouse	~	~	~	~	~	~	P	IP	P	IP	~	~
Health, Welfare and Community Services												
48 Carpark	IP	IP	AA	AA	AA	AA	AA	IP	~	~	~	~
49 Child Care Service	SA	SA	AA	AA	AA	AA	AA	SA	~	~	IP	SA
50 Community Use	SA	AA	~	AA	AA	AA	~	~	~	~	~	IP
51 Consulting Rooms	~	AA	IP	AA	AA	~	AA	~	~	~	~	~
52 Education Establishment	~	AA	IP	~	~	~	~	~	~	~	~	~
53 Emergency Services	~	AA	~	AA	AA	~	AA	AA	AA	AA	~	~
54 Funeral Parlour	~	AA	~	AA	AA	~	AA	~	AA	AA	~	~
55 Hospital	~	~	~	AA	AA	~	~	~	~	~	~	~
56 Juvenile Detention Centre	~	~	~	~	~	~	~	~	~	~	SA	~
57 Medical Centre	~	SA	~	AA	AA	~	AA	~	~	~	~	~
58 Nursing Home	AA	AA	~	AA	AA	~	~	~	~	~	~	~
59 Place of Animal Care	~	AA	~	AA	AA	~	AA	~	AA	~	AA	~
60 Place of Public Meeting, Assembly or Worship	SA	AA	IP	AA	AA	IP	~	~	~	~	AA	AA
61 Prison	~	~	~	~	~	~	~	~	~	~	~	~
62 Public Mall	AA	AA	AA	AA	AA	AA	~	~	~	~	~	~
63 Public Utility	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Entertainment, Recreation and Culture												
64 Equestrian Centre	~	~	~	~	~	SA	~	~	~	~	SA	~
65 Entertainment Venue	~	~	~	SA	SA	SA	SA	~	SA	~	SA	~
66 Private Recreation	~	AA	IP	AA	AA	P	AA	~	~	~	AA	~
67 Public Recreation	AA	AA	IP	P	P	P	~	~	~	~	AA	AA

The symbols used in the zoning table have the following meanings—

- P the development is permitted by the Scheme
- AA the development is not permitted unless the Council has granted planning approval
- SA the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3
- IP the development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council
- ~ a development that is not permitted by the Scheme

3.2.5 Where a development is included in the definition of developments in Appendix 1 it is deemed to be excluded from the definition of any other development which may include it by more general reference.

3.2.6 If the development of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be included in the definition of one of the development categories the Council may determine—

- (a) that the development or use is not consistent with the objectives and purposes of the particular zone or precinct and is, therefore, not permitted, or
- (b) by absolute majority that the proposed development may be consistent with the objectives and purposes of the zone and/or objectives precinct and an application for planning approval should be determined in accordance with Part IV, including the advertising procedures of clause 4.3.

PART IV—USE AND DEVELOPMENT OF LAND**4.1 REQUIREMENT FOR PLANNING APPROVAL**

4.1.1 Subject to the exclusions in clause 4.1.3 the planning approval of Council is required for all development, including building, works, changes in use and new uses, on zoned and reserved land in the Scheme. Accordingly no person shall commence or carry out development, including a change in the use of land, without having first obtained the approval of the Council pursuant to the provisions of this part.

4.1.2 Unless otherwise varied by the planning approval of Council, and this variation is exercised by the discretion of Council in accordance with the Scheme, all development is to be in accordance with the provisions of this Scheme.

4.1.3 Unless otherwise referred to in clause 4.1.4 the planning approval of Council is not required for the following development of land—

- (a) The development of land in a reserve, where such land is held by the Council or a public authority, for the purpose for which the land—
 - (i) is reserved under the Scheme, or
 - (ii) may be lawfully developed by the Council or public authority.
- (b) 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.
- (c) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building.
- (d) The carrying out of works urgently necessary for public safety, the safety or security of plant or equipment or the maintenance of essential services.
- (e) The erection of a boundary fence except as otherwise required by the Scheme,
- (f) The erection on a lot of a single house, including ancillary outbuildings, in a zone in which a single house is a permitted (P) use, except as otherwise required by the Scheme,
- (g) The development of land in a rural settlement where Council has resolved that an endorsed development plan adequately addresses Council requirements for planning approval,
- (h) The parking of a movable dwelling where Council has previously approved the use of the site for that purpose,
- (i) The carrying out of works on, in, over or under a street or road by a public authority acting pursuant to any Act, except as otherwise required by the Scheme, and
- (j) The development of land which, under State or Commonwealth legislation, is exempt from the requirement for planning approval.

4.1.4 Where the Council considers development of land referred to in clause 4.1.3 (a) may not be consistent with the objectives or requirements of the Scheme, or a provision of the Policy Manual, the proponent shall seek planning approval in accordance with Clause 4.2.

4.2 APPLICATION FOR PLANNING APPROVAL

4.2.1 Every application for planning approval shall be made in the form prescribed by Council and, unless Council waives a particular requirement, shall be accompanied by such plans and information outlined in Appendix 2 and any other information that the Council may reasonably require to enable the application to be determined.

4.2.2 Where the undertaking of building or works will result in one or more uses these uses are to be specified on the application for planning approval and Council shall determine which of these is or is not approved.

4.3 ADVERTISING OF APPLICATIONS

4.3.1 Where an application is made for planning approval to carry out development which involves an "SA" use, the Council shall not grant approval to that application unless notice of the application is first given in accordance with the provisions of subclause 4.3.3.

4.3.2 Where an application is made for planning approval to carry out any other development the Council may give notice of the application in accordance with the provisions of subclause 4.3.3.

4.3.3 Where the Council is required or decides to give notice of an application for planning approval the Council shall—

- (a) determine a submission period of not less than 14 days which is appropriate to the potential impact of the development and takes into account calendar events which may detract from the effective advertising of the proposal or the preparation of submissions;
- (b) determine the level of notice required as one or more of the following:
 - (i) serving notice of the proposed development, adequately describing and illustrating the proposal, on the owners and occupiers as likely to be affected by the granting of planning approval stating that submissions may be made to the Council within the submission period;
 - (ii) publishing notice of the proposed development, adequately describing and illustrating the proposal, in a local newspaper circulating in the Scheme area stating that submissions may be made to the Council within the submission period, which may be 14 days or longer as determined by Council pursuant to 4.3.3 (a); and

- (iii) erecting a sign or signs displaying notice of the proposed development, adequately describing and illustrating the proposal, in a conspicuous position on the land for the duration of the submission period; and
- (c) give notice of the proposed development in accordance with its determination pursuant to clause 4.3.3 (b).

4.3.4 The Council may require further plans, sketches, scale models, photographs or other similar aids to explain the proposal to be deposited at the offices of the Council for viewing, during normal office hours by any persons wishing to tender a submission or objection. All costs associated with the advertising and display of a proposed development shall be borne by the applicant.

4.3.5 The notice referred to in subclause 4.3.2 (b) and (c) shall be in the form contained in Appendix 5 with such modifications as circumstances require.

4.3.6 After expiration of the submission period the council shall consider and determine the application.

4.4 MATTERS TO BE CONSIDERED BY COUNCIL

The Council, in considering an application for planning approval, shall have due regard to the following—

- (a) the provisions of this Scheme and any relevant town planning Scheme operating in the district including any regional planning Scheme,
- (b) any relevant proposed new town planning Scheme of the Council or any proposed amendment to an existing Scheme operating within the district,
- (c) any approved Statement of Planning Policy of the Western Australian Planning Commission,
- (d) any other policy or legislation of the Commission, the Government of Western Australia or the Commonwealth of Australia,
- (e) any Policy Statement, strategy or plan adopted by the Council under the provisions of this Scheme,
- (f) the preservation of any object or place of heritage significance,
- (g) any other considerations which the Council considers relevant to the Scheme objectives in clause 1.5,
- (h) any relevant submissions or objections received or sought on the application,
- (i) the requirements of orderly and proper planning and the preservation of the amenity of the locality, and
- (j) any other planning consideration which the Council considers relevant.

4.5 DETERMINATION OF APPLICATIONS

4.5.1 In determining an application for planning approval the Council may—

- (a) grant its approval with or without conditions, or
- (b) refuse to grant its approval.

4.5.2 The Council shall convey its decision to the applicant in writing clearly stating the conditions to be satisfied to validate the approval or the reasons for refusal and informing the applicant of the available avenues of appeal.

4.5.3 Where the Council grants planning approval, that approval—

- (a) continues in force for two years, or such other period as specified in the approval, after the date on which the application is approved, and
- (b) lapses if the development has not substantially commenced and in continuation before the expiration of that period.

4.5.4 An application may be made to the Council for an extension of the term of planning approval at any time prior to the expiry of the approval period in subclause 4.5.3 (a).

4.5.5 Where the Council grants planning approval, it may impose conditions limiting the period of time for which the development is permitted.

4.5.6 Where council imposes a condition of approval, it may specify a period or periods of time in which all or part of the requirements of a condition shall be completed.

4.6 COMPLIANCE WITH CONDITIONS

4.6.1 If the Council grants planning approval subject to conditions, no person shall use or develop any land or building affected by the conditions or suffer or permit them to be used or developed otherwise than in accordance with the conditions

4.6.2 Upon written application being made by an owner of land the Council may vary any condition imposed on a planning approval or may extend the time for compliance of any condition so imposed.

4.7 DEEMED REFUSAL

4.7.1 An application for planning approval shall be deemed to have been refused where a decision has not been conveyed to the applicant by the Council within 60 days of the receipt of it by the Council, or 90 days in the case of a planning approval subject to subclause 4.3.3, or within such time as agreed in writing between the applicant and the Council.

4.7.2 Notwithstanding that an application for planning approval may be deemed to be refused, the Council may issue a valid decision in respect of the application at any time after the expiration of the 60 or 90 day period referred to in subclause 4.8.1.

4.8 APPROVAL SUBJECT TO LATER APPROVAL OF DETAILS

4.8.1 Where an application is for a development that includes the carrying out of any building or works, the Council may grant approval subject to matters requiring the subsequent approval of Council.

4.8.2 The Council may decline to deal with an application requiring later approval of details or call for further details if it thinks fit.

4.8.3 Where the Council has granted approval, subject to matters requiring later approval, application for approval of those matters must be made not later than the expiration of two years beginning with the date of the first approval.

PART V—DEVELOPMENT OBJECTIVES AND LAND USE PLANNING POLICY**5.1 LOCAL LAND USE PLANNING POLICIES**

5.1.1 The Council may prepare Local Planning Policy in respect of any matter related to the planning and development of the Scheme Area so as to apply—

- (a) generally or for a particular class or classes of matters and
- (b) throughout the Scheme Area or in one or more parts of the Scheme Area,

and may amend, add to or rescind a Policy so prepared.

5.1.2 Any Local Planning Policy, prepared under this part shall be consistent with—

- (a) the Scheme,
- (b) State planning legislation, and
- (c) Any State or regional policies of the Western Australian Planning Commission.

Where any inconsistency arises between any Local Planning Policy and the Scheme, any State legislation, or any Western Australian Planning Commission State or Regional Policy; the Scheme, State Legislation or Western Australian Planning Commission State or Regional Policy, as the case may be, shall prevail.

5.1.3 Any Development Plan, prepared in accordance with the Scheme, or other plan or strategy may be adopted by Council as a Local Planning Policy

5.1.4 Local Planning Policies shall be kept in the Shire of Roebourne Land Use Planning Policy Manual (Policy Manual) and available for public inspection, in conjunction with the Scheme, during normal office hours.

5.1.5 A Local Planning Policy is not part of the Scheme and shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of any Policy and the objectives which the Policy is designed to achieve before making its decision.

5.1.6 A Local Planning Policy shall become operative only after the following procedures have been completed—

- (a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submissions may be made.
- (b) The council shall review the draft Policy in the light of any submissions made and shall resolve either to fully adopt the draft policy with or without modification, or not to proceed with the draft Policy.
- (c) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.
- (d) Where, in the opinion of the Council, provisions of any Policy affect the interests of the Commission, a copy of the Policy shall be forwarded to the Commission.
- (e) Any amendment, addition to or rescission of a Policy shall follow the procedures set out in (a)—(d) above.

5.1.7 A Local Planning Policy may be rescinded by the final adoption of a new Policy, pursuant to subclause 5.1.6, specifically worded to supersede an existing Policy.

5.2 PRECINCT OBJECTIVES

5.2.1 The objective statements in this Part—

- (a) relate to specific areas identified as precincts on the Development Objectives Precinct Map (Appendix 3),
- (b) indicate the Council's preferred land use and development outcomes within these precincts, and
- (c) provide additional guidance for Council when determining applications for planning approval.

5.3 BURRUP PENINSULA OBJECTIVES

- (i) Retain an appropriate balance between the Burrup's recreational, industrial, environmental and heritage assets.
- (ii) Acknowledge Hearson Cove as a key recreational node.
- (iii) Adopt the principals and policies of the Burrup Peninsula Land Use and Management Strategy.

5.4 CAPE LAMBERT OBJECTIVES

- (i) Facilitate the development of the Cape Lambert precinct as a strategic industry estate which—
 - allows the efficient and effective processing of primary resources,

- does not compromise the lifestyle and tourist assets of the Shire, and
 - has due regard to the environmental and heritage values of the area.
- (ii) Accommodate the development of additional port facilities, including public wharf facilities.
- (iii) Retain access to key coastal recreational nodes within the precinct, in particular Boat Beach.

5.5 COSSACK OBJECTIVES

- (i) Preserve the heritage values of Cossack.
- (ii) Develop the Cossack Town Centre into a viable historic tourist centre with due regard to the natural and built environment.
- (iii) Facilitate the return of Cossack into a “living” town offering an alternative residential setting based on its coastal and historic values.
- (iv) Develop Settlers Beach into a tourist and recreational node.

5.6 DAMPIER OBJECTIVES

- (i) Enhance the high quality residential environment of Dampier.
- (ii) Protect the key landscape features within Dampier.
- (iii) Enhance the links between the Town Centre and the foreshore.
- (iv) Develop a coastal tourism focus and improved identity within the Town Centre.
- (v) Encourage residential development that will accommodate a greater range of lifestyles to reflect the broadening population base.
- (vi) Maintain adequate buffers between industry and the town.

5.7 ISLANDS OBJECTIVES

- (i) Retain the focus of the islands on conservation and recreation.
- (ii) Protect the unique environmental and heritage values of the islands.
- (iii) Encourage low key tourist development and accommodation that is sensitive to the fragile environment.
- (iv) Facilitate access to key recreational nodes.

5.8 KARRATHA OBJECTIVES

- (i) Facilitate the continued growth of Karratha as the regional centre of the West Pilbara, in accordance with the Karratha Townsite Structure Plan (as amended).
- (ii) Develop Karratha as the tourist entry for the West Pilbara built upon and taking into account the levels of commercial travellers associated with resource developments.
- (iii) Preserve the key landscape and heritage values of the Karratha Hills.
- (iv) Develop the Town Centre as the civic and commercial node for Karratha, the Shire and the West Pilbara.
- (v) Create an identity for the Town Centre through enhancing the built form and creating an identifiable central focus and improving legibility.
- (vi) Develop Tambrey as a district commercial centre that does not compete with the regional catchment of the Town Centre and its facilities.
- (vii) Develop a mixed business area within the suburb of Tambrey that embodies current design principles.
- (viii) Develop local commercial centres so as to provide convenience goods and services to the local community.
- (ix) Enhance the high level of residential amenity within Karratha in both existing suburbs and the residential expansion areas.
- (x) Encourage residential development that will accommodate a greater range of lifestyles and needs to reflect the broadening population base.
- (xi) Prevent the proliferation of extractive industries in this precinct.
- (xii) Retain the Karratha Industrial Estate as the regional service industry centre whilst improving its presentation as part of the entry statement to Karratha.

5.9 MAITLAND OBJECTIVES

- (i) Protect the access and environmental assets of Maree Pool from the impacts of surrounding land uses.
- (ii) Facilitate the development of the Maitland Precinct as a strategic industry estate which;
- allows the efficient and effective processing of primary resources,
 - allows for the development of land uses compatible with and not restrictive to future development of strategic industry,
 - does not compromise the lifestyle and tourist assets of the Shire,
 - has due regard to the environmental and heritage values of the area.
- (iii) Accommodate the development of additional port facilities, including public wharf facilities.

5.10 PASTORAL OBJECTIVES

- (i) Facilitate the retention of Whim Creek as a rural settlement and service centre.

- (ii) Protect the environmental and recreational qualities of coastal areas, and ensure continued public access to key coastal recreational nodes such as Ngoorea and Cleaverville.
- (iii) Allow the development of key infrastructure and servicing facilities where environmental and social considerations can be addressed.
- (iv) Facilitate the development and diversification of pastoral stations where ecologically sustainable.
- (v) Protect the key environmental features and natural landscapes within the Shire.

5.11 POINT SAMSON OBJECTIVES

- (i) Develop an identifiable Town Centre with a coastal aspect.
- (ii) Facilitate the development of Point Samson as a tourist node where compatible with the social and environmental setting.
- (iii) Retain the “fishing village” atmosphere of Point Samson.
- (iv) Accommodate additional residential land release.

5.12 ROEBOURNE OBJECTIVES

- (i) Preserve the Heritage values of the Roebourne town, whilst facilitating an increased range of services.
- (ii) Improve links between the Town Centre and the Harding River parklands.
- (iii) Limit further development within the Harding River Flood Plain.
- (iv) Encourage the development of intensive agriculture where sustainable.
- (v) Develop the Roebourne Mixed Business Zone as a precinct in which—
 - businesses may be developed in conjunction with single residences
 - uses are not permitted which are incompatible with the residential component,
 - no site may be developed purely for a residential function.
- (vi) Facilitate the development of the Cheeditha Community in line with the endorsed community plan.

5.13 WICKHAM OBJECTIVES

- (i) Increase the economic diversity and viability of the Wickham Townsite while not compromising the quality of the living environment.
- (ii) Improve the appearance and strengthen the function of the Wickham Town Centre by creating identity, diversity and legibility.
- (iii) Develop improved road links between the Town Centre and Residential areas,
- (iv) Develop the Wickham Mixed Business zone as a precinct in which—
 - businesses may be developed in conjunction with single residences
 - uses are not permitted which are inconsistent with the residential component,
 - no site may be developed purely for a residential function.

PART VI—DEVELOPMENT REQUIREMENTS

6.1 OPERATIONS OF THIS PART

6.1.1 Unless otherwise indicated by this Scheme, the provisions of the Building Code of Australia apply to development in the Scheme area in addition to the development requirements of this Scheme.

6.1.2 Except for development in respect of which the Residential Planning Codes apply under this Scheme, if a development the subject of an application for planning approval does not comply with a standard prescribed by the Scheme with respect to minimum lot sizes, building height, setbacks, site coverage, car parking, landscaping and related matters, the Council may, notwithstanding the non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. This approval may only be granted if Council is satisfied that—

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of amenities of the locality,
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development, inhabitants of the locality or upon the likely future development of the locality, and
- (c) it would be consistent with the objectives and policies of the Scheme and the Precinct Objectives set out in clauses 5.3 to 5.13.

6.1.3 The proponent of a development plan, required by this part or any other part of the scheme, may appeal in accordance with Part V of the Act against the following—

- (a) The failure of the Council to make a determination on the content and requirements of a development plan (or an amendment to a development plan) within 60 days of receiving the request for direction.
- (b) A decision by Council not to endorse a development plan (or an amendment to a development plan).
- (c) The imposition of conditions on Council's endorsement of a development plan (or an amendment to a development plan).

6.2 RESIDENTIAL PLANNING CODES

6.2.1 For the purpose of this Scheme "Residential Planning Codes" means the Residential Planning Codes set out in Appendix 2 to Statement of Planning Policy No. 1, together with any amendments to these codes.

6.2.2 A copy of the Residential Planning Codes, as amended, shall be kept and made available for public inspection at the offices of the Council.

6.2.3 Unless otherwise provided for in the Scheme the development of land for any of the Residential Purposes dealt with by the Residential Planning Codes shall conform to the provisions of those Codes.

6.2.4 The Residential Planning Code density applicable to land in the residential zone within the Scheme Area shall be R20 unless otherwise determined by reference to the Residential Planning Code density number superimposed on the particular areas shown on the Scheme maps as being contained within the black line borders.

6.2.5 The density for residential development on land not within the Residential zone shall be determined by Development Plans where approved in accordance with the Scheme.

6.3 RESIDENTIAL ZONE

6.3.1 Where residential development guidelines have been adopted and included in the Policy Manual in accordance with Part V, development within the Residential Zone shall be in accordance with the intent of these guidelines, unless Council resolves, for a particular planning application, to vary this intent.

6.3.2 A home occupation shall not be undertaken unless Council has granted planning approval. In considering an application for planning approval Council shall have regard for the Home Occupation Policy Statement in the Policy Manual.

6.3.3 Notwithstanding clauses 3.5.1 and 4.7.1 of the R Codes every dwelling shall be provided with a store room of not less than four square metres in floor area. The store room shall be fully enclosed and have direct ground level access from outside the building with no direct internal access from the dwelling. It may form part of the main building structure or be a permanent outbuilding.

6.3.4 Notwithstanding Table 1 of the Residential Planning Codes, a single house may have a minimum area of open space of 40% of site area where 10% of the site area is covered by verandahs, patios or similar covered area open to the air.

6.4 URBAN DEVELOPMENT ZONE

6.4.1 Before considering any proposal for subdivision or development of land within the Urban Development Zone, the Council may require the preparation of a Development Plan for the entire development area or any part or parts as is considered appropriate by Council.

6.4.2 The Development Plan shall outline—

- (i) landform, topography, landscape, vegetation and soils of the area,
- (ii) location, existing roads, land uses and surrounding land uses and features,
- (iii) ownership, title description, area, encumbrances and any legal considerations,
- (iv) existing and proposed services including water, sewerage, energy, communications, drainage and catchment considerations,
- (v) existing places and features of heritage and/or cultural significance, including natural landscapes, flora and fauna in addition to built structures and other modified environments,
- (vi) location and density of housing areas, including lot and dwelling yield, estimated population outcomes, net residential density and detailed subdivision standards relating to solar access, efficient use of water resources, design features and density rationale,
- (vii) road layout and traffic assessment, communal and incidental parking areas, pedestrian/cycle network/underpasses
- (viii) public open space and recreation provision and relationship to natural features,
- (ix) comprehensive drainage systems for stormwater runoff and natural drainage lines,
- (x) commercial and community centres and facilities including schools,
- (xi) lot layout, major buildings and landscaping proposals,
- (xii) the method of carrying out the development including the projected times of completion of each stage,
- (xiii) other information as may be required by the Council.

6.4.3 The Council shall request the Western Australian Planning Commission to adopt the Development Plan as the basis for approval of subdivision applications within the area covered by the plan.

6.4.4 The Council may request the Development Plan be advertised seeking public submissions in accordance with subclauses 4.3.3 and 4.3.4, prior to considering approval of the plan.

6.4.5 Any departure from or alterations to the Development Plan may, subject to the approval of the Commission, be permitted if the Council considers that the proposed departure or alteration will not prejudice the progressive subdivision and development of the area.

6.4.6 Any affected landowner aggrieved by a decision of the Council or the Commission in regard to the refusal, approval or amendment of a Development Plan, may exercise a right of appeal pursuant to the provisions of Part V of the Act. The right of appeal may also be exercised where the Plan has been lodged with the Council, all the required information has been provided, the Plan has been advertised for public inspection and the Council has not made a determination on the plan within sixty days of the close of advertising.

6.4.7 Council shall, when it considers subdivision and development in an area the subject of a development plan has proceeded to an extent where detailed zones and reservations can be defined, amend the Scheme to indicate these zones and reservations.

6.5 TRANSIENT WORKFORCE ACCOMMODATION

6.5.1 All transient workforce accommodation, whether designed as permanent or temporary structures, shall be in accordance with the Transient Workforce Accommodation Policy in the Policy Manual.

6.5.2 Except in the residential zone and notwithstanding subclause 6.5.1, the requirements of the Residential Planning Codes and clause 6.3 of the Scheme may be varied for transient workforce accommodation by Council provided adequate justification for the variation is submitted by the proponents of the accommodation and provided Council considers the variation appropriate.

6.5.3 Planning applications for transient workforce accommodation, within areas outside the Transient Workforce Accommodation zone, shall be accompanied by information and plans indicating, to Council's satisfaction, how and when the development will convert to a subsequent use which is consistent with the Scheme zoning.

6.5.4 Planning applications for temporary structures to provide transient workforce accommodation shall, to Council's satisfaction, be accompanied by information and plans indicating how and when the development will be removed and the site rehabilitated or developed for a different use intended for the zone.

6.5.5 Council may require, by signed agreement, a commitment to the date and details of rehabilitation and conversion the subject of subclauses 6.5.3 and 6.5.4.

6.6 COMMERCIAL ZONES

6.6.1 Development in the Town Centre, Commercial, Tourism and Mixed Business Zones shall be in accordance with the objective statements for each precinct contained in Part V or a Policy Statement contained in the Policy Manual.

6.6.2 Council may prepare, or require to be prepared, a Development Plan prior to considering a planning application on land within the Town Centre, Commercial, Tourism and Mixed Business zones. The provisions of subclauses 6.4.1 to 6.4.7 shall apply in relation to the preparation, advertising, adoption and implementation of any such Development Plan.

6.6.3 In the absence of Precinct Objectives, Policy Statements or a Development Plan for land within the zones referred to in subclause 6.6.2 Council, when considering a planning application, shall take into account other matters it considers relevant to the proposal including floorspace limitations, setbacks from boundaries and height of structures.

6.6.4 The density of residential development in the Town Centre, Tourism and Mixed Business zones shall not exceed R40.

6.7 INDUSTRY

General Provisions

6.7.1 Development in the Strategic Industry, Industry and Industrial Development Zones shall be in accordance with the Precinct Objective statements contained in Part V or a Policy Statement contained in the Policy Manual.

6.7.2 In considering planning applications within the strategic industry, industry or industrial development zones, public purpose or other reserves, or industry buffer Special Control Area, Council shall have regard for the—

- (a) compatibility of uses,
- (b) potential impact of the proposal on the efficient and effective operations of the existing and planned industry, infrastructure or public purpose, and
- (c) risks, hazards, health and amenity associated with the proposed use being located in proximity to existing and planned industry, infrastructure or public purpose or any other use.

Strategic Industry

6.7.3 In considering applications for planning approval in the strategic industry zone Council shall ensure that the proposal—

- (a) optimises the effectiveness of the zone as a strategic industrial area and utilises major infrastructure, creates symbiosis with other industries or includes resource processing industry,
- (b) is significant to the regional and/or state economies, or
- (c) provides goods and services which directly support or compliment industries described in (a) and (b) of this subclause, and
- (d) minimises or offsets impacts on local infrastructure, economic and community development.

6.7.4 The purpose of the Strategic Industry zone is to accommodate strategic industries and, notwithstanding the provisions of any other part of the Scheme, development which may impede the operation of such industries shall not be permitted within the Strategic Industry zone or Industrial Buffers Special Control Areas.

6.7.5 Council shall consult with the relevant State government or other relevant organisations, when assessing planning applications in the strategic industry zone, to ensure the proposal does not conflict with the strategic intentions for industry and infrastructure development in the zone.

Industry

6.7.6 The purpose of the Industry zone is to provide areas—

- (a) where a wide range of industrial development may be located with adequate separation from residential zones, and

- (b) which support the needs of the local community and economy in addition to supporting the needs of activities undertaken in the Strategic Industry zone.

6.7.7 When considering applications for planning approval in the Industry or Industrial Development zones Council shall not permit development to be set back less than five metres from the front boundary or buildings to cover more than fifty percent of the lot and shall have regard for any other minimum development standard contained in the Policy Manual.

6.7.8 Council, in considering applications for subdivision/amalgamation of land under clause 24(2) of the Act, shall not recommend approval of lots in the Industry or Industrial Development Zones which are below 2 000 m² or include battleaxe access legs.

Industrial Development

6.7.9 The purpose of the Industrial Development Zone is to provide areas for future industrial estate development where development can occur, in accordance with an endorsed development plan, prior to amending the Scheme to incorporate detailed zones and reservations for particular lots.

6.7.10 All development requirements related to the Industry Zone also apply to the Industrial Development Zone.

6.7.11 Council may prepare, or require to be prepared, a Development Plan prior to considering a planning application on land within the Industrial Development zones. The provisions of subclauses 6.4.1 to 6.4.7 shall apply in relation to the preparation, advertising, adoption, and implementation of any such Development Plan.

6.7.12 The Development Plan shall outline—

- (i) landform, topography, landscape, vegetation and soils of the area,
- (ii) location, existing roads, land uses and surrounding land uses and features,
- (iii) ownership, title description, area and encumbrances and any legal considerations,
- (iv) existing and proposed services including water, sewerage, energy, communications, drainage and catchment considerations,
- (v) existing places and features of heritage and/or cultural significance, including natural landscapes, flora and fauna in addition to built structures and other modified environments,
- (vi) location and characteristics of industrial precincts, including likely industrial uses, developments and materials processing,
- (vii) on-site and off-site buffers required to separate uses within industrial areas and industrial uses from adjacent incompatible uses,
- (viii) road layout and traffic assessment,
- (ix) public open spaces, environmental protection areas and relationship to natural features,
- (x) comprehensive drainage systems for stormwater runoff and natural drainage lines,
- (xi) lot layout, major buildings and landscaping proposals,
- (xii) the method of carrying out the development including the projected times of completion of each stage,
- (xiii) other information as may be required by the Council.

6.7.13 The Council shall request the Western Australian Planning Commission to adopt the Development Plan as the basis for approval of subdivision applications within the area covered by the plan.

6.7.14 The Council may request the Development Plan be advertised seeking public submissions in accordance with subclauses 4.3.3 and 4.3.4, prior to considering approval of the plan.

6.7.15 Any departure from or alterations to the Development Plan may, subject to the approval of the Commission, be permitted if the Council considers that the proposed departure or alteration will not prejudice the progressive subdivision and development of the area.

6.7.16 Council shall, when it considers subdivision and development in an area the subject of a development plan has proceeded to an extent where detailed zones and reservations can be defined, amend the Scheme to indicate these zones and reservations.

6.8 RURAL ZONES

6.8.1 In considering any proposed development within the Rural Zone, but in an area subject to strategic proposals for urban or industrial development, the Council shall only grant approval where that proposed development or use will not, in the opinion of Council, prejudice the future development of those proposals.

6.8.2 Before considering any proposal for subdivision or development of land for the purposes of rural residential, rural living, intensive agriculture or a rural settlement, the Council may require the preparation of a Development Plan for the area or any part or parts of the area as is considered appropriate by Council.

6.8.3 The Development Plan shall—

- (i) outline the use of and/or impacts on areas of state, regional and local agricultural significance,
- (ii) assess the impact of the proposal on the local settlement and rural land use patterns in the Scheme Area,
- (iii) indicate demand for commercial and community facilities generated by the proposal and implications for the provision of these within the development or elsewhere,
- (iv) outline the physical characteristics of the site,

- (v) identify existing places and features of heritage and/or cultural significance, including natural landscapes, flora and fauna in addition to built structures and other modified environments,
- (vi) assess the impact of the proposal on the natural environment, including management of potential effluent, emissions and other forms of pollution,
- (vii) indicate the design of the proposal including buildings, roads and lot layout,
- (viii) describe the services and infrastructure requirements of the proposal, including potable water, and how these will be delivered to the site,
- (ix) access, traffic and transport considerations, including impacts on the road system
- (x) the proposed staging of subdivision or development and the potential for additional demand beyond the development area,
- (xi) land tenure proposals including cooperative arrangements for shared management of land.
- (xii) provide provisions, as may be considered appropriate by Council, for inclusion in the Policy Manual,
- (xiii) other information as may be required by Council.

6.8.4 The Council may request the Western Australian Planning Commission to adopt the Development Plan as the basis for approval of subdivision applications within the area covered by the plan.

6.8.5 The Council may request the Development Plan be advertised seeking public submissions in accordance with subclauses 4.3.3 and 4.3.4, prior to considering approval of the plan.

6.8.6 Any development which departs from or alters the Development Plan may be permitted if the Council considers that the proposed departure or alteration will not prejudice the progressive subdivision and development of the area.

6.8.7 In considering any proposal for rural residential, rural living, intensive agriculture or a rural settlement, Council may determine that the Development Plan required by 6.8.2 should be supplemented by—

- (i) a local settlement and/or rural strategy to address impacts beyond the site, and
- (ii) additional zones and Scheme provisions to be included by amendment in this Scheme.

6.8.8 Any affected landowner aggrieved by a decision of the Council or the Commission in regard to the refusal, approval or amendment of a Development Plan, may exercise a right of appeal pursuant to the provisions of Part V of the Act. The right of appeal may also be exercised where the Plan has been lodged with the Council, all the required information has been provided, the Plan has been advertised for public inspection and the Council has not made a determination on the plan within sixty days of the close of advertising.

6.9 HERITAGE MATTERS

Purpose and Intent

6.9.1 The purpose and intent of the heritage provisions is to—

- (a) ensure the conservation of any place, area, building, object or structure of heritage value,
- (b) afford the opportunity for existing traditional uses to be continued or allow for the approval of alternative uses which are compatible with the heritage values and character of the locality
- (c) ensure that development within or adjacent to places of heritage value has due regard to the value of the heritage place and is in harmony with the character of the locality.

Inventory of Heritage Places and Buildings

6.9.2 The Council shall establish and maintain an Inventory of buildings, objects, structures and places considered by the Council to be of heritage significance and worthy of conservation.

6.9.3 For the purposes of this Part, Inventory means the Municipal Inventory prepared and amended by the Council pursuant to Section 45 of the Heritage of Western Australia Act 1990 (as amended).

6.9.4 The Council shall keep copies of the Inventory with the Scheme documents for public inspection during normal office hours.

6.9.5 The Council may amend the Inventory by the addition or deletion of any building, object, structure or place.

6.9.6 The Council, before adopting a proposal to establish or amend the Inventory, shall—

- (a) notify in writing the owner(s) and the occupier(s) of the land and any other persons whose names appear on the Certificate of Title of the land as having an interest in the land,
- (b) advertise the proposal by way of a notice in a newspaper circulating in the district, by the erection of a sign or signs displaying notice of the proposal, adequately describing and illustrating the proposal, to be erected in a conspicuous position on the land for a period of twenty-eight days from the date of publication of the notice in the newspaper, and use such other methods as the Council considers appropriate to ensure widespread notice of the proposal,
- (c) invite submissions on the proposal within a period of not less than 28 days of the date specified on the notice under (b) of this clause,
- (d) carry out such other consultations as it thinks fit,
- (e) consider any submissions made and resolve to adopt the proposal with or without modification or reject the proposal, and
- (f) forward notice of its decision to the Heritage Council of WA and Western Australian Planning Commission.

Development Plans

6.9.7 Where the Council requires a Development Plan to be prepared, that plan shall document the heritage values and character of the development area, including any buildings, objects, structures and places included in the inventory, and include measures to conserve or enhance these to the satisfaction of Council.

6.9.8 Where heritage matters are a significant component of a Development Plan, Council shall—

- (a) undertake the advertising procedures in subclause 4.3.3 and
- (b) advise the Commission and the Heritage Council of Western Australia of Council's decision in relation to endorsement of the Development Plan.

Applications for Planning Approval

6.9.9 In dealing with any matters which may affect an entry on the Inventory, including any application for planning approval, Council shall have regard to any provision or Precinct Objective in the Scheme, Policy Statement in the Policy Manual, an endorsed Development Plan and the views of the Heritage Council of WA, the National Trust of Australia (WA) or any other relevant bodies.

6.9.10 In addition to the requirements of other provisions of the Scheme, the Council may require an application for planning approval, where the proposed development may affect a place of cultural heritage significance or an entry on the Inventory to include one or more of the following to assist the Council in its determination—

- (a) Street elevations drawn to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land the subject of the application, and drawn as one continuous elevation.
- (b) Side and rear elevations of the proposed development, drawn to a scale of not smaller than 1:100.
- (c) A site plan including existing and proposed ground levels over the whole of the land the subject of the application, and the location, type and height of all existing structures and of all vegetation exceeding 2 metres in height, and marking any existing structures and vegetation proposed to be removed, such a plan shall be drawn to the same scale as the site plan.
- (d) Notwithstanding any existing assessment on record, an assessment of the cultural and heritage significance of any existing buildings and the development site to Council's satisfaction.
- (e) a detailed schedule of all finishes, including materials and colours of the proposed development and unless the Council exempts the applicant from the requirement or any part of it, also the existing developments on the subject lot immediately adjoining the subject lot.
- (f) any other information that Council considers relevant.

Variations to Scheme Provisions and Conservation Incentives

6.9.11 Where desirable to facilitate the conservation of a heritage place or to enhance or conserve heritage values, the Council may vary any provision of the Scheme provided that, where in the Council's opinion the variation of a provision is likely to affect any owners or occupiers in the general locality or adjoining the subject site, the Council shall—

- (a) consult the affected parties by following one or more of the provisions in subclause 4.3.3, and
- (b) have regard to any expressed views prior to granting the variation.

6.9.12 The Council may permit, on a lot zoned Residential and listed in the Inventory, an increase up to fifty percent of permitted dwelling density which otherwise would not apply on that lot. The density bonus shall only be granted where the increased development would effectively maintain the cultural or heritage significance and character of the place, street or precinct, and if one or more of the following circumstances apply—

- (a) provision is made for the preservation of significant landscape features, including significant trees or other vegetation,
- (b) provision is made for carrying out of conservation works approved by the Council on a heritage place, or
- (c) a cash contribution is made to a fund set up by Council for the purpose of heritage conservation.

6.9.13 In a case where the Council has permitted an increase in density in accordance with subclause 6.9.12, the standards and provisions of the higher density code shall apply.

6.9.14 In granting variations under subclauses 6.9.11 and 6.9.12 the Council may enter into a heritage agreement under Part 4 of the Heritage of Western Australia Act 1990 with an owner who would benefit from the incentive. The agreement may specify the owner's obligations and contain covenants noted on relevant Certificates of Title.

6.10 TRANSPORTABLE STRUCTURES

6.10.1 When considering planning applications which include transportable buildings and structures Council shall have regard for—

- (a) whether the structure is to be permanent or temporary,
- (b) the location and design of the structure in relation to surrounding structures and other physical features,
- (c) the footings or other methods of stabilising the structure, and
- (d) proposed landscaping to be associated with the structure.

6.10.2 Council may specify a period to which planning approval applies and the requirements for removal of structures which are intended to be temporary.

6.10.3 Council may require modifications, additions or landscaping to be undertaken as part of the placement of transportable structures.

6.11 CONTROL OF ADVERTISEMENTS

6.11.1 For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council. Planning approval is required in addition to any licence pursuant to Council's Local Law relating to Signs, Hoardings and Bill Posting.

6.11.2 Applications for planning approval pursuant to this Part shall be submitted in accordance with the provisions of clause 4.2 of the Scheme and shall include the information and plans required by Appendix 2.

Existing Advertisements

6.11.3 Advertisements which—

- (a) were lawfully erected, placed or displayed prior to the approval of this Scheme, or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme,

shall be referred to in the Scheme as "existing advertisements" and may, except as otherwise provided, continue to be erected and displayed in accordance with the licence or approval as appropriate.

Consideration of Applications

6.11.4 Without limiting the generality of the matters which may be taken into account when making a decision upon an application for planning approval to erect, place or display an advertisement, Council shall examine each application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its heritage or landscape significance, traffic safety and the amenity of adjacent areas which may be affected.

Exemptions from the Requirements to Obtain Planning Approval

6.11.5 Subject to the provisions of the Main Roads (Control of Advertisements) Regulations 1996, and notwithstanding the provisions of subclause 6.11.1, the Council's prior planning approval is not required in respect of those advertisements which comply with Council's Local Law relating to signs, hoardings and bill posting. These exemptions do not apply to land, buildings, objects, structures and places included on the Heritage Inventory or the subject of a Development Plan endorsed under sub-clause 6.9.8.

Discontinuance

6.11.6 Notwithstanding the provisions of subclauses 6.11.3 and 6.11.5, where the Council can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of this Scheme, it may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, adapt or otherwise modify the advertisement within a period of time specified in the notice.

Derelict or Poorly Maintained Signs

6.11.7 Where in the opinion of Council, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, Council may, by notice in writing, require the advertiser to—

- (a) repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice, or
- (b) remove the advertisement.

Notices

6.11.8 "The advertiser" shall be interpreted as any one person or any group comprised of the landowner, occupier, licensee or other person having an interest in or drawing benefit from the display of the advertisement concerned.

6.11.9 Any notice served pursuant to subclauses 6.11.6 and 6.11.7 shall be served upon the advertiser and shall specify—

- (a) the advertisement(s) the subject of the notice,
- (b) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice,
- (c) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.

6.11.10 Any person, upon whom a notice is served pursuant to this clause, may, within a period of 60 days from the date of the notice, appeal to the Hon. Minister For Planning or the Town Planning Appeal Tribunal in accordance with Part V of the Act and, where such an appeal is lodged, the effect of the notice shall be suspended until the decision to uphold, quash or vary the notice is known and shall thereafter have effect according to that decision.

Scheme to Prevail

6.11.11 Where the provisions of this clause are found to be at variance with the provisions of the Council's Signs, hoardings and Bill Posting Local Law, the provisions of the Scheme shall prevail.

6.11.12 The offences and penalties specified in clause 8.2 of the Scheme apply to the advertiser in this clause.

6.12 VEHICLE PARKING AND ACCESS

Car Parking Requirements

6.12.1 Unless otherwise provided by the Scheme, no development is permitted without providing concrete or bitumen sealed, kerbed, marked and drained onsite car parking in accordance with the requirements in Appendix 4 and the relevant Austroads standards relating to car parking.

6.12.2 Where a development is not specified in Appendix 4 the Council shall determine car parking requirements having regard to the nature of development, the number of vehicles likely to be attracted to the development and the maintenance of desirable safety standards.

6.12.3 As an alternative to subclause 6.12.1, and subject to Council approval, a cash-in-lieu payment, to the equivalent cost of providing the required car parking plus the value of the area of land which would have been occupied by the spaces, may be paid to the Council. This payment is to contribute to a fund set aside by Council for the purposes of providing public car parking areas.

6.12.4 Where the amount of cash-in-lieu payable under clause 6.12.3 cannot be agreed it shall be determined by arbitration in accordance with the Commercial Arbitration Act 1985 or some other method agreed upon by Council and the developer.

Variations to Car Parking Requirements

6.12.5 Where the Council is satisfied that the circumstances of a development justify such action and there will not be any resultant lowering of safety standards, it may permit a reduction in the number of car parking spaces required by subclause 6.12.1.

6.12.6 Where the Council is of the opinion that it is necessary to increase the required number of car parking spaces in order to maintain desirable standards of safety, convenience and amenity, such extra car parking spaces as Council considers necessary shall be provided. In imposing such extra car parking requirements, the Council shall explain the reasons for the increase to the owner of the lot.

6.12.7 Where there are two separate and different developments with different hours of peak operation, but being located on the same or adjoining lots, the Council may permit some discounting of the required number of car parking bays on either or both lots, provided it is satisfied there would be no resultant lowering of safety standards and there is agreement to the reciprocal use of all car parking bays.

6.12.8 Where a proposed development is located adjacent to a constructed public car park, the Council may, where it is satisfied there would be no lowering of safety standards, reduce the amount of required onsite car parking for that development by the amount which it considers the public car park serves the development. Council may also require a cash-in-lieu payment to the value referred to in subclause 6.12.3.

Design and Maintenance of Car Parking

6.12.9 When considering any application for planning approval the Council shall have regard to and may impose conditions concerning—

- (a) the proportion of car parking bays to be roofed or covered and the design criteria of this covering,
- (b) the proportion of car parking bays to be below natural ground level or on the roof of buildings and the design criteria of these structures,
- (c) the means of access to each car parking bay and the adequacy of any vehicular manoeuvring area,
- (d) the location of the car parking bays and the impact upon the aesthetic character of adjoining development, including the potential effect if those spaces should later be roofed or covered,
- (e) the extent to which car parking bays are located within required building setbacks,
- (f) the location of proposed public footpaths, vehicular crossings, and private footpaths within the lot, and the effect of both pedestrian and vehicular traffic movement and safety,
- (g) materials for the sealing, paving and kerbing of car park surfaces, associated islands and pedestrian spaces and the landscaping of these areas.

6.12.10 The owner and occupier of premises on which car parking bays are provided shall ensure that the car park, its markings, associated structures, landscaping and drainage are provided and maintained to the satisfaction of Council.

Disabled Car Parking Bays

6.12.11 Council shall ensure the provision and location of car parking bays designed to accommodate disabled persons and vehicles designed for use by disabled persons as required by the Building Code of Australia and the Austroads standards relating to car parking.

Dimensions of Car Parking

6.12.12 In determining the layout of car parking areas, Council shall refer to the Austroads standards for car parking bay dimensions, parking angles and carriageway widths.

6.12.13 The minimum dimensions of an oversized vehicle parking bay shall be 9 metres x 3 metres.

6.12.14 All road train parking bays shall be the size relevant to the vehicle to be accommodated, but shall be no less than 15 metres x 4 metres.

Sealed Areas

6.12.15 All areas to be used for car parking, accessways, loading bays and for turning or manoeuvring of vehicles shall be sealed to the specification and satisfaction of the Council.

6.12.16 Within the Industrial and Rural zones the Council may permit an alternative method of surface treatment/dust suppression where, by reason of the development characteristics or the area of bitumen required, the Council considers the seal required in subclause 6.12.14 would be either impractical or unduly expensive and the alternative would serve the same function without unacceptable reduction in the standards of health and safety.

6.12.17 All sealed areas shall be permanently maintained to the satisfaction of the Council and the Council may order an owner to effect repairs where it considers that the sealed area has unduly deteriorated.

6.12.18 Outdoor displays, industrial hire services, storage facilities, depots, laydown areas and any other open area shall be sealed or grassed to the satisfaction of Council and maintained in good condition.

6.13 LANDSCAPING, SCREENING AND FENCING

6.13.1 All applications for Planning Approval, except those for residential development involving three dwellings or less shall indicate the landscaping elements of the proposal and in particular a plan showing—

- (a) the percentage of the site devoted to landscaping,
- (b) the areas subject to landscaping works,
- (c) location and species of plants,
- (d) other materials imported, arranged and/or constructed on the site,
- (e) areas to be irrigated and the systems to be used, and
- (f) the proposed staging, if any, of works.

6.13.2 Council may require modifications or additions to the landscaping work proposed by any planning application.

6.13.3 The owner or occupier of the land shall not use the area shown as landscaping on an approved plan for any purpose other than landscaping unless otherwise approved by Council. All elements of the landscaped area shall be maintained in a condition to the satisfaction of Council.

6.13.4 Within the Town Centre, Commercial, Tourism, and Mixed Business zones, any outside area which Council considers detrimental to the amenity of the locality or adjoining lots, shall be screened by a wall, fence or planting, including gates where access is required, to the satisfaction of Council.

6.13.5 Within the Industry and Industrial Development zones, any outside area which Council considers may become untidy or is currently untidy when visible from the street shall be screened by a wall, fence or planting, including gates where access is required, to the satisfaction of Council.

6.14 PROVISION FOR CYCLISTS AND PEDESTRIANS

Pedestrian and Shared Path Network

6.14.1 Where a proposed development results in the severance and/or disruption to users of pedestrian links or shared paths, remedial measures are to be undertaken in accordance with Council policy.

Bicycle Parking Facilities

6.14.2 Council shall require developments to include safe and convenient parking facilities at identified common destinations for cycling trips. General requirements for the location and design of these facilities at these locations are provided within the Shire's Bikeplan. Council shall have regard to local prevailing conditions when implementing these design guidelines.

6.14.3 When considering applications for planning approval, the level of provision of bicycle parking facilities shall be in accordance with the ratios set down in the Shire's Bikeplan. These may be varied if the applicant can demonstrate a lower demand or extenuating circumstances.

PART VII—SPECIAL CONTROL AREAS

7.1 OPERATION OF SPECIAL CONTROL AREAS

7.1.1 The following Special Control Areas are shown on the Scheme Maps—

- (a) Industry Buffers
- (b) Airport Noise Restriction Area
- (c) Airport Obstacle Height Limitation Area
- (d) Roebourne Flood Management Area
- (e) Storm Surge Risk Areas
- (f) Cossack Historic Town
- (g) Dampier Salt
- (h) Withnell Bay

7.1.2 If a special control area is shown on the Scheme maps, the provisions of the special control area apply in addition to the provisions of the zone and any general provisions of the Scheme.

7.2 INDUSTRY BUFFERS

7.2.1 Within the Industry Buffers—

- (a) no dwelling is permitted, and
- (b) no development is permitted which would attract persons, other than those working in the adjacent strategic industrial area.

7.2.2 When considering applications for planning approval within the Industry Buffers Council shall have regard to—

- (a) the existing, proposed or likely risks, hazards and nuisance (odour, noise, light) associated with the adjoining Strategic Industrial Area.
- (b) compatibility of uses, and
- (c) the impact of the proposal on the efficient development of the strategic industrial area.

7.3 AIRPORT NOISE RESTRICTION AND OBSTACLE HEIGHT LIMITATION AREAS

7.3.1 Applications for planning approval within the Airport Noise Restriction and Obstacle Height Limitation Areas shall be referred to the relevant airport managing authority for comment, prior to consideration by Council.

7.3.2 Development within the Residential, Commerce, Health, Welfare and Community or Entertainment, Recreation and Culture categories in the zoning table is not permitted within the Noise Restriction Areas (25 ANEF or greater). When considering planning applications Council may vary the requirements of this clause where it is satisfied that aircraft noise will not unduly impact on the proposed use or the development is specifically constructed to attenuate the impact of aircraft noise in accordance with Australian Standard AS2021.

7.3.3 No development within the Obstacle Height Limitation Area shall exceed forty five (45) metres Australian Height Datum (AHD).

7.4 ROEBOURNE FLOOD MANAGEMENT AREA

7.4.1 When considering applications for planning approval within the Roebourne Flood Management Area, Council shall ensure—

- (a) development has a minimum finished floor level of 10.2 metres AHD,
- (b) no development is within or obstructs the floodway,
- (c) any foundation or fill is designed and/or re-enforced to allow the flow of floodwater through or around development without damage to the foundation, fill or development.

7.4.2 Council may require applications for planning approval to include an assessment, prepared to its satisfaction, of the impact of potential flood events on the proposed development.

7.5 STORM SURGE RISK AREA

7.5.1 When considering applications for planning approval, Council shall have regard to information about the land prone to 1 in 100 year storm surge events and may permit, with or without conditions, or refuse proposals at its discretion.

7.5.2 When considering applications for planning approval, Council shall consult the relevant agencies regarding the most up-to-date information available about potential storm surge events which may affect the proposals subject to application.

7.5.3 Development within the Residential, Commerce or Health, Welfare and Community categories in the zoning table is not permitted within an area known to be subject to 1 in 100 year storm surge events. Council may approve other development categories subject to considering—

- (a) the sensitivity of the proposal to risk,
- (b) protection measures to be constructed, and
- (c) social and cultural values.

7.6 COSSACK HISTORIC TOWN

7.6.1 All applications for planning approval, within the boundaries of the Cossack Heritage Precinct registered under Part 5 of the Heritage Act of Western Australia 1990, shall be referred to the Heritage Council of Western Australia.

7.6.2 In considering applications for planning approval within the Cossack Historic Town, the Council shall have regard for the—

- (a) Cossack Historic Town Policy,
- (b) Cossack Design Guidelines, and
- (c) Cossack Development Plan.

7.6.3 All development within the Cossack Historic Town shall be connected to three-phase-power, scheme water and effluent disposal.

7.7 DAMPIER SALT

7.7.1 The Dampier Salt Special Control Area contains existing and possible expansion of salt harvesting operations in accordance with the provisions of the Dampier Solar Salt Industry Agreement Act, 1967, an agreement between the State of Western Australia and Dampier Salt Limited.

7.7.2 Development within the Dampier Salt Special Control Area shall be facilitated in accordance with obligations under that Agreement Act.

7.7.3 Development within the Dampier Salt Special Control Area shall comply with State legislation, including the Environmental Protection Act, and shall be undertaken in consultation with the Council.

7.8 WITHNELL BAY

7.8.1 The Withnell Bay Special Control Area contains existing and possible future infrastructure and access associated with industrial development to the north of the area.

7.8.2 Development within the Withnell Bay Special Control Area shall accommodate the future needs of access and infrastructure associated with industrial development to the north of the area.

7.8.3 The design and construction of development within the Withnell Bay Special Control Area shall be undertaken in consultation with the Council and the Department of Conservation and Land Management.

PART VIII—NON-CONFORMING USES**8.1 NON-CONFORMING USE RIGHTS**

Except as otherwise provided in this Part, no provision of the Scheme shall prevent the—

- (a) continued use of any land or building for the purpose for which it was lawfully used at the time of coming into force of the Scheme, or
- (b) carrying out of any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorise the development to be carried out were duly obtained and are current.

8.2 EXTENSION OF NON-CONFORMING USE

A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the planning approval of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

8.3 CHANGE OF NON-CONFORMING USE

Notwithstanding anything contained in the Zoning Table, the Council may grant its planning approval to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of Council, closer to the intended purpose of the zone or reserve.

8.4 DISCONTINUANCE OF NON-CONFORMING USE

8.4.1 Where a non-conforming use of any land or building has been discontinued for a period of six months or more such land or building shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.

8.4.2 The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

8.5 DESTRUCTION OF BUILDINGS

If any building used for a non-conforming use is destroyed to 75% or more of its value, the building is not to be repaired, rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the planning approval of Council.

PART IX—ADMINISTRATION**9.1 POWERS OF THE SCHEME**

The Council in implementing the Scheme has, in addition to all other powers vested in it, the following powers—

- (a) The Council may enter into an agreement with any owner or occupier of land or other person in respect of any matters pertaining to the Scheme.
- (b) The Council may acquire any land or buildings within the Scheme Area pursuant to the provisions of the Scheme or the Act. The Council may deal with or dispose of this land or buildings in accordance with the law and for this purpose may make such agreements with other owners as it considers fit.
- (c) An officer of the Council, authorised by Council for the purpose, may at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

9.2 DELEGATION

9.2.1 The Council may, either generally or in a particular case or cases, by resolution passed by an absolute majority of the Council, delegate to the following eligible persons the authority to deal with an application for planning approval made under this Scheme—

- (a) a member of the Council being the Chairman of the committee required at the direction of the Council to consider and report upon all applications for planning approval within its municipal district, and being qualified by experience with the work of such committee, and/or
- (b) that officer of the Council, holding or eligible to hold a Municipal Town Planners Certificate, appointed to the position of Town Planner for the purpose of the Local Government Act with overall responsibility for the planning functions of the Council,

or those persons who from time to time occupy the positions referred to in (a) and (b) above.

9.2.2 Any delegation made under subclause 9.2.1 shall have effect for the period of twelve (12) months following the resolution unless the Council stipulates a lesser or greater period in the resolution.

9.2.3 A delegation of authority pursuant to the provisions of this clause has effect and may be exercised according to its tenor, but is revocable at the will of the Council and does not preclude the Council from exercising the power.

9.2.4 The performance of the function by a delegate under subclause 9.2.1 shall be deemed to be the performance of the function of the Council in all circumstances where the Council is able to delegate its powers.

9.2.5 Without affecting the generality of the provisions of this clause, where in the exercise of any power under this Scheme the Council is required to form any opinion or view or have a state of mind or consider to have due regard to any matter, then that requirement shall be satisfied as if a person exercising delegated authority in respect of that power performs the function.

9.2.6 A resolution to revoke or amend a delegation under this clause may be passed by a simple majority.

9.2.7 An officer or member exercising the power delegated pursuant to the provisions of this clause shall comply with the provisions of the Scheme governing the exercise of power by the Council, insofar as such provisions are reasonably applicable.

9.2.8 A person who is or has been a delegate of the Council is not personally liable for anything done or omitted in good faith in, or in connection with, the exercise or purported exercise of any powers conferred, or the carrying out of any duty imposed on the Council by this Scheme.

9.3 PENALTIES

9.3.1 No person shall depart from or permit or suffer any departure from the requirements and provisions of the Scheme.

9.3.2 Any person who fails to comply with any provision of the Scheme is guilty of an offence and, without prejudice to any other remedy given herein is liable to the penalties prescribed by section 10 of the Act.

9.4 COMPENSATION

9.4.1 Except as otherwise provided, the time limit for the making of claims for compensation for injurious affection pursuant to Section 11 of the Act, resultant from the making of, or the making of an amendment to, the Scheme is six (6) months from the date of publication of the Scheme or Scheme Amendment in the *Government Gazette*.

9.4.2 Where, in respect of any application for planning approval, the Council, or any appellate body, refuses or grants approval subject to conditions and the effect of the decision is to permit the land to be used or developed for no purpose other than a public purpose, the owner of the land may, within six (6) months of the date of the relevant decision, claim compensation for injurious affection.

9.5 ELECTION TO PURCHASE AND VALUATION

9.5.1 Where compensation for injurious affection is claimed pursuant to clause 8.3 the Council may, at its option elect to acquire the land so affected instead of paying compensation.

9.5.2 Where the Council elects to acquire the land in respect of which the claim for compensation for injurious affection is made, the Council shall give notice of that election to the claimant by notice in writing within three (3) months of the claim for compensation being made.

9.5.3 Where the Council elects to acquire the land as provided in subclause 9.5.1, if the Council and the owner of the land are unable to agree as to the price to be paid for the land by the Council, the price at which the land may be acquired by the Council shall be the value of the land as determined in accordance with sub-clause 9.5.4.

9.5.4 The value of the land referred to in subclause 9.5.3 shall be the value thereof on the date that the Council elects to acquire the land and that land shall be determined by—

- (a) arbitration in accordance with the Commercial Arbitration Act 1985, or
- (b) some other method agreed upon by the Council and the owner of the land,

and the value shall be determined without regard to any increase or decrease, if any, in value attributable wholly or in part to this Scheme.

9.5.5 The Council may deal with or dispose of land acquired for a Local Reservation or pursuant to the preceding subclause 9.5.3 upon such terms and conditions as it thinks fit provided the land is used for, or preserved for, a use compatible with the use for which it was reserved.

9.6 RIGHTS OF APPEAL

An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with Part V of the Act and the rules and regulations made pursuant to the Act.

9.7 AMENDMENTS TO THE SCHEME

9.7.1 The Council shall keep the Scheme under constant monitor and where appropriate carry out investigations and study with a view to maintaining the Scheme as an up-to-date and efficient means for pursuing community objectives regarding development and land use.

9.7.2 The Council may initiate amendments to the Scheme in accordance with the Act and Regulations and shall give consideration to any request to have the Scheme amended.

9.7.3 In the case of a proposed amendment to the zoning or reservation of land, other than requested by the owner(s), the Council shall, before initiating any amendment to the Scheme, invite comment from the owner(s) of the land concerned.

9.7.4 Council shall take into consideration any comments or submissions received in respect of a proposed amendment to the Scheme and shall only proceed with the amendment where it is satisfied the amendment would be consistent with the objectives of the Scheme and would not be contrary to the public interest.

9.8 NOTICE FOR REMOVAL OF CERTAIN BUILDINGS

Twenty eight (28) days written notice is hereby prescribed as the notice to be given pursuant to section 10 of the Act for the removal of certain buildings.

ADOPTION

Adopted by resolution of the Council of the Shire of Roebourne at the meeting of the Council held on the 22nd September 1997.

T. S. RULAND, Chief Executive Officer.
K. J. RICHARDS, Shire President.

FINAL APPROVAL

Adopted by resolution of the Council of the Shire of Roebourne at the meeting of the Council held on the 30th August 1999 and the seal of the Municipality was pursuant to that resolution affixed here in the presence of—

T. S. RULAND, Chief Executive Officer.
K. J. RICHARDS, Shire President.

This Scheme Text is to be read in conjunction with the approved Scheme Maps to which approval was given by the Hon. Minister for Planning on the date shown below.

Recommended for final approval by the Western Australian Planning Commission

Dated: 4th August 2000.

EUGENE FERRARO, for Chairperson.

Final approval granted—

Dated: 4th August 2000.

G. KIERATH, Hon Minister for Planning.

APPENDIX 1—DEFINITIONS

These definitions apply unless State Government Model Scheme Text Definitions or other standard definitions in the Residential Planning Codes are modified and subsequently endorsed by the Council.

abattoir: any land or buildings used for the slaughter of animals for human consumption and the treatment of carcasses, offal and by-products.

absolute majority: has the same meaning given to it in the Local Government Act.

Act: the Town Planning and Development Act 1928 (as amended).

advertisement: any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, used entirely or partly for advertisement, announcement or direction and includes any hoarding or similar structure used, or adapted for use, for the display of advertisement.

aerodrome: land, buildings and facilities provided for the purpose of landing, takeoff, refuelling, maintenance, loading and unloading of aircraft.

aged or dependent person: a person who is aged 55 years or over or is a person with a recognised form of handicap requiring special accommodation provisions for independent living or special care.

aged or dependent persons dwelling: a dwelling designed for the accommodation of aged or dependent persons.

agriculture: the use of land and associated buildings for the—

- (a) rearing or agistment of livestock
- (b) the stabling, agistment or training of horses,
- (c) the growing of crops, trees, plants, shrubs or flowers for harvest or replanting, and
- (d) the sale of produce grown solely on the lot,

but does not include intensive agriculture.

amenity: all those factors which combine to form the character of the area to residents and passers by and shall include the present and likely future amenity.

ancillary accommodation: self contained living accommodation on the same site as a single house and may be attached or detached from the single house existing on the lot.

appendix: an appendix to the scheme

aquaculture: shall have the same meaning as given to the term in and for the purposes of the *Fish Resources Management act 1994*.

battleaxe access leg: a strip of land included in a Certificate of Title of a lot providing access to the lot from a public road.

building: any structure or associated appurtenance, whether fixed or moveable, temporary or permanent, placed or erected upon the land, and the term includes dwellings and buildings appurtenant to dwellings such as carports, garages, verandahs and retaining walls, but shall exclude a boundary fence, pergolas, garden sheds and the like and swimming pools where no part is more than 600mm above surrounding ground level.

Building Code of Australia: the Building Code of Australia 1988 (as amended).

caretaker's dwelling: a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site and where the dwelling is designed to accommodate regular shift changes and has a maximum floor space of 50m².

carpark: land or buildings used primarily for parking private cars or taxis, whether open to the public or not, but does not include any part of a public road used for parking or a taxi rank, or any land or building in which cars are displayed for sale.

childcare service: land or buildings used for the daily or occasional care of five or more unrelated children in either a centre or a private dwelling.

Commission: the Western Australian Planning Commission established by section 4 of the Western Australian Planning Commission Act 1985.

community use: land or buildings designed or adapted primarily for the provision of educational, social and recreational facilities and services by organisations involved in activities for community benefit.

consulting rooms: a building (other than a hospital or medical centre) used by practitioners who are legally qualified medical practitioners, dentists, physiotherapists, podiatrists or any other person ordinarily associated with a practitioner in the prevention, investigation or treatment of the physical or mental injuries or ailments.

Council: the elected Council of the Shire of Roebourne.

developer: a person or group of people undertaking development.

development: the development or use of land, including any demolition, erection, construction, alteration of or addition to any building or structure on the land and the carrying out on the land of any excavation or other works and in relation to any building, object or place entered in the Municipal Inventory or identified in a development plan as having heritage value, any act or thing that—

- (a) is likely to change the character of the place or the external appearance of any buildings, or
- (b) would constitute an irreversible alteration to the fabric of any building.

development plan: plans which address the schematic layout of proposed development and lot boundaries in addition to various other matters as may be required by the Scheme and includes local structure plans, outline or comprehensive development plans.

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

dry cleaning premises: any land or buildings used for the cleaning of garments and other fabrics by chemical processes and which does not adversely affect the amenity of the locality by reason of noise, or air emissions and waste product.

dwelling: a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by—

- a single person,
- a single family,
- no more than six (6) persons who do not comprise a single family.

It may be constructed on or transported to the site but does not include a movable dwelling.

education establishment: a kindergarten, school, college, university, technical institute, academy or other education centre including a residential school, but not including a juvenile detention centre.

emergency services: land or buildings used to store and maintain emergency vehicles and equipment, coordinate response to emergency events and may include training facilities and caretakers dwellings.

equestrian centre: land and buildings used for sport and recreation associated with horses including, harness and turf racing, polocrosse, gymkhana, dressage and may or may not incorporate facilities for stabling, agistment or training of horses.

entertainment venue: any land, buildings or structures used for the amusement or entertainment of the public with or without charge, with or without the serving of food or liquor and includes cinemas, theatres, drive-in theatres, amusement parlours, nightclubs, taverns, bars or concert auditoriums.

factory unit development: a building or structure, or group of buildings or structures on one lot, in which are carried on two or more separate industries or storage areas not owned or managed by the same person, or in which provision is made for the carrying on of two or more separate industries or storage areas not owned or managed by the same person.

funeral parlour: land or buildings used to prepare and store bodies for burial or cremation and may include facilities to conduct memorial services.

grouped dwelling: a dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate.

harbour installation: any land or buildings used for and incidental to the purposes of loading, unloading mooring and maintaining ships.

Heritage Council: the Heritage Council of Western Australia established pursuant to the Heritage of Western Australia Act 1990.

hire service (industrial): any land or buildings used for the offering for hire or rent of bulky items including machines and mechanical equipment.

holiday accommodation: any land and/or buildings used predominantly by travellers and holiday-makers and designed to take advantage of a tourist attraction or other locational consideration for tourism reasons including camping areas, areas for movable dwellings, chalet parks and serviced apartments or any combination thereof but excluding hotel and motel and Bed/Breakfast facilities.

home occupation: a business or activity carried out within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that—

- (a) entails the conduct of a business, office and/or workshop and does not entail the retail sale or display of goods of any nature,
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood,
- (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding,
- (d) does not entail employment of any person not a member of the occupier's household,
- (e) does not occupy an area greater than 20m²,
- (f) does not display a sign exceeding 0.2 m² in area.
- (g) in the opinion of Council is compatible with the principle uses to which land in the zone in which it is located may be put,
- (h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling and will not result in a substantial increase in the amount of vehicular traffic in the vicinity,
- (i) does not entail the presence, parking and garaging of a vehicle of more than two tonnes tare weight.

hospital: a building in which persons are received and lodged for medical treatment or care and includes a maternity hospital.

hotel: any land or buildings used for the overnight accommodation of patrons and may or may not include facilities for consumption of beverages or a restaurant, or a betting agency operated in accordance with the *Totalisator Agency Betting Board Act 1960*, or facilities for entertainment, but does not include bed and breakfast facility, and which may be the subject of a hotel licence granted under the provisions of the *Liquor Licensing Act 1988*, an entertainment venue, restaurant or sell liquor.

incidental use: a use which is incidental to the predominant use on a lot due to its less frequent use or less importance compared to the operations of the predominant use and may or may not involve smaller structures or less land area.

industry: the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following—

- (a) the winning, processing or treatment of minerals,
- (b) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article, the generation of electricity or the production of gas,
- (c) the manufacture of edible goods,
and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of, or the incidental sale of goods resulting from the process, and the use of land for the amenity of persons engaged in the process, but does not include—
 - i. the carrying out of agriculture,
 - ii. on-site work on buildings or land, and
 - iii. in the case of edible goods the preparation of food for retail sale from the premises.

industry—cottage: a business, professional service, trade or light industry producing arts and craft goods which cannot be carried out under the provisions relating to a "home occupation" and which, in the opinion of Council—

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood,
- (b) where operated in a residential zone, does not entail the employment of any person other than a member of the occupiers household,
- (c) is conducted in an out-building which is compatible with the principle uses to which land in the zone in which it is located may be put,
- (d) does not occupy an area in excess of 50m², and
- (e) does not display a sign exceeding 0.2 m² in area.

industry—extractive: an industry which involves—

- (a) the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substance from the land and also includes the management of products from any of those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products, or
- (b) the production of salt by the evaporation of salt water.

industry—general: an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry.

industry—light: an industry—

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises, will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water or other waste products; and
- (b) the establishment of which will not, or the conduct of which does not, impose an undue load on any existing or proposed service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.

industry—noxious: an industry which is subject to licensing as “Prescribed Premises” under the environmental Protection Regulations 1987 (as amended).

industry—resource processing: major industry which would normally involve—

- (a) the processing of natural resources (including chemical industries),
- (b) substantial capital investment,
- (c) significant employment, and
- (d) a need for substantial separation or buffer distance to sensitive uses.

industry—rural: an industry handling, treating, processing or packing primary goods grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.

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

infrastructure: physical equipment or systems, such as cables, pipelines, roads, railways, conveyors and pumps constructed, operated and maintained by a public authority or private sector body for the purposes of conveying, transmitting, receiving or processing water, sewerage, electricity, gas, drainage, communications, raw materials or other goods and services, but does not include industry.

intensive agriculture: the use and development of land, whether for profit or pleasure, including such buildings and earthworks normally associated with—

- (a) production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts,
- (b) establishment and operation of plant and fruit nurseries,
- (c) irrigated fodder production and pasture (including turf farms),
- (d) keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots,
- (e) dairy milking sheds
- (f) keeping, rearing or fattening of other livestock above those stocking rates recommended by Agriculture Western Australia in consultation with surrounding farmers for the applicable pasture type, or
- (g) aquaculture.

juvenile detention centre: land or buildings used for the confinement or detention in custody of juvenile offenders against the law with a view to their rehabilitation.

landscaping or landscaped: land developed with or by the planting of vegetation, the recontouring or cut and fill of land, irrigation, placement of rocks, paving or laying of pathways and hard surfaces, creation of streams, wetlands and water features, including swimming pools and may include other fixtures such as shelters or sculpture and art installation.

lot: a defined portion of land—

- depicted on a plan or diagram publicly exhibited in the public office of the Department of Land Administration or deposited in the Office of Titles or Registry of Deeds and for which a separate Crown Grant or Certificate of Title has been or can be issued, or
- depicted on a subdivisional plan or diagram, whether so exhibited or deposited or not, but which is, whether before or after the coming into operation of the Town Planning and Development Act 1956, approved by the Commission.

and includes the whole of the land the subject of a—

- Crown Grant issued under the Land Act 1933, or
- certificate of title issued under the Transfer of Land Act 1893, or
- survey into a lot pursuant to a direction given under section 17 of the Land Act 1933, or
- part-lot shown on a plan of subdivision or diagram deposited in the Department of Land Administration, Office of Titles, or Registry of Deeds, or
- conveyance registered under the Registration of Deeds Act 1856.

marina: premises at which berths or pens, and fuelling, servicing, storage (including storage on land) and other facilities for boats are provided, with or without the sale of boating gear and equipment, and includes all offices, storerooms, jetties, piers, embankments, quays and moorings associated with these facilities.

market: any land or buildings used for a fair, farmer’s or producer’s market or swap-meet in which the business or selling carried on or the entertainment provided is by independent operators or stallholders carrying on their business or activities independently of the market operator save for the payment of a fee or rental.

medical centre: a building (other than a hospital) that contains or is designed to contain facilities not only for consulting rooms, but also for ancillary services such as chemists, pathologists and radiologists.

- motel:** any land or buildings used or intended to be used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and to which a licence under the *Liquor Licensing Act 1988* may have been granted.
- motor vehicle and/or marine service station:** land or buildings used for the retail sale of petroleum products and motor vehicle or marine vessel accessories and may or may not include minor repairs, motor vehicle wash facilities, cafe/restaurant or sale of convenience items with a nett lettable retail floorspace not exceeding 300m².
- motor vehicle wash:** land or buildings where vehicles are washed and cleaned.
- motor vehicle and/or marine repair:** land or buildings used for the mechanical or body repair and overhaul of motor vehicles, caravans and marine vessels, including tyre repair, retreading, panel beating, spray painting, chassis reshaping or hull scouring.
- motor vehicle and/or marine wrecking:** land or buildings used for the storage, breaking up or dismantling of motor vehicles, caravans and marine vessels and includes the sale of second hand motor vehicle and marine accessories and spare parts.
- motor vehicle and/or marine sales and hire:** land and buildings used for the display, sale and/or hire of motor vehicles, caravans and marine vessels, including storage, cleaning and minor repairs.
- movable dwelling:** a caravan defined under the Road Traffic Act 1974 (as amended), park home or other dwelling constructed and maintained on its own chassis and wheels and capable of mobility at all times, although it may be stabilised by jacks, provided with skirtings or designed and constructed to permit independent occupancy for dwelling purposes.
- multiple dwelling:** a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other.
- nursing home:** a building used for the long term medical treatment or care of sick persons, whether resident or not, but does not include consulting rooms.
- office:** a building or part of a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial services, or services of a similar nature, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking.
- on-site canteen:** a building, and any associated outbuildings and grounds, which are incidental to a predominant land use and where food is prepared for sale, consumed on the premises or ready to be eaten off the premises without further preparation, by staff and visitors to the predominant land use and may or may not be licensed to sell liquor.
- outdoor display:** the use of land and any incidental structures, which may or may not be permanent, for the display and/or sale of goods, equipment or services.
- oversized vehicle:** any vehicle greater than two metres in width or five metres in length and includes articulated trucks and road trains.
- place of animal care:** any land or buildings used for the keeping, boarding, breeding, display, veterinary treatment of injuries or ailments of animals and may or may not include zoological gardens, enclosures or accommodation of animals.
- place of public meetings, assembly or worship:** any land or buildings used of designed for use by a body of persons united by a common interest such as private clubs or religions, organisations and may or may not include the serving of liquor.
- precincts:** specific areas identified as precincts on the Development Objectives Precinct Map in Appendix 4.
- policy manual:** the Shire of Roebourne Land Use Planning Policy Manual being the collection of policy statements adopted by Council in accordance with clause 5.1 of the Scheme.
- public purpose, development or use for:** development or use of land which is required to be permanently located on publicly owned land as it offers a public service, operates in the public interest or requires coordination and supervision by a public authority. Development may be owned and/or operated by either a public or private interest and may be the subject of a lease or other agreements as necessary. Development requiring coordination or supervision may or may not offer a service, or be of direct benefit, to the public.
- public mall:** land under public ownership or control designed for pedestrians with vehicle access restricted to service vehicles at times specified by Council.
- public utility:** any work or undertaking constructed or maintained by a public authority or the Council to provide water, sewerage, gas, drainage, communications or other similar services.
- publicly owned land:** land held by an authority with statutory responsibilities and this land may be owned as freehold land or be a Crown Reserve and vested with the authority.
- reception centre:** land or buildings used by parties for functions on formal, business, social or ceremonial occasions, but not for unhosted use or general entertainment purposes.
- recreation—private:** land or buildings used for parks, gardens, playgrounds, sports arenas, or other grounds which are not usually open to the public without charge and includes health clubs squash courts and other indoor sports facilities.
- recreation—public:** land or buildings used for public parks, gardens, playgrounds or other grounds for recreation and includes facilities for the enjoyment of natural features such as rivers and the coast.
- residential building:** a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation—
- (a) temporarily by two or more persons, or
 - (b) permanently by seven or more persons,

who do not comprise a single family; but does not include a hospital, nursing home, prison, juvenile detention centre, school, hotel, motel or holiday accommodation.

restaurant: a building and any associated outbuildings and grounds where food is prepared for sale and consumption on the premises and may or may not be licensed to sell liquor.

rural residential: subdivision and development of land where lots and dwellings are located in a rural setting, where the use of lots may or may not include agriculture or intensive agriculture and the development standards for lots, including lot sizes, have been endorsed by the Council and Commission in accordance with Commission policy.

rural settlement: a collection of two or more dwellings in proximity and located in a rural zone and may include other commercial or community development as approved by Council.

Scheme: the Shire of Roebourne Scheme No. 8.

shop: any land or buildings wherein the predominant use is for the display or sale by retail or hire of goods or where services of a personal nature are provided, including a betting agency but excluding a showroom, and take-away food outlet.

showroom: any building or part of a building used or intended for use for displaying or offering for sale by wholesale or retail, automotive spare parts, carpets, large electrical appliances, furniture, hardware or goods of a bulky nature but does not include the sale by retail of foodstuffs, liquor or beverages, items of clothing or apparel, magazines, newspapers, books or paper products, china, glassware or domestic hardware or items of personal adornment.

single house: an independently constructed dwelling standing wholly on its own lot and may or may not include ancillary accommodation.

stockyard: any land, building or other structure used for holding and/or sale of livestock

storage facility/depot/laydown area: any land, buildings or other structures used for the storage and transfer of goods including salvaged items, the assembling of prefabricated components of products and includes milk, transport and fuel depots and salvage yards.

subdivision: the amalgamation and/or subdivision of land to create new lots in addition to other activity requiring the approval of the Commission under Part III of the Act or a strata plan, strata plan of consolidation required to be accompanied by a certificate of approval given under Section 25 of the Strata Titles Act.

take-away food outlet: any land or buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten, without further preparation, primarily off the premises.

transient workforce accommodation: dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractors camp and dongas.

transportable structure: a building or structure which has been prefabricated at another location and transported either whole or in parts to the intended location.

urban development: development which is undertaken by multiple land owners of lots in an area set aside for the range of uses associated with urban areas such as residential, commercial, community, roads and open spaces.

use: the occupation by people and objects of a building, structure or place and the carrying out of activity for a particular purpose. The use of buildings and places shall be regarded as a form of development.

vehicle: any motor vehicle or trailer, whether designed or used for domestic, commercial or industrial purposes, including boat trailers (and boats) but not including moveable dwellings.

warehouse: a building where goods are stored and may be offered for sale by wholesale.

APPENDIX 2—APPLICATIONS FOR PLANNING APPROVAL

Applications for Planning Approval shall be accompanied by the following reports, information, plans, diagrams and other material to the satisfaction of Council—

Site Plans

- Title Block, name and date
- Scale and north arrow
- Lot boundaries, dimensions
- Contours
- Existing and proposed uses of land and buildings using, where possible, the definitions in the Scheme. Where more than one use exists or is proposed these should be listed and indicated on the site or building plans.
- Existing and proposed buildings including size and location on the lot
- Streets, location and names
- Lot number and other information including easements or restrictive covenants
- Existing and proposed means of access for pedestrians and vehicles to and from the site
- Location and dimensions of areas to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site
- Location, dimensions, design and construction of open storage or trade display areas
- Parking areas
- Fencing—type, location and height
- Areas of open space, landscaping and screen planting, including materials, plant species and irrigation
- Existing structures on abutting properties, location height and uses

- Vegetation to be removed
- Excavation, cut and fill
- Buildings and structures to be demolished

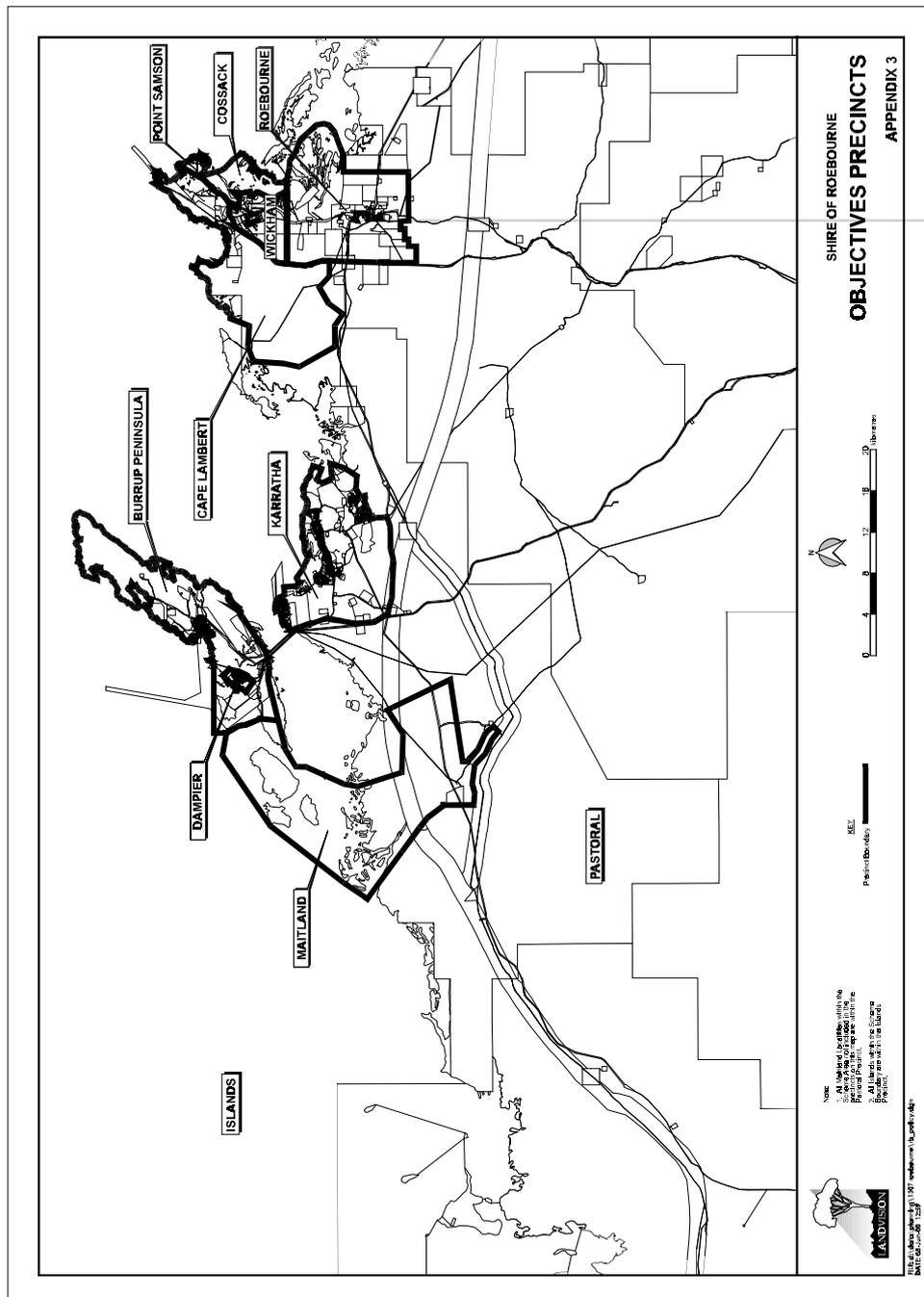
Building Plans

- Plans, elevations and sections of structures, including exterior materials and finishes
- Existing and proposed arrangement of uses within the buildings on the lot

Advertisements

- Location on the lot and position on the building or structure
- Freestanding or attached to other structures
- Height, width and depth
- Colours
- Illumination, flashing, alternating, digital, animated, scintillating, degree of intensity of light source
- Period of time of display
- Existing signs being removed
- Photographs

APPENDIX 3—DEVELOPMENT OBJECTIVES PRECINCTS



APPENDIX 4—CAR PARKING REQUIREMENTS

NO.	DEVELOPMENT	CAR PARKING REQUIREMENTS
RESIDENTIAL		
1	Aged and Dependent Persons Dwelling	As per R Codes
2	Caretaker's Dwelling	As per Single House
3	Grouped Dwelling	As per R Codes
4	Holiday Accommodation	One per accommodation unit, plus one per every three units for visitors
5	Home Occupation	Demand for additional parking not compatible with this use
6/7	Hotel/Motel	One per accommodation unit, plus one per every five units for visitors and staff
8	Movable Dwelling	At Council's discretion
9	Multiple Dwelling	As per R Codes
10	Residential Building	One per every two sleeping units, plus two per every seven units for visitors and staff
11	Rural Settlement	At Council's discretion
12	Single House	as per R Codes
13	Transient Workforce Accommodation	At Council's discretion
INDUSTRY		
14	Abattoir	As per Light and General Industry
15	Aerodrome	At Council's discretion
16	Agriculture	At Council's discretion
17	Intensive Agriculture	At Council's discretion
18	Harbour Installation	At Council's discretion
19	Hire Service (Industrial)	One per 100 square metres of display area and one per employee, plus at Council's discretion the provision of oversized vehicle bays.
20	Industry—Cottage	At Council's discretion
21	Industry—Extractive	At Council's discretion
22	Industry—General	Four per the first 200 square metres of floorspace used for industrial process and thereafter one per every 100 square metres of this floorspace
23	Industry—Light	As per Industry—General
24	Industry—Noxious	At Council's discretion
25	Industry—Rural	As per Light and General Industry
26	Industry—Service	At Council's discretion
27	Industry—Resource Processing	At Council's discretion
28	Infrastructure	At Council's discretion
29	Stockyard	At Council's discretion
30	Storage facility/depot/laydown area	At Council's discretion
COMMERCE		
31	Display Home Centre	One per dwelling, in addition to those provided to each dwelling in accordance with the R Codes
32	Dry Cleaning Premises	One per 20 m ² of nett lettable floor area
33	Market	As per Shop
34	Motor Vehicle and/or Marine Repair	Two per motor vehicle repair bay, one per employee and at Council's discretion in the case of marine repair.
35	Motor Vehicle and/or Marine Sales and Hire	One per 300 metres of sales area and one per employee
36	Motor Vehicle and/or Marine Service Station	One per motor vehicle repair bay, one per 20 square metres of nett lettable sales area, one per six square metres of dining space, one per employee and in the case of marine service station at Council's discretion
37	Motor Vehicle and/or Marine Wrecking	One per employee
38	Motor Vehicle Wash	One additional bay per wash bay and one per employee
39	Office	One per 30 square metres of nett lettable area
40	On-site Canteen	One per 10 square metres of floorspace
41	Outdoor Display	One per 100 square metres of display area plus one per employee

APPENDIX 4—CAR PARKING REQUIREMENTS—continued

NO.	DEVELOPMENT	CAR PARKING REQUIREMENTS
42	Reception Centre	One per four square metres of function area
43	Restaurant	One per six square metres of dining space
44	Shop	One per 20 square metres of nett lettable area
45	Showroom	One per 50 square metres of nett lettable area
46	Take-away Food Outlet	One per two square metres of public floorspace and one per employee
47	Warehouse	One per employee and where goods are offered for wholesale one per 200 square metres of nett lettable area
48	Car park	At Council's discretion
49	Child Care Service	One per every 10 children plus one per employee
50	Community Use	At Council's discretion
51	Consulting Rooms	Four per consulting room for the first two rooms, one per additional consulting room plus one per employee at the time of peak operation
52	Education Establishment	At Council's discretion
53	Emergency Services	At Council's discretion
54	Funeral Parlour	Five bays plus one per employee at the time of peak operation
55	Hospital	One per three beds plus one per employee plus additional bays at Council's discretion for outpatient services
56	Juvenile Detention Centre	At Council's discretion
57	Medical Centre	As per consulting rooms for consulting rooms within the centre, one bay per 20 square metres of nett lettable sales area within a pharmacy, two bays per every other premises within the centre and one per employee at the time of peak operation of each premises
58	Nursing Home	One per five beds plus one per employee at the time of peak operation
59	Place of Animal Care	Six per practitioner where practice is limited to domestic pets, all other places at Council's discretion
60	Place of Public Meeting, Assembly or Worship	One per four square metres of meeting, assembly or worship area
61	Prison	At Council's discretion
62	Public Mall	At Council's discretion
63	Public Utility	At Council's discretion

ENTERTAINMENT, RECREATION AND CULTURE

64	Equestrian Centre	At Council's Discretion
65	Entertainment Venue	One per three square metres of entertainment area
66	Private Recreation	At Council's discretion
67	Public Recreation	At Council's discretion

APPENDIX 5—NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL**TOWN PLANNING AND DEVELOPMENT ACT 1928***Shire of Roebourne***NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL**

It is HEREBY NOTIFIED for public information and comment that the Council has received an application to develop land for the purpose described hereunder:

LAND DESCRIPTION

LOT NO.....STREET.....

PROPOSAL.....

Details of the proposal are available for inspection at the Council office. Comments on the proposal may be submitted to the Council in writing on or before the(day) of(month).....(year)

Signed:

Dated:

.....
CHIEF EXECUTIVE OFFICER

for and on behalf of the Shire of Roebourne.

PREMIER AND CABINET

PR401**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Administrator in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon J. D. van de Klashorst MLA in the period 14 to 20 August 2000 inclusive—

Minister for Family and Children's Services; Seniors; Women's Interests—Hon P. D. Omodei MLA

M. C. WAUCHOPE, Director General,
Ministry of the Premier and Cabinet.

SUPERANNUATION BOARD

SD401**FIRE BRIGADES SUPERANNUATION ACT 1985**

The following have been appointed/elected to the Western Australian Fire Brigades Superannuation Board—

MEMBER

Mr W. Hewitt (Appointed) 19/8/2000—18/8/2003
Mr M. Osborn (Re-elected) 19/8/2000—18/8/2003

ALTERNATE MEMBER

Mr P. Goonting (Appointed) 19/8/2000—18/8/2003
Mr B. Weir (Re-elected) 19/8/2000—18/8/2001
Mr L. C. Campbell (Elected) 19/8/2000—18/8/2001
Mr B. D. Longman (Elected) 19/8/2000—18/8/2001

WATER

WA401**WATER BOARDS ACT 1904****BUSSELTON WATER BOARD**

Notice is hereby given under Section 79 of the above Act that the Rates and Charges for the Busselton Water Board have been approved for the period 1 July 2000 to 30 June 2001 and records may be inspected at the office of the Board during normal office hours. Pursuant to Section 94 of the Water Boards Act No. 4 of 1904, the Busselton Water Board has resolved and the Minister has approved, that the following Rates and Charges shall apply for the twelve months ending 30 June 2001.

Residential

Standard Supply Charge—\$93.65

Water Consumption Charges

First 150kl 37 cents per kilolitre
Next 200kl 54 cents per kilolitre
Next 200kl 58 cents per kilolitre
Next 200kl 68 cents per kilolitre
Next 400kl 112 cents per kilolitre
Next 400kl 160 cents per kilolitre
Next 400kl 185 cents per kilolitre
Thereafter 215 cents per kilolitre

Residential Strata Titled Units existing at 1 July 1996 rated at 3.39 cents in the dollar of Gross Rental Value.

Commercial and Industrial

Rated at 2.31 cents in the dollar of Gross Rental Value.

Vacant Land

Rated at 3.70 cents in the dollar of Gross Rental Value.

All Rated Land

Subject to a Minimum Charge on each assessment in each classification—\$139.65.

Water Allowance—1 kilolitre of water for each 49.78 cents of rate paid.

Excess Water Charge—for each kilolitre in excess of allowance—55 cents.

Non Rated Water Services

Minimum Charge for each assessment—\$93.65

Water Allowance—1 kilolitre for each 49.78 cents of charge paid.

Excess Water—for each kilolitre in excess of allowance—66 cents

Water to Properties Outside of Board Area

100 cents per kilolitre

Penalty for Overdue Rates and Charges

A penalty charge equal to 10% per annum will accrue on a daily basis on all Rates and Charges which are overdue for payment.

A. J. La MANCUSA, Chairman.
D. G. McCUTCHEON, Chief Executive Officer.

WA402**WATERWAYS CONSERVATION ACT 1976**

For the purpose of making an appointment to the Waterways Management Authorities The Administrator acting pursuant to the powers conferred by Section 14 of the Waterways Conservation Act 1976 as amended and on the recommendation of the Minister for Water Resources has been pleased on the 8th day of August 2000 to appoint—

Mr Bruce Tatham

Ms Marilyn Gray

Mr Joe Walley

Mr Craig Green

Ms Pamela Payne

Mr James Trembath

Ms Donna West

Mr Morris Bessant

to the Peel Inlet Management Authority for a term expiring 30 June 2003.

ROD SPENCER, Clerk of the Council.

WA403**WATERWAYS CONSERVATION ACT 1976**

For the purpose of making an appointment to the Waterways Management Authorities The Administrator acting pursuant to the powers conferred by Section 14 of the Waterways Conservation Act 1976 as amended and on the recommendation of the Minister for Water Resources has been pleased on the 8th day of August 2000 to appoint—

Mr Robert Edgeloe

Mr Shayne Cayliss

Ms Natalie Harwood

Mr Laurie Brown

Mr Mick O'Connor

Mr Dom Figliomeni

to the Leschenault Inlet Management Authority for a term expiring 30 June 2003.

ROD SPENCER, Clerk of the Council.

WA404**WATERWAYS CONSERVATION ACT 1976**

For the purpose of making an appointment to the Waterways Management Authorities The Administrator acting pursuant to the powers conferred by Section 14 of the *Waterways Conservation Act 1976* as amended and on the recommendation of the Minister for Water Resources has been pleased on the 8th day of August 2000 to appoint—

Mr Wayne Clarke

Ms Elizabeth Manning

Mr Lindsay Eva

to the Avon River Management Authority for a term expiring 30 June 2003.

ROD SPENCER, Clerk of the Council.

PUBLIC NOTICES

ZZ401**DISSOLUTION OF PARTNERSHIP**

Notice is hereby given, that on the 30 June 2000 the Partnership known as Giblett Transport ("the business") and comprising Nellie Anderton and Gary Giblett was dissolved and from the above mentioned date, Gary Giblett takes no responsibility for any liabilities incurred by the business after that date.

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	\$
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