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Gazette**



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JOHN A. STRIJK,
Acting Government Printer.

PROCLAMATIONS

AA101

AGRICULTURAL LEGISLATION AMENDMENT AND REPEAL ACT 1995

(No. 61 of 1995)

PROCLAMATION

WESTERNAUSTRALIA David K. Malcolm, Lieutenant-Governor and deputy of the Governor. [L.S.]	}	By the Honourable David Kingsley Malcolm, Companion of the Order of Australia, Lieutenant- Governor and deputy of the Governor of the State of Western Australia.
-------------------------------------------------------------------------------------------------------	---	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------

I, the Lieutenant-Governor and deputy of the Governor, acting under section 2 of the Agricultural Legislation Amendment and Repeal Act 1995 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than section 16, come into operation.

Given under my hand and the Public Seal of the State on 4 January 1996.

By Command of the Lieutenant-Governor and deputy of the Governor,

MONTY HOUSE, Minister for Primary Industry.

GOD SAVE THE QUEEN !

Note for information:

The commencement of the Agricultural Legislation Amendment and Repeal Act 1995, as fixed by the above proclamation, also brings into operation the following—

the Grain Marketing Regulations 1996 as published in this *Gazette*.

AGRICULTURE

AG301

GRAIN MARKETING ACT 1975

GRAIN MARKETING AMENDMENT REGULATIONS 1996

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Grain Marketing Amendment Regulations 1996*.

Commencement

2. These regulations come into operation on the commencement of the *Agricultural Legislation Amendment and Repeal Act 1995*.

Principal regulations

3. In these regulations the *Grain Marketing Act Regulations 1975** are referred to as the principal regulations.

[* *Published in Gazette of 21 November 1975 at pp. 4260-1.*
For amendments to 20 December 1995 see 1994 Index to
Legislation of Western Australia, Table 4, p. 116.]

Headings amended

4. (1) The heading "Regulations." in the principal regulations is deleted and the following heading is inserted —

" **GRAIN MARKETING ACT REGULATIONS 1975** "

(2) The headings to the principal regulations set out in the Table to this subregulation are deleted.

TABLE

PART I.

Interpretation.

PART II.

Receipt for Grain and Claims for compensation.

Regulation 2 amended

5. Regulation 2 of the principal regulations is amended by inserting in the appropriate alphabetical position the following definition —

“

“**Grain Research Committee**” means the Grain Research Committee referred to in section 28 of the Act;

”

Regulation 5 inserted

6. After regulation 4 of the principal regulations the following regulation is inserted —

“

Application of that part of the Grain Research Fund transferred from the Soil Fertility Research Fund

5. For the purposes of section 19B (c) of the Act, that part of the Grain Research Fund in respect of which a separate balance is kept under section 19B of the Act is to be applied —

- (a) for the purpose of providing 2 scholarships, which are to be known as the “Wheat Grower Scholarships”, in each calendar year for such amounts and in accordance with such selection criteria as the Grain Research Committee decides; and
- (b) for any other purpose relating to grain research.

”

By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

AG401

**CARNARVON BANANA INDUSTRY (COMPENSATION TRUST FUND) ACT 1961
APPOINTMENT NOTICE**

Department of Agriculture,
South Perth, 5 January 1996.

Ref: 395/89.

I am pleased to advise that His Excellency the Lieutenant-Governor and deputy to the Governor has appointed pursuant to section 7(2)(a) of the Carnarvon Banana Industry (Compensation Trust Fund) Act 1961, John Charles Nicholls as Chairman of the Carnarvon Banana Industry Compensation Committee for a term of office expiring on 22 November 1998.

G. A. ROBERTSON, Chief Executive Officer.

HEALTH**HE401****PSYCHOLOGISTS REGISTRATION ACT 1976**Health Department of WA,
Perth, 19 December 1995.

91-00101; Ex Co No. 1409.

His Excellency the Governor in Executive Council has appointed under the provisions of the Psychologists Registration Act 1976, Anthony Mander as deputy to Enid Hatton of The Psychologists Board of Western Australia for the period ending 20 April 1996.

ALAN BANSEMER, Commissioner of Health.

HE402**HEALTH ACT 1911**Health Department of WA,
Perth, 31 December 1995.

The appointment of the following persons as Environmental Health Officers is approved.

Officer	Date Effective	Local Authority
Royce Reginald Parker	30 November 1995	Shire of Toodyay
Mark Andrew Bishop	18 December 1995	City of Gosnells
Stephen Goodridge	4 December 1995	City of Cockburn
Erina Stazonelli	5 December 1995	Town of Bassendean
Philip Graham Swain	4 December 1995	City of Wanneroo
Elizabeth French	11 December 1995	City of Wanneroo

The cancellation of the following persons as an Environmental Health Officer is hereby notified.

Officer	Date Effective	Local Authority
Ronald Stanley Woodward	8 December 1995	Shire of Toodyay
Melanie Bridger	6 October 1995	Town of Bassendean

BRIAN DEVINE, delegate of
Executive Director, Public Health.**HE403****HEALTH ACT 1911**Health Department of WA,
Perth, 21 November 1995.

HD HI 90-08103, Ex Co No. 1263

The deputy of the Governor under Section 119 of the Health Act 1911, has consented to the setting apart by the Shire of Augusta-Margaret River of Reserve No. 43808 (Sussex Location 5011) for use as a rubbish disposal site.

ALAN BANSEMER, Commissioner of Health.

JUSTICE**JM301****YOUNG OFFENDERS ACT 1994****YOUNG OFFENDERS AMENDMENT REGULATIONS 1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Young Offenders Amendment Regulations 1995*.

Part 6A inserted

2. After Part 6 of the *Young Offenders Regulations 1995** the following Part is inserted —

“

PART 6A — MISCELLANEOUS**Calculation of period of detention by reference to unpaid amount (s. 65C (2))**

40A. For the purposes of section 65C (2) of the Act, the period of detention in a detention order (expressed in days) is to be calculated by dividing the unpaid amount by \$50 and rounding the result up to the nearest whole number.

”

[* *Published in Gazette of 3 March 1995 at pp. 853-76.*]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

LOCAL GOVERNMENT

LG401**LOCAL GOVERNMENT ACT 1960**

Shire of Kellerberrin
Acting Shire Clerk

It is hereby notified for public information, that Paul Pawelec has been appointed Acting Shire Clerk of the Shire of Kellerberrin from 26 January 1996 until further notice. The appointment of Noel Mason is hereby cancelled.

G. J. DIVER, President.

LG402**SHIRE OF WONGAN-BALLIDU**

Acting Chief Executive Officer/Shire Clerk

It is hereby notified for public information, that Mr Ian Dew has been appointed Acting Chief Executive Officer/Shire Clerk during the period of 10 January 1996 to 26 January 1996 inclusive.

F. J. PECZKA, Chief Executive Officer/Shire Clerk.

LG403**LOCAL GOVERNMENT ACT 1960**

Shire of Morawa
Acting Shire Clerk

It is hereby notified for public information, that Shane Anthony Collie has been appointed Acting Shire Clerk of the Shire of Morawa from 8 January 1996 until 19 January 1996.

P. J. VARRIS, Shire Clerk.

LG901

LOCAL GOVERNMENT ACT 1960
Shire of Greenough
NOTICE OF INTENTION TO BORROW
 Loan (No. 73) \$15 000

Pursuant to section 610 of the Local Government Act 1960, the Shire of Greenough hereby gives notice of its intention to borrow money by the sale of a single debenture on the following terms and for the following purpose—

\$15 000 for a period of five (5) years. Payable ten (10) half-yearly instalments of principle and interest.

Purpose: Self Supporting Loan—Rover Football Club—two lighting towers.

Plans, specifications and estimates that are required by section 609 are available for inspection by ratepayers at the Council Office, corner Geraldton/Walkaway and Geraldton/Mt Magnet Roads, Utakarra during business hours, for thirty five (35) days after the publication of this notice.

Dated 4 January 1996.

J. P. D. EDWARDS, President.
 W. T. PERRY, Shire Clerk.

MAIN ROADS

MA101

CORRECTION
TOWN PLANNING AND DEVELOPMENT ACT 1928
PUBLIC WORKS ACT 1902
METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985
 LAND ACQUISITION

File No. MRWA 93-3200-1.

Five errors occurred in the notice published under the above heading in the *Government Gazette* No. 144 dated Friday, 27 October 1995, on pages 4974, 4975, 4976 and 4977 of the Schedule—

* Under the heading "Area" delete 4530 m² and insert 4553 m² where the owner or reputed owner is Arcus Shopfitters Pty Limited (page 4974).

* Under the heading "Area" delete 1563 m² and insert 1649 m² where the owner or reputed owner is S & R Investments Pty Ltd (page 4975).

* Under the heading "Area" delete 431 m² and insert 438 m² where the owner or reputed owner is Spyros Fermanis (page 4975).

* Under the heading "Area" delete 1418 m² and insert 1437 m² where the owner or reputed owner is Ashley Investments Pty Ltd (page 4976).

* Under the heading "Area" delete 786 m² and insert 797 m² where the owner or reputed owner is Keith Paull and Ivy May Paull (page 4977).

PAUL FREWER, Acting Chief Executive,
 Ministry for Planning.

PARLIAMENT

PA401

PARLIAMENT OF WESTERN AUSTRALIA
 Bills Assented To

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the date shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the Third Session of the Thirty-Fourth Parliament.

Short Title of Bill	Date of Assent	Act No.
Secondary Education Authority Amendment Bill 1995	20 December 1995	55 of 1995
Business Licensing Amendment Bill 1995	20 December 1995	56 of 1995
Acts Amendment (Vehicle Licences) Bill 1995	20 December 1995	57 of 1995
Strata Titles Amendment Bill 1995	20 December 1995	58 of 1995
Real Estate Legislation Amendment Bill 1995	20 December 1995	59 of 1995
Agricultural Legislation Amendment and Repeal Bill 1995	20 December 1995	61 of 1995
Government Employees Superannuation Amendment Bill (No. 2) 1995	21 December 1995	60 of 1995

IAN ALLNUTT, Acting Clerk of the Parliaments.

Dated 4 January 1996.

PLANNING

PD707

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME

Shire of Northampton

Town Planning Scheme No. 6—Northampton District Scheme

Ref: 853/3/14/8, Vol. 3.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928, that the Hon. Minister for Planning approved the Shire of Northampton Town Planning Scheme No. 6—Northampton District Scheme on October 26, 1995—the Scheme Text of which is published as a Schedule annexed hereto.

C. H. ATKINSON, President.
C. J. PERRY, Shire Clerk.

Schedule

SHIRE OF NORTHAMPTON

SCHEME NO. 6

NORTHAMPTON DISTRICT SCHEME

SCHEME TEXT

THE SHIRE OF NORTHAMPTON TOWN PLANNING SCHEME No. 6

NORTHAMPTON DISTRICT SCHEME

The Northampton Shire Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended), hereinafter referred to as The Act, hereby makes the following Town Planning Scheme for the purposes laid down in the Act.

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PART I—PRELIMINARY

1.1 Citation

This Town Planning Scheme may be cited as the Shire of Northampton Town Planning Scheme No 6—Northampton District Scheme 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 Northampton hereinafter called 'the Council'.

1.3 Scheme Area

The Scheme applies to the Shire of Northampton, excluding the Scheme Areas for the towns of Horrocks (Town Planning Scheme No 8), Isseka (Town Planning Scheme No 7), and Kalbarri (Town Planning Scheme No 4), and as shown on the Scheme Map by a broken black border and which area is hereinafter called the Scheme Area. The Scheme includes the towns of Northampton, Ajana, Binnu, Galena, Lynton and Port Gregory.

1.4 Contents of the Scheme

The Scheme comprises:

- (a) The Scheme Text
- (b) The Scheme Maps

1.5 Arrangement of the Scheme

The Scheme Text is divided into the following parts:

Part I	Preliminary
Part II	Reserves
Part III	Zones
Part IV	Non-Conforming Uses
Part V	Development Requirements
Part VI	Heritage Provisions
Part VII	Amenity Control
Part VIII	Car Parking
Part IX	Control of Advertising
Part X	Planning Consent
Part XI	Administration

1.6 Scheme Objectives

The Scheme Objectives are as follows:

- (a) to reserve land required for public purposes;
- (b) to zone the balance of the land within the Scheme Area for the various purposes described in the Scheme;
- (c) to maintain the viability of the agricultural areas by devising and implementing policies to protect the land from inappropriate subdivision and development;
- (d) to devise and implement policies for the proper conservation and development of the coastal lands;
- (e) to implement controls for the purpose of maintaining a high standard of orderly development within the townsites;
- (f) to introduce measures by which buildings and places of historic value and landscape quality may be conserved.

1.7 Revocation of Existing Scheme

The Shire of Northampton Town Planning Scheme No. 1, as amended, which came into operation by publication in the *Government Gazette* on the twenty-eighth day of October 1969, is hereby revoked.

1.8 Interpretations

1.8.1 Except as provided in Clause 1.8.2 the words and expressions of the Scheme shall have their normal and common meaning.

1.8.2 In the Scheme unless the context otherwise requires, or unless it is otherwise provided herein words and expressions have the respective meanings given to them in Appendix 1.

1.8.3 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.

PART II—RESERVES

2.1 Scheme Reserves

The lands shown as Scheme Reserves on the Scheme Map, hereinafter called 'Reserves' are lands reserved under the Scheme for the purposes shown on the Scheme Map.

There are four Reserves included in the Scheme and they are as follows:

- National Parks and Conservation Reserves
- Parks and Recreation
- Major Highway
- Public Purposes (as marked)

2.2 Matters to be Considered by Council

Where an Application for Planning Consent is made with respect to land within a Reserve, the Council shall have regard to the ultimate purposes intended for the Reserve and the Council shall, in the case of land reserved for the purposes of a Public Authority, confer with that authority before granting its consent.

Any landholder intending to undertake development (including subdivisions and rezonings) on land adjacent to National Parks and Conservation Reserves shall be required to consult with the appropriate vesting agency prior to approvals being granted in order to ensure that adjacent land uses do not have detrimental impacts on conservation values.

2.3 Compensation

2.3.1 Where the Council refuses Planning Consent for the development of a Reserve on the ground that the land is Reserved for the purposes shown on the Scheme Map, or grants consent subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.

2.3.2 Claims for such compensation shall be lodged at the office of the Council not later than six months after the date of the decision of the Council refusing Planning Consent or granting it subject to conditions that are unacceptable to the applicant.

2.3.3 In lieu of paying compensation the Council may purchase the land affected by such decision of the Council at a price representing the unaffected value of the land at the time of refusal of Planning Consent or of the granting of consent subject to conditions that are unacceptable to the applicant.

PART III—ZONES

3.1 Zones

3.1.1 Creation of Zones

There are hereby created the seven zones set out hereunder:

- Town Centre Zone
- Residential Zone
- Industrial Zone
- Rural Zone
- Special Site Zone (as marked)
- Special Rural Zone
- Special Residential Zone

These Zones and the development provisions relating to them shall be read in conjunction with the Policy Statements as adopted by the Council pursuant to Part XI. The zones are delineated and depicted on the Scheme Map according to the legend thereon.

3.1.2 Zoning Table

The Zoning Table indicates, subject to the provisions of the Scheme, the several uses permitted in the Scheme Area in the various zones such uses being determined by cross reference between the list of Use Classes on the left hand side of the Table 1 and the list of Zones at the top of the Zoning Table.

The symbols used in the cross reference in the Zoning Table have the following meanings:

- 'P' means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting Planning Consent;
- 'IP' means a use that is not permitted unless such use is incidental to the predominant use of the land as determined by the Council;
- 'AA' means that the Council may, at its discretion, permit the use;
- 'SA' means that the Council may, at its discretion, permit the use after notice of application has been given in accordance with Clause 10.2.

3.1.3 Where no symbol appears in the cross reference of a use class against a Zone in the Zoning Table a use of that class is not permitted in that Zone.

3.1.4 Where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any other use class which by its more general terms might otherwise include such particular use.

3.1.5 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes the Council may:

- (a) determine that the use is not consistent with the objectives and purpose of the Policy Statement or particular zone and is therefore not permitted;
- or
- (b) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the Policy Statement and Zones and thereafter follow the advertising procedures of Clause 10.2 in considering an Application for Planning Consent.

3.2 Rezoning

Where in the opinion of the Council any proposed application to amend the Scheme is inconsistent with any Policy Statement for future development of an area the Council shall:

- (a) not initiate an Amendment on the grounds that it is inconsistent with the Policy Statement;
- or
- (b) resolve to initiate an Amendment in respect of the proposal after review of the implications and desirability of such Amendment and after review of the relevant policy statement.

TABLE 1
SHIRE OF NORTHAMPTON TPS 6 Zoning Table

USE CLASS	ZONE	Town Centre	Residential	Rural	Industrial	Special Site	Special Rural	Special Residential
COMMERCIAL USES								
Amusement Parlour		SA						
Car Park		P			P	Permitted		
Dry Cleaning Premises		SA			P			
Fast Food Outlet		AA				Uses		
Fish Shop		AA						
Funeral Parlour		AA				are		
Health Studio		AA			AA			
Home Occupation		AA	SA	AA		limited	AA	SA
Hotel		SA						
Motel		SA				to		
Night Club		SA			AA			
Motor Vehicle & Marine Sales Premises		AA			P	those		
Motor Vehicle Hire		AA			P			
Office		P			IP	specifically		
Office—Professional		AA	SA		IP			SA
Reception Centre		SA				shown		
Restaurant		AA						
Service Station		AA			P	in		
Shop		P			AA			
Showroom		P			P	Appendix 7		
Tavern		SA						
Warehouse					P			
Wayside Store				AA			AA	
RESIDENTIAL USES								
Single House		AA	P	P			P	P
Attached House		AA	AA					
Grouped Dwelling		AA	AA					
Multiple Dwelling		AA	AA					
Aged & Dependent Persons' Dwelling		SA	SA					SA
Caretaker's Dwelling		IP			IP			
Residential Building		SA	SA					SA
CIVIC & COMMUNITY USES								
Ambulance Depot		AA			P			
Civic Building		AA	SA					SA
Club Premises		SA						
Consulting Rooms		AA	SA					SA
Day Care Centre		SA	SA					SA
Educational Establishments		SA	AA					SA
Fire Brigade Depot		AA		AA	P		AA	
Kindergarten		AA	SA					SA
Medical Centre		AA	SA					
Public Utility		P	P	P	P		P	P
Public Worship		AA	SA					SA
Radio & TV Installation				AA	P		AA	
Veterinary Hospital				AA	AA		AA	
Veterinary Consulting Rooms		AA		AA	AA		AA	
INDUSTRIAL USES								
Fuel Depot					P			
Industry—General					P	Permitted		
—Light					P			
—Service		AA			P	Uses		
—Extractive				AA				
—Hazardous					SA	are		
—Noxious				AA				
—Cottage		AA	AA	AA	P	limited	AA	AA
Motor Vehicle—Repair					P			
—Wrecking					AA	to		
Nursery/Garden Centre		AA	SA	AA	AA		AA	AA
Salvage Yard					P	those		
Transport Depot					P			
RECREATION USES								
Equestrian Centre				AA		specifically	AA	SA
Private Recreation			SA	SA			SA	SA
Public Amusement		AA				shown		
SPECIAL USES								
Camping Area		SA				in		
Caravan Park		SA						
Cattery/Kennel				AA	AA	Appendix 7	SA	SA
Holiday Accommodation		SA						
Marine Collectors Yard				AA	P			
Museum		P						
Rural Pursuit				P			P	

PART IV—NON-CONFORMING USES

4.1 Non-Conforming Use Rights

No provision of the Scheme shall prevent:

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the time of coming into force of the Scheme;
- or
- (b) the 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.

4.2 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 Consent of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

4.3 Change of Non-Conforming Use

Notwithstanding anything contained in the Zoning Table the Council may grant its Planning Consent 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 the Council, closer to the intended uses of the zone or reserve.

4.4 Discontinuance of Non-Conforming Use

4.4.1 When 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.

4.4.2 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

4.5 Destruction of Buildings

If any building is, at the gazettal date, being used for a non-conforming use, and is subsequently destroyed or damaged to an extent of 75 percent or more of its value the land on which the building is built shall not thereafter be used otherwise than in conformity with the Scheme, and the buildings shall not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner or position not permitted by the Scheme.

PART V—DEVELOPMENT REQUIREMENTS

5.1 Development of Land

5.1.1 Subject to Clause 5.1.2 a person shall not commence or carry out development of any land Zoned or Reserved under the Scheme without first having applied for and obtained the Planning Consent of the Council under the Scheme.

5.1.2 The Planning Consent of the Council is not required for the following development of land:

- (a) the use of land in a Reserve, where such land is held by the Council or vested in a Public Authority;
 - (i) for the purpose for which the land is Reserved under the Scheme;
 - or
 - (ii) in the case of land vested in a Public Authority, for any purpose for which such land may be lawfully used by that authority.
- (b) the erection of a boundary fence except as otherwise required by the Scheme;
- (c) the erection on a lot of a single dwelling house including ancillary outbuildings in a zone where the proposed use is designated with the symbol 'P' in the cross-reference to that zone in the Zoning Table, except where the single dwelling house is not the first erected on the lot;
- (d) the carrying out of any works on, in, over or under a street or road by a Public Authority acting pursuant to the provisions of any Act;
- (e) 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;
- (f) the carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

5.2 Discretion to Modify Development Standards

If a development, other than a residential development, the subject of an Application for Planning Consent, does not comply with a standard prescribed by the Scheme with respect to building height, setbacks, site coverage, car parking, landscaping and related matters, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this Clause may only be exercised if the 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 the amenities of the locality;

- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality;
and
- (c) the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.

5.3 Land Subject to Inundation

A building, except with the approval of Council, shall not be constructed upon any land liable to flooding. On approving any building within the Scheme Area, the Council may set minimum levels for any floor or appurtenant area of the building.

5.4 Setbacks From Water Courses

Within the Northampton Town boundary the Council shall not permit the erection of any habitable building on any land within 50 metres of the nearest definable bank of a watercourse unless it is satisfied that all reasonable measures of containment of seepage from septic tanks or leach drains into any natural watercourse has been taken.

Elsewhere in the Scheme area the minimum setback from any definable bank of a watercourse shall be 100 metres.

5.5 Development on Steep Slopes

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

5.6 Development of Land Abutting Unconstructed Roads

Where an application for Planning Consent to commence development is made in respect of land abutting an unconstructed road or not having access by means of a constructed road the Council may either:

- (a) refuse the application until the road has been constructed or access by means of a constructed road provided as the case may be;
or
- (b) grant the application approval subject to a condition requiring the applicant to pay a sum of money or towards payment of the cost or estimated cost of construction of the road or part thereof and any other conditions it thinks fit to impose;
or
- (c) approve the application with or without conditions.

5.7 Policy Statements

In determining an application for Planning Consent, Council shall have regard to the requirements of this Part and any Policy Statements as enabled under Clause 11.6 of the Scheme.

5.8 Residential Development : Residential Planning Codes

5.8.1 For the purpose of this Scheme 'Residential Planning Codes' means the Residential Planning Codes set out in Appendix 2 to the statement of Planning Policy No 1, together with any amendments thereto.

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

5.8.3 In the event of there being any inconsistency between the Residential Planning Codes identified by Clauses 5.8.1 and 5.8.2, the provisions in the document identified in Clause 5.8.1 shall prevail.

5.8.4 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 and the schedules to those codes.

5.8.5 The Residential Coding of land shall be in accordance with that shown on the Scheme Maps (as bordered) and referred to within the Policy Statements.

5.9 Residential Zone

5.9.1 Objectives

The objective for this zone is to ensure that low density residential uses are provided for within an urban environment of a reasonable standard, together with other uses and activities compatible with the predominant use.

5.9.2 Development Plan

It is the intention of Council to ensure that the subdivision and development of land within areas which are set aside for residential purposes takes place only after appropriate measures have been taken to plan for the subdivision and development of that land.

In this regard the Council, before supporting or approving a proposal for subdivision or development, may require the preparation and approval of a Development Plan for the whole of the area set aside for residential purposes, or for any part or parts of the area as considered appropriate by the Council.

5.9.3 Information

A Development Plan shall show the following information:

- (a) the topography of the area;

- (b) existing roads and existing lot boundaries;
- (c) existing natural features as considered relevant by the Council to be taken into account in the Plan;
- (d) location and standards of proposed roads;
- (e) location of proposed recreation areas, schools and community or public use areas;
- (f) existing and proposed services;
- (g) proposed stages of development;
- (h) likely impact upon any adjoining property;
- (i) any other information which in the opinion of the Council is required in order to make a proper assessment of the Plan.

5.9.4 Consideration

On receipt of a Development Plan and upon being satisfied that the Plan contains sufficient information to be properly assessed, the Council shall consider the Plan and may reject it or may agree to it with or without modifications.

5.9.5 Advertising

If the Council agrees to the Plan it shall advertise that the Plan has been prepared and is available for inspection at the office of the Council. Advertising shall take the form of written notification to all landowners in the area subject of the Plan and written notification to all public authorities having an interest in the Plan. Advertising may include the placement of a notice in a newspaper circulating in the district and the placement of a notice or notices on the land subject of the Plan.

The Development Plan shall be advertised for a period of not less than 28 days during which time submissions may be lodged with the Council.

5.9.6 Submissions

Council shall consider the submissions and shall make recommendations on each submission together with a recommendation that the Development Plan should either:

- (a) proceed to finalisation, with or without modification, or
- (b) not be proceeded with.

5.9.7 Commission Determination

If the Development Plan is to proceed the Council shall forward to the Commission a copy of the Development Plan, copies of the submissions, Council's recommendations at 5.9.6, and a request that the Commission adopt the Plan as the basis for the approval of subdivision applications within the area covered by the Plan.

5.9.8 Alterations

Any departure from or alteration to an approved Development Plan may, subject to the approval of the Commission, be permitted by the Council if the Council considers that the departure or alteration will not prejudice progressive development of the area. In considering a departure or alteration the Council may notify any owner of land it considers is affected, and may invite any owner to make a submission to the Council regarding the proposal.

5.10 Town Centre Zone

5.10.1 Objectives

The Objectives of the Council for the control of development within the Town Centre Zone are to:

- (a) create a town centre with a strong historic character;
- (b) have regard to the adopted Northampton Town Planning Scheme Policies;
- (c) encourage the appropriate development and redevelopment of land within the commercial and shopping areas.

5.10.2 Setbacks and Landscaping Requirements

Setbacks and landscaping requirements for development and redevelopment of any lot within this Zone shall be determined by the Council after due consideration of its location, present and proposed use, the heritage value of the land and the existing structures upon it, its proximity to buildings or places of heritage value, its proximity to residential development, and its visual prominence within the streetscape.

5.10.3 Upper Floors

Where the ground floor of a two-storey building is used for the purpose of commerce, the upper floors of such building may be used for such purposes as may be permitted by Council and may include shops, offices or residential uses.

5.10.4 Site Coverage

The site coverage of any lot shall be subject to the discretion of Council having due regard to matters relating to access, car parking, rear access and loading docks and any other matters the Council shall consider relevant.

5.10.5 Loading and Unloading

Where areas for the loading and unloading of vehicles carrying goods and commodities to and from the premises are to be provided they shall be constructed and maintained in accordance with an approved plan relating thereto.

5.10.6 Residential Development in the Town Centre Zone

Residential development within the Town Centre Zone may be permitted in accordance with the provisions of the R 20 Code.

5.11 Industrial Zone

5.11.1 Objectives

The objective for this zone is to provide for the location and establishment of small industrial areas and implement standards for their development to:

- (a) encourage clean and efficient industrial facilities;
- (b) protect the amenity of the adjoining areas;
- (c) enable the industrial area to expand where the need for such expansion can be sustained;
- (d) promote safe movement of vehicles;
- (e) permit the development of a caretakers dwelling on an industrial lot by the owner/occupier where it is an 'IP' Use as defined by the Scheme.

5.11.2 Building Setbacks

In the Industrial Zone the development standards shall be as follows:

Front Setbacks	9 metres
Rear Setbacks	5 metres
Side Setbacks	5 metres on any one side to permit access to the rear of the lot.

5.11.3 Factory Unit Development

The development of factory tenement buildings, for the purpose of providing multiple factory units on one lot, shall not be permitted unless the following requirements are complied with:

- (a) no factory unit shall have a floor area of less than 100m²;
- (b) each factory unit shall have a service yard appurtenant to it which shall be a minimum of 50% of the unit floor area;
- (c) off street parking may be provided as an overall area on site and shall provide for all employees with a minimum staff requirement of four bays per unit. Customer parking shall be provided as an additional figure of one bay per unit;
- (d) all facades to be of masonry construction or other material approved by the Council;
- (e) in the case of factory unit buildings the side setback may be permitted within one metre of a boundary;
- (f) In the case of a corner lot the Council may reduce the building setback by 50% after the determination of which street frontage constitutes the actual frontage of the lot.

5.11.4 Landscape Treatment

The land between the front building line and the street frontage shall be set aside for landscaping and such landscaping shall be established and maintained in accordance with the conditions of Planning Consent.

Such landscape treatment may include a car parking area. Implementation of an approved landscape plan shall occur within six calendar months of:

- (a) the completion of any other approved works;
- or
- (b) the date of occupancy, if occupancy commences prior to the completion of the development.

5.11.5 Open Air Display

A person may display finished goods for sale up to the front boundary of the lot. Advertising signs shall be in accordance with the provisions of Part IX of the Scheme.

5.11.6 Stockpiling and Storage of Materials

No dumping or storage of waste or raw materials for use on the premises shall be permitted between the front boundary and the building setback.

5.11.7 Loading and Unloading

Areas for loading and unloading of vehicles carrying goods to and from the premises shall be provided and maintained in accordance with the approved plan relating thereto.

5.11.8 Waste Disposal

No person shall permit any solid or liquid waste product from leaving the site unless in a container or bin or any other satisfactory receptacle. Such waste products as oil, greases, chemicals (either pure or diluted) shall be contained on the site and prevented from discharge into any drain, watercourse or pit or soakwell inside of the lot.

5.11.9 Car Parking

Except where otherwise stated in this clause car parking shall be provided in accordance with the provisions of Part VIII of the Scheme.

5.11.10 Vehicle Wrecking

The wrecking or storage of wrecked vehicles or the parts thereof shall not be permitted in front of the building setback as prescribed in Clause 5.11.6.

5.11.11 Residential Uses in Industrial Zone

Council may permit the development and occupancy of a single house upon a lot for the purposes of a caretaker's residence for security and management providing the occupants of that residence are directly related to the operation of the predominant permitted use.

5.11.12 Managing Off-site Impacts of Industry and Servicing Facilities

In considering new industries to be located within the Industrial Zone and the upgrading of existing industries within the Industrial Zone the Council shall have regard to the objectives, advice and recommendations of the "Recommended buffer distances for industry", which is an extract from the Draft Environmental Manual for Planners published by the Department of Environmental Protection.

5.12 Rural Zone

5.12.1 Policy Statement

For land zoned Rural, Council shall have regard to the provisions of the Local Rural Strategy prepared pursuant to Clause 11.6 of this Scheme. In assessing applications for subdivision or development of land zoned Rural, the Council shall make recommendations or decisions taking into account the objectives and general intent of the land management and planning provisions identified in the Local Rural Strategy.

5.12.2 Rural Land Outside a Townsite Boundary

The objectives for land outside of the townsite boundaries is to give priority to the preservation of viable agriculture production in a manner consistent with sound land use and management practices.

5.12.3 Development Standards

For rural zoned land outside of the townsite boundaries the following development standards shall apply;

- (a) Council may permit no more than two dwellings on any lot;
- (b) Where an application for development is proposed on a lot which has no road frontage Council may, as a condition of development, require that arrangements to Council's satisfaction be made with the owners of adjacent property to grant access to a constructed public road;
- (c) When making a decision on an application for development on land within a Rural zone Council may impose conditions relating to the objectives and general intent of land management and planning provisions identified in the Local Rural Strategy.

5.12.4 Rural Land Within the Northampton Townsite

The objectives for the Rural Zone within the boundaries of the Northampton Townsite are as follows:

- (a) to retain the current subdivision status of the land for uses such as horticulture, agriculture, market gardens, and rural residential purposes;
- (b) to make provision for the retention and enhancement of the rural landscape consistent with the existing land uses and the amenity of the adjoining properties;
- (c) to enable the rationalisation of existing boundaries and to support subdivision to permit development appropriate to the landform and in accordance with the Local Rural Strategy.

5.12.5 Development Applications

Any application for development of Rural Zoned land within the Northampton Townsite boundary including building licences, shall include:

- (a) the location of any trees and remnant vegetation on the site;
- (b) areas proposed to be cleared;
- (c) areas proposed to be planted;
- (d) location of all existing and proposed firebreaks;
- (e) location of all existing and proposed buildings together with a defined building envelope;
- (f) location of any heritage site and/or ruins, including evidence of past mining ventures;
- (g) anticipated stocking rates;
- (h) source of water supply;
- (i) control of stormwater and retention of nutrients, and
- (j) method for onsite retention of stormwater and nutrients.

5.12.6 Building Envelopes

All buildings on any lot must be contained within an approved building envelope defined on a plan lodged with Council. Council may permit construction of buildings outside of the building envelope where it is satisfied that the location will not be detrimental to the landscape or the environment.

5.12.7 Building Setbacks

No building shall be located less than:

- (a) 10 metres off any street boundary;
- (b) 5 metres from any side boundary; or
- (c) 10 metres from any rear boundary.

5.12.8 Water Supply and Storage

Where Scheme water supply is not available a dwelling shall not be permitted unless the catchment and storage of at least 92,000 litres of water is provided for domestic purposes or unless the proponent

can produce evidence from a suitably qualified person that an adequate onsite potable water supply is available.

5.12.9 Occupation of Buildings

Not more than one single house may be erected and occupied on a lot. Council may permit temporary occupancy of a building under such conditions as it thinks fit, provided that Council has at the same time approved plans for construction of a house on the lot.

5.12.10 Nutrient Run-off

In considering applications for planning consent Council shall ensure that the development proposed will not result in any net export of nutrients from the land to any wetland, water course or underground aquifer, and may require no further clearing of vegetation.

No stormwater will be permitted to drain directly into existing waterbodies or watercourses. All stormwater is to be disposed of on-site to the extent that a 1 in 10 year storm event is retained for three to four days. Developers shall be encouraged to use the principles and practices detailed in the *Planning and Management Guidelines for Water Sensitive Urban (Residential) Design* document published by the State Planning Commission in June 1994.

5.12.11 Planting

As a condition of planning consent Council may require the planting and maintenance of native or locally acceptable trees.

5.12.12 Septics

Conventional septic tanks shall be located at least 100 metres from any water course or wetland and >30m from any bore, with a minimum of 2 metres vertical separation between the base of the leach drain or soakwell and the highest known groundwater level or bedrock.

5.12.13 Stocking Rates

Anticipated stocking rates should be accompanied with advice from the Department of Agriculture regarding maximum acceptable stocking rates and associated land care controls. (Council will use the recommended stocking rates in Appendix E of the Local Rural Strategy as a guide).

5.12.14 Subdivision

When considering any application for subdivision Council will have regard to the prevailing lot size, the intended use of the lots and any relevant land management controls, and any future road requirements.

5.12.15 Outbuildings

When considering applications for outbuildings Council will have regard for the visual impact of the outbuilding on surrounding land uses and structures and may require modifications to the location of the building and construction materials in order to minimise any impact.

5.12.16 Heritage Ruins

Under no circumstances should any building ruins be demolished or removed without consultation with Council. When considering applications for development Council may require the protection and/or photographic recording of such ruins.

5.13 Special Site Zone

5.13.1 Objectives

The Council's objectives for the use of and development of land within the Special Site Zone are as follows:

- (a) to encourage development of a high environmental standard appropriate to the use of the land within the Zone;
- (b) to protect the amenity of the adjoining properties;
- (c) to set aside and protect developments and land of heritage and landscape value.
- (d) to have regard to the provisions of the Northampton Town Planning Scheme Policies.

5.13.2 Development Standards

Land within the Special Site Zone, may be used for the purpose specified on the Scheme Map and the schedule in Appendix 7 as applicable to that site and for no other purpose except for a use that Council deems is incidental to the predominant use.

Council shall apply such development standards as it thinks fit providing such standards are not less than pertaining to similar permitted uses under this Scheme.

5.14 Special Rural Zone

5.14.1 Policy Statement

For land zoned Special Rural, Council shall have regard to the provisions of the Local Rural Strategy prepared pursuant to Clause 11.6 of this Scheme. Council shall require applications for development and subdivision within areas zoned Special Rural to be consistent with the objectives and general intent of the relevant land management and planning provisions identified in the Local Rural Strategy.

5.14.2 Objectives

The objectives for this zone shall be as follows:

- (a) to provide land close to existing urban centres for such uses as hobby farms, horticulture, market gardens, the keeping of horses, or residential retreats;

- (b) to make provision for the retention and enhancement of the rural landscape consistent with the existing land uses and the amenity of the adjoining properties;
- (c) to enable the rationalisation of existing boundaries and support resubdivision to permit development appropriate to the landform and in accordance with the Local Rural Strategy.

5.14.3 Development Applications

Any application for development of Special Rural Zoned land within the Northampton Townsite boundary including building licences shall include:

- (a) the location of any trees and remnant vegetation on the site;
- (b) areas proposed to be cleared;
- (c) areas proposed to be planted;
- (d) location of all existing and proposed firebreaks;
- (e) location of all existing and proposed buildings together with a defined building envelope;
- (f) location of any heritage site and/or ruins, including evidence of past mining ventures;
- (g) anticipated stocking rates;
- (h) source of water supply;
- (i) control of stormwater and retention of nutrients, and
- (j) method for onsite retention of stormwater and nutrients.

5.14.4 Building Envelopes

All buildings on any lot must be contained within an approved building envelope defined on a plan lodged with Council. Council may permit construction of buildings outside of the building envelope where it is satisfied that the location will not be detrimental to the landscape or the environment.

5.14.5 Building Setbacks

No building shall be located less than:

- (a) 10 metres off any street boundary;
- (b) 5 metres from any side boundary, or
- (c) 10 metres from any rear boundary.

5.14.6 Water Supply and Storage

Where Scheme water supply is not available a dwelling shall not be permitted unless the catchment and storage of at least 92,000 litres of water is provided for domestic purposes or unless the proponent can produce evidence from a suitably qualified person that an adequate onsite potable water supply is available.

5.14.7 Occupation of Buildings

Not more than one single house may be erected and occupied on a lot. Council may permit temporary occupancy of a building under such conditions as it thinks fit, provided that Council has at the same time approved plans for construction of a house on the lot.

5.14.8 Nutrient Run-off

In considering applications for planning consent Council shall ensure that the development proposed will not result in any net export of nutrients from the land to any wetland, water course or underground aquifer, and may require no further clearing of vegetation. All stormwater is to be retained on-site.

5.14.9 Planting

As a condition of planning consent Council may require the planting and maintenance of native or locally acceptable trees.

5.14.10 Septics

Conventional septic tanks shall be located at least 100 metres from any water course or wetland and >30m from any bore, with a minimum of two metres vertical separation between the base of the leach drain or soakwell and the highest known groundwater level or bedrock.

5.14.11 Stocking Rates

Anticipated stocking rates should be accompanied with advice from the Department of Agriculture regarding maximum acceptable stocking rates and associated land care controls. (Council will use the recommended stocking rates in Appendix E of the Local Rural Strategy as a guide).

5.14.12 Subdivision

When considering any application for subdivision Council will have regard to the prevailing lot size, the intended use of the lots, any relevant land management controls, and any future road requirements.

5.14.13 Outbuildings

When considering applications for outbuildings Council will have regard for the visual impact of the outbuilding on surrounding land uses and structures and may require modifications to the location of the building and construction materials in order to minimise any impact.

5.14.14 Heritage Ruins

Under no circumstances should any building ruins be demolished or removed without consultation with Council. When considering applications for development Council may require the protection and/or photographic recording of such ruins.

5.15 Special Residential Zone

5.15.1 Policy Statement

For land zoned Special Residential, Council shall have regard to the provisions of the Local Rural Strategy prepared pursuant to Clause 11.6 of this Scheme. Council will require applications for development and subdivision within areas zoned Special Residential to be consistent with the objectives and general intent of the relevant land management and planning provisions identified within the Local Rural Strategy.

5.15.2 Objectives

The objectives for this zone shall be as follows:

- (a) to maintain the low density residential development as part of the overall character of townsite development;
- (b) to control development so as to protect the amenity of the Special Residential areas;
- (c) to permit rural pursuits within the curtilage areas;
- (d) to promote the retention and enhancement of the rural landscape;
- (e) to enable the rationalisation of existing boundaries and support subdivision to permit development appropriate to the landform and in accordance with the Local Rural Strategy.

5.15.3 Development Standards

- (a) No lot shall be less than 2,000 sq. m in area. Notwithstanding the minimum lot size, nothing shall prevent the Council from adopting a Policy Statement specifying a larger minimum lot size within a particular area. Subdivision of the land shall be supported in accordance with an adopted Development Plan;
- (b) All development on lots shall be connected to a reticulated scheme water supply;
- (c) No more than one single house shall be permitted on a lot;
- (d) No building shall be located less than:
 - (i) 10 metres off any street boundary;
 - (ii) 5 metres from any side boundary; or
 - (iii) 10 metres from any rear boundary.

The Council may vary these requirements only if it can be shown that a proposed development would have adverse effects upon a topographical feature worthy of retention.

5.16 Coastal Planning Area

5.16.1 The Coastal Planning Area is that area shown on the Scheme Map as such and includes the landforms of:

- (a) inshore reefs;
- (b) nearshore waters;
- (c) beaches, mobile dunes and vegetated foreshore areas exposed to onshore winds, and
- (d) a fringe of stable land suitable for coast related activities.

5.16.2 Within the Coastal Planning Area Council may prepare policies for coastal planning and management, and prepare management strategies in order to implement any such policy.

5.16.3 The principle use of land within the Coastal Planning Area shall be related to the environmental, cultural, recreational, and/or scenic values of the area. Council shall give priority to coastal dependent land uses and development that by their very nature require coastal sites.

5.16.4 In addition to a building licence, the Council's prior approval to commence development is required for all development including a single house and such application shall be made in writing to Council and be subject to the provisions of the Scheme.

5.16.5 In considering any application for planning consent Council shall ensure that the development proposed will not result in any net export of nutrients from the land into nearshore waters and may require that no vegetation be cleared or removed from the site. All stormwater is to be retained on-site.

5.16.6 In considering any application for planning consent Council shall also ensure that the proposed development is adequately set back from visually prominent or unstable features of the coastline such as headlands, ridgelines, cliffs, beaches and other locations which are the focus of attention, unless such a location is essential.

5.16.7 Determination of a coastal setback shall be based on the stability of the shoreline and the ability of the proposed development to harmonise with the landscape elements in regard to scale, height, colours and materials. All services along the beachfront shall be underground unless special approval is given by Council.

5.16.8 All applications for planning consent shall clearly indicate the location of existing remnant vegetation. Building envelopes and ancillary land uses should be located to avoid remnant vegetation and where necessary Council may require that the vegetation be protected.

5.16.9 As a condition of planning consent Council may require the proponent to enter into an agreement with Council for the reconstruction and/or stabilisation of dunes either located on the subject land or on adjoining foreshore areas. Such agreement shall include the planting and maintenance of native or locally acceptable species of vegetation as determined by Council, and should be limited to a defined area of impact.

5.16.10 The area of impact shall be defined as any area within or adjacent to the subject land that contains an unstable landform which may impact on the proposed development and/or any foreshore area that will be subjected to additional use generated as a result of the proposed development. Reconstruction and stabilisation works may form part of the implementation of a management strategy prepared by Council.

5.16.11 Where it is determined that a proposed development may be impacted by an unstable landform that is located on private freehold land or of a magnitude that stabilisation is unlikely to be achieved then Council shall adopt a setback from the landform using a 100 year planning time frame.

5.16.12 Where Council is not satisfied that the proposed development can be adequately set back from any unstable landform then notwithstanding the zoning of the land Council may refuse the application for planning consent.

5.16.13 As a condition of planning consent to any application for development Council may require the proponent to prepare and implement a foreshore and reserve management strategy.

5.16.14 Council will have regard to any adopted policy or management strategy when considering development and subdivision proposals within a Coastal Planning Area.

PART VI—CONSERVATION AND/OR PRESERVATION OF PLACES OF HERITAGE VALUE

6.1 Places of Heritage Value

The places described in the Schedule of Places of Heritage Value (Appendix 6) and shown on the Scheme Maps are considered by Council to be components of the natural and cultural environment of the Scheme Area in the Northampton District. They have aesthetic, historic, scientific or social value for future generations, as well as for the present community and therefore are worthy of conservation and/or preservation.

6.2 Amendment to Schedule of Places of Heritage Value

The Council may by amendment to the Scheme in accordance with the Act and Regulations made thereunder:

- (a) delete from Appendix 6 a place of heritage value described therein;
- (b) insert, subject to the provisions of the following clauses in Appendix 6, a place of heritage value as described in the Amendment.

6.3 Notice of Amendment to Schedule of Places of Heritage Value

If the Council resolves to amend the Scheme by inserting in Appendix 6 a place of heritage value, it shall forthwith give written notice of that resolution to:-

- (a) the owner of the land on which the place is situated;
- (b) the occupier of the land, if such person is not the owner;
- (c) all other persons whose names appear on the Certificate of Title to the land as having an interest therein.

In addition to these notices the Council may give notice of a resolution to one or more of the following bodies:

- (a) Ministry for Planning;
- (b) Australian Heritage Commission;
- (c) Heritage Council of WA;
- (d) National Trust of Australia (WA);
- (e) Registrar of Aboriginal Sites;

or

- (f) any other person or body who in the opinion of the Council has an interest in the object, place or thing or could give to Council information to assist in arriving at a decision whether or not to proceed with the proposed amendment.

6.4 Development Control

Notwithstanding the provisions of any part of this Scheme Text expressing a contrary intent, no development at or on a place of heritage value or within a lot or lots upon which such a place exists may be commenced without the Planning Consent of the Council.

Without limiting the generality of the foregoing, development in this context includes the following:

- (a) alteration (whether internal or external), the demolition, the adaptation or modification of any building or structure;
- (b) works resulting in a change in the external appearance of a building or structure, including the treatment of the external surfaces thereof;
- (c) erection of any new building or structure;
- (d) removal of vegetation whether indigenous or exotic or the felling, lopping or topping of trees other than the normal maintenance of lawns or gardens or where the building or place is under threat of damage by such vegetation or classified noxious weed;
- (e) erection or display of any advertisement sign.

6.5 Policies

The Council may in accordance with the provisions of the Scheme make and adopt a policy or policy plan or code with respect to the places of heritage value described in Appendix 6 generally or with

special reference to any one or more of them. No such policy or code or any part thereof shall conflict with the provisions of the Scheme.

Council has adopted the Northampton Town Planning Scheme Policies pursuant to Clause 11.6 of this Scheme. These Policies deal, in part, with places of heritage value, and Special Sites and Special Precincts of heritage and conservation value within, and adjacent to, the Northampton townsite.

6.6 Waiver of Scheme Provisions and Building Code of Australia

6.6.1 In the interests of conserving or preserving places of heritage value, the Council may, subject to the provisions of Part X of the Scheme, grant approval to proposals for the maintenance and repair, reconstruction or restoration of any building or place notwithstanding that the proposal may not comply with either the other provisions of the Scheme or with the Building Code of Australia.

6.6.2 Where, in the interests of conserving or preserving places of heritage value, it is not appropriate, in the opinion of the Council, to grant Planning Consent to a particular development proposal but that alternative arrangements can be made to accommodate the required development in a better form and/or at a different location, the Council may, notwithstanding non-compliance with the Building Code of Australia, the Residential Planning Codes or any other provision of the Scheme, approve the alternative development or may permit the transfer of part or all of the development potential from the lot concerned to one or more of the nearby lots provided that the overall general objectives of the Scheme will not be jeopardised thereby.

6.6.3 Where in the interests of conserving a place of heritage value, it is appropriate in the opinion of the Council to grant Planning Consent to the use of a building so classified for a purpose for which it may be suited, the Council may approve any such use notwithstanding that it may not comply with the zoning and/or development provisions of the Scheme.

6.7 Compensation

The owners of any place of heritage value described in Appendix 6 who are injuriously affected by a decision of the Council pursuant to Clause 6.4 may if any consent granted is subject to conditions or refusal issued which relates to conservation or preservation of a place claim compensation from the Council providing such claim is made within 6 calendar months of the decision of Council.

6.8 Arbitration

If the parties cannot agree upon the amount of compensation which may become payable pursuant to the Scheme it shall be determined by arbitration in accordance with the Arbitration Act, 1895.

6.9 Purchase of Land

The Council may purchase or, subject to the Act, resume the land on which a place of heritage value described in Appendix 6 is situated or so much thereof as is in the opinion of the Council necessary for the conservation of that place. The Council may, in lieu of paying compensation pursuant to Clause 6.7 above, elect to purchase or resume the property concerned.

6.10 Agreements

The Council may enter into agreements:

- (a) with the owners or occupiers of land on which the places described in Appendix 6 are situated or the subject of a proposed amendment to the Scheme for the inclusion thereof in that Appendix for the conservation of the place of heritage value;
- (b) with any person or organisation for the conservation of a place of heritage value described in Appendix 6 or, if the owner therefore agrees, for the conservation of an object, place or thing which in the opinion of the Council is worthy of conservation even though it is not described in that Appendix;
- (c) relating to the determination and setting of compensation.

PART VII—AMENITY CONTROL

7.1 Untidy Sites

7.1.1 To maintain an acceptable standard of amenity the Council may, by written notice require the owner, occupier, or lessee of that land to undertake such works as may be necessary to restore or upgrade the conditions of that property to a standard commensurate with those generally prevailing in the vicinity.

7.1.2 Where in the opinion of the Council a property is not being maintained in a clean and tidy condition and that the unkempt appearance of the property has a deleterious effect on the amenity of the area in which it is located, the Council shall require the owner or occupier to make good the condition to meet proper standards.

7.2 Vehicles, Caravans, Trailers and Boats in Residential Areas

Except as hereinafter provided, no person within any lot zoned Residential may without the written approval of the Council:

- (a) allow any commercial vehicle or truck to remain or park for a period of more than forty eight hours consecutively;
- (b) repair, maintain, service or clean a commercial vehicle or truck;
- (c) keep, park, repair or store any boat, trailer, caravan or any material not specifically for the immediate use by the occupant in front of the building setback line.

7.3 Temporary Accommodation

7.3.1 The Council may approve the occupation of a caravan or other temporary accommodation on a lot only if it has approved an application for the development of a habitable building in accordance with the Building Code of Australia as adopted by the Council.

7.3.2 The permit for such occupation of a temporary accommodation shall not exceed twelve months.

7.3.3 The Council shall not issue another permit unless it is satisfied that there has been a genuine effort to complete the approved building pursuant to the original temporary accommodation permit.

7.4 Transportable and Transported Homes

7.4.1 Council may permit the erection or placement of a transportable, transported or prefabricated building on a lot providing that the design of the building is to the satisfaction of the Council and in its opinion:

- (a) the building is in a satisfactory condition;
- (b) the building and its uses will not detrimentally affect the amenity of the area;
- (c) the building is permanently affixed to the ground;
- (d) the building has a facade appropriate to that prevailing in the vicinity.

7.4.2 The Council may prohibit the inclusion of transportable accommodation units, offices, and storage units of a box-shaped structure which do not meet the requirements of Clause 7.4.1.

7.5 Derelict Vehicles

Council shall not permit the storage and/or wrecking of any vehicle on any street verge or on any lot other than within the Industrial Zone.

7.6 Home Occupations/Cottage Industries

7.6.1 Council shall not permit any Home Occupation or Cottage Industry unless:

- (a) Planning Consent is granted in accordance with Part X of the Scheme. The Council may limit the period of validity of a permitted Cottage Industry and shall review the use from time to time as the Council deems fit;
- (b) the applicant provides the following information:
 - (i) location of the home occupation/industry;
 - (ii) the area of the floor space to be devoted to the activity;
 - (iii) the times and conditions of the operation;
 - (iv) demonstrate that there is a demand for the goods and services.

7.6.2 Nothing in the Scheme shall prevent the Council from implementing any by-law which it may amend from time to time to control any home occupation or cottage industry and where any conflict exists between those by-laws and this Scheme the by-laws shall prevail.

7.7 Outbuildings

No outbuilding exceeding 60 sq m in area shall be erected on any lot without the consent of the Council in accordance with Part X of the Scheme and:

- (a) no part of any outbuilding shall be within 0.75 m of any side or rear boundary;
- or
- (b) as required under the Residential Planning Codes (as amended), and;
 - (c) any additional setback as required by any servicing authority and;
 - (d) as otherwise stated in any other part of the Scheme.

7.8 Rear Access and Loading Docks

When considering any application for Planning Consent the Council shall have regard to and may require the provision of loading docks and/or rear access. In particular, the Council may impose conditions concerning:

- (a) the size of loading docks;
- (b) the means of providing rear access of adequate width and design so as to ensure that transport vehicles shall be able to proceed in a forward direction.

PART VIII—CAR PARKING

8.1 Car Parking Requirements

Any person shall not develop or use land or erect use or adapt any building to use for the purpose indicated in the first column of Appendix 8 unless car parking spaces of the number specified in the second column are provided and such spaces constructed and maintained in accordance with the provisions of the Scheme.

Where an Application for Planning Consent is made to Council and the purpose for which the land and/or building is to be used is not specified in Appendix 8 the Council shall determine the number of car parking bays to be provided on the land having regard to the nature of the proposed development, the number of employees likely to be on the site, the prevention of obstruction of roads and streets and the orderly and proper planning of the locality and the conservation and/or preservation of its amenity.

8.2 Conditions of Planning Consent

When considering any Application for Planning Consent the Council shall have regard to and may impose conditions concerning:

- (a) the proportion of car parking spaces roofed or otherwise covered;
- (b) the means of access to each car parking space and the adequacy of any vehicular manoeuvring area;
- (c) the location of the car parking spaces on the site and their effect on the amenity of adjoining development or land, including the potential effect of those spaces should the latter be roofed or otherwise covered;
- (d) the extent to which car parking spaces are located within required building setback areas;
- (e) the location of the proposed public footpaths, vehicular crossings, of private footpaths within the lot and the effect of both pedestrian and vehicular traffic movement and safety.
- (f) the policies contained within Clause 1.8 of the Northampton Town Planning Scheme Policies.

8.3 Shared or Combined Parking

Where the number of car parking spaces proposed to be provided on land or in a building subject of an Application for Planning Consent is less than the number required to be provided pursuant to the Scheme, the Council may approve the Application if the applicant demonstrates that off-street parking facilities in the near vicinity are available to cater for the parking requirements of the land and that arrangements to the satisfaction of the Council have been made to enable those facilities to be used for that purpose.

8.4 Standards

The dimensions of car parking spaces, parking angles, driveway widths and landscaping details shall be specified and applied by the Council in determining the layout of car parking areas.

The Council may vary the dimensions specified by up to 10 % where obstructions, site dimensions or topography result in the loss of car parking spaces in any layout. This provision shall be used in order to obtain one additional space in a run of spaces and shall not be used to modify landscaping, shade tree or driveway access requirements.

8.5 Landscaping, Construction and Maintenance

The owner and/or occupier of premises on which car parking spaces are provided shall ensure that:

- (a) the car parking area is landscaped with shade trees, laid out, constructed, drained and maintained in accordance with the approved plan relating thereto;
- (b) the car parking spaces are clearly marked out at all times to the satisfaction of the Council.

8.6 Town Centre Zone

Notwithstanding the provisions of Clause 8.1 and Appendix 8 the following provisions shall apply to uses, development and redevelopment of land or buildings within the Town Centre Zone:

- (a) where public off-street parking facilities are or are to be located in close proximity to land or a building the subject of an Application for Planning Consent, the Council may approve an application notwithstanding that the required number of car parking spaces is not to be provided subject to the Council being satisfied that off-street parking is sufficient to cater for the requirements of the land or building;

or

- (b) the applicant entering into an agreement with Council to pay into a Car Parking Fund the cost of providing and maintaining the required number of spaces as determined by the Council.

8.7 Car Parking Fund

Within the Town Centre Zone if the Council is satisfied that adequate constructed car parking is to be provided in close proximity to a proposed development, notwithstanding the provisions of Appendix 8, it may accept a cash payment in lieu of the provision of car parking spaces but subject to the following requirements:

- (a) a cash-in-lieu payment shall not be less than the estimated cost to the owner of providing the car parking spaces required by the Scheme, plus the value as estimated by the Valuer General of Western Australia, of that area of his land which would have been occupied by the car parking spaces;
- (b) before the Council agrees to accept a cash-in-lieu payment of the provision of car parking spaces the Council shall have already provided a public car park nearby or must have firm proposals for providing a public car park area within a period of not more than eighteen months from the time of agreeing to accept a cash-in-lieu payment;
- (c) payments made under this Clause shall be deposited into a Special Fund to be used exclusively to provide car parks in the near vicinity.

PART IX—CONTROL OF ADVERTISEMENTS

9.1 Power to Control Advertisements

9.1.1 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. Such Planning Consent is required in addition to any licence pursuant to Council's Signs and Hoarding and Bill Posting Bylaws.

9.1.2 Applications for Council's Consent to this Part shall be submitted in accordance with the provisions of Part X of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out at Appendix 5 giving details of the advertisement(s) to be erected, placed or displayed on the land.

9.2 Existing Advertisements

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, hereinafter in this Part referred to as 'existing advertisements', may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

9.3 Consideration of Applications

Without limiting the generality of the matters which may be taken into account when making a decision upon an application for consent to erect, place or display an advertisement, Council shall examine each such 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 historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected. Council shall also have regard to the policies contained within Clause 1.5 of the Northampton Town Planning Scheme Policies.

9.4 Exemptions from the Requirement to Obtain Consent

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 9.1.1, the Council's prior Consent is not required in respect of those advertisements listed in Table 2 which for the purpose of this Part are referred to as 'exempted advertisements'. The exemptions listed in Table 2 do not apply to buildings, conservation areas or landscape protection zones which are either:

- (a) listed in the Register of Heritage Places (Heritage of WA Act 1990);
- (b) listed by the National Trust;
- (c) listed on the register of the National Estate;
- (d) included in the Town Planning Scheme because of their heritage or landscape value.

9.5 Discontinuance

Notwithstanding the Scheme objectives and Clause 9.4, where the Council can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of this Part, 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.

9.6 Derelict or Poorly Maintained Signs

Where, in the opinion of the 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.

9.7 Notices

9.7.1 'The advertiser' shall be interpreted as any one or any group comprised of the owner, occupier, or licensee.

9.7.2 Any notice served in exceptional circumstances pursuant to Clause 9.5 or pursuant to Clause 9.6 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.

9.7.3 Any person upon whom a notice is served pursuant to this Part 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 any such 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.

TABLE 2 EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 9.4

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Dwellings	One professional name-plate as appropriate.	0.2 sq m
Home Occupation	One advertisement describing the nature of the home occupation.	0.2 sq m
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2 sq m
Cinemas, Theatres and Drive-in Theatres advertisement	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each sign not to exceed 5 sq m.
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Signs, Hoarding and Bill Posting Bylaws.	Not Applicable
Industrial and Warehouse Premises	A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building	Total area of any such advertisements shall not exceed 15 sq m.
	A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level.	Maximum permissible total area shall not exceed 10 sq m and individual advertisement signs shall not exceed 6 sq m
Showrooms, race courses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned, either from other private land or from public places and streets.	N/A
Public Places and Reserves	(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of Government, a public authority or council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and	N/A
	(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a municipality, and	N/A
	(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A
Railway Property and Reserves.	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2 sq m in area
Advertisements within Buildings.	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
All classes of buildings other than single family dwellings.	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2 sq m

TEMPORARY SIGNS MAXIMUM	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	AREA OF EXEMPTED SIGN
Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows:		
(i) Dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2 sq m
(ii) Multiple Dwellings, Shops Commercial & Industrial projects.	One sign as for (i) above.	5 sq m
(iii) Large development or redevelopment projects involving shopping centres, offices or other buildings exceeding 3 storeys in height.	One sign as for (i) above. One additional sign showing the name of the project builder.	5 sq m 5 sq m
Sales of Goods or Livestock.	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2 sq m
Property Transactions. Advertisement signs displayed for the duration of a period over which property transactions are offered and negotiated as follows:		
(a) Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of 2 sq m.
(b) Multiple dwellings, shops Commercial & Industrial Properties.	One sign as for (a) above.	Each sign shall not exceed an area of 5 sq m.
(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha.	One sign as for (a) above.	Each sign shall not exceed an area of 10 sq m
Display Homes. Advertisement signs displayed for the period over which homes are on display for public inspection.		
	(i) One sign for each dwelling on display.	2 sq m
	(ii) In addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	5 sq m

9.8 Scheme to Prevail

Where the provisions of this Part are found to be at variance with the provisions of the Council's Signs, Hoarding and Bill Posting Bylaws, the provisions of the Scheme shall prevail.

9.9 Enforcement and Penalties

The offences and penalties provisions specified in Clause 11.2 of the Scheme apply to the advertiser in this part.

PART X—PLANNING CONSENT

10.1 Application for Planning Consent

10.1.1 Every application for Planning Consent shall be made in the form prescribed in Appendix 2 to the Scheme and shall be accompanied by such plans and other information as is required by the Scheme.

10.1.2 Unless Council waives any particular requirement every application for Planning Consent shall be accompanied by:

- (a) A plan or plans to a scale of not less than 1:500 showing:
 - (i) street names, lot number(s), north point and the dimensions of the site;
 - (ii) the location and proposed use of any existing buildings to be retained and the location and use of buildings proposed to be erected on the site;
 - (iii) the existing and proposed means of access for pedestrians and vehicles to and from the site;

- (iv) the location, number, dimensions and layout of all car parking spaces intended to be provided;
 - (v) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;
 - (vi) the location, dimensions and design of any landscaped, open storage or trade display area and particulars of the manner in which it is proposed to develop the same;
 - (vii) the location of any underground services.
- (b) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain;
- (c) any other plan or information that the Council may reasonably require to enable the application to be determined.

10.2 Advertising of Applications

10.2.1 Where an application is made for Planning Consent to commence or carry out development which involves an 'SA' use the Council shall not grant consent to that application unless notice of the application is first given in accordance with the provisions of this Clause.

10.2.2 Where an application is made for Planning Consent to commence or carry out development which involves an 'AA' use, or for any other development which requires the Planning Consent of the Council, the Council may give notice of the application in accordance with the provisions of this clause.

10.2.3 Where the Council is required or decides to give notice of an application for Planning Consent the Council shall cause one or more of the following to be carried out:-

- (a) notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of Planning Consent stating that submissions may be made to the Council within twenty-one days of the service of such notice;
- (b) notice of the proposed development to be published in a newspaper circulating in the Scheme Area stating that submissions may be made to the Council within twenty one days from the publication thereof;
- (c) a sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

10.2.4 The notice referred to in Clause 10.2.3 (a) and (b) shall be in the form contained in Appendix 3 with such modifications as circumstances require.

10.2.5 After expiration of twenty-one days from the serving of notice of the proposed development, the publication of notice or the erection of a sign or signs, whichever is the later, the Council shall consider and determine the application.

10.3 Determination of Applications

10.3.1 In determining an application for Planning Consent the Council may consult with any authority which, in the circumstances, it thinks appropriate.

10.3.2 The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the Scheme, to the purpose for which land in the locality is used, and to the orderly and proper planning of the locality and the preservation of the amenities of the locality, may refuse to approve any application for Planning Consent or may grant its approval unconditionally or subject to such conditions as it thinks fit.

10.3.3 The Council shall issue its decision in respect of an application for Planning Consent in the form prescribed in Appendix 4 to the Scheme.

10.3.4 Where the Council approves an application for Planning Consent under this Scheme the Council may limit the time for which that consent remains valid.

10.4 Deemed Refusal

10.4.1 Where the Council has not within sixty days of the receipt by it of an application for Planning Consent either conveyed its decision to the applicant or given notice of the application in accordance with Clause 10.2 the application may be deemed to have been refused.

10.4.2 Where the Council has given notice of an application for Planning Consent in accordance with Clause 10.2 and where the Council has not within ninety days of receipt by it of the application conveyed its decision to the applicant, the application may be deemed to have been refused.

10.4.3 Notwithstanding that an application for Planning Consent may be deemed to have been refused under Clauses 10.4.1 or 10.4.2 the Council may issue a decision in respect of the application at any time after the expiry of the sixty day or ninety day period specified in those clauses, as the case may be.

PART XI—ADMINISTRATION

11.1 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 any agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme;

- (b) the Council may acquire any land or buildings within the district pursuant to the provisions of the Scheme or the Act. The Council may deal with or dispose of any land which it has acquired pursuant to the provisions of the Scheme or the Act in accordance with the Law and for such purpose may make such agreements with other owners as it considers fit;
- (c) an officer of the Council, authorised by the Council for the purpose, may at all reasonable times enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being served.

11.2 Offences

11.2.1 A person shall not erect, alter or add to or commence to erect, alter or add to a building or use or change the use of any land, building or part of a building for any purpose:

- (a) otherwise than in accordance with the provisions of the Scheme;
- (b) unless all consents required by the Scheme have been granted and issued;
- (c) unless all conditions imposed upon the grant and issue of any consent required by the Scheme have been and continue to be complied with;
- (d) unless all standards laid down and all requirements prescribed by the Scheme or determined by the Council pursuant to the Scheme with respect to that building or that use of that land or building or that part have been and continue to be complied with.

11.2.2 A person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties prescribed by the Act.

11.3 Act

11.3.1 Twenty eight (28) days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Act.

11.3.2 The Council may recover expenses under Section 10(2) of the Act in a court of competent jurisdiction.

11.4 Claims for Compensation

Except where otherwise provided in the Scheme, the time limit for the making of claims for compensation pursuant to Section 11(1) of the Act is six (6) months after the date of publication of the Scheme in the *Government Gazette*.

11.5 Appeals

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.

11.6 Power To Make Policies

11.6.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme Policies relating to parts or all of the Scheme Area and relating to one or more of the aspects of the control of development.

The Shire of Northampton under and by virtue of the provisions and powers conferred upon it in that behalf by Town Planning Scheme No. 6, hereby adopts the following policies;

- (a) Northampton Town Planning Scheme Policies;
- (b) The Policy Statements contained within Section 8.0 of the Scheme Report;
- (c) The Shire of Northampton Local Rural Strategy.

11.6.2 Procedure of Policy Making

A Town Planning Scheme Policy shall become operative only after the following procedures have been completed:

- (a) The Council having prepared and resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft Policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft Policy may be inspected and, in what form, and during what period (being not less than 21 days) representations may be made to the Council;
- (b) The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the Draft Policy with or without Amendment, or not proceed with the Draft Policy.
- (c) Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the Scheme documents for inspection during normal office hours.

11.6.3 Policy Amendment

A Town Planning Scheme Policy may only be altered or rescinded by:

- (a) preparation and final adoption of a new Policy pursuant to this Clause, specifically worded to supersede an existing Policy;
- (b) publication of a formal notice of rescission by the Council twice in a newspaper circulating in the area.

11.6.4 The Scheme Shall Prevail

A Town Planning Scheme Policy shall not bind the Council in the respect of any Application for Planning Consent but the Council shall take into account the provisions of the Policy and Objectives which the Policy was designed to achieve before making its decision.

11.6.5 Policy Statements Shall be Consistent with the Scheme

The Policy Statements prepared pursuant to this Part shall be consistent with the intent of the Objectives, Zones and general provisions of the Scheme.

Appendix 1 INTERPRETATIONS

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

Absolute Majority: shall have the same meaning as is given to it in and for the purposes of the Local Government Act 1960 (as amended).

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

Advertisement: means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements and Advertising Sign shall be construed accordingly but does not include:

- (a) an advertising sign of less than 2 sq m in area relating to the carrying out of building or similar work on land on which it is displayed, not being land which is normally used for those purposes;
- (b) an advertising sign of less than 2 sq m in area announcing a local event of a religious, educational, cultural, political, social or recreational character not promoted or carried on for commercial purposes;
- (c) an advertising sign of less than 2 sq m in area relating to the prospective sale or letting of the land or building on which it is displayed;
- (d) an advertising sign exhibited upon any land vested in or owned by the Minister for Railways which is directed only to persons upon or entering a railway station or platform or bus station, and
- (e) directional signs, street signs and other like signs erected by a public authority.

Airfield: means land and buildings used in connection with the operation of aeroplanes, including a passenger terminal, offices, parking and servicing of aircraft, and car parking, but not including occasional or seasonal use of temporary facilities for purposes associated with agriculture.

Amenity Building: means a building or part of a building that employees or persons engaged in an industry or business use for their personal comfort, convenience or enjoyment or leisure as distinct from the work of the industry or business;

Amusement Facility: means land and buildings, open to the public, used for not more than two amusement machines where such use is incidental to the predominant use.

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

Amusement Parlour: means land and buildings, open to the public, where the predominant use is amusement by amusement machines and where there are more than two amusement machines operating within the premises.

Art Gallery: means premises used for the showing of works of art.

Battle-axe lot: means a lot having access to a public road by means of an access strip included in the Certificate of Title of that lot.

Betting Agency: means a building operated in accordance with the Totalisator Agency Board Betting Act 1960 (as amended).

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

Building: shall have the same meaning as is given to it in and for the purposes of the Residential Planning Codes.

Building Envelope: means an area of land within a lot marked on a plan forming part of the Scheme outside which building development is not permitted.

Building Line: means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act.

Building Setback: means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected.

Camping Area: means land used for the lodging of persons in tents or other temporary shelter.

Caravan: means a vehicle as defined under the Road Traffic Act 1974-82 maintained in condition suitable for licence under that Act at all times and being designed or fitted or capable of use as a habitation or for a dwelling or sleeping purposes.

Caravan Park: means an area of land specifically set aside for the parking of caravans and park homes or for the erection of camps on bays or tent sites allocated for that purpose.

Caretaker's Dwelling: means 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.

Car Park: means land and 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 for a taxi rank, or any land or buildings in which cars are displayed for sale.

Cattery: means the use of an approved out-building constructed in accordance with the Health Act Model By-laws Series 'A' Part One—General Sanitary Provisions (as amended) for the purpose of keeping more than three (3) cats over the age of three (3) months.

Civic Building: means a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council for administrative, recreational or other purpose.

Civic Use: means land and buildings used by a Government Department, an instrumentality of the Crown, or the Council, for administrative, recreational or other purpose.

Club Premises: means land and buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the Liquor Act, 1970 (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme.

Commission: means the Western Australian Planning Commission constituted under the Western Australian Planning Commission Act 1985.

Community Service Depot: means land and buildings used for the garaging of vehicles and equipment used to provide a community service such as a fire brigade, ambulance and the like.

Consulting Rooms: means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors, and persons ordinarily associated with a practitioner, in the prevention or treatment of physical or mental injuries or ailments, and the two practitioners may be of the one profession or any combination of professions or practices.

Convenience Store: means land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 200 sq m gross leasable area.

Day Care Centre: means land and buildings used for the daily or occasional care of children in accordance with the Child Welfare (Care Centres) Regulations, 1968 (as amended).

Development: shall have the same meaning given it in and for the purposes of the Act. The meaning of development includes the clearing of indigenous vegetation communities, excavation or filling of land, or drainage works.

Display Home Centre: means a group of two or more dwellings which are intended to be open for public inspection.

District: means the Municipal District of the Shire of Northampton.

Dog Kennels: means land and buildings used for the boarding and breeding of dogs where such premises are registered or required to be registered by the Council; and may include the sale of dogs where such use is incidental to the predominant use.

Drive-In Theatre: means land and buildings used to make provision for an audience to view the entertainment while seated in motor vehicles.

Dry Cleaning Agency: means a building at which the public may lodge and receive articles for dry cleaning and where in some instances subject to the provisions of the Health Act a limited amount of dry cleaning may be carried out on the premises.

Dry Cleaning Premises: means land and buildings used for the cleaning of garments and other fabrics by chemical processes.

Eating House: means any house, building or structure or any part thereof in which meals are served to the public for gain or reward and the expression includes a restaurant or cafe. The term does not include:

- (a) any premises in respect of which an hotel licence, tavern licence, a restaurant licence or winehouse licence has been granted under the Liquor Act;
- (b) any residential building;
- (c) any building or structure used temporarily for serving meals to the public at any fair, show, military encampment, races or other sports, games or amusements.

Educational Establishment: means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory or institutional home.

Effective Frontage: means the width of a lot at the minimum distance from the street alignment at which buildings may be constructed, and shall be calculated as follows:

- (a) where the site boundaries of a lot are parallel to one another, the length of a line drawn at right angles to such boundaries;
- (b) where the side boundaries of a lot are not parallel to one another, the length of a line drawn parallel to the street frontage and intersecting the side boundaries at the minimum distance from the street alignment at which buildings may be constructed;
- (c) where a lot is of such irregular proportions or on such steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council.

Equestrian Centre: means land and buildings used for the stabling and exercise of horses and includes facilities for events of a competitive nature.

Factory Unit Building: means an industrial building designed, used or adapted for use as two or more separately occupied production or storage areas.

Family Care Centre: means land and buildings used for the purpose of a Family Care Centre as defined in Child Welfare (Care Centres) Regulations, 1968 (as amended).

Fast Food Outlet: means land and 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, but does not include a fish shop.

Fish Shop: means a building where wet fish and similar foods are displayed and offered for sale.

Floor Area: shall have the same meaning given to it and for the purposes of the Building Code of Australia.

Frontage: means the boundary line or lines between a site and the street or streets upon which the site abuts.

Fuel Depot: means land and buildings used for the storage and sale in bulk of solid or liquid gaseous fuel, but does not include a service station.

Funeral Parlour: means land and buildings occupied by an undertaker where bodies are stored and prepared for burial or cremation.

Garden Centre: means land and buildings used for the sale and display of garden products, including garden ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of pre-fabricated garden buildings.

Gazettal Date: means the date of which this Scheme is published in the *Government Gazette*.

Gross Leasable Area: means in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.

Harbour Installations: means land and buildings used for and incidental to the purposes of loading, unloading and maintaining ships.

Health Centre: means a maternal or X-ray centre, a district clinic, a masseur's establishment, or a medical clinic.

Health Studio: means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.

Hire Service: means land and buildings used for the storage and hire of machinery and other bulky equipment.

Holiday Accommodation and Tourist Uses: means land and buildings constructed and used for the accommodation and recreation of holiday makers and organisations in accordance with the provisions of the Local Government Model By-law (Holiday Accommodation) No 18, the Health Act (Caravan Parks and Camping Grounds) Regulations, 1974, the Local Government Model By-laws (Caravan Parks and Camping Grounds) No 2, and may include, with the approval of the Council, uses incidental to the normal functioning of a holiday accommodation facility such as a restaurant, cafe, recreational facility or similar use.

Home Occupation: means a business or activity carried on with the written permission of the Council 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) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interferences, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products or the unsightly appearance of the dwelling house or domestic outbuilding or the land on which the business is conducted.
 - (b) does not entail employment of any person not a member of the occupier's family;
 - (c) does not occupy an area greater than twenty square metres;
 - (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located.
 - (e) does not display a sign exceeding 0.2 sq m in area;
 - (f) in the opinion of the Council it is compatible with the principal uses to which land in the zone in which it is located may be put and will not in the opinion of the Council generate a volume of traffic that would prejudice the amenity of the area;
 - (g) does not entail the presence, use or calling of a vehicle of more than two tonnes tare weight;
 - (h) does not entail the presence of more than one commercial vehicle and does not include provision for the fuelling or repairing of motor vehicles within the curtilage of the dwelling house or domestic out-building;
 - (i) does not entail the offering for sale or display of motor vehicles machinery or goods (other than goods manufactured or serviced on the premises);
- and
- (j) does not entail a source of power other than an electric motor of not more than 0.373 kilowatts (0.5 h.p.).

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

Hospital Special Purposes: means a building used or designed for use wholly or principally for the purpose of a hospital or sanatorium for the treatment of infectious or contagious diseases, or hospital for the treatment of the mentally ill or similar use.

Hotel: means land and buildings providing accommodation for the public the subject of a Hotel Licence granted under the provisions of the Liquor Act, 1970 (as amended).

Industry: means 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, or the breaking up or demolition of any article or part of an article;
- (c) the generation of electricity or the production of gas;
- (d) 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 goods, 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) site work on buildings, work or land,
- (iii) in the case of edible goods the preparation of food for sale from the premises.

Industry—Cottage: means an industry which produces arts and crafts goods which cannot be carried out under the provisions relating to a "home occupation" and that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection, due to the emission of light, noise, vibration, steam, soot, ash, dust, grit, oil, liquid wastes or waste products,
- (b) where operated in a Residential Zone, does not entail the employment of any person not a member of the occupier's family normally resident on the land,
- (c) is conducted in an out-building which is compatible to the zone and its amenity and does not occupy an area in excess of 55 sq m,
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located, and;
- (e) does not display a sign exceeding 0.2 sq m in area.

Industry—Extractive: means 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;

Industry General: means an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry.

Industry Hazardous: means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced requires isolation from other buildings.

Industry Light: means 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 projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.

Industry Noxious: means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act, 1911-1979 (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.

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

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

Kindergarten: means land and buildings used as a school for developing the intelligence of young children by object-lessons, toys, games, singing and similar methods.

Land: shall have the same meaning given to it in and for the purposes of, the Act.

Laundromat: means a building, open to the public, in which coin-operated or other washing machines, with or without provision for drying clothes, are available for use.

Liquor Store: means a building the subject of a Store Licence granted under the provisions of the Liquor Act, 1970 (as amended).

Lot: shall have the same meaning given to it in and for the purposes of, the Act and "allotment" has the same meaning.

Marine Collector's Yard: means land and buildings used for the storage of marine stores under the provisions of the Marine Stores Act, 1902 (as amended) and Marine Dealer's Yard and Marine Store have the same meaning.

Marine Filling Station: means land and buildings used for the storage and supply of liquid fuels and lubricants for marine craft, but in which no industry is carried on; but does not include a service station.

Market: means land and buildings used for a fair, a farmers' or producers' market, or a swap-meet in which the business or selling carried on or the entertainment provided is by independent operators or stall holders carrying on their business or activities independently of the market operator save for the payment where appropriate of a fee or rental.

Medical Centre: means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretations of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists.

Milk Depot: means land and buildings to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised.

Mobile Home: means any vehicle or similar relocatable structure having been manufactured with wheels (whether or not such wheels have been removed) and having no footings other than wheels, jacks or skirtings, and so designed or constructed as to permit independent occupancy for continuous dwelling purposes incorporating its own facilities including bathroom and toilet facilities.

Mobile Home Park: means land upon which two or more mobile homes, occupied for dwelling purposes, are located regardless of whether or not a charge is made for such accommodation.

Motel: means land and buildings used or intended to be used to accommodate patrons in a manner similar to a Hotel or Boarding House but in which special provision is made for the accommodation of patrons with motor vehicles.

Motor Vehicle and Marine Sales Premises: means land and buildings used for the display and sale of new or second hand motorcycles, cars, trucks, caravans and boats or any one or more of them and may include, the servicing of motor vehicles sold from the site.

Motor Vehicle Hire Station: means land and buildings used for the hiring out of motor vehicles and when conducted on the same site, the storage and cleaning of motor vehicles for hire but does not include mechanical repair or servicing of such vehicles.

Motor Vehicle Repair Station: means land and buildings used for the mechanical repair and overhaul of motor vehicles including tyre recapping, retreading, panel beating, spray painting and chassis re-shaping.

Motor Vehicle Wash Station: means land and buildings where vehicles are washed and cleaned by or primarily by mechanical means.

Motor Vehicle Wrecking Premises: means land and buildings used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts.

Multiple Occupancy: means the use and occupation of a rural holding at a residential density higher than normally associated with traditional rural living and which may be characterised by the following:

- (a) an approved agreement for management of and responsibility for the whole or parts of the holding;
- (b) more than one separate dwelling unit for use by families or unrelated groups of persons;
- (c) a defined area for separate occupation for residential and ancillary uses.

Museum: means land and buildings used for storing and exhibiting objects illustrative of antiquities, natural history, art, nature and curiosities.

Non-conforming Use: means a use of land which, though lawful immediately prior to the coming into operation of this Scheme, is not in conformity with the Scheme.

Nursery: means land and buildings used for the propagation, rearing and sale of products associated with horticultural and garden decor.

Office: means a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services, and services of a similar nature.

Owner: in relation to any land includes the Crown and every person who jointly or severally whether at law or in equity:

- (a) is entitled to the land for an estate in fee simple in possession; or
- (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
- (c) is a lessor or licensee from the Crown; or
- (d) is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession, or otherwise.

Park Home: means a movable dwelling, not being a vehicle as defined under the Road Traffic Act 1974—1982 but constructed and maintained on its own chassis and wheels and capable of mobility at all times although stabilised by jacks and provided with skirtings and so designed and constructed as to permit independent occupancy for dwelling purposes.

Park Home Park: means an area of land set aside exclusively for the parking of park homes occupied for residential purposes whether for short or long stay purposes, but includes the provision of buildings and uses incidental to the predominant use of the land, including ablution blocks, recreation areas, office and storage space and, as approved by Council, a shop or kiosk and refuelling facilities, but the term shall be interpreted to exclude the parking of caravans, camper trailers and the erection of tents.

Petrol Filling Station: means land and buildings used for the supply of petroleum products and motor vehicle accessories.

Piggery: shall have the same meaning given to it in and for the purposes of the Health Act, 1911-1979 (as amended).

Plot Ratio: except for a single house, attached house, grouped dwelling or multiple dwelling where it shall have the same meaning given to it in the Residential Planning Codes, plot ratio means the ratio of the gross total of the areas of all floors to the area of land within the site boundaries, and in calculating the gross total of the areas of all floors the areas shall be measured over any walls provided that lift shafts, stairs, toilets and amenities, external wall thicknesses, plant rooms and the gross floor area of any floor space used for the parking of wheeled vehicles including access to and from that space within the building shall not be included.

Potable Water: means water in which levels of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in 'International Standards for Drinking Water—Third Edition, World Health Organisation—1971'.

Poultry Farm: means land and buildings used for hatching, rearing or keeping of poultry for either egg or meat production which does not constitute an offensive trade within the meaning of the Health Act, 1911-1979 (as amended).

Prison: shall have the same meaning given to it in and for the purposes of the Prisons Act, 1981 (as amended).

Private Hotel: means land and buildings used for residential purposes the subject of a Limited Hotel Licence granted under the provisions of the Liquor Act 1970 (as amended).

Private Recreation: means land used for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not normally open to the public without charge.

Produce Store: means land and buildings wherein fertilisers and grain are displayed and offered for sale.

Professional Office: means a building used for the purposes of his profession by an accountant, architect, artist, author, barrister, chiroprapist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher), town planner, or valuer, or a person having an occupation of a similar nature, and Professional Person has a corresponding interpretation.

Public Amusement: means land and buildings used for the amusement or entertainment of the public, with or without charge.

Public Authority: shall have the same meaning given to it in and for the purposes of the Act.

Public Mall: means any public street or right-of-way designed especially for pedestrians who shall have the right of way and vehicle access shall be restricted to service vehicles at times specified by the Council.

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

Public Utility: means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.

Public Worship—Place Of: means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary, or higher education or a residential training institution.

Radio and T.V. Installation: means land and buildings used for the transmission, relay and reception of signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers.

Reception Centre: means land and buildings used by parties for functions on formal or ceremonious occasions, but not for unhosted use for general entertainment purposes.

Reformatory: means land and buildings used for the confinement or detention in custody of juvenile offenders against the law with a view to their reformation.

Residential Building: means 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;

* temporarily by two or more persons,

or

* permanently by seven or more persons,

who do not comprise a single family; but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.

Residential Planning Codes: means the Residential Planning Codes, set out in Appendix 2 to the Statement of Planning Policy No 1 together with any amendments thereto as published in the Government Gazette on December 13, 1991.

Restaurant: means a building wherein food is prepared for sale and consumption within the building and the expression shall include a licensed restaurant, and a restaurant at which food for consumption outside the building is sold where the sale of food for consumption outside the building is not the principal part of the business.

Restoration: means any work or process on at or in respect of a building structure or place which wholly or partly brings back the building structure or place to its original condition or which reinstates its historic or natural character either by rebuilding or repairing its fabric or by removing accretions or additions.

Restricted Premises: means any premises, part or parts thereof, used or designed to be used primarily for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of:

- (a) publications that are classified as restricted publications pursuant to the Indecent Publications and Articles Act 1902 (as amended); or
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.

Rural Pursuit: means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:

- (a) the growing of vegetables, fruit, cereals or food crops;
- (b) the rearing or agistment of goats, sheep, cattle or beasts of burden;
- (c) the stabling, agistment or training of horses;
- (d) the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens;
- (e) the sale of produce grown solely on the lot;

but does not include the following except as approved by the Council:

- (i) the keeping of pigs;
- (ii) poultry farming;
- (iii) the processing, treatment or packing of produce;
- (iv) the breeding, rearing or boarding of domestic pets.

Salvage Yard: means land and buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats.

Sawmill: means land and buildings where logs or large pieces of timber are sawn but does not include a joinery works unless logs or large pieces of timber are sawn therein.

Schedule: means a schedule to the Scheme.

Service Station: means land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use, but does not include transport depot, panel beating, spray painting, major repairs or wrecking.

Shared Dwelling: means a building used primarily for living purposes by not more than five persons residing therein as a single household; the term also includes such outbuildings and recreational uses and gardens as are ordinarily used therewith, but does not include a private hotel, motel or boarding house.

Shop: means a building wherein goods are kept, exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, milk depot, marine collector's yard, timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry.

Showroom: means a building wherein goods are displayed and may be offered for sale by wholesale and/or by retail of: foodstuffs, liquor or beverages; items of clothing or apparel, magazines, books or paper products; medical or pharmaceutical products; china, glassware or domestic hardware; and items of personal adornment.

Special Coastal Planning Area: a coastal area identified by Council as having environmental, cultural and/or scenic values and is either subject to development pressures or such pressures are anticipated in the foreseeable future.

Special Residential Use: means low density, serviced residential development in areas of rural character. Serviced land in this context means connected to a scheme water supply.

Special Rural Use: means uses carried out under the interpretation of Rural Pursuit, but does not include:

- (a) any commercial production;
- (b) any use which involves ground water consumption greater than the allowance determined by the Western Australian Water Authority;
- (c) piggeries or other intensive animal husbandry;
- (d) except with the consent of the Council, the stabling, agistment, or training of horses;
- (e) other uses considered by Council to be detrimental to the public health or amenity of the area.

Sports Ground: means any land used for any sport, but does not include land within the curtilage of a dwelling, if not used commercially.

Stables: means land and buildings used for the housing and keeping of horses.

Storey: means for other than residential development, that portion of a building which is situated between the top of any floor and the floor next above it: and if there is no floor above it, that portion between the top of the floor and the ceiling above it.

Tavern: means land and buildings the subject of a Tavern Licence granted under the provisions of the Liquor Act, 1970 (as amended).

Temporary Accommodation: means any habitable building not permanently affixed to the ground and includes any caravan, transportable dwelling, or any structure used for habitation or for the purposes of accommodation for a period not exceeding six months.

Trade Display: means land and buildings used for the display of trade goods and equipment for the purposes of advertisement.

Transport Depot: means land and buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicles and includes maintenance, management and repair of the vehicles used, but not of other vehicles.

Transportable Home: means any structure designed for human habitation that is partly or wholly prefabricated at any place other than on the lot upon which it is to be erected.

Veterinary Consulting Rooms: means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which animals or pets do not remain overnight.

Veterinary Hospital: means a building used in connection with the treatment of sick animals and includes the accommodation of sick animals.

Video Sales and/or Hire: means premises used for the sale or hire of video equipment or tapes used in video recorders.

Warehouse: means a building wherein goods are stored and may be offered for sale by wholesale.

Waterway: means an artificial channel, lake, harbour or embayment, for the navigational, irrigational, ornamental, and recreation purposes, or for any of those purposes; and includes any addition to or alteration of a waterway as so defined.

Wayside Stall: means a building situated on private land which offers for sale to the general public produce or any commodity which is produced on the land upon which the buildings are located.

Wholesale: means the sale of any goods to any person or persons other than the ultimate consumer of those goods by a person or his trustee, registered as a 'wholesale merchant' for Sales Tax purposes under the provisions of the Sales Tax Assessment Act No. 1 1930, (as amended).

Wine House: means land and buildings the subject of a Wine House Licence granted under the provisions of the Liquor Act 1970, (as amended).

Zone: means a portion of the Scheme area shown on the map by distinctive colouring, patterns, symbols, hatching, or edging for the purpose of indicating the restrictions imposed by the Scheme on the erection and use of buildings or for the use of land, but does not include reserved land.

Zoological Gardens: means land and buildings used for the keeping, breeding or display of fauna and the term includes Zoo but does not include kennels or keeping, breeding or showing of domestic pets.

Appendix No. 2

SHIRE OF NORTHAMPTON

APPLICATION FORM FOR PLANNING CONSENT

1. Surname of Applicant
- Given Names
- Full Address
2. Surname of Landowner
- Given Names
- (If different from above)
- Address
3. Submitted by
4. Address for Correspondence
5. Locality of Development
6. Title Details of Land
7. Name of Road Serving Property
8. State Type of Development
-
- Nature and size of all buildings proposed
-
- Materials to be used on External Surface of Buildings
-
- General Treatment of Open Portions of the Site
-

Details of Car Parking and Landscaping Proposals

.....

Approximate Cost of Proposed Development

Estimated Time for Construction

Signature of Owner

.....

Signature of Applicant or Agent.....

(Both signatures are required if applicant is not the owner)

Date

NOTE: This form should be completed and forwarded to the Northampton Shire Council together with 2 COPIES of plans showing complete details of the development including a site plan showing the relationship of the land to the area generally.

In areas where close development exists, or is in the course of construction, plans shall show the siting of buildings and uses on lots immediately adjoining the subject land.

See Other Side for Details Required—

All applications shall be accompanied by:

- (a) a location plan showing the land and the subject of the application and its relationship to surrounding lots and streets; and in the case of an application for the erection of new buildings:
- (b) a site plan or plans showing:
 - (i) the position, type and use of all existing buildings and improvements on the land; indicating those to be removed as part of the proposal;
 - (ii) the position, type and use of any new buildings and improvements proposed on the land;
 - (iii) the position of any trees on the site showing those to be removed and those to be retained;
 - (iv) areas to be landscaped, surfaced for parking or developed for any other purpose within the site;
 - (v) contours and any earthworks to be undertaken as a part of the development;
 - (vi) the location and description of any buildings, places or objects;
 - (vii) the method by which stormwater run-off is to be contained on the site or discharged from the site;
 or in the case of an application for a change in the use of land and/or buildings;
- (c) a site plan and, where applicable, floor plan(s) of the existing building(s) indicating the uses to be made of the land and the respective buildings or portions of the building(s).

Appendix No. 3

SHIRE OF NORTHAMPTON

NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT 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..... 19.....

SHIRE CLERK

DATE

Appendix No. 4

SHIRE OF NORTHAMPTON

DECISION ON APPLICATION FOR PLANNING CONSENT

The Council or its delegated officer having considered the application dated.....

submitted by

on behalf of

hereby advise that it has decided to:

REFUSE / GRANT APPROVAL;

(strike out whichever does not apply)

TO COMMENCE DEVELOPMENT

TO DISPLAY AN ADVERTISEMENT

subject to the conditions/for the following reasons:

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

SHIRE CLERK

DATE

Appendix No 5

SHIRE OF NORTHAMPTON

CONTROL OF ADVERTISEMENTS

ADDITIONAL INFORMATION SHEET

FOR ADVERTISEMENT APPROVAL

(to be completed in addition to Application for Planning Consent)

1. Name of Advertiser if different from owner:

.....
.....

2. Address in Full:

.....
.....

3. Description of Property upon which advertisement is to be displayed, including full details of its proposed position within that property:

.....
.....

4. Details of Proposed Sign:

Height: Width: Depth

Colours to be used:

.....
Height above ground (top level of Advertisement underside)

Materials to be used:

.....
Illuminated: Yes/No.....If Yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating, etc;

.....
If Yes, state intensity of light source:

.....
5. State period of time for which advertisement is required:

.....
.....

6. Details of signs, if any, to be removed if this application is approved:

.....

N.B. Application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements to be removed detailed in 6 above.

Signature of Advertiser(s):.....(if different from land owners)

Date:.....

Appendix No 6
 PLACES OF HERITAGE VALUE
 NORTHAMPTON TOWNSITE

No	Place	Address	Description
1	Wanerenooka Mine	Res 23472 & Res 40684 North-West Coastal Highway	Mine site and ruins First copper mine in WA
2	Cemetery	Cnr Onslow/ Stone Streets Res 9637	Town cemetery- headstones and railings of first settlers
3	Cottage	Lot 12 Howe St.	Rendered Stone Cottage
4	Shops	Lot 13 North-West Coastal H'way	Rendered stone shops with verandahs overhanging footpath
5	House/former bank	Pt lot 1 North-West Coastal H'way	Timber Constructed CGI Roof
6	Shops	Lot 27 North-West Coastal H'way	Cnr building rend. masonry with cantilever awning
7	Northampton Motor Hotel	Lot 9 North-West Coastal H'way	2 storey masonry pub
8	Former Railway Station	Pt Lot 452 Mary Street	Stone and timber building
9	Church of Our Lady in Ara Coeli	Lot 28 North-West Coastal H'way	High stone church-tiled roof
10	Sacred Heart Convent	Lot 28 North-West Coastal H'way	2 storey stone bldg-ver/dahs
11	Public Library former Roads Board Office	Res 4746 North-West Coastal H'way	Simple stone bldg / CGI roof
12	Officers' Quarters Police Station & Lock-Up	Lot 121 North-West Coastal H'way	Original stone walled building with surrounding verandahs
13	House	Lot 229 Stephen Street	Large brick house with CGI roof and verandahs
14	Old Roman Catholic Cemetery	Lot 50 Cnr West/ Stephen Streets	Orig cemetery for RC burials Headstones and railings
15	Holy Trinity Church	Lot 41 North-West Coastal H'way	Stone Gothic Type Church CGI roof
16	Hampton Lodge	Lot 42 North-West Coastal H'way	Large stone building-CGI roof
17	Methodist Church	Stephen Street Res 7930	Stone bldg with CGI roof
18	Railway Tavern	Lots 43 & 44 North-West Coastal H'way	Large Inn stone rendered walls CGI roof

No	Place	Address	Description
19	House /former store	Lot 128 North-West Coastal H'way	High stone cottage with verandahs
20	"Chiverton House" Museum/former store and residence	Lot 130 North-West Coastal H'way	Complex of rend. stone bldgs and walled courtyards
21	House	Lot 6 North-West Coastal H'way	Stone walled cottage
22	House	Lot 68 North-West Coastal H'way	Large stone bldg CGI roof and verandahs
23	Cottage	Pt Lot 70 Gwalla Street	Small stone cottage with CGI roof and verandah
24	Old Manse	Cnr Gwalla/ Brook Streets Lot 56	Rend. stone house CGI roof verandah
25	Gwalla Cemetery Church ruins	Res 31064 Second Avenue	Small burial ground with surrounding walls/adj ruins

Appendix No 6

PLACES OF HERITAGE VALUE
NORTHAMPTON DISTRICT

No	Place	Address	Description
1	Kalbarri National Park	Res. 27004	Reserve containing natural landscape Park flora and fauna, and the river course and the rock formation
2	Murchison House	Murch. Loc. 13	Early Station House and graveyard
3	Galena Schoolsite	Loc. 65, Res 24631	Old schoolsite
4	Geraldine Mine	Murch. Loc. 1	Mine site and ruins
5	Warribano Chimney	Pt. Murch. Loc. 107	Ruins of stone and brick chimney
6	Mount View Ajana	Vic. Loc. 54	Early stone farm complex
7	Former Alma School	Res. 24961 Rob Road	Timber framed one classroom building
8	Hutt Lagoon	Port Gregory	Extensive salt water lagoon
9	Port Gregory and Packington Townsite	Port Gregory	Packington townsite surveyed 1853
10	Lynton	Lynton	Site ruins and graveyard
11	Willigulli Station	Horrocks Loc. 208	Stone farmhouse, walls and wells
12	Farmhouse	Loc. 335 Tomelton Brook	Rendered stone farmhouse
13	Spring Valley	CG 2366	Early stone farm buildings
14	Wheal Fortune Mine	CG 436	Lead and Copper mine ruins
15	Bowes River and Nokanena Brook		Watercourse and Natural landscape
16	Bowes station complex and graveyard, former Knock B Rack	Vic. Loc. 6	Early station farmhouse

No	Place	Address	Description
17	Cottage	Loc. 1159 North West Coastal Highway Isseka	Stone farmhouse
18	Oakabella station Complex	Oak. Est. 38	Early station farmhouse
19	Oakabella Creek		Watercourse and natural landscape
20	Farmhouse	Vic. Loc. 2072	Rendered stone farmhouse
21	State Battery	Res. 24975	No longer operational
22	Farmhouse	Locs. 56 & 62	Rendered stone farmhouse

Appendix No 7
SHIRE OF NORTHAMPTON
SPECIAL SITES ZONE SCHEDULE

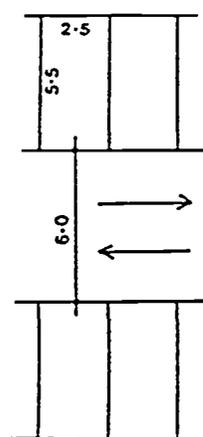
Lot No.	Location	Purpose	Development Provisions
NORTHAMPTON			
Reserve 9637	Onslow Street	Cemetery *	
Lot 7	Essex Street	Aged Persons Accom.	As determined by Council
Pt Lot 452	Mary Street	Railway Station *	As determined by Council
Reserve 29209	Third Avenue	Railway Station	As determined by Council
Reserve 107 & Lots 21 & 26	Mary Street	Roman Catholic School	As determined by Council
Lot 50	Stephen Street	Cemetery *	
Pt Lot 5695	Nabawa— Northampton Rd	Industry	As determined by Council
Res. 26686 and Lots 455 and 456	Stephen Street	Community Purposes	As determined by Council
Lot 130	North-West Coastal H'way	"Chiverton House" * Museum	As determined by Council
Lot 133	North West Coastal H'way	Service Station	As determined by Council
Res. 31064	Second Avenue	Gwalla Cemetery *	
Lot 5	North West Coastal H'way	C.B.H. Bulk Storage	As determined by Council
Reserve 7930	Stephen Street	Church *	As determined by Council
BINNU			
Lots 7 & 8	North West Coastal H'way	Roadhouse	As determined by Council
PORT GREGORY			
Lots 131, 153, & 213	Sanford Street	Caravan Park	As determined by Council
GALENA			
Lots 68 & 69	North-West Coastal H'way	Transit Caravan Park	As determined by Council

* Place of Heritage Value

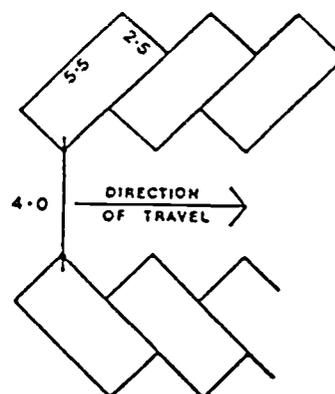
Appendix No 8
CAR PARKING REQUIREMENTS

USE	No. OF CAR PARKING SPACES
Single House, Grouped Dwelling	As prescribed within the provisions of the Residential Planning Codes (as amended)
Church	1 for every 4 persons accommodated
Consulting Room	1 for every 30 sq m of gross floor area + 1 for every person employed
Eating House/Restaurant	1 for every 4 persons accommodated
Industry Service	1 for every 20 sq m retail floor space
	1 for every 50 sq m service area
	1 for every 50 sq m floor space
	1 for every 50 sq m floor space
	1 for every 50 sq m floor space
Licensed Hotel	1 for every bedroom + 1 for every 4 sq m public bar/lounge floor area
Health Clinic/Consulting Rooms	3 for every consulting room
Hospital	1 for every 4 beds provided + 1 for every person employed.
Library/Museum	1 for every 35 sq m floor area
Motel	1 for every bedroom + 1 for every 25 sq m gross floor area of service building.
Motor Repair Station	2 for every working bay
Office	1 for every 50 sq m leasable floor space
Private Club	1 for every 4 persons accommodated
Professional Office	1 for every 30 sq m gross floor area
Residential Building	1 for every 4 persons accommodated
Restaurant	1 for every 10 sq m of gross floor area or 1 for every 4 seats provided, whichever is the greater
Service Station	1 for each employee
Shop	1 for every 15 sq m retail floor space
Showroom	1 for every 100 sq m gross floor area
Squash Court	3 for every court
Take-away food outlet	1 for every 10 sq m retail floor area
T.A.B.	1 for every 10 sq m floor area
Tavern	1 for every 4 sq m public floor area
Warehouse/Showroom	1 for every 250 sq m floor area

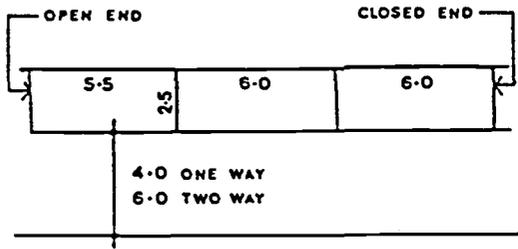
CAR PARKING LAYOUTS



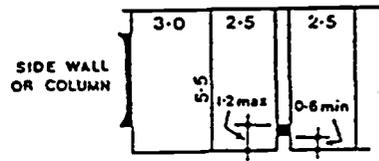
90° PARKING



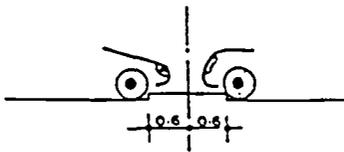
45° PARKING



PARALLEL PARKING

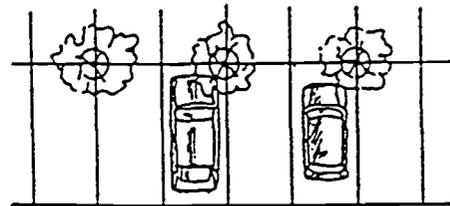


OBSTRUCTIONS



WHEEL STOP MODIFICATIONS

Not to affect drainage



SHADE TREE LANDSCAPING

Kerb ring not to exceed 900 mm diam

- 90° & 45° Parking - 5.5 m x 2.5 m
- Parallel Parking - 6.0 m x 2.5 m
OR 5.5 m x 2.5 m where OPEN ENDED
- Driveway Widths 90° - 6.0 m access
- 45° - 4.0 m one way •
- Parallel - 4.0 m one way •
- 6.0 m two way •

ADOPTION

Adopted by resolution of the Council of the Shire of Northampton at the Meeting of the Council held on the 19th day of August 1994.

Date 13/10/95.

C. H. ATKINSON, President.
C. J. PERRY, Shire Clerk.

FINAL APPROVAL

1) Adopted by Resolution of the Council of the Shire of NORTHAMPTON at the Meeting of the Council held on the 18th day of August 1995 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

Date 13/10/95.

C. H. ATKINSON, President.
C. J. PERRY, Shire Clerk.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 1.4 of this Scheme and to which formal approval was given by the Hon. Minister for Planning on the date shown below.

2) Recommended/Submitted for final approval by the Western Australian Planning Commission.

Date 24/10/95.

EUGENE FERRARO, for Chairperson.

3) Final approval granted.

Date 26/10/95.

RICHARD LEWIS, Hon Minister for Planning.

POLICE**PE501****POLICE ACT 1892
POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property will be sold by public auction at the Department of State Services, State Supply Disposals Centre, 21 Pilbara Street, Welshpool on Tuesday, 20th February, 1996 at 9.00 a.m.

Auction to be conducted by Paul Kasper, Government Auctioneer.

R. FALCONER, Commissioner of Police.

PE502**POLICE ACT 1892
POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed stolen bicycles will be sold by public auction at the Department of State Services, State Supply Disposals Centre, 21 Pilbara Street, Welshpool on Tuesday, 13th February, 1996 at 9.00 a.m.

Auction to be conducted by Paul Kasper, Government Auctioneer.

R. FALCONER, Commissioner of Police.

PREMIER AND CABINET**PR401****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that His Excellency the Governor in accordance with section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon R. K. Nicholls MLA in the period 27 December 1995 to 12 January 1996 inclusive—

Minister for Water Resources—Hon P. G. Foss, MLC

HUGH SAMSON, Acting Chief Executive.

TREASURY**TY301****FINANCIAL ADMINISTRATION AND AUDIT ACT 1985****FINANCIAL ADMINISTRATION AND AUDIT ACT (DESIGNATION OF
STATUTORY AUTHORITIES) REGULATIONS (No. 3) 1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Financial Administration and Audit Act (Designation of Statutory Authorities) Regulations (No. 3) 1995*.

Schedule 1 to the Act amended

2. Schedule 1 to the *Financial Administration and Audit Act 1985** is amended by deleting "Government Domain Reserve Board" and "Parliamentary Reserve Board".

[* *Schedule 1 reprinted as at 26 August 1994.*

For subsequent amendments see 1994 Index to Legislation of Western Australia, Table 1, pp. 74-5 and Act Nos. 83, 84 and 103 of 1994 and 2, 11 and 24 of 1995 and Gazette of 18 August 1995 and 19 September 1995.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

Reprinted Statutes

Individual Acts and Regulations are from time to time reprinted under the *Reprints Act 1984* incorporating all amendments up to a particular date.

This program is managed by Parliamentary Counsel's Office.

A standing order for either Acts or Regulations may be placed with State Law Publisher for all Reprints that become available.

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Statutes

These Statutes were reprinted in 1995 and are available.

Road Traffic Act 1974

Child Welfare Act 1947

Justices Act 1902

Stock Brands and Movement Act 1970

Energy Corporations (Power) Act 1979

(formerly State Energy Commission Act 1979)

Constitution Act Amendment Act 1899

Parliamentary Commissioner Act 1971

Public Sector Management Act 1994

Employers' Indemnity Supplementation Fund Act 1980

Aboriginal Heritage Act 1972

Royal Commissions Act 1968

Occupational Safety and Health Act 1984

Supreme Court Act 1935

Regulations

These Regulations were reprinted in 1995 and are available.

Hospitals (Services Charges) Regulations 1984

Radiation Safety (General) Regulations 1983

Workers' Compensation and Rehabilitation Regulations 1982

Occupational Health, Safety and Welfare Regulations 1988

Supreme Court Rules 1971

Road Traffic Code 1975

Stock Brands and Movement Regulations 1972

Navigable Waters Regulations 1989

Firearms Regulations 1974

Building Regulations 1987

Environmental Protection Regulations 1987

Reprinted under the Reprints Act 1984 as at 30 January 1992

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Including any amendments published since

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Mailed plus postage on 107 grams

* Prices subject to change on addition of amendments.

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**Price: \$15.10 Counter Sales
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NOW AVAILABLE!!

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(Reprinted as at 17 December 1993)

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* Prices subject to change on addition of amendments.

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Young Offenders Act—Young Offenders Amendment Regulations 1995	53-4

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