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TOWN OF NARROGIN

TOWN PLANNING SCHEME NO. 2

Updated to include AMD 35 GG 19/01/2018

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Please advise the Department of Planning of any errors or omissions in this document.

Prepared by the Department of Planning

Original Town Planning Scheme Gazettal Date: 17 June 1994

TOWN OF NARROGIN TPS 2 - TEXT AMENDMENTS

AMDT NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
1	16/12/94			Special Use Table - deleting Code No. 5 Lot Part 263 cnr Fortune and Rowley Streets.
4	20/08/96	30/10/96	DH	Additional Use Zone - Adding 26. Reserve 10524, Lot 244 Earl Street
6	23/08/96	30/10/96	DH	Addition Use Zone - Adding 27. Pt Reserve 10317 (Railway Station)
11	19/11/99	22/11/99	DH	Additional Use Zone - Adding 29. Lot 544 Williams Road (Professional offices)
13	19/11/99	22/11/99	DH	Additional Use Zone - Adding 30. Lot 723 Graham Road (Private school)
8	19/11/99	22/11/99	DH	Additional Use Zone - amending additional use 20. to incorporate additional use "Professional Offices".
14	18/11/99	19/11/99	DH	Additional Use Zone - Adding 31. Southern portion Lot 2 Lefroy Street (Auction Mart).
20	09/07/02	10/07/02	DH	Additional Use Zone - Adding "Lot Hansard Street" with an additional use (Storage Shed).
24	04/04/03	07/04/03	DH	Zoning Table - adding Additional Use in Clause 2.3 by including 33. Lot 1239 Herald Street with an additional use of Veterinary Consulting Rooms.
22	17/02/03	16/06/03	DH	Clause 2.4 - Deleting from the Table the Special use listing for the western half of Lot 259 ensign Street, Narrogin.
28	31/01/06	07/02/06	DH	Special Use Table – amending Table in Clause 2.4 by adding Special Use No. 6 – Lot 15 Clayton Road together with relevant conditions.
34	08/01/16	27/01/16	RO	Rezoning 160 (Lot 3) Federal Street, Narrogin from 'Single Residential' (R12.5) to 'Other Commercial'. and Amending the Scheme Maps accordingly.
35	19/01/18	29/01/18	MLD	Rezoning Lot 61 on Deposited Plan 222890 Federal Street, Narrogin from 'Community' zone to 'Shops and Offices' zone. Amending the Scheme Map accordingly.

TOWN OF NARROGIN

TOWN PLANNING SCHEME NO. 2

DISTRICT SCHEME

The Town of Narrogin under and by virtue of the power conferred on 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

1.2 CITATION

This Town Planning Scheme may be cited as the TOWN OF NARROGIN TOWN PLANNING SCHEME NO. 2 - DISTRICT SCHEME hereinafter called "the Scheme" and shall come into operation on the publication of the Scheme in the Government Gazette.

1.3 OBJECTS OF THE SCHEME

The objects of the Scheme are:

- 1.3.1 To reinforce the pattern of land uses established under the Town of Narrogin Town Planning Scheme No. 1A having regard to the changed circumstances since that Scheme came into effect.
- 1.3.2 To define the uses and types of development to be permitted on land within the District of the Town of Narrogin in the future and to guide investment decisions of intending developers and present and future residents and business people.
- 1.3.3 To control, regulate and co-ordinate public and private development, the use of land and buildings and the erection of buildings and the carrying out of works in order to improve the welfare of the inhabitants of and visitors to the District of the Town of Narrogin in relation to amenity, convenience, economy and environmental standards.
- 1.3.4 To enable the Town of Narrogin to continue its role as a regional centre providing shopping, commercial, industrial, civic, educational, administrative and welfare services to the surrounding region.
- 1.3.5 To provide a framework for the future improvement and development of the Narrogin Town Centre in relation to its function, accessibility, layout and character.
- 1.3.6 To rationalise the road system within the District in relation to regional transport requirements, both present and future, and attempt to minimise their adverse effects on the District of the Town of Narrogin.
- 1.3.7 To protect the environment, both natural and cultural, and the character of the District.
- 1.3.8 To provide for future residential development by indicating the framework for such development and by providing a reference for, and mechanisms to, initiate and enable growth and change.

1.4 REVOCATION OF EXISTING SCHEME

The Town of Narrogin Town Planning Scheme No. 1A published in the Government Gazette of January 29, 1982 is hereby revoked.

1.5 RESPONSIBLE AUTHORITY

The authority responsible for implementing the Scheme is the Town of Narrogin (hereinafter referred to as "the Council").

1.6 CONTENTS OF SCHEME

The Scheme comprises:

- a) The Scheme Text
- b) The Scheme Map

1.7 SCHEME AREA

The Scheme shall apply to the area of land contained within the inner edge of a broken black line on the Scheme Map (hereinafter called "the Scheme Area"). The Scheme Area comprises the whole of the District of the Town of Narrogin.

1.8 INTERPRETATION

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

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 as set out hereunder and, if not specified, as set out in the Residential Planning Codes.

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.

1.8.4 In the Scheme unless the context otherwise requires the following items shall have the meaning set out hereunder.

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 2m squared 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 2m squared 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 2m squared 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.
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 use of springs, flippers, paddles or cues, or electronic devices which are controlled or partly controlled by computer associated with the 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.
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).
Boarding House:		means a building in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but does not include: <ul style="list-style-type: none"> a) premises the subject of a Hotel, Limited Hotel or Tavern Licence granted under the provisions of the Liquor Act 1970 (as amended); b) premises used as a boarding school approved under the Education Act, 1928 (as amended); c) a single dwelling, attached, grouped or multiple dwelling unit; d) any building that is the subject of a strata title issued under the provisions of the Strata Titles Act, 1985 (as amended).
Building Code of Australia:		means the Building Code of Australia 1990 (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 Park:	means land and buildings used for the parking of caravans under the By-Laws of the Council or the Caravan Parks and Camping Grounds Regulations, 1974 (as amended) made pursuant to the provisions of the Health Act 1911 (as amended).
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.
Civic Building:	means a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council as offices or for the administrative or other like 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.
Commission:	means the State Planning Commission constituted under the State Planning Commission Act 1985.

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.
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 person(s) ordinarily associated with the 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.
Consulting Rooms Group:	means a building (other than a hospital or medical centre) used by more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors and persons ordinarily associated with a practitioner, in the prevention, investigation or treatment of physical or mental injuries or ailments, and the 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 not 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 200m squared 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 to it in and for the purposes of the Act.
District:	means the Municipal District of the Town of Narrogin.
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 Premises:	means land and buildings used for the cleaning of garments and other fabrics by chemical processes.

Educational Establishment:	means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory or residential building.
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: <ul style="list-style-type: none"> 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 site 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 a steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council.
Factory Unit Building:	means an industrial building designed, used or adopted 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).
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 as for the purposes of the Building Code of Australia 1990 (as amended).
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.
Gazettal Date:	means the date on 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.
Health Studio:	means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.
Home Occupation:	<p>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:</p> <ul style="list-style-type: none"> 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 interference, 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 in 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 square metres in area; f) in the opinion of the Council it is compatible with the principal uses to which land in the zone 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 outbuilding;

- 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 (0.5hp).
- Hospital: means a building in which persons are received and lodged for medical treatment or care and includes a maternity hospital.
- 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 for sale, or the breaking up or demolition of any article or part of any 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 resulting from the process, and the use of land for the amenity of persons engaged in the process;
- but does not include:
- i) the carrying out of agriculture;
 - ii) site work on buildings, works or land;
 - iii) in the case of edible goods the preparation of food for sale from the premises;
 - iv) panel beating, spray painting or motor vehicle wrecking.
- Industry - Cottage: means an industry which produces arts and craft 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 outbuilding which is compatible to the zone and its amenity and does not occupy an area in excess of 55 metres squared;
- 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 square metres in area.

Industry - Extractive:

means an industry which involves:

- a) the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals, or similar substances from the land, and also the storage, treatment or manufacture of products from those materials from which it is extracted or on land adjacent thereto; or
- b) the production of salt by the evaporation of sea water.

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 (as amended), but does not include a fish shop, dry cleaning premises, marine collector's 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).
Lodging House:	shall have the same meaning as is given to it in and for the purposes of the Health Act, 1911 (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.
Market:	means land and buildings used for a fair, a farmer's or producer's market, or a swapmeet in which the business or selling carried on or the entertainment provided is by independent operators or stallholders carrying on their business or activities independently of the market operator save for the payment 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 an 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.
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:	<p>in relation to any land includes the Crown and every person who jointly or severally whether at law or in equity:</p> <ul style="list-style-type: none"> 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.
Petrol Filling Station:	means land and buildings used for the supply of petroleum products and motor vehicle accessories.
Place of Natural Beauty:	means the natural beauty of the area including rivers, lakes and other inland waters, banks or rivers, foreshores of harbours and other parts of the sea, hill slopes and summits and valleys.
Plot Ratio:	<p>for developments other than single houses, grouped dwellings, attached houses and multiple dwellings 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.</p>
Potable Water:	water in which the levels of physical, chemical and microbiological constituents do not exceed the guideline values set out in the National Health and Medical Research Council and Australian Water Resources Council publication "Guidelines for Drinking Water Quality in Australia - 1987", which has been approved by the Local Authority subject to any conditions which may have been laid down by the Commissioner for Health.

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 (as amended).
Private Hotel:	means land and buildings used for residential purposes and 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 as a theatre cinema, dance hall, skating rink, squash court, swimming pool, meeting hall or non-residential club or for the playing of active indoor sports.
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 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 TV 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.

Residential Building:	<p>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:</p> <ul style="list-style-type: none"> - 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:	<p>means the Residential Planning Codes, set out in the Statement of Planning Policy No 1, together with any amendments thereto as published in the Government Gazette on December 13, 1991.</p>
Reception Centre:	<p>means land and buildings used by parties for functions on formal or ceremonious occasions, but not for unhosted use for general entertainment purposes.</p>
Restaurant:	<p>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.</p>
Restoration:	<p>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.</p>
Restricted Premises:	<p>means any premises, part or parts thereof, used or designed to be used primarily for the sale by retail or wholesale, or the offer of hire, loan or exchange, or the exhibition, display or delivery of:</p> <ul style="list-style-type: none"> 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:	<p>means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:</p> <ul style="list-style-type: none"> 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 Premises:	means a shop in which services are provided to the public and includes a hairdresser's salon, a dry cleaning agency, a laundromat, an art/craft or photographer's studio used for exhibition or instruction, a travel agency, a ticket agency and a Totalisator Agency Board betting shop.
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 a transport depot, panel beating, spray painting, major repairs or wrecking.
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 sale of vehicles or for any purpose falling within the definition of industry or any restricted premises.
Showroom:	means a building wherein goods are displayed and may be offered for sale by wholesale and/or by retail, excluding the sale by retail of: foodstuffs, liquor or beverages; items of clothing or apparel, magazines, books or paper products; medical or pharmaceutical products.

Showroom Premises:	means a building used for the display and sale by retail of household goods, motor cars, utilities and motor cycles or any of those things but does not include premises used for the display of machinery, farm equipment or vehicles other than motor cars, utilities and motor cycles.
Tavern:	means land and buildings the subject of a Tavern Licence granted under the provisions of the Liquor Act, 1970 (as amended).
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 such motor vehicle, and includes maintenance, management and repair of the vehicles used, but not of other vehicles.
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.
Warehouse:	means a building wherein goods are stored and may be offered for sale by wholesale.
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).

PART II - CONTROL OF DEVELOPMENT AND USE OF LAND

2.1 CLASSIFICATION INTO ZONES

2.1.1 There are hereby created within the Scheme Area the several zones listed hereunder:

<u>USE TYPE</u>	<u>ZONE</u>
RESIDENTIAL:	Single Residential Other Residential
CENTRAL BUSINESS:	Central Business
BUSINESS:	Shops and Offices Carpark Other Commercial
INDUSTRY:	Light Industry General Industry Public Utilities
COMMUNITY:	School Community Recreation
RURAL:	Rural Rural Residential
OTHER:	Additional Use Special Use

2.1.2 Areas: There are hereby created within the Scheme Area the several areas listed hereunder:

Development Area
Significant and Historic Places

2.1.3 Road Classes: The Scheme Area contains the classes of roads listed hereunder:

Arterial Roads
Sub-Arterial Roads

2.1.4 The Zones, Areas and Road Classes, or such of them as are now required in the Scheme Area, are delineated or coloured or otherwise indicated on the Scheme Map according to the legend thereon.

2.1.5 A reference in the Scheme to a Use Type includes a reference to each of the Zones within that Use Type specified in Clause 2.1.1.

2.2 DEVELOPMENT TABLE

2.2.1 The Table following this Part indicates subject to the provisions of the Scheme, the uses permitted in various Zones, Areas and Road Classes and the development standards that apply to various uses specified in the Table.

2.2.2 The symbols used in the cross references in the Development Table have the following meanings:

- P = a use that is permitted if it complies with -
- (a) the relevant development standards contained in the Scheme; and
 - (b) all conditions (if any) imposed by the Council in granting planning consent to commence development.
- PS = a use that is not permitted unless special approval to it is given by the Council and it complies with -
- (a) the relevant development standards contained in the Scheme; and
 - (b) all conditions (if any) imposed by the Council in granting planning consent to commence development.
- AP = a use that is not permitted unless special approval to it is given by the Council after the proposal has been advertised in accordance with Clause 6.4 and it complies with -
- (a) the relevant development standards contained in the Scheme; and
 - (b) all conditions (if any) imposed by the Council in granting planning consent to commence development.
- IP = a use that is not permitted unless such use is incidental to the predominant use of the land as determined by the Council.

2.2.3 Where in the Development Table a particular use is mentioned it is deemed to be excluded from any other use class which by its more general terms would otherwise include the particular use.

2.2.4 If a particular use or purpose is not mentioned in the list of use classes or is not included in the general terms of any of the use classes in the Development Table, that use or purpose is prohibited unless it is permitted by the subsequent provisions of the Scheme.

2.2.5 Clause 2.2.4 does not prohibit the Council from giving consent to a use that is not -

- (a) mentioned in the list of use classes in the Development Table; or
- (b) defined in Clause 1.8; or
- (c) defined in Appendix D to the Town Planning Regulations, 1967

and determining the zone in which the use may be carried on pursuant to Clause 2.2.6 nor does Clause 2.2.4 prohibit the use of the land in accordance with consent so given.

2.2.6 Upon application to it the Council may determine in which zone or zones a use that is not -

- (a) mentioned in the list of use classes in the Development Table; or
- (b) defined in Clause 1.8; or
- (c) defined in Appendix D to the Town Planning Regulations, 1967

will be permitted and may impose any condition it considers necessary or desirable.

2.2.7 An application to the Council for its consent under Clause 2.2.5 -

- (a) shall be advertised in accordance with the provisions of Clause 6.3.2; and

- (b) shall not be granted unless a resolution to do so is passed by an absolute majority of the Council.
- 2.2.8 Subject to the provisions of the Scheme, a person shall not use land or erect or commence to erect a building or structure for a use or purpose specified in the Development Table otherwise than in accordance with the relevant provisions of that Table and unless the building or structure complies with the requirements of the Table.
- 2.2.9 The development standards applicable to the Zones, Areas and Road Classes mentioned in the Development Table are those specified in that Table respectively unless a particular standard is specified in relation to a particular use in which case the particular standard so specified applies to the particular use.
- 2.2.10 The Council may relax the requirements of the Development Table in respect of -
 - (a) the retention or restoration of places of heritage value; or
 - (b) a use that is incidental to the predominant use of the land.
- 2.2.11 Nothing contained in the preceding clauses of this Part or in the Development Table limits the powers of the Council to impose conditions when granting planning consent to commence development pursuant to Clause 6.5 and in particular, but without limiting the generality of the foregoing, the Council may impose conditions in respect of additional restrictions and requirements not specified in the Development Table.
- 2.2.12 Whereby a town planning scheme having the force of law, land is designated for grouped housing, the Council shall not refuse to grant its special approval to the use of the land for grouped housing.
- 2.2.13 The Policy Statements contained in the Development Table -
 - (a) are statements of general policy only;
 - (b) are not binding on the Council; and
 - (c) do not affect the obligation of the Council to consider the circumstances and merits of each particular case.
- 2.2.14 If there is any conflict between a policy statement contained in the Development Table and the other provisions thereof the latter prevail.
- 2.2.15 The explanation of the symbols used in the Development Table contained therein does not affect or limit the provisions of Clause 2.2.2.

POLICY STATEMENT

Primarily for single dwelling houses on separate lots.

SINGLE RESIDENTIAL

Group or multiple housing would only be permitted at the discretion of Council, following consideration of the effect of a proposed development upon the neighbourhood. Permissible non-residential use would be subject to advertising. The development standards for Group or Attached housing are intended to achieve compatible development within single residential neighbourhoods.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
- PS Use not permitted unless special approval given by Council and conditions complied with.
- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
	MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS
				FRONT	REAR	SIDES			
	As per R.12.5	As per R.12.5	As per R.12.5	7.5m	7.5m average 1.5m min.	As per R.12.5	2 per dwelling unit	As per R.12.5	Reticulated sewer connection to be available to site. Council shall approve a single dwelling house on a lot approved by the State Planning Commission.

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE							
1	Single Storey House	P								Minimum unsewered lot area 850 square metres.
2	Single House (2 or more storeys)	PS								Minimum unsewered lot area 850 square metres.
3	Aged Persons' Dwelling Units	PS	1200sqm	20m	As per R.35			0.5 per unit. Min of 2 spaces	As per R.35	40sqm per unit in appurtenant courtyard(s) with min dimensions of 4m x 10m
4	Grouped or Attached Housing	AP	1000sqm	20m	As per R.25			As per R.25 1 visitor space per 2 units & 2 per unit, 1 to be contiguous to unit and roofed.	As per R.25	<ol style="list-style-type: none"> 1. 80sqm per unit in appurtenant courtyard with min. dimensions of 4m x 10m. 2. Access to courtyard required not through a habitable room. 3. No setback between attached units or 3m setback between buildings on the same lot.
5	Consulting Rooms attached to a house	AP	1000sqm	20m				4 per Consultant		Maximum of 1 Consultant on the premises who must reside in the house.
6	Consulting Rooms	AP	1000sqm	20m				5		Maximum of 1 Consultant on the premises at any time.
7	Day Care/Family Care Centre	AP	1000sqm	20m			3m	4		Maximum of 30 children. Off street provision for picking up and setting down children.

POLICY STATEMENT

Primarily for single dwelling houses on separate lots.

SINGLE RESIDENTIAL

Group or multiple housing would only be permitted at the discretion of Council, following consideration of the effect of a proposed development upon the neighbourhood. Permissible non-residential use would be subject to advertising. The development standards for Group or Attached housing are intended to achieve compatible development within single residential neighbourhoods.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
- PS Use not permitted unless special approval given by Council and conditions complied with.
- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS										
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS		
			FRONT	REAR	SIDES					
As per R.12.5	As per R.12.5	As per R.12.5	7.5m	7.5m average 1.5m min.	As per R.12.5	2 per dwelling unit	As per R.12.5	Reticulated sewer connection to be available to site. Council shall approve a single dwelling house on a lot approved by the State Planning Commission.		

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE								
8	Convenience Store	AP	1000sqm	20m		9m		3m	4		Maximum retail floor area of 50sqm. 30% of front setback landscaped.
9	Home Occupation	IP									See Clause 3.1.4 and 3.1.5.
10	Horse Stable	IP	1500sqm								As per Council's Bylaws relating to Stables, published in Gov't Gaz. 30/11/73.
11	Carpark	IP				2m	2m	1m		Landscaping to side & rear boundary setbacks	

POLICY STATEMENT

Primarily for Group, Attached and Multiple housing. Council will only support development following consideration of availability of sewer, convenience to recreation, shopping and other facilities, or the scale of development proposed in relation to the character of the location. Primarily for higher density residential dwellings.

OTHER RESIDENTIAL

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS								
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS
			FRONT	REAR	SIDES			
1000sqm	20m	As per R.25	7.5m	7.5m	2m	2 per dwelling unit	40% of site	Reticulated sewer connection to be available to site.

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE								
1	Grouped Dwelling	P	1200sqm	20m	As per R.25			As per R.12.5	1 visitor space per 2 units plus 2 per unit, one to be contiguous to the unit and roofed	80sqm per unit in appurtenant courtyard with min. dimensions of 4m x 10m. Access to courtyards required not through a habitable room. No setback between attached units or 3m setback between building on the same lot.	
2	Aged Persons' Dwelling Units	P	1200sqm	20m	As per R.35				0.5 per unit Min of 2 spaces	As per R.35	40sqm per unit appurtenant courtyard(s) with min dimensions of 4m x 10m.
3	Aged Persons' Home	P	1600sqm	30m	As per R.40				1 per 3 beds	As per R.40	
4	Aged Persons' Village	P	3000sqm	30m	As per R.40				1 per 3 beds & 0.5 per unit.	As per R.40	
5	Nursing Home	P	2000sqm	40m	As per R.40				1 per 5 beds	As per R.40	
6	Convalescent Home	P	2000sqm	40m	As per R.40				1 per 5 beds	As per R.40	
7	Residential Building	PS	1600sqm	30m	As per R.40				1 per 2 beds	As per R.40	
8	Single House	PS	As per R.12.5	As per R.12.5	As per R.12.5			As per R.12.5	2 per dwelling unit	As per R.12.5	
9	Multiple Dwelling	AP	1200sqm	20m	As per R.40			1.5m per storey	1 visitor space/2 units + 2/unit. 1 to be contiguous to unit & roofed.		

POLICY STATEMENT

Primarily for Group, Attached and Multiple housing. Council will only support development following consideration of availability of sewer, convenience to recreation, shopping and other facilities, or the scale of development proposed in relation to the character of the location. Primarily for higher density residential dwellings.

OTHER RESIDENTIAL (CONT'D)

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
1000sqm	20m	As per R.25	7.5m	7.5m	2m	2 per dwelling unit	40% of site	Reticulated sewer connection to be available to site.	

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE						
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10	Consulting Rooms	AP	1000sqm	20m					5		Maximum of 1 Consultant on the premises at any time.
11	Day Care/Family Care/Child Minding Centre	AP	1000sqm	20m					1 for every 5 children		Max. of 30 children. Off street provision for drop off & pick up children.
12	Consulting Rooms attached to a dwelling house	AP	1000sqm	20m					4 plus 2 for the dwelling		Max. of 1 Consultant on the premises who must reside in the dwelling.
13	Shop within a residential building	IP									
14	Laundromat	IP									
15	Carpark	IP				2m	2m	1m		Landscaping to boundary setbacks.	See Clause 3.3.1
16	Restaurant (Not Licensed)	IP									
17	Parks, Recreation Grounds, Golf-links, Botanical Gardens, Playing Fields	IP									

POLICY STATEMENT

CENTRAL BUSINESS ZONE

To provide for the function and development of the town centre primarily for retail shops and offices, Council will control the development of other uses and co-ordinate such uses to ensure that compatible development occurs in like areas.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
- PS Use not permitted unless special approval given by Council and conditions complied with.
- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
As determined by the Council	6m	1	NIL	NIL	NIL	1 per 33sqm gross floor area	7% of site area	1. Develop apps. shall have regard for Council's Policy relating to Townscape and Heritage themes. 2. Retic. sewer connection to be available to site. 3. See CBZ Dev. Standard.	

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE							
1	Shop	PS							1 per 15sqm gross floor area for a supermarket	
2	Consulting Rooms	PS							4 per Consultant	
3	Bank	PS								
4	Service Premises	PS								
5	Restaurant	PS							1 per 4 seats or 1 every 1m length at queuing area	
6	Liquor Store	PS								
7	Office	PS								
8	Professional Office	PS								
9	Public Library	PS								
10	Public Amusement	PS							1 per 5 seats	
11	Tavern Wine Shop	PS							1 per 6sqm of public area	
12	Night Club/Cabaret Room	PS							1 per 15sqm of public area	

POLICY STATEMENT

To provide for the function and development of the town centre primarily for retail shops and offices, Council will control the development of other uses and co-ordinate such uses to ensure that compatible development occurs in like areas.

CENTRAL BUSINESS ZONE

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

			DEVELOPMENT STANDARDS								
			MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS
						FRONT	REAR	SIDES			
As determined by the Council			6m	1	NIL	NIL	NIL	1 per 33sqm gross floor area	7% of site area	1. Develop apps. shall have regard for Council's Policy relating to Townscape and Heritage themes. 2. Retic. sewer connection to be available to site. 3. See CBZ Dev. Standard.	
PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE								
13	Radio & TV Installation	PS									
14	Licensed Restaurant	PS							1 per 4 seats		
15	Showroom	PS									
16	Service Premises	PS									
17	Motor Vehicle and Marine Sales Premises	PS									
18	Funeral Parlour	PS									
19	Licensed Club	PS	4000sqm	30m	0.6	7.5m	7.5m	3m per storey	As determined by Council		
20	Civic Buildings	PS									
21	Commercial use with Dwelling/Group dwelling above	AP								40sqm private open space	
22	Day Care Centre/Family Care Centre	AP									Max. 30 children off street provision for pick up & set down of children.
23	Garden Centre	AP									
24	Hotel	AP	0.5ha	80m	0.6	20m	15m	10m per storey	1 per bedroom plus 1 per 6sqm of public area		
25	Carpark	IP				2m	2m	1m		Landscaping to boundary setbacks	Parking to be available for public use.

POLICY STATEMENT

To provide for the function and development of the town centre primarily for retail shops and offices,
Council will control the development of other uses and co-ordinate such uses to ensure that compatible development occurs in like areas.

CENTRAL BUSINESS ZONE

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS											
MINIMUM LOT AREA			MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
					FRONT	REAR	SIDES				
As determined by the Council			6m	1	NIL	NIL	NIL	1 per 33sqm gross floor area	7% of site area	1. Develop apps. shall have regard for Council's Policy relating to Townscape and Heritage themes. 2. Retic. sewer connection to be available to site. 3. See CBZ Dev. Standard.	
PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE								
26	Caretaker's House		IP								

POLICY STATEMENT

SHOPS & OFFICES

Primarily for retail shops and offices. Other compatible uses may be permitted at the discretion of Council.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS								
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS
			FRONT	REAR	SIDES			
As determined by the Council	20m	0.5	11m	7.5m	As determined by Council	1 per 40sqm gross floor area	20% of site	Reticulated sewer connection to be made available to the site.

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE						
1	Office	PS							
2	Professional Office	PS							
3	Shop	PS					1 per 15sqm gross floor area for a supermarket		
4	Consulting Rooms	PS					4 per Consultant		
5	Bank	PS							
6	Municipal & Government Offices	PS							
7	Service Premises	PS							
8	Shop with Dwelling above	PS						40sqm private open space for the dwelling	
9	Restaurant (Not Licensed)	PS						1 per 4 seats or 1 for every 1m length of queuing area	
10	Liquor Store	PS							
11	Tavern/Wine House	PS						1 per 6sqm of public area	
12	Public Library	PS							

POLICY STATEMENT

SHOPS & OFFICES

Primarily for retail shops and offices. Other compatible uses may be permitted at the discretion of Council.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
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- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
As determined by the Council	20m	0.5	11m	7.5m	As determined by Council	1 per 40sqm gross floor area	20% of site	Reticulated sewer connection to be made available to the site.	

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE						
13	Showroom Premises	PS							
14	Radio & TV Installation	PS							
15	Night Club/Cabaret	AP						1 per 15sqm of public area	
16	Licensed Restaurant	AP						1 per 4 seats	
17	Day Care/Child Minding Centre	AP						1 per each 5 children	Max. 30 children off street provision for pick up and set down of children.
18	Office with dwelling attached	IP						40sqm private open space for dwelling	
19	Amusement Facility	IP							
20	Carpark	IP			2m	2m	1m		Landscaping to boundary setbacks Parking to be available to the public.
21	Nursery	IP							
22	Caretaker's Dwelling	IP							

POLICY STATEMENT

CARPARK

This zone has been applied to public car parks.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

PERMITTED USES			DEVELOPMENT STANDARDS								
			MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS
						FRONT	REAR	SIDES			
						2m	2m	1m		1 space in 20 + landscaping to boundary setbacks	Refer to Clause 3.3.2.
			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE								
1	Carpark	P									
2	Trade Display	IP									
3	Park, Recreation Grounds, Golf-links, Botanical Gardens, Playing Fields	IP									
4	Public Conveniences	IP									

POLICY STATEMENT

OTHER COMMERCIAL

Primarily for showroom and warehouse uses. Where such uses do not involve direct sales to the public, e.g., uses other than motor vehicles and marine sales premises, carparks, storage of bulky furniture and the like, the parking standard may be reduced at the discretion of the Council.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
- PS Use not permitted unless special approval given by Council and conditions complied with.
- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS								
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS
			FRONT	REAR	SIDES			
1000sqm	20m	0.5	11m	7.5m	5m one side	1 per 45sqm gross floor area or display area	20% of site	1. Min 20% of front setback to be dev. as landscaping. 2. See Clause 3.2. 3. The Council may relax the parking standard for uses which do not involve retail sales to not less than 1 per 100sqm gross floor area. 4. Fencing to the satisf. & specification of Council.

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE							
1	Showroom	P								
2	Open Air Display	P			2m	2m	1.5m			See Clause 3.2.5
3	Warehouse	P						1 per 100sqm gross floor area		
4	Motor Vehicle & Marine Sales Premises	P								
5	Service Premises	P								Max. 50sqm gross floor area
6	Funeral Parlour	P						1 per 50sqm gross floor area		
7	Veterinary Consulting Rooms	P						2 per Vet.		
8	Veterinary Hospital	P						1 per 25sqm gross floor area		
9	Nursery	P								
10	Showroom Premises	PS								
11	Public Amusement	PS						As determined by Council		

POLICY STATEMENT

OTHER COMMERCIAL

Primarily for showroom and warehouse uses. Where such uses do not involve direct sales to the public, e.g., uses other than motor vehicles and marine sales premises, carpark, storage of bulky furniture and the like, the parking standard may be reduced at the discretion of the Council.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
- PS Use not permitted unless special approval given by Council and conditions complied with.
- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

PERMITTED USES			DEVELOPMENT STANDARDS							OTHER REMARKS	
			MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES		MINIMUM LANDSCAPING
						FRONT	REAR	SIDES			
			1000sqm	20m	0.5	11m	7.5m	5m one side	1 per 45sqm gross floor area or display area	20% of site	1. Min 20% of front setback to be dev. as landscaping. 2. See Clause 3.2. 3. The Council may relax the parking standard for uses which do not involve retail sales to not less than 1 per 100sqm gross floor area. 4. Fencing to the satisf. & specification of Council.
NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE											
12	Restricted Premises	AP									The Council shall have regard to the proximity of the site to schools, aged persons' accommodation or other similar establishments which may not be consistent with the proposed use.
13	Office	IP									
14	Caretaker's Dwelling	IP				2m	2m	1m		Landscaping to boundary setbacks	
15	Carpark	IP									

POLICY STATEMENT

LIGHT INDUSTRY

Primarily industry which will not affect the locality through the emission of noise, odours, smoke etc, and other uses to and which do not require independent power sources. Council will endeavour to co-ordinate the positioning of crossovers and landscaping on the street frontages of adjoining premises.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
- PS Use not permitted unless special approval given by Council and conditions complied with.
- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS								
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS
			FRONT	REAR	SIDES			
1000sqm	25m	0.5	11m	10m	5m one side	1 per 100sqm gross floor area	20% of site	1. Street front of building brick/c'bond. 2. Fencing 1800mm linkmesh, 3 barbs/top unless by Council res. 3. See Clause. 3.2. 4. Council may relax parking standards for uses of low density & do not inv. retail sales to not less than 1 per 2 employees.

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE						
1	Radio & TV Installation	P							
2	Showroom	P						1 per 45sqm gross floor area	
3	Open Air Display	P			2m	2m	1.5m		See Clause 3.2.5
4	Warehouse	P							
5	Funeral Parlour	P						1 per 50sqm gross floor area	
6	Light Industry	P							
7	Factory Unit Building	P							
8	Builder's Storage Yard	P							
9	Service Industry	P							
10	Veterinary Consulting Rooms	P						2 per Vet.	
11	Veterinary Hospital	P						1 per 25sqm gross floor area	See Clause 3.2.5
12	Day Care/Family Care Centre	PS						1 for each 5 children	1. Min. of 30 children. 2. Off street provision for pick up/set down of children.

POLICY STATEMENT

LIGHT INDUSTRY

Primarily industry which will not affect the locality through the emission of noise, odours, smoke etc, and other uses to and which do not require independent power sources. Council will endeavour to co-ordinate the positioning of crossovers and landscaping on the street frontages of adjoining premises.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
- PS Use not permitted unless special approval given by Council and conditions complied with.
- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
1000sqm	25m	0.5	11m	10m	5m one side	1 per 100sqm gross floor area	20% of site	1. Street front of building brick/c'bond. 2. Fencing 1800mm linkmesh, 3 barbs/top unless by Council res. 3. See Clause. 3.2. 4. Council may relax parking standards for uses of low density & do not inv. retail sales to not less than 1 per 2 employees.	

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE							
13	Motor Vehicle & Marine Sales Premises	PS							1 per 50sqm gross floor area or display area	
14	Service Premises	PS							1 per 30sqm gross floor area	Max. 50sqm gross floor area.
15	Amusement Parlour	PS							1 per 30sqm gross floor area	
16	Public Amusement	PS							As determined by Council	
17	Depot for the sale and distribution of Coal, Coke & Cut Firewood	PS								
18	Fuel Depot	AP							1 per 45sqm gross floor area	
19	Motor Vehicle Repair Station	AP								
20	Transport Depot	AP								
21	Office	IP							1 per 50sqm gross floor area	

POLICY STATEMENT

LIGHT INDUSTRY

Primarily industry which will not affect the locality through the emission of noise, odours, smoke etc, and other uses to and which do not require independent power sources. Council will endeavour to co-ordinate the positioning of crossovers and landscaping on the street frontages of adjoining premises.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
- PS Use not permitted unless special approval given by Council and conditions complied with.
- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
1000sqm	25m	0.5	11m	10m	5m one side	1 per 100sqm gross floor area	20% of site	1. Street front of building brick/c'bond. 2. Fencing 1800mm linkmesh, 3 barbs/top unless by Council res. 3. See Clause. 3.2. 4. Council may relax parking standards for uses of low density & do not inv. retail sales to not less than 1 per 2 employees.	

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE							
22	A lock up Shop upon the premises of or adjoining a premises used primarily to provide meals and refreshments for the employees of the premises.	IP								
23	A factory, showroom or an office upon the premises of or adjoining the factory.	IP								
24	A retail or wholesale business connected with the Industry.	IP								
25	Amenity Building	IP								
26	Carpark	IP				2m	2m	1m		Landscaping to boundary setbacks
27	Caretaker's Dwelling	IP								

POLICY STATEMENT

GENERAL INDUSTRY

Primarily industry which by reason of its emission, bulk or other features is not classified as light industry, but which is not noxious or hazardous industry. Light Industry and other uses including warehousing would be permitted, on the assumption that the proprietors of such uses will be aware of the effects from adjacent general industry.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
2000sqm	25m	0.5	11m	10m	5m one side	1 per 100sqm gross floor area or 1 per 2 employees	20% of site	1. Street front, brick/ colourbond. 2. Fencing to site 1800mm linkmesh, 3 barbs on top, unless exempt by resolution of Council. 3. See Clause. 3.2.	

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE							
1	Radio & TV Installation	P								
2	Showroom	P						1 per 45sqm gross floor area		
3	Warehouse	P								
4	Motor Vehicle Repair Station	P						1 per 45sqm gross floor area		
5	Motor Car Wash Station	P								
6	Light Industry	P								
7	Factory Unit	P								
8	Builders Storage Yard	P								
9	Service Industry	P								
10	Transport Depot	P								
11	Open Air Display	P								See Clause 3.2.5
12	General Industry	P								
13	Fuel Depot	P								
14	Veterinary Consulting Rooms	P						2 per Vet.		
15	Veterinary Hospital	P						1 per 25sqm gross floor area		
16	Temporary or permanent storage of engineering equipment	P								See Clause 3.2.4

POLICY STATEMENT

Primarily industry which by reason of its emission, bulk or other features is not classified as light industry, but which is not noxious or hazardous industry. Light Industry and other uses including warehousing would be permitted, on the assumption that the proprietors of such uses will be aware of the effects from adjacent general industry.

GENERAL INDUSTRY

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
2000sqm	25m	0.5	11m	10m	5m one side	1 per 100sqm gross floor area or 1 per 2 employees	20% of site	1. Street front, brick/ colourbond. 2. Fencing to site 1800mm linkmesh, 3 barbs on top, unless exempt by resolution of Council. 3. See Clause. 3.2.	

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE							
17	Depots for the sale and distribution of Coal, Coke and Firewood	P								
18	Motor Vehicle and Marine Sales Premises	P							1 per 45sqm gross floor area	
19	Motor Vehicle Wrecking Premises	PS							1 per 25sqm gross floor area	See Clause 3.2.6 & 3.2.5
20	Dry Cleaning Premises	PS								
21	Public Amusement	PS							As determined by Council	
22	Marine Collectors Yard	PS								See Clause 3.2.5
23	Office	IP								
24	A lock up Shop upon the premises of or adjoining a premises used primarily to provide meals and refreshments for the employees of the factory.	IP								
25	Amenity Building	IP								
26	Carpark	IP				2m	2m	1m		Landscaping to boundary setbacks
27	Amenity Building	IP								

POLICY STATEMENT

PUBLIC UTILITIES

This zone provides primarily for most Commonwealth and State and Local Government Works, Depots and the like.

EXPLANATION OF SYMBOLS

In the main these will be regarded as industrial uses. The development of small sewer pumping stations and the like serving residential subdivisions will not normally require specific zoning.

See Clause 2.2.2

- P Use permitted subject to compliance with Development Standards.
- PS Use not permitted unless special approval given by Council and conditions complied with.
- AP Not permitted unless special approval given by Council after advertising.
- IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS								
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS
			FRONT	REAR	SIDES			
NIL	NIL	0.5	As for the surrounding zone or zones or as determined by Council			1 per 2 employees	25% of site	Council may vary the parking provision to ensure all staff and visitor parking is accommodated on site.

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE									
1	Railway, Railway Stns & Marshalling Yards, Sidings & Railway Works other than Industrial Factories	P										
2	Water Supply, Sewerage & Drainage Headworks	P										
3	Electricity Generation	P										
4	Gas Manufacture & Storage	P										
5	Public Transport Depots & Stations	P										
6	Public Authority or Local Government Depots	P										
7	Civic Office	IP										
8	Government Office	IP										
9	Carpark	IP				2m	2m	1m		Landscaping to boundary setback		
10	Caretaker's House	IP										

POLICY STATEMENT

SCHOOL

A specific zone incorporating schools of most types. The playing fields which make up the bulk of most school sites are not zoned separately, however the Council will promote the use of those facilities by the community at large.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
4ha	150m		20m	20m	20m	1.25 per classroom	50% of site	Off street provision for picking up & dropping off students.	

PERMITTED USES **NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE**

1	Pre-School Centre	P	2000sqm	30m					2 per teacher	
2	Primary School	P								
3	High School	P	10ha	200m					1.5 per classroom	Bus bays shall be on site.
4	Technical and Tertiary Education	P								
5	Educational Establishment - Other	P								
6	Caretaker's House	IP								
7	Carpark	IP				2m	2m	1m		Landscaping to boundary setbacks
8	Park, Recreation Grounds, Golf-links, Botanical Gardens, Playing Fields	IP								

POLICY STATEMENT

COMMUNITY

The uses permitted in this zone embrace a wide variety of community activities from public facilities such as hospitals to private recreation facilities, squash courts, sporting clubs and the like. In determining car parking requirements, the Council will take account of the number of cars likely to congregate on the site.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
1000sqm	20m	0.5	11m	7.5m	2m per storey	As determined by Council	25% of site	Reticulated sewer to be available to site if required by the Council.	

PERMITTED USES **NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE**

1	Day Care/Family Care Centre	P			0.35				1 for each 5 children		Maximum of 30 children. Off street parking for drop off & pick up of children.
2	Pre-School Centre	P	2000sqm						2 per teacher	50% of site	Off street parking for dropping off & pick up of children.
3	Public Library	P							1 per 40sqm gross floor area		
4	Museum	P							1 per 40sqm gross floor area		
5	Infant Health Clinic	P							5 carparks		
6	Hospital	P	4000sqm	40m					1 per 2 beds		
7	Community/Senior Citizens' Centre	P	4000sqm	30m							
8	Nursing Home	P	2000sqm	40m	0.35			3m per storey	1 per 5 beds	30% of site	
9	Convalescent Home	P	2000sqm	40m	0.35			3m per storey	1 per 5 beds	30% of site	
10	Cemetery	P									
11	Municipal Office	P									
12	Government Office	P									
13	Public Worship, Place of	P	2000sqm		0.35						

POLICY STATEMENT

The uses permitted in this zone embrace a wide variety of community activities from public facilities such as hospitals to private recreation facilities, squash courts, sporting clubs and the like. In determining car parking requirements, the Council will take account of the number of cars likely to congregate on the site.

COMMUNITY

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
1000sqm	20m	0.5	11m	7.5m	2m per storey	As determined by Council	25% of site	Reticulated sewer to be available to site if required by the Council.	

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE							
14	Public Amusement	P							1 per 5 seats	
15	Squash Courts	P	2000sqm	30m					3 per court	
16	Private Clubs including Golf & Other Sporting Clubs	P								
17	Parks, Recreation Grounds, Golf-links, Botanical Gardens, Playing Fields	P								
18	Buildings used in conjunction with & for the purpose of Playing Fields, Recreation Grounds & Sporting Clubs	P	1600sqm							
19	Restaurant (Not licensed)	PS	1600sqm						1 per 4 seats or 1 for every 1m length of queuing area	
20	Service Premises	PS								Max. 50sqm gross floor area
21	Spectator Sports	AP								
22	Drive-In & Open Air Theatre	AP				20m	20m	20m	10% of site on perimeter	Screen face not to be visible to passing traffic
23	Caretaker's House	IP								
24	Shop	IP								
25	Carpark	IP				2m	2m	1m	Landscaping to boundary setbacks	

POLICY STATEMENT

RECREATION

This zone includes land which is of value for all forms of recreation use from passive low intensity use to organised sporting activities. As part of its recreation planning the Council will produce a management plan for existing and future recreation areas and seek public comment upon those proposals.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS										
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS		
			FRONT	REAR	SIDES					
As determined by Council	As determined by Council		NIL	NIL	NIL	As determined by Council		See Clause 3.4.2		

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE								
1	Parks, Recreation Grounds, Golf-links, Botanical Gardens, Playing Fields	P									
2	Natural Countryside with Managed Public Access	P									
3	Buildings used in conjunction with & for the purpose of Playing Fields, Recreation Grounds & Sporting Clubs	PS				10m	3m	3m			
4	Public Amusement	PS	1500sqm	20m		10m	3m	3m	As determined by Council	25% of site	
5	Spectator Sports Grounds	AP									
6	Private Recreation	AP									
7	Private Clubs including Golf & other Sporting Clubs	AP									
8	Squash Courts	AP	2000sqm	30m		10m	3m	3m	3 per court	25% of site	
9	Buildings associated with Recreation	IP				10m	3m	3m	1 per 40sqm gross floor area		
10	Carpark	IP				2m	2m	1m		Landscaping to boundary setbacks	See Clause 3.4.1

POLICY STATEMENT

RURAL

This zone is intended to protect the rural character and appearances of areas which are not designated for close residential development. Rural activities are permitted uses. This area is intended to protect farming areas and non-urban land from subdivisions and development.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS								
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS
			FRONT	REAR	SIDES			
Rural 2ha	50m		10m	7.5m	5m	2		

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE								
1	Dwelling House	P									
2	Rural Pursuit	P									
3	Horse stable	P									As for the Council's Bylaws relating to stables gazetted 11/8/78.
4	Natural Countryside	P									
5	Horticulture Market Gardening Viticulture	PS									
6	Forestry	PS									
7	Industry - Cottage	AP									
8	Private Recreation	AP									
9	Bee Keeping	AP									
10	Nursery	AP									
11	Dog Kennels	AP									As for the Council's Bylaws relating to dogs, gazetted 30/11/73.
12	Parks, Recreation Grounds, Golf-links, Botanical Gardens, Playing Fields	IP									
13	Granny Flat	IP									Must be appurtenant to a dwelling on the same lot.

POLICY STATEMENT

RURAL RESIDENTIAL

This area is intended to provide opportunities for rural residential lifestyles whilst maintaining the rural character of the area.

EXPLANATION OF SYMBOLS

See Clause 2.2.2

P Use permitted subject to compliance with Development Standards.

PS Use not permitted unless special approval given by Council and conditions complied with.

AP Not permitted unless special approval given by Council after advertising.

IP Use not permitted unless it is incidental to a predominant use as determined by Council.

DEVELOPMENT STANDARDS									
MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING	OTHER REMARKS	
			FRONT	REAR	SIDES				
Rural RES 3000sqm	Rural RES 30m rural		10m	7.5m	5m	2			

PERMITTED USES			NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW THE STANDARD ABOVE WILL APPLY TO THIS ZONE						
1	Dwelling House	P							
2	Rural Pursuit	P							
3	Horse stable	P							As for the Council's Bylaws relating to stables gazetted 11/8/78.
4	Natural Countryside	P							
5	Horticulture Market Gardening Viticulture	PS							
6	Forestry	PS							
7	Industry - Cottage	AP							
8	Private Recreation	AP							
9	Bee Keeping	AP							
10	Nursery	AP							
11	Dog Kennels	AP							As for the Council's Bylaws relating to dogs, gazetted 30/11/73.
12	Parks, Recreation Grounds, Golf-links, Botanical Gardens, Playing Fields	IP							
13	Granny Flat	IP							Must be appurtenant to a dwelling on the same lot.

2.3 ADDITIONAL USE ZONE

Those portions of the Scheme Area which are shown on the Scheme Map and specified in the Table below are classified as Additional Use Zones.

Notwithstanding that a parcel of land described in the Additional Use Zone Table is within another zone or area, the land or any building thereon may be used for the purpose set against the parcel in that Table in addition to the uses permitted in the zone or area in which the land is situated, unless any of those uses is excluded or modified by a condition specified in the Table. The use of the parcel of land is also subject to any other conditions considered appropriate by the Council and stated opposite the parcel in the Table.

TABLE

	CODE NO.	PARTICULARS OF LAND (AS SHOWN ON SCHEME MAP)	BASE ZONE/ AREA	ADDITIONAL USE	CONDITIONS
	1.	Reserve Nos 21811 & 10989 comprising Lots 1641 & 1619 Earl and Felspar Sts	Public Utilities Zone	Water Supply Depot	No extension or change of land use without the special approval of the Council
	2.	Lots North Parts 194 & 195 Hansard Street	Single Residential	Arts & Craft Aboriginal Centre Child Day Care Child Minding Centre Youth Drop In Centre	None
	3.	Reserve No 27865 (Lot 1563) Wald St & portion of Reserve No 31732 (Lot 1587)	Rural Zone	Dept of Conservation & Land Management Administration & Plant Nursery	None
	4.	Lot 45, Cnr Fortune & Earl Sts	Central Business Zone	Sale by retail of stockfeed & farm supplies	The goods & commodities stored on the premises not to cause injury to or prejudicially affect the amenity of the locality by reason of smell or the presence of vermin or otherwise
	5.	Lot 179 Hansard St	Single Residential	Light Industry & Showroom	Compliance with the Development Standards of the Light Industry Zone
	6.	Lots Nos 706, 707, 708, 711 & 712 Marsh St	General Industry	Brickworks	None
	7.	Lot 11 Harbour Street	Rural Residential	Bus Depot & Caretaker's Cottage	None
	8.	Reserve No 28598 (Lot 1570) Cnr Federal/Fairway Sts	Recreation	Restoration Machinery Display	None
	9.	Narrogin Town Lot Pt 10 Cnr Fairway & Fortune Sts	Central Business Zone	TAFE Centre	Development limited to boundaries of existing building
	10.	Narrogin Lots Pt 1231 & 1232 Federal and Felspar Sts	Other Commercial	Plant Nursery	Development limited to rear half of Lots 1231 & 1232
	11.	Narrogin Town Lot 1 of 1230 Federal St	Single Residential	Restaurant Arts & Craft Centre	None
	12.	Lot Pt 6 of 466 & Pt 1 & 2 of 465 Williams Rd	Other Residential	Motel Licensed Restaurant	No extension or change of land use without the special approval of the Council
	13.	Lot 1559 Cnr Williams & Narrakine Rds	Other Residential	Motel/Restaurant	No extension or change of land use without the special approval of the Council
	14.	Lots 268 & 174 Cnr Doney & Heath Sts	Shops & Office	Hotel/Carpark	No extension or change of land use without the special approval of the Council

	CODE NO.	PARTICULARS OF LAND (AS SHOWN ON SCHEME MAP)	BASE ZONE/ AREA	ADDITIONAL USE	CONDITIONS
	15.	Lot 40 Cnr Kipling & Gordon Sts	Other Commercial	Service Station	No extension or change of land use without the special approval of the Council
	16	Lots 22/23 of 10 Clayton/Earl & Eston Sts	Other Commercial	Service Station	No extension or change of land use without the special approval of the Council
	17.	Lot South Part 234 Havelock St	Single Residential	Ballet Teaching Studio	None
	18.	Lot Pt 717 Reserve No 10317 Railway Lease land	Central Business Zone	Service Station	No extension or change of land use without the special approval of the Council
	19.	Lot 30 Egerton and Earl Sts	Central Business Zone	Petrol Filling Station	No extension of use without special approval of the Council
	20.	Lots 538, 539, 540 Williams Road and Earl Street <i>AMD 8 GG 19/11/99</i>	Single Residential	Art Studio Teaching Ceramics Professional Offices	No change without special approval of the Council
	21.	Lot 541 Williams Rd	Single Residential	Professional Offices	No change or expansion of use without special approval of the Council
	22.	Lot 543 Williams Rd	Single Residential	Professional Offices	No change or expansion of use without special approval of the Council
	23.	Reserve 26017 Lot 1554 Williams Rd	Other Residential	Caravan Park	None
	24.	Reserve 25301 Lot 1548	Recreation	Aboriginal Arts/Crafts	No extension of use without special approval of the Council, compliance with the Development Standards of Community Zone
	25.	Lot 13 Lefroy Street	Rural	Bus Depot & Caretaker's Cottage	None
	26.	Reserve 10524, Lot 244 Earl Street <i>AMD 4 GG 27/8/96</i>	Central Business Zone	Pre-School Centre	Nil
	27.	Pt Reserve 10317 (Railway Station) <i>AMD 6 GG 23/8/96</i>	Public Utilities	Tourism, Arts & Crafts, Retail Sales	Nil
	29.	Lot 544 Williams Road <i>AMD 11 GG 19/11/99</i>	Single Residential	Professional offices	No change without special approval of the Council
	30.	Lot 723 Graham Road <i>AMD 30 GG 19/11/99</i>	Rural	Private school	No change without special approval of the Council
	31.	Southern portion Lot 2 Lefroy Street <i>AMD 14 GG 19/11/99</i>	Rural	Auction Mart	No change without special approval of the Council
A32		Lot 178 Hansard Street <i>AMD 20 GG 9/7/02</i>	Single Residential	Storage of Vehicles and Building Materials	Storage of vehicles and building materials to be confined to the shed. No extension or change of land use without the special approval of the Council.

	CODE NO.	PARTICULARS OF LAND (AS SHOWN ON SCHEME MAP)	BASE ZONE/ AREA	ADDITIONAL USE	CONDITIONS
A33	33.	Lot 1239 Herald Street <i>AMD 24 GG 4/4/03</i>	Single Residential	Veterinary Consulting Rooms	<ol style="list-style-type: none"> 1. No large animals such as horses, cattle and pigs are to be stabled on the premises. 2. No extension or change of land use without special approval of the Council. 3. A maximum of two veterinarians shall operate from the property at any time.

2.4 SPECIAL USE ZONE

Those portions of the Scheme Area which are shown on the Scheme Map and specified in the Table below are classified as Special Use Zones.

Any parcel of land specified in the Special Use Zone may only be used for the purpose specified and subject to the conditions specified in the Table with respect to the land.

TABLE

CODE NO.	PARTICULARS OF LAND (AS SHOWN ON SCHEME MAP)	SPECIAL ZONE	CONDITIONS
SU1	1. Lot 25E Ensign/Gregory Sts Lot 20 South Pt Ensign/Earl Sts Lot East Pt of 1 & Lot 24 Ensign St Lot Pt 259 Ensign St <i>DELETED BY AMD 22 GG 17/6/03</i> Lot Pt 1592 South West Pt Res 32682 Earl/Egerton Sts Lot 14 Pt Lots 11, 10, 2 & 16 Park Street	Carpark	Development to comply with conditions as set out in Carpark Zone
SU2	2. Lot 1234 Res A17386 Federal/Fortune Sts	Recreation Park	None
SU3	3. Lots 51/52 Res 5633 corner Federal/Fortune Sts	Civic Buildings Shops & Offices	None
SU4	4. Pt Lot 1592 Res 32682 corner Earl/Egerton Sts	Museum	None
SU5	5. Lot Part 263 corner Fortune and Rowley Streets	<i>DELETED BY AMD 1 GG 16/12/94</i>	
SU6	6. Lot 15 Clayton Road <i>AMD 28 GG 31/1/06</i>	Residential Village comprising residential dwellings, used to provide permanent accommodation by leasehold or strata arrangement and which includes communal recreational or other ancillary facilities under a common management arrangement for the residents of the village.	<p>1. The following uses are permitted subject to Council granting planning consent to commence development:</p> <ul style="list-style-type: none"> ▪ Grouped Dwellings ▪ Multiple Dwellings ▪ Communal Facilities <p>"Communal Facilities" are facilities, services and land uses provided for the exclusive and common use by residents of this Special Use Zone, and may include: Restaurant, Convenience Store, Health Studio, Hairdresser's Salon/Beautician, Dry Cleaning Premises/Laundromat, Private Recreation, Communal Hall, and any other use determined by Council to satisfy the intent of communal facilities.</p> <p>2. All other uses not mentioned under 1 above are not permitted.</p> <p>3. All development upon the site shall generally be in accordance with a Development Guide Plan for the site approved by Council, or any approved variations thereto.</p>

CODE NO.	PARTICULARS OF LAND (AS SHOWN ON SCHEME MAP)	SPECIAL ZONE	CONDITIONS
SU6	6. Lot 15 Clayton Road (Cont'd) AMD 28 GG 31/1/06	Residential Village comprising residential dwellings, used to provide permanent accommodation by leasehold or strata arrangement and which includes communal recreational or other ancillary facilities under a common management arrangement for the residents of the village.	<p>4. The Development Guide Plan shall address, but not be limited to, the following matters to the satisfaction of Council:</p> <ul style="list-style-type: none"> a) Site layout and description of proposed land uses; b) Lease layout and lot orientation; c) Building materials and theme; d) Traffic management including vehicle access and circulation; e) On-site and street car parking arrangements; f) Pedestrian access both internally and externally; g) Public open space and communal facilities; h) Landscaping treatments including retention of significant on-site vegetation; i) Lighting and security; j) Buffering to adequately protect existing uses on neighbouring properties; k) Method of integration with future proposed residential development on adjoining land; and l) Provision of relevant Public Utility Services. <p>5. Prior to Council determining the Development Guide Plan and any variations thereto, the plan is subject to the advertising provisions of Clause 6.3 of the Scheme.</p> <p>6. All residential development on the land shall accord with, and reflect a maximum density coding of R40.</p>

2.5 DEVELOPMENT AREA

POLICY STATEMENT

The intention of the Council within a Development Area is to provide for the progressive development of land for residential purposes and other uses normally associated with residential development. Prior to the subdivision or development of such land, the Council will require either a Development Town Planning Scheme or an overall concept plan of the Area to be prepared in order to improve the planning, development and amenity of the Area. Land within a Development Area and included in a Rural Zone would require rezoning prior to subdivision or development for non-rural purposes.

2.5.1 DEVELOPMENT STANDARDS

The Council shall require that before subdivision or development of land is permitted within a Development Area, an overall concept plan covering the whole of the Area together with a statement of subdivisional conditions and such other reports as the Council considers necessary. The overall concept plan, statement and reports shall be submitted for the approval of the Council prior to subdivision or development of the land.

Where an overall concept plan is required, a person shall not subdivide or develop any land within a Development Area unless an overall concept plan has been approved by the Council or otherwise than in accordance with that plan.

2.6 SIGNIFICANT AND HISTORIC PLACES

POLICY STATEMENT

The places described in the Schedule hereunder and situated on the lands shown as Significant and Historic Places on the Scheme Map are considered by the Council to be of historic, architectural, scientific, scenic or other value that should be retained in their present state or restored to their original state or to a state acceptable to the Council.

2.6.1 DEVELOPMENT STANDARDS

1. No person shall without the special approval of the Council at or on a Significant and Historic Place:
 - (a) carry out any development;
 - (b) demolish a building or structure or damage the significant and historic place;
2. Without affecting the generality of any other provision of the Scheme specifying the manner in which the Council is obliged or permitted to deal with an application for development approval, the Council in dealing with any application for development approval may for reasons related to the conservation of a place of cultural heritage significance:
 - (a) refuse approval;
 - (b) grant approval without conditions; or
 - (c) grant approval with conditions including conditions aimed at the conservation of the place.
3. The provisions of Clause 6.3.2 of the Scheme shall with the necessary modifications having been made, apply to applications under paragraph 1(a) and 1(b) for the special approval of the Council in respect to Significant and Historic Places.

4. The Council may give its special approval to the restoration of a Significant and Historic Place notwithstanding that the work involved does not comply with the Building Code of Australia 1990 (as amended), or with the provisions of the Development Table for the Zone or Area in which the Place is situated.
5. Any person whose land or property is injuriously affected by a decision of the Council refusing an application for its consent to do any of the things mentioned in paragraph 1 above or granting its consent subject to conditions not acceptable to the applicant may if such refusal or conditions relate to the preservation of the place and if the claim is made within six months of the decision of the Council claim compensation from the Council.
6. The purpose and intent of this area is to ensure that any places of value are conserved and that all new development or redevelopment respects in its design and finishes (but not necessarily reproduces) the prevailing character and style of construction, especially those existing elements that best demonstrate historical and architectural integrity and history of the Town.
7. In considering any application to commence development the Council shall have due regard for any policy statement of the Council and to the published views of the Heritage Council of Western Australia, the Australian Heritage Commission, the National Trust of Australia (WA) and to the views of those or any other relevant bodies, which views the Council may solicit.

CODE NO.	NAME OF PLACE	DESCRIPTION OF LOCATION SHOWN ON SCHEME MAP	DESCRIPTION OF PLACE
1.	BAPTIST CHURCH	Reserve 6988 Town Lot 47 Fortune Street - south side of road, SW corner of intersection with William Kennedy Way	Simple rectangular stone building with CGI roof, of colonial Gothic form erected C1900.
2.	MUSEUM (FORMER COURTHOUSE)	Lot Pt 1592, Res 32682 Egerton Street - SE corner of intersection with Earl Street	Single storied stone building with brick quoins and CGI roof - former school and courthouse, erected 1894, converted 1905.
3.	TOWN HALL	Lot 51 and 52 Res 5633 Federal Street - SW corner of intersection with Fortune Street	Two storied stuccoed civic building with neo-classical detailing, dating from C1900. Inappropriate verandah enclosures and modern paint colours now apparent.
4.	FORMER PRESBYTERIAN CHURCH	Lot 343 Fathom Street - SW corner of intersection with Earl Street	Brick building with CGI roof with stucco trimming to walls and around openings, erected C1900.
5.	RAILWAY OFFICES (FORMER CONVENT)	Lots 338 and 337 Fortune Street - south side of road, one lot east of Glyde Street	Large two storied brick building with CGI roof and unique arched colonnade to ground floor verandah, erected C1920, converted 1978.
6.	RAILWAY HOUSES	Part Lot 718, Reserve No. 10317 Hale Street - west side of road on SW corner of intersection.	A group of three brick residences with CGI roofs and verandahs with ornamental posts and fascias to three sides of the buildings - in excellent condition, erected C1920.
7.	SOLDIERS MEMORIAL SITE	Lot 1267, Reserve No. 17532 Williams Road NE corner of intersection with Fortune Street.	Memorial pavilion with neo-classical pillars and tile roof in park setting.
8.	MARDOC BUILDING	Lot 2 of Location 177 south west corner Federal and Egerton Streets	Three storey cement rendered and brick building revealing a Dutch colonial influence C1911.

CODE NO.	NAME OF PLACE	DESCRIPTION OF LOCATION SHOWN ON SCHEME MAP	DESCRIPTION OF PLACE
9.	FORMER AMP BUILDING	Lot Part 10 of 54 and Lot 177 south west corner Fortune and Fairway Streets	Two storey brick and cement rendered building featuring a curved entry incorporating dentilled pediment, supported on Tuscon columns in lavish use of rendered stone C1927.
10.	FORMER MATERNITY STAGE VAILIMA HOSPITAL	Lot 14 of 354 south west corners of Falcon and Earl Streets	Built 1910 a spacious, private home in brick and iron home in the fashionable Federation style of the day. In 1938 renamed Vailima and used as a maternity hospital.
11.	FORMER HOSPITAL VAILIMA	Lot Part 199/200 north/west corner of Havelock/Homer Streets.	Built around 1914, brick and iron building. Features simple verandahs detailed ornate carved name across gable. Used as a private hospital from 1914-1938.
12.	HORDERN HOTEL	Lot 1 of 2F & 3F Federal Street	Built initially around 1905. Partially destroyed by fire rebuilt 1922. Brick and iron hotel of two storeys. Features simple verandah over footpath with arched windows.
13.	NARROGIN ENTERPRISE AGENCY BUILDING	Lot Pt 33 Egerton Street	Simple stone and iron building. Erected as School Master's Cottage around 1895/1900.
14.	VOGUE FABRICS	Lot 35 Egerton and Rowley Streets	Simple brick and iron building with ornate eave support. Former Agriculture Bank.
15.	ANZ BANK	Lot 53 corner Federal and Park Streets	Two storey brick and tile bank, with accommodation above. Street face ornate especially to upper storey with portico supported by colonnades.
16.	POST OFFICE	Lot 262 Fortune Street	Single storey brick and tile structure with ornate brick arches to entry porches and street faces.
17.	DWELLING	Lot 214 corner Homer and Harper Streets	Brick and iron cottage with ornate verandah. First war service home built in the town. Cir 1920.
18.	DWELLING	Lot 1 of 524/525 Havelock Street (Wnuk)	Brick and iron dwelling featuring avid and ornate verandah and roof lines.
19.	DWELLING	Lot 5 of 524/525 Havelock Street (Ennis)	Brick and iron dwelling featuring avid and ornate verandah and roof lines.
20.	DWELLING	Lot 8 of 229 Havelock Street (Fleay)	Simple worker's cottage. Rendered walls. Typical of early worker's home.
21.	DWELLING AND TWO PALM TREES IN FRONT YARD	Lot 12 of 523 Havelock Street (Caulfield)	Brick and iron dwelling featuring avid and ornate verandah and roof lines.
22.	GROUP OF SEVEN LIVISTONE AUSTRALIS PALM TREES	Lot 10 Fairway Street	Group of seven palm trees, planted early part of Century.

2.7 ARTERIAL ROADS (IMPORTANT REGIONAL ROADS)

POLICY STATEMENT

The Arterial Roads delineated on the Scheme Map are important regional roads which form the region's primary road network. They connect major parts of traffic generation and carry most long distance movements. Access points and adjacent development need to be controlled and future alignments protected to ensure the roads' traffic function is not impaired.

2.7.1 DEVELOPMENT STANDARDS

1. A person shall not without the approval of the Council carry out any development on land designated as an Arterial Road.
2. The Council may refer an application for development on land designated as an arterial road to the Main Roads Department for comment and shall have regard to that Department's comments in considering the application.
3. Development on land adjoining an arterial road shall comply with the Development Table for the zone area in which it is situated except that:
 - (a) the requirement that the front boundary set back specified for the development proposed applies from the alignment of the arterial road whether that alignment corresponds with the boundary of the lot or not;
 - (b) vehicular access from the land to the arterial road is not permitted without the approval of the Council and the Council shall not grant approval if it is satisfied that reasonable alternative access to the land is available.

2.8 SUB-ARTERIAL ROADS

POLICY STATEMENT

Sub-Arterial Roads are the principal feeders and collectors between Arterial Roads and Other Important Roads. They serve as secondary traffic generators and carry traffic travelling from one neighbourhood to another as well as some local traffic. Access points need to be regulated and adjoining development should be set back to secure health and safety standards.

2.8.1 DEVELOPMENT STANDARDS

1. Not more than one vehicular access point and one vehicular egress point to and from land abutting a sub-arterial road is permitted unless the Council otherwise approves; the Council should not grant its approval to a new vehicular access or egress point if there is reasonable alternative access or egress available.
2. Development on land adjoining a sub-arterial road shall comply with the development standards applicable for the Zone or Area in which it is situated except that:
 - (a) where a sub-arterial road abuts land contained in the Central Business District the Council by absolute majority may adjust the setback requirement;
 - (b) in all other cases no building or structure shall be erected closer than 5 metres from the alignment of a sub-arterial road, whether that alignment corresponds with the boundary of the lot or not.

PART III - GENERAL PROVISIONS

3.1 RESIDENTIAL ZONES

3.1.1 RESIDENTIAL DEVELOPMENT

Development in the Residential Zone shall comply with the objectives for that Zone as outlined in Part I and the Residential Planning Codes.

- (a) For the purpose of this Scheme "Residential Planning Codes" means the Residential Planning Codes set out in Appendix II, to the Statement of Planning Policy No. 1, together with any amendments thereto.
- (b) A copy of the Residential Planning Codes, as amended, shall be kept and made available for public inspection at the offices of the Council.
- (c) Unless otherwise provided for in the Scheme, development of the 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.

3.1.2 RESIDENTIAL PLANNING CODES - APPLICATION

The Residential Planning Codes density applicable to land within the Scheme Area shall be determined by reference to the Residential Planning Codes density as shown on the Zoning and Development Tables.

3.1.3 RESIDENTIAL PLANNING CODES - VARIATIONS

For the purpose of this Scheme the Council has resolved to adopt the Residential Planning Codes as outlined in Clause 3.1.1 with the following variations:

- (a) The variation of the front, side and rear setback requirements in the Single Residential and Other Residential Zones as notated in the Zoning and Development Table for each zone.
- (b) The variation of the car parking requirements in the Single Residential and Other Residential Zones as notated in the Zoning and Development Table for each zone.

3.1.4 HOME OCCUPATIONS - APPLICATIONS

Council shall not consider an application for a Home Occupation until such time as:

- (a) The applicant has advertised as set out in Appendix VI in a newspaper, circulating in the District, his/her intention to apply to the Council for approval to establish a Home Occupation.
- (b) The applicant has lodged the application form in Appendix VI to the Council.
- (c) The applicant has provided proof that the requisite notice has been published in a newspaper circulating in the District.
- (d) The applicant has proof that the adjoining land owner or tenants have been notified in writing of the proposal and given an opportunity to comment.
- (e) The applicant is the occupier of the dwelling in which the home occupation is carried on.

3.1.5 HOME OCCUPATIONS - MATTERS TO BE CONSIDERED BY COUNCIL

The Council shall not grant approval to a Home Occupation unless it is satisfied that:

- (a) Similar types of businesses in the locality would not be adversely affected.
- (b) The amenity of the surrounding area would not be adversely affected.
- (c) The land is less suited for the purpose under which it is zoned in the Scheme.
- (d) There are no other suitable premises in the locality available for the purpose intended for the Home Occupation.
- (e) A fee equal to the minimum municipal rate for the time being paid to the Council, called the Permit Fee, and is renewable at January 1 each year.
- (f) In granting its approval for the establishment of a Home Occupation, the Council shall require the applicant to enter into a deed of agreement as set out in Appendix VI to guarantee the performance of the occupation.
- (g) An approval to carry on a home occupation:
 - i) is valid only for a period of 12 months after the date of issue thereof but may be renewed upon application in writing to the Council.
 - ii) is not capable of being transferred or assigned to any other person and does not run with the land in respect of which it was granted.
- (h) In granting an approval to carry out a home occupation the Council may impose any condition it thinks fit.
- (i) If in the opinion of the Council a home occupation is causing a nuisance or annoyance to neighbours or to other persons within the neighbourhood or if any condition imposed by the Council is not complied with, the Council may revoke an approval granted by it in respect of the home occupation.

3.1.6 PARKING AND REPAIR OF COMMERCIAL VEHICLES

No person shall within a Residential Zone:

- (a) Park or allow to remain stationary for more than four hours consecutively:
 - (i) more than one commercial vehicle;
 - (ii) a commercial vehicle unless such vehicle so parked is housed in a domestic garage or domestic outbuilding;
 - (iii) any vehicle which due to size or load is not capable of being completely housed within a domestic garage or domestic outbuilding having a maximum floor area of forty five square metres and in which no horizontal dimension is more than fifteen metres;
 - (iv) a vehicle which together with the load thereon exceeds three metres in height;

unless the vehicle is being used in connection with building or construction works.
- (b) Repair, service or clean a commercial vehicle unless such work is carried out whilst the vehicle is housed in a domestic garage or domestic outbuilding.

- (c) Keep or allow to remain or build, repair, paint, service, clean or renovate any boat, launch, yacht, dinghy or other vessel or a caravan in front of the setback line for more than eight hours consecutively without the consent of the Council.

3.1.7 STABLES AND ANIMALS

- (a) No person shall within a Residential Zone on a lot of less than 2,000 square metres in area nor without the permission of the Council within a Residential Zone on land of 1,500 square metres in area or more:
 - (i) keep a horse, cow, donkey, mule, goat or camel; or
 - (ii) erect a stable or use a building or part thereof as a stable.
- (b) Permission may be given pursuant to this clause for a limited period and unless renewed, shall be deemed to have lapsed after the expiration of that period.

3.2 BUSINESS AND INDUSTRIAL ZONES

3.2.1 ACCESS FOR LOADING AND UNLOADING VEHICLES

- (a) No land or buildings shall be developed unless provision is made for an area clear of the street for the purpose of loading or unloading goods or materials.
- (b) The Council will seek to ensure that the majority of servicing vehicles will be able to leave and enter the street in a forward direction.
- (c) It is expected that any access way shall be not less than 4.5 metres wide but in exceptional circumstances the Council may permit an access way of lesser width but not less than 3.0 metres and then only when a one-way system can be established.

3.2.2 PROVISIONS OF PARKING AND LOADING AND UNLOADING

In all zones, parking, loading and unloading and access, complete with necessary drainage, signs and marking as required by the Council, shall be provided prior to any occupation of the development or at such time as may be agreed in writing between the Council and the developer. Such areas shall be maintained to the satisfaction of the Council.

3.2.3 HEIGHT OF BUILDINGS

- (a) Within the Scheme Area no building shall be constructed in excess of two storeys or 8.0 metres overall, whichever is the greater, above natural ground level.
- (b) For the purpose of this Clause, the height of a wall shall be defined as that contained in the Residential Planning Codes.
- (c) Notwithstanding the provisions of the above paragraph the Council may, after following the procedures set out in Part 6.3 relating to special approval, grant approval for the construction of a building higher than the maximum specified.

3.2.4 BUILDING MATERIALS

No person shall in any Other Commercial or Industrial Zone erect any building or part of a building which is used as an office unless it is constructed of a material approved by the Council.

3.2.5 SCREENING OF STORAGE AREAS

No person shall in any Other Commercial or Industrial Zone use any land for open storage purposes unless it is screened from public view by a fence, wall or planting; the siting and height of which to be approved by the Council.

3.2.6 MOTOR VEHICLE WRECKING

A person shall not in any Industrial Zone, store, or permit to be stored or to remain on any land, any disused motor vehicles, old motor vehicles, or old machinery or any parts thereof:

- (a) over an area of land exceeding one hectare;
- (b) in any number exceeding 1,500 per hectare where the vehicles have been reduced by pressure or other process to a volume of two cubic metres or less or exceeding two hundred per hectare where they have not been so reduced; or
- (c) unless they are placed in neat rows not exceeding two metres in height.

3.3 CENTRAL BUSINESS ZONE

3.3.1 POLICY STATEMENT

The Council has adopted the following Policy Map to provide a co-ordinated framework for the future development of the Town Centre Area as shown in Appendix VIII. The objectives of the Policy Map are:

- to provide for the function of the Town Centre as a Regional shopping, commercial, service and civic centre;
- to maintain accessibility to the Town Centre;
- to create an attractive layout and environment for pedestrian use whilst enhancing the character of the area;
- to provide the maximum flexibility of land use in the area.

The Policy Map may be amended and elaborated upon by an absolute majority of the Council. It is advisory only, designed to guide the Council's discretion.

3.3.2 CAR PARKING

- (a) The Council may accept a cash payment in lieu of the provision of car parking spaces but subject to the following requirements:
 - (i) a cash-in-lieu payment shall be not less than the estimated cost to the owner of providing and constructing the 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 parking spaces;
 - (ii) before the Council agrees to accept a cash payment in lieu of the provision of parking spaces, the Council must either have already provided a public car park nearby, or must have firm proposals for providing a public car park area in the Town Centre Area within a period of no more than 18 months from the time of agreeing to accept the cash payment;
 - (iii) payments made under this paragraph shall be paid into the trust fund referred to in Clause 3.3.6.

- (b) The Council may accept the transfer of land within a Car Park Zone in lieu of or in part of the provision of car parking spaces subject to such conditions as the Council thinks fit.

3.3.3 LANDSCAPING

Notwithstanding any other provisions of this Scheme, the minimum landscaping required within the Town Centre Area may be a paved area in the form of a courtyard, plaza, arcade or walkway and shall contain such trees, other planting, seating and other furniture as may be determined by the Council.

3.3.4 COUNCIL POLICIES

- (a) The Policy Map as shown in Appendix VIII is a statement of the Council's intentions for the future development of the Town Centre Area. It may be amended or another plan substituted by resolution of an absolute majority of the Council.
- (b) The Council may by resolution of an absolute majority adopt policies relating to development within the Town Centre Area and including the following particular matters:
 - (i) location of walkways, arcades, courtyards and plazas and tree planting;
 - (ii) the provision of awnings, verandahs or colonnades for weather protection of pedestrians; and
 - (iii) building facades and elevations.

3.3.5 EXISTING PREMISES

Within the Town Centre Area the Council at its discretion may vary the application of the Development Standards in respect of any development involving a change of land use of an existing building.

3.3.6 TRUST FUND

The Council shall establish a "Central Business District Trust Fund". All land transferred to the Council and all money paid to the Council pursuant to Clause 3.3.2 hereof, shall form part of the said fund. The Council shall apply the Central Business District Trust Fund in payment of expenses incurred by Council in the acquisition and development of land for public car parks within the Central Business District zone.

3.4 MISCELLANEOUS

3.4.1 CAR PARKING

- (a) The car parking requirements for each zone and each use are set out in the Development Table.
- (b) Subject to the provisions of this Clause the car parking requirements shall be provided on the site which is the subject of the proposed development or with the approval of the Council in the immediate vicinity thereof.
- (c) Each parking space shall be not less than the dimensions shown in Appendix IV for the type of parking layout adopted.
- (d) All parking spaces and all necessary accessways shall, unless the Council agrees otherwise and except as hereinafter provided, be paved.

- (e) Where the maximum dimension of an open car parking area exceeds 20m in length or width, one parking space in every 20 shall be used for garden and planting of native plants and trees to provide visual relief and so long as the garden and planting areas are maintained in good order, those parking spaces shall be included in calculations as car parking and not as landscaping.
- (f) Where the owner demonstrates to the satisfaction of the Council that there is not the demand for the number of parking spaces specified in the Development Table, the Council may permit the owner to provide landscaping in lieu of parking spaces not constructed and the landscaping shall be included in calculations as car parking but not as landscaping; but the Council may from time to time require that additional parking spaces be provided.

3.4.2 LANDSCAPING

- (a) The landscaping requirement shown in the Development Table or referred to in the Scheme means an open area designed, developed and maintained as garden planting and areas for pedestrian use and at the discretion of the Council, it may include natural bushland, swimming pools and areas under covered ways, but garbage collection and handling spaces, playing fields and other open storage areas and recreational buildings and amenity buildings shall not be included.
- (b) The Council may in a landscaped area encourage the use of gravel, pebble and similar hard materials and the planting of trees, shrubs or ground cover that require little maintenance.
- (c) Where a proposed development utilises less than fifty per cent of the allowable plot ratio, the Council may reduce the landscaping requirement, provided that the landscaping requirement shall be required proportionately as subsequent development occurs.
- (d) A requirement of the landscaping is that one tree capable of growing to a height of three metres or more shall be planted for every ten square metres of landscape area, but the Council may relax this requirement in the case of residential land use.
- (e) No person shall, unless the Council otherwise approves, occupy any buildings forming part of an approved development until the required landscaping has been constructed and planted.

3.4.3 BATTLE-AXE LOTS

- (a) In the application of the Development Table to battle-axe lots and in the creation of battle-axe lots, the following standards shall apply:
 - (i) the access strip shall be excluded in calculating the area of the lot;
 - (ii) the requirements of plot ratio and site coverage and other site requirements shall be applied to the area as calculated in subparagraph (i);
 - (iii) the setback requirements of the Development Table shall be applied according to the direction in which the dwelling house faces or in such other direction as shall be agreed upon by the Council and the owner;
 - (iv) all stormwater from the access strip shall be disposed of within the limits of the lot;
 - (v) the access strip shall be paved to the satisfaction of the Council for a width of not less than three metres.

3.4.4 DEVELOPMENT OF LOTS WITH MORE THAN ONE STREET FRONTAGE

- (a) Where development is proposed on a lot which has more than one street frontage, the Council shall decide which street shall be the street frontage for the purposes of the Development Table and the other provisions of the Scheme.
- (b) The front boundary setback from the street not deemed to be the street frontage by the Council may be reduced by 50%.

3.4.5 ONE DWELLING PER LOT

In all Zones unless otherwise permitted in the Zoning Table only one dwelling shall be permitted on each lot or location excepting that in the Rural Zone, where the lot or location exceeds eight hectares in area, the Council may, at its discretion, approve the erection of an additional dwelling provided it is satisfied that the additional dwelling(s) are required to provide accommodation for agricultural or horticultural worker(s).

3.4.6 MAXIMUM BUILDING HEIGHT

Unless otherwise provided for in the Scheme, no site shall be developed or building constructed to contain more than two storeys or exceed 10 metres in height, measured to the highest portion of the building from mean natural ground level, or such other ground level, as may be determined by Council.

Council may vary this requirement, if it can be satisfied the development can comply with the development standards and:

- (a) will not restrict light, sunshine and natural ventilation enjoyed by surrounding properties;
- (b) will not intrude upon the privacy enjoyed by surrounding properties with overview;
- (c) will not diminish views or outlook available from surrounding properties;
- (d) is sympathetic with the scale and character of the surrounding built environment.

3.4.7 PRIVACY

In considering an application for planning consent to any residential development the Council shall have regard to and may impose conditions to ensure that the privacy of both the occupants of the proposed development and of adjoining properties is protected particularly in respect to overlooking and noise transmission.

3.4.8 HEIGHT OF RETAINING WALLS

Unless otherwise approved by the Council, no person shall erect or construct a retaining wall other than in accordance with Council's Policy. Where a retaining wall is greater than 1.0 metre in height at any point no construction is to take place without Council approval. In determining an application to erect or construct a retaining wall, Council shall have regard to:

- (a) its likely impact on the amenity or appearance of the land immediately adjoining the proposed retaining wall;
- (b) the engineering design, materials, shape, height or proximity of the retaining wall to, and its likely effect on the outlook from, adjoining land;
- (c) the effect on the usability of the land on which the retaining wall is proposed.

3.4.9 OUTBUILDINGS - CONSTRUCTION TYPE AND SIZE LIMITATIONS

Within all Single Residential and Other Residential zoned areas of the Town, planning consent will be granted to outbuildings appurtenant to a dwelling provided all boundary setbacks and building separation requirements have been complied with, the building is of single storey construction, and provided the proposed development complies with the following:

- (a) General Construction:
 - (i) Non-masonry construction - where the total non-masonry outbuilding area does not exceed 55 square metres and the total outbuilding area does not exceed 75 square metres.
 - (ii) Masonry construction - where the total outbuilding area has walls constructed of the same materials and appearance as the house and does not exceed 75 square metres and no parapet wall is greater in length than 8.0 metres.
 - (iii) Wall height of any outbuilding not to exceed 3.0 metres, this height limitation also applies to parapet walls; in the case of gable roof construction the maximum building height is not to exceed 4.0 metres.
 - (iv) Prior to considering a parapet wall construction on any boundary, the applicant will present Council with written agreement to the same by any affected adjoining landowner.
 - (v) No planning consent will be granted, for any outbuildings, on any residential zoned lot which does not contain a residence.
 - (vi) The applicant providing the Council with his written undertaking that the outbuilding constructed will only be used for the purpose permitted within the zone in which it is located, under the provisions of the Scheme.
 - (vii) Any development application which does not comply with the above shall be referred to Council for consideration.
- (b) Distance from boundaries:
 - (i) Brick construction - garages, patios, pergolas, sheds and all other outbuildings except carports:
 - in Single Residential and Other Residential Zones;
 - if attached to a dwelling, 1.0 metre from side boundaries with eaves not closer than 0.5 metres to a side boundary, measured from the outer edge of the gutter. Setback to the rear boundary to be as specified for the dwelling in the appropriate Zoning and Development Table;
 - if detached from a dwelling, the outbuilding shall be at least 1.0 metre clear of the dwelling, 1.0 metre from a side boundary, 1.0 metre from the rear boundary, with eaves not closer than 0.5 of a metre to a side boundary, measured from the outer edge of the gutter.
 - A detached outbuilding may be constructed on a side or rear boundary subject to the requirements of the Building Code of Australia 1990 (as amended).

- (ii) Metal or wood framed construction - garages, patios, pergolas, sheds and all other outbuildings except carports:
 - in Single Residential and Other Residential Zones;
 - garages, sheds, and all other outbuildings except patios and pergolas, are to be detached from and at least 1.0 metre clear of the dwelling and 1.8 metres clear of any leach drains. Clearance to side and rear boundaries to be a minimum of 1.0 metre and to any septic tanks on-site is to be at least 1.2 metres;
 - patios and pergolas are to be setback at least 1.0 metre from any lot boundary unless otherwise approved by Council.
- (iii) Carports - in the case of Residential and Other Residential zones:
 - columns of brick or steel may be erected on a boundary provided no more than four columns are used and roofing including guttering is a least 0.5 of a metre clear of the boundary;
 - beams shall be of steel where, within 0.5 of a metre of a boundary and a dividing fence forming a side wall of the carport, shall not be higher than 1.8 metres.
 - timber framed carports shall be sited 1.2 metres clear of all boundaries.

3.4.10 DIVIDING BOUNDARIES - FENCE OR SCREEN WALL HEIGHTS

No fence or screen wall shall be erected within 0.9 of a metre of a dividing boundary to a height greater than 1.8 metres above natural ground level without the approval of the Council. The Council may refuse to grant approval of a screen wall or fence higher than 1.8 metres above natural ground level if in the opinion of Council such additional height would adversely affect the amenity of the occupants of the adjoining lot.

3.4.11 HEIGHT OF EMBANKMENTS

The height of any newly formed embankment or newly excavated face shall not be greater than 1.0m unless otherwise approved by the Council.

3.4.12 LAND LIABLE TO FLOODING

A building shall not be constructed on land defined by the Council as being liable to flooding or inundation.

3.4.13 SUBDIVISION CONTROL

Any application for subdivision relating to the area bounded by Clayton, Narrakine, White and Fleay Roads will not be supported by the Council.

3.4.14 GENERAL APPEARANCE OF BUILDINGS

No person shall without the written approval of the Council erect a building which by virtue of colour or type of materials, architectural style, height or bulk, ornamental or general appearance, has an external design which in the opinion of the Council is out of harmony with existing buildings or the landscape character of the area.

PART IV - NON-CONFORMING USES OF LAND

- 4.1** If at the gazettal date any land, building or structure is being lawfully used for a purpose or in a manner not permitted by the Scheme (hereinafter called "a non-conforming use"), the non-conforming use may continue subject to the following restrictions:
- (a) The non-conforming use shall not be extended beyond the boundaries of the lot or lots upon which it was carried on at the gazettal date.
 - (b) If the buildings in which the non-conforming use is carried on are wholly within one lot only, then such buildings shall not be extended beyond the limits of that lot.
 - (c) A building shall not be altered or extended otherwise than in conformity with the relevant provisions of this Scheme and the Council may require that all or part of the provisions of the Development Table applicable to that zone in which the non-conforming use would be a permitted use shall apply.
 - (d) A building which is situated on land shown as a Significant and Historic Place on the Scheme Map shall not be altered or extended unless it conforms to the relevant provisions of Clause 2.6.1 or unless with the approval of the Council.
- 4.2** Subject to Clause 4.3, if a non-conforming use is discontinued or changed after the gazettal date, a person shall not thereafter use the land or any building or structure thereon or in which the non-conforming use was carried on for a purpose not permitted by the Scheme.
- 4.3** The Council may upon such conditions as it thinks fit permit the change of a non-conforming use to another non-conforming use if in its opinion the latter use is less prejudicial to the amenity of the area.
- 4.4** The Council may for the purpose of discontinuing any particular non-conforming use acquire the land and buildings (if any) on or in which the use is or is permitted to be carried on or make agreements relating to the payment of compensation or monies to persons willing to discontinue a non-conforming use.
- 4.5** If a non-conforming use shall be changed to another use, all the requirements of the Scheme relating to the new use and to the buildings used in respect thereof shall be complied with by the owner and by the occupier of the land on which the use is carried on.
- 4.6** 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.
- 4.7** Notwithstanding the provisions of Clauses 4.2 and 4.3 if any building, at the gazetted date, being used for a non-conforming use is unavoidably destroyed or damaged, the Council may, at its discretion, allow the rebuilding of the building and the continuance of the non-conforming use provided the building does not occupy a greater floor area than existed at the gazetted date and the non-conforming use is conducted at no greater intensity than at the gazetted date.

PART V - CONTROL OF ADVERTISEMENTS

5.1 POWER TO CONTROL ADVERTISEMENTS

5.1.1 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 approval is required in addition to any licence pursuant to Council's Signs and Hoarding and Bill Posting Bylaws.

5.1.2 Applications for Council's planning approval pursuant to this Part shall be submitted in accordance with the provisions of Clause 6.3 of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out at Appendix V giving details of the advertisement(s) to be erected, placed or displayed on the land.

5.2 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.

5.3 CONSIDERATION OF APPLICATIONS

Without limiting the generality of the matters which may be taken into account when making a decision upon an application for planning approval 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.

5.4 EXEMPTIONS FROM THE REQUIREMENT TO OBTAIN APPROVAL

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 5.1, the prior approval of the Council is not required in respect of those advertisements listed in Appendix VII which for the purpose of this Part are referred to as 'exempted advertisements'. The exemptions listed in Appendix VII do not apply to places, buildings, conservation areas or landscape protection zones which are either:

- (a) listed by the National Trust;
- (b) listed on the Register of the National Estate;
- (c) included in Local Authority Town Planning Schemes because of their heritage or landscape value.

5.5 DISCONTINUANCE

Notwithstanding the Scheme objectives and Clause 5.4, 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.

5.6 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.

5.7 NOTICES

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

5.7.2 Any notice served in exceptional circumstances pursuant to Clause 5.5 or pursuant to Clause 5.6 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.

5.7.3 Any person upon whom a notice is served pursuant to this Part may within a period of 28 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.

5.8 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.

5.9 ENFORCEMENT AND PENALTIES

The Offences and Penalties provisions specified in Clause 7.4 of the Scheme apply to the advertiser in this Part.

PART VI - PLANNING CONSENT

6.1 APPLICATION FOR PLANNING CONSENT

- 6.1.1 A person shall not commence or continue development or change the use 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.
- 6.1.2 The application shall be in the form and contain the particulars referred to in the form in Appendix 1 and any further particulars the Council considers necessary to enable it to determine the application.
- 6.1.3 For the purposes of the Scheme the following works and uses are not development and it is not necessary for a person to make application for planning consent in respect thereof:
- (a) the maintenance, improvement or alteration of or to a building if the works:
 - (i) affect only the interior of the building; or
 - (ii) do not materially affect the external appearance of the building or increase the floor area thereof;
 - (b) a public work undertaken, constructed or provided by the Government or a Department or instrumentality of the Government or a Local Authority pursuant to Section 32 of the Act;
 - (c) the use of a building or land within the curtilage of a dwelling house for a purpose incidental to the enjoyment of the dwelling house as such;
 - (d) the construction of a road or the carrying out of improvements on the land designated as a road or as public open space on a plan of subdivision approved by the State Planning Commission;
 - (e) the erection of a dwelling house upon a lot upon which no other dwelling house has been or is in the course of being erected if the use of that lot for the purposes of a dwelling house is permitted by the Scheme and the relevant development standards and requirements of the Scheme are complied with.
- 6.1.4 Without limiting the generality of the expression 'development' for the purposes of the Scheme the Council's planning consent is required in respect of the following:
- (a) an increase in the number of dwelling units on a lot;
 - (b) the deposit of refuse or waste materials on land;
 - (c) the excavation or filling of or other earthworks on land which change the natural contours of the land by more than 600mm.

6.2 RELAXATION OF STANDARDS

- 6.2.1 If a development is the subject of an application for planning consent and does not comply with a standard or requirement prescribed by the Scheme, the Council may approve the application unconditionally or subject to such conditions as the Council thinks fit, always provided that the Council is satisfied that:
- (i) approval of the proposed development would be consistent with the orderly and proper planning of the locality, the preservation of the amenity of the area and be consistent with the objectives of the Scheme;

- (ii) 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
 - (iii) the spirit and purpose of the requirements or standards will not be unreasonably departed from thereby.
- 6.2.2 Notwithstanding the provisions of Clause 6.2.1, the Council shall consider the following when contemplating discretion with regard to maximum plot ratios:
- (i) the proportion of the site area to be covered by a building;
 - (ii) any area of public space in relation to the site area;
 - (iii) the amalgamation of the site area with adjacent allotments; and
 - (iv) conformity with any plan prepared by the Council or Public Authority for the overall development of the neighbourhood.

6.3 APPLICATION FOR SPECIAL APPROVAL

- 6.3.1 The Council shall in the case of an application for permission to carry on a use marked AP in the Development Table and may in the case of an application for permission to carry on a use marked PS in the Development Table or in any other case in which application is made for its approval give notice of the application in accordance with the provisions of this Clause.
- 6.3.2 Where the Council is required or decides to give notice of an application the Council shall cause:
- (a) notice of the proposed use and development to be sent by post or delivered to the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of the application;
 - (b) notice of the proposed use and development to be published in a newspaper circulating in the Scheme Area and in the State of Western Australia stating that submissions may be made to the Council within 21 days from the publication thereof; and
 - (c) a sign displaying notice of the proposed use and development to be erected in a conspicuous position on the land for a period of 21 days from the date of publication of the notice referred to in paragraph (b) hereof.
- 6.3.3 The notice referred to in Clause 6.3.1 and 6.3.2 shall be in the form contained in Appendix III with such modification as circumstances require.
- 6.3.4 If notices have been given, after the expiration of 21 days from the publication of the notice and after the expiration of 21 days from the posting or delivery of the notices to the owners and occupiers whichever is the later, the Council shall consider the application and decide whether to grant or refuse its special approval or to grant approval upon conditions.
- 6.3.5 A resolution to grant special approval must be passed by an absolute majority of the Council.
- 6.3.6 The applicant shall pay to the Council upon demand the amount of all expenses incurred by the Council in giving notice in accordance with the foregoing provisions and if not so paid the Council may recover that amount in a court of competent jurisdiction.

6.4 MATTERS TO BE CONSIDERED BY COUNCIL

6.4.1 In considering and making its decision on applications for approval under Clauses 6.3 and 6.4 the Council shall take into consideration the following matters:

- (a) the provisions of the Scheme and of any other Town Planning Scheme affecting the land the subject of the application or affecting land in the vicinity;
- (b) the size, shape and character of the land to which the application relates and the view from the building and interruption of the view likely to be caused by the proposed building;
- (c) any plan, design, development code or policy adopted by the Council for the development of the locality, zone or use;
- (d) the existing and likely future character and amenity of the neighbourhood, including (but without limiting the generality of the foregoing) the question of whether the proposed development is likely to cause injury thereto including injury caused by the appearance of the proposed building or due to the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;
- (e) the availability and adequacy of public utilities;
- (f) the nature of roads giving access to the land;
- (g) the provision of car parking, access for the manoeuvring of vehicles and likely traffic hazards;
- (h) the presence of vegetation on the site, the desirability of retaining portion of that vegetation and provision of adequate landscaping;
- (i) the submissions received by the Council including representations made by any public or statutory authority;
- (j) the advice or recommendations made by the Advisory Panel where convened;
- (k) the position of proposed buildings and their effect on adjoining buildings or land;
- (l) any other matters the Council considers relevant.

6.4.2 The Council may enter into an agreement with the owner whereby the owner covenants to carry out and observe the conditions (if any) imposed by the Council in granting its approval.

6.5 COUNCIL DECISIONS

6.5.1 The Council may grant planning consent or its special approval with or without conditions or may refuse to grant its consent or approval to an application. The decisions shall be in the form of Appendix II and shall be conveyed to the applicant.

6.5.2 If the Council grants its planning consent or special approval subject to conditions and any of the conditions are not fulfilled or complied with the Council may revoke its consent or approval.

6.5.3 The Council may limit the time for which its planning consent or special approval remains valid.

6.5.4 The Council shall notify each person by whom a submission has been made following the publication of a notice under Clause 6.3.2 of the decision of the Council and shall state the conditions (if any) imposed by the Council in granting its approval or the grounds upon which approval was refused, as the case may be.

6.6 DEEMED REFUSAL

- 6.6.1 Where the Council has not within 60 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 6.5.4 the application may be deemed to have been refused.
- 6.6.2 Notwithstanding that an application for planning consent may be deemed to have been refused under Clause 6.6.1 the Council may issue a decision in respect of the application at any time after the expiry of the 60 day period specified in that clause.

6.7 ADVISORY PANEL

- 6.7.1 The Council may from time to time appoint advisory panels to advise the Council on matters as they arise relating to buildings, the general appearance of buildings, the design and appearance of buildings in relation to the amenity of the area, and other matters the Council thinks fit to refer to an advisory panel.
- 6.7.2 Each panel shall consist of the Mayor or in his/her absence, a Councillor nominated by him/her and at least three other persons, one of whom shall if practicable, be an architect or a town planner, who in the opinion of the Council has the knowledge and experience to give a proper decision on the matters to be considered by the panel. None of the other persons appointed shall be a Councillor or an Officer of the Council.
- 6.7.3 The Council may from time to time revoke the appointment of any member of an advisory panel other than the Mayor or his/her nominee and may appoint a person in the place of the member of a panel whose appointment has been revoked or who resigns or is unable to act. No person who has any direct or indirect pecuniary interest in a matter before an advisory panel shall act as a member of that panel.
- 6.7.4 The Council is not bound by a recommendation of an advisory panel but if it does not accept the recommendation, it should give reasons for its action.

PART VII - ADMINISTRATION

7.1 POWERS OF THE SCHEME

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

- (a) To 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 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.
- (d) To enter into agreements with the Crown or any Department of the State to implement the objectives of the Scheme.

7.2 DELEGATION OF AUTHORITY

- 7.2.1 The Council may, by resolution, authorise an Officer, servant or person or a Committee consisting in whole or in part of officers, servants or persons to exercise such of the functions (other than this power of delegation) imposed upon it by or under this Scheme as may be specified in the resolution.
- 7.2.2 Any such delegation may, if the Council so resolves, be unlimited as to the period during which it may be exercised or limited as may be specified in the resolution.
- 7.2.3 The exercise of any such delegation shall be subject to such limitations and conditions as may be specified in the resolution or as may be prescribed.
- 7.2.4 Any Officer, servant or person or committee, when acting in the exercise of any such delegation and within its scope shall be deemed to be the Council.
- 7.2.5 The Council may, by resolution, revoke any such delegation either in whole or in part.
- 7.2.6 No act of an Officer, servant, person or Committee done within the scope of any such delegation during the period in which such delegation remains in force shall be invalidated by reason of the revocation of the delegation.
- 7.2.7 Notwithstanding any delegation made under this section, the Council may continue to exercise all or any of the functions delegated.

7.3 ENFORCEMENT

- 7.3.1 No person shall without the permission of the Council, occupy any building or part of a building the subject of an application which has been granted planning consent until the conditions thereof have been complied with to the satisfaction of the Council.
- 7.3.2 Twenty eight (28) days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Act before the Council exercises the powers conferred by that Section:

- (a) to remove, pull down or alter any building or other work in the Scheme Area, which has been commenced or continued after the gazettal date and which is such as to contravene the Scheme, or in the erection or carrying out of which any provision of the Scheme has not been complied with;
- (b) to execute any work which it is the duty of any person to execute under the Scheme, in any case where it appears to the Council that delay in the execution of the work would prejudice the efficient operation of the Scheme;

and any expenses incurred by the Council under that section may be recovered from the person in default in a court of competent jurisdiction.

7.4 OFFENCES AND PENALTIES

- 7.4.1 A person shall not use any land or any building or structure thereon contrary to or otherwise than in accordance with the provisions of the Scheme.
- 7.4.2 If pursuant to the provisions of the Scheme planning consent or an approval has been granted by the Council upon conditions, a person shall not commit a breach of or fail to comply with any of those conditions.
- 7.4.3 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.

7.5 CLAIMS TOR COMPENSATION AND BETTERMENT

- 7.5.1 Except where otherwise provided in the Scheme, the time limited for the making of claims for compensation pursuant to Section 11(1) of the Act is six months after the date when notice of the approval of the Scheme is published in a manner prescribed by the regulations made under the Act or six months after the date upon which the land or property of the claimant is injuriously affected by the making of the Scheme, whichever is the later.
- 7.5.2 Claims made by the Council pursuant to Section 11(2) of the Act shall be made within eighteen months of the completion of the work or the section of the work by reason of which the land in respect of which the claim is made is increased in value.

7.6 VALUATIONS

Where it is necessary to ascertain the value of any land for the purpose of the Scheme, the value shall be determined by either the Valuer General or at the option of the Council by an independent and competent valuer appointed by the Council.

If an owner shall object to the value so determined he may give notice of such objection to the Council within 28 days after having been informed of the said value or the revised value. If the valuer does not agree to change the value to a figure acceptable to the owner, the value shall be determined by arbitration in accordance with the provisions hereinafter contained, should that owner still wish to contest the valuation concerned.

7.7 ARBITRATION

Any dispute or difference in respect of any matter which be the terms of the Scheme, may be determined by arbitration and may be referred to the arbitration of a single arbitrator in the manner provided for by the Commercial Arbitration Act 1985 or any statutory modification thereof for the time being in force and if the parties fail to agree upon any one single arbitrator, he may be nominated by the President of the Law Society of Western Australia for the time being but if the dispute or difference relates to values only, the arbitrator shall be a valuer appointed by the President for the time being of the Western Australian Division of the Australian Institute of Valuers and Land Administrators (Inc).

7.8 APPEALS

A person aggrieved by the exercise of a discretionary power by the Council under the Scheme may appeal in respect thereof under and in accordance with Part V of the Act.

7.9 POWER TO MAKE POLICIES

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

7.9.2 Such Planning Policies shall become operative only after the following procedures have been completed:

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

7.9.3 After final adoption, a Planning Policy may only be altered or rescinded by:

- (a) Preparation and final adoption of a new Policy pursuant to the 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.

7.9.4 A Planning Policy shall not bind the Council in respect of any application for Planning Approval but Council shall take into account the provision of the Policy and objectives which the Policy was designed to achieve before making its decision.

APPENDIX I - APPLICATION FOR PLANNING CONSENT

OFFICE USE ONLY
TOWN OF NARROGIN Application Number _____
TOWN PLANNING SCHEME NO. 2 _____ Date Received _____
DISTRICT SCHEME Notice of Application _____

APPLICATION FOR PLANNING CONSENT

I/We _____
(Full Name of Applicant)
of _____ Postcode _____
(Address for Correspondence)
hereby apply for planning consent to:
(1) use the land described hereunder for the purpose of _____
(2) erect, alter or carry out development on land described hereunder in accordance with the accompanying plans (3 copies).

The existing use of the land is _____

The approximate cost of the proposed development is \$ _____

The estimated time of completion is _____
The approximate number of persons to be housed/
employed when the development is completed is _____

TITLES OFFICE DESCRIPTION OF LAND

LOCALITY PLAN

HOUSE NO. _____ STREET _____
(Indicate distance to nearest intersecting street)

LOT NO. _____ PLAN OR DIAG _____

LOC NO. _____

CERTIFICATE OF TITLE: VOL _____ FOLIO _____

DIMENSIONS:
SITE AREA _____ sq metres

FRONTAGE _____ metres

DEPTH _____ metres NORTH

SIGNATURE OF APPLICANT _____ DATE _____

WHERE THE APPLICANT IS NOT THE OWNER THE OWNER'S SIGNATURE IS REQUIRED.

SIGNATURE OF OWNER _____ DATE _____

THIS FORM IS TO BE SUBMITTED IN DUPLICATE, TOGETHER WITH THREE COPIES OF PLANS, COMPRISING THE INFORMATION SPECIFIED IN THE PARTICULARS REQUIRED WITH APPLICATION ON PAGE 2 HEREOF.

THIS IS NOT AN APPLICATION FOR A BUILDING LICENCE

(PEHO/338)

APPENDIX 1 (Cont'd)

PARTICULARS REQUIRED WITH APPLICATION

Where an application involves the erection or alteration of a building or a change in levels of a site, the plans accompanying an application for planning consent shall, unless specifically exempted by the Council:

- (a) indicate the position and describe the existing buildings and improvements on the site and indicate those which are to be removed;
- (b) indicate the position and describe the buildings and improvements proposed to be constructed, their appearance, height and proposed uses in relation to existing and proposed contours;
- (c) indicate the position, type and height of all existing trees on the site and indicate those to be retained and those to be removed;
- (d) indicate the areas to be landscaped and the location and type of shrubs, trees and other treatment proposed;
- (e) indicate site contours and details of any proposed alteration to the natural contour of the area;
- (f) indicate car parking areas, their layout and dimensions and accessways and the position of existing and/or proposed crossovers;
- (g) indicate site dimensions and be to metric scale.

FOR OFFICE USE ONLY

APPENDIX II - GRANT/REFUSAL OF PLANNING CONSENT

TOWN OF NARROGIN

TOWN PLANNING SCHEME NO. 2

DISTRICT SCHEME

GRANT/REFUSAL OF PLANNING CONSENT

Name and address of Landowner: _____

Planning consent is hereby GRANTED in respect of
REFUSED

Reference Application No. _____ made on the _____

by _____

in respect of land situated at and described as _____

(1) for the land to be used for the purpose of _____

(2) to have development carried out in accordance with the endorsed* plans; upon the following
submitted
conditions*
grounds

This approval is valid for a period of _____

If development is not completed within this period a new approval must be obtained before commencing or continuing development.

TOWN CLERK

DATE

* Delete whatever is not applicable

NB. This is **NOT** a Building Licence for which a separate application is necessary.

APPENDIX III - NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT PROPOSAL

TOWN OF NARROGIN

TOWN PLANNING SCHEME NO. 2

DISTRICT SCHEME

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. House No. _____

Street__

Proposal _____

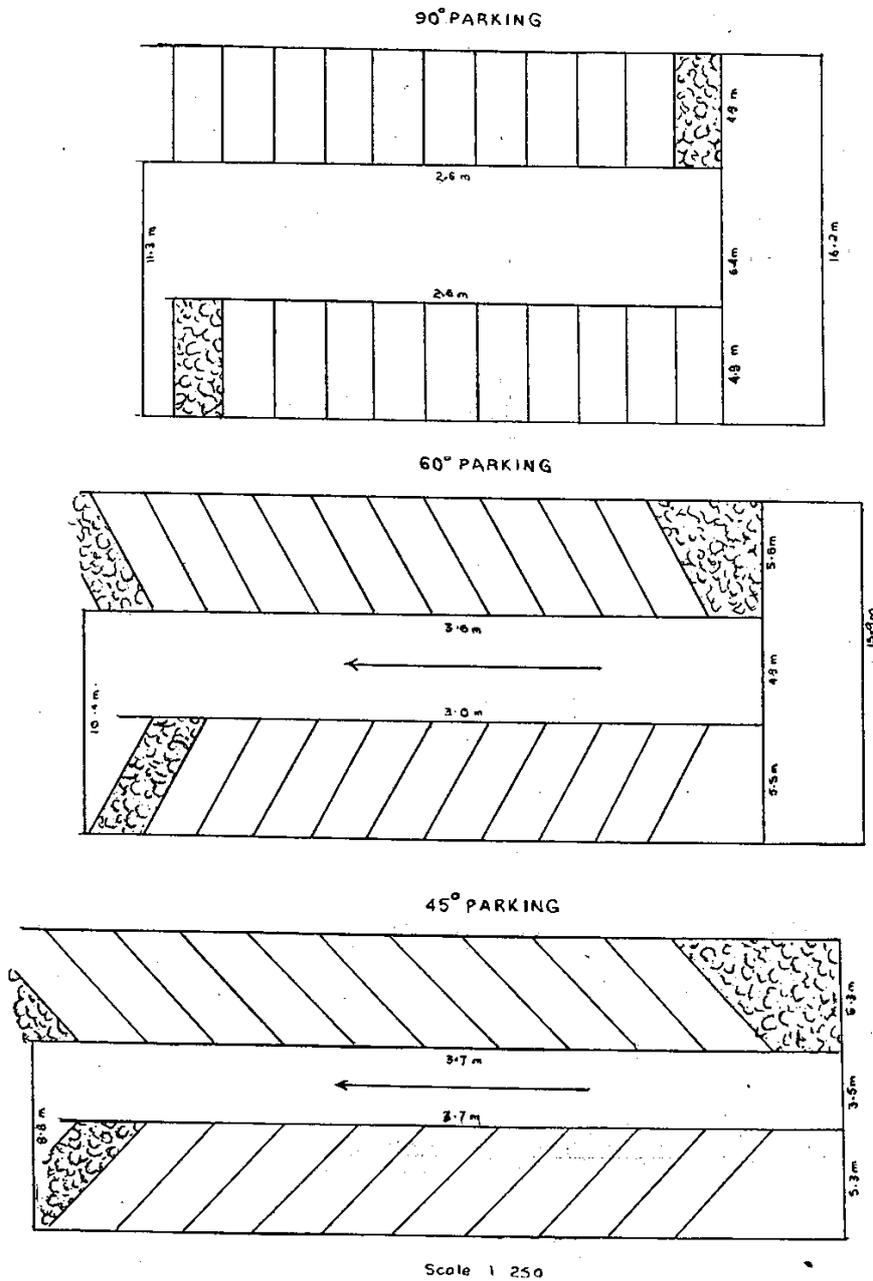
Details of the proposal are available for inspection at the Council Office. Comments on the proposal may be submitted to Council in writing on or before

TOWN CLERK

DATE

APPENDIX IV - CAR PARKING LAYOUTS

LANDSCAPING IN ACCORDANCE WITH CLAUSE 3.4.1 OF THE SCHEME TEXT



APPENDIX V - CONTROL OF ADVERTISING

TOWN OF NARROGIN

TOWN PLANNING SCHEME NO. 2

DISTRICT SCHEME

CONTROL OF ADVERTISING

APPLICATION FOR LICENCES - SIGNS AND HOARDINGS

Name of Owner/Occupier of land on which sign is to be erected

Submitted by___

Address for correspondence_____

I/We hereby apply for a licence to erect and/or maintain a_____

Sign on Lot___ House No._____

Street__

in accordance with the attached plan and details in duplicate

Signature of Applicant__

Date __

TOWN OF NARROGIN

SIGN LICENCE

No. ___ Date___

This licence is granted to_____

of_____

in respect of a__

on premises known as__

in accordance with Application No._____

and subject to the bylaws of the municipality. This licence shall remain valid unless any alteration is made to the sign, then in such event the licensee must apply for a new licence. If this licence is issued in respect of a hoarding, the licence expires on_____ 19_____

Building Surveyor.

APPENDIX VI - APPLICATION FOR PERMIT OR RENEWAL TO CARRY ON A HOME OCCUPATION

TOWN OF NARROGIN
TOWN PLANNING SCHEME NO. 2
DISTRICT SCHEME

APPLICATION FOR PERMIT OR RENEWAL OF PERMIT TO CARRY ON A HOME OCCUPATION

OWNER:

Full Name _____

Address _____

OCCUPIER:

Full Name _____

Address _____

DESCRIPTION OF LAND:

House No. _____ Street _____ Locality _____

Lot _____ Location _____ Plan/Diagram _____

Certificate of Title: Volume _____ Folio _____

Nature of Proposed Home Occupation _____

Area of Building/Land to be used for Home Occupation _____

Particulars of persons to be employed (state number of persons and relationship to occupier)

Description of equipment or machinery to be used _____

Description of storage areas _____

Number of vehicles for which parking is to be provided _____

Frequency of delivery and collection of goods _____

Hours of operation _____

The occupier named above hereby applies for a permit/the renewal of a permit in respect of the Home Occupation described above and states that the above particulars are true and correct.

Dated this _____ day of _____ 19 _____

Signature of Occupier

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

THE SCHEDULE

PART 1

The permit holder.

PART 2

The home occupation.

PART 3

The premises.

PART 4

Special Conditions.

THE COMMON SEAL of TOWN OF NARROGIN)
was hereunto affixed in the presence of)

SIGNED by the said

in the presence of

(PEHO/540)

TOWN OF NARROGIN

INFORMATION BULLETIN - HOME OCCUPATION POLICY

1. The Applicant is responsible for publishing twice in a local newspaper his intention to apply for a Home Occupation Permit. Such notice should include the following:
 - (a) The Applicant's name.
 - (b) Address where the Home Occupation is intended to be carried out.
 - (c) Type of Occupation proposed (include business name).
 - (d) Advice that interested persons may lodge an objection with the Town Clerk within 14 days of the last notice appearing in the local newspaper.

2. The Council may not consider a Home Occupation Permit until such time as:
 - (a) The Applicant lodges the attached application form (Appendix VI) to the Council.
 - (b) The Applicant has provided proof that the above notice has been published in the newspaper.
 - (c) The Applicant has proof that the adjoining land owners or tenants have been notified in writing and given an opportunity to object.

3. The Council may not grant approval to a Home occupation unless it is satisfied that:
 - (a) Similar types of business in the area would not be adversely affected.
 - (b) The amenity of the surrounding area would not be adversely affected.
 - (c) The land is less suited for the purpose it is zoned in the Scheme.
 - (d) There are not suitable other premises in the area available for the purpose intended for the Home Occupation.

NOTE: A fee equal to the minimum rate for the time being must be made prior to the issue of a Home Occupation Permit (valid until December 31 of year of issue and renewable thereafter annually prior to December 31).

A home occupation as defined by the Scheme 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 interference, 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 in, 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 square metres in area.

- (f) In the opinion of the Council 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 outbuilding.
- (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).
- (j) Does not entail a source of power other than an electric motor of not more than 0.373 kilowatts (0.5hp).

NOTE: A fee equal to the minimum rate for the time being must be made prior to the issue of a Home Occupation Permit (valid until December 31 of year of issue and renewable thereafter annually prior to December 31).

THIS DEED is made the day of 19.....
BETWEEN

THE TOWN OF NARROGIN of Narrogin, Western Australia (hereinafter "the Council") of the one part
AND

The person or persons set out in Part 1 of the Schedule hereto (hereinafter "the permit holder") of the other part.

WHEREAS:

The Council has, pursuant to the provisions of the Town of Narrogin Town Planning Scheme No. 2 - District Planning Scheme (hereinafter "the Scheme"), granted to the permit holder a home occupation permit (hereinafter "the permit") to conduct the home occupation specified in Part 2 of the Schedule hereto (hereinafter "the home occupation") from the premises specified in Part 3 of the Schedule hereto subject to the permit holder entering into this Deed and subject to the special conditions (if any) set out in Part 4 of the Schedule hereto.

NOW THIS DEED WITNESSES:

1. Pursuant to the foregoing and in consideration of the grant by the Council to the permit holder of the permit in respect to the premises the permit holder covenants and agrees with the Council that the permit holder shall:
 - (a) subject to clause 2(c) hereof pay to the Council an annual permit fee which fee shall equal the minimum annual rate imposed by the Council on properties within the Municipality of the Town of Narrogin;
 - (b) forthwith pay to the Council the sum of TWO HUNDRED DOLLARS (\$200.00) to be held by the Council during the currency of the permit as a bond against the performance by the permit holder of the conditions of the permit, the provisions of this Deed and the Scheme;
 - (c) during the currency of the permit remain in occupation of the premises and forthwith notify the Council if the permit holder ceases to occupy the premises;
 - (d) not conduct from the premises any occupation other than the home occupation;
 - (e) not in the exercise of the home occupation cause any nuisance or annoyance to neighbours of the permit holder or to the owners or occupiers of land in the neighbourhood of the premises nor cause similar businesses in the Municipality of the Town of Narrogin to be adversely affected;

- (f) not to cause injury to or prejudicially affect the amenity of the neighbourhood of the premises and without limiting the generality of that phrase by the emission of light, noise, vibration, electrical interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, liquid wastes or waste products, of any description or by the unsightly appearance of the premises or any part thereof;
- (g) not sell or offer for sale by wholesale or retail goods of any description from the premises;
- (h) not employ in the home occupation any person not a parent, the spouse or a child of the permit holder;
- (i) operate the home occupation entirely within the premises and in an area not greater than 20 square metres;
- (j) keep all vehicles, equipment and materials necessary for the conduct of the home occupation behind the building line on the land on which the premises are situated and out of sight of any roadway adjacent to that land;
- (k) not advertise the presence of the home occupation on the premises other than by a sign not exceeding 0.2 square metres in area placed in such position on the land of which the premises are part as shall be approved by the Council;
- (l) not to use more than one commercial vehicle for the purpose of the home occupation and not to refuel or repair such vehicle at the premises or on any land of which the premises are part;
- (m) not use for the purpose of the home occupation any electrical appliance the power usage of which exceeds 0.373 kilowatts;
- (n) provide on the land on which the premises are situated to the satisfaction of Council one parking bay in addition to the parking requirements for residents at the premises;
- (o) prevent any client of the permit holder parking on any roadway or road verge under the control of the Council.

2. The Council covenants and agrees with the permit holder:

- (a) to invest the bond paid by the permit holder pursuant to clause 1(b) hereof in an interest bearing deposit;

- (b) that if at the expiration of the term of the permit or its earlier surrender the permit holder has committed no breach of the permit, this Deed or the Scheme and if the permit has not been terminated by the Council pursuant to its power hereinafter set out the Council shall refund to the permit holder the bond paid pursuant to clause 1(b) hereof and the interest accrued thereon which bond and interest shall otherwise be forfeit to the Council; and
 - (c) that where the permit is issued on or after the 1st day of July then the permit fee shall be half that specified in clause 1(a) hereof.
3. The Council and the permit holder hereby mutually agree and declare as follows:
- (a) if in the opinion of the Council a home occupation is causing a nuisance or annoyance to neighbours or to owners or occupiers of land in the neighbourhood or if the permit holder commits any breach of the permit, this Deed or the Scheme or fails to comply with any condition imposed by the Council then the Council may revoke the permit or decline to renew the same;
 - (b) the decision of the Council that a home occupation permit is causing a nuisance or annoyance to neighbours or to owners or occupiers of land in the neighbourhood or that the permit holder has committed any breach of the permit, this Deed or the Scheme or failed to comply with any condition imposed by the Council is final;
 - (c) the permit is valid until the 31st day of December next after the date of issue thereof but subject to the right of the Council set out in the previous sub-clause may be renewed to the 31st day of December in the following year if the permit holder is not in breach of the terms of the permit, this Deed or the Scheme and if application in writing or application substantially in the form of Appendix VI of the Scheme is made to the Council at least ninety (90) days prior to the next following 31st day of December;
 - (d) the permit held by the permit holder cannot be assigned by him to any person or other legal entity and does not run with the premises;
 - (e) except as herein varied the provisions of the Scheme as they apply to home occupation permits shall apply hereto as though set out herein in full.

APPENDIX VII - EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 5.4

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (Includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Dwellings	One professional name-plate as appropriate.	0.2m ²
Home Occupation	One advertisement describing the nature of the home occupation.	0.2m ²
Places of Worship, Meeting Halls and Places of Public Assembly.	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m ²
Cinemas, Theatres and Drive-In Theatres	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 advertisement sign not to exceed 5m ² .
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	<p>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.</p> <p>A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level.</p>	<p>Total area of any such advertisements shall not exceed 15m².</p> <p>Maximum permissible total area shall not exceed 10m² and individual advertisement signs shall not exceed 6m².</p>
Showroom, race courses, major racing tracks, sports stadiums, 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 public places and streets.	N/A

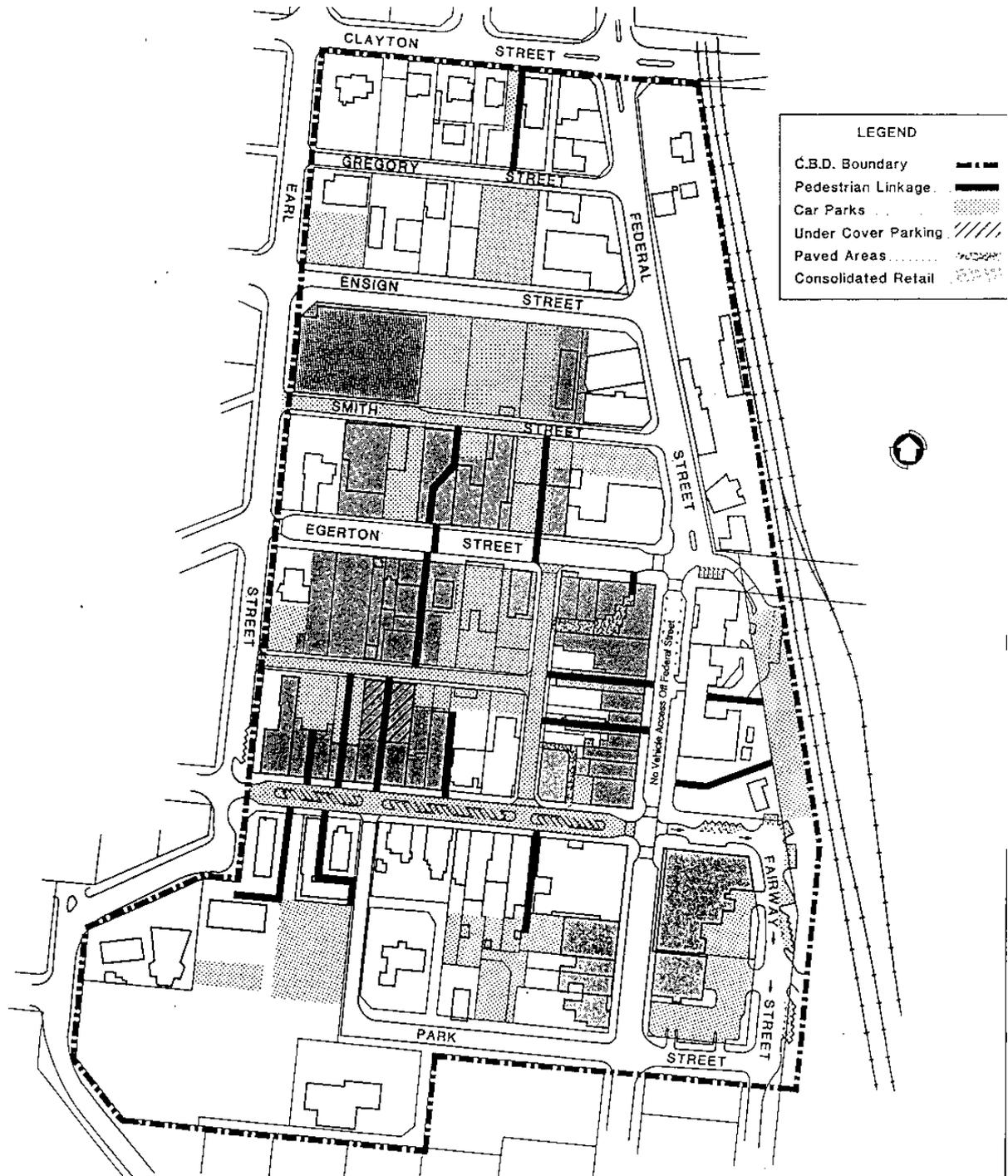
APPENDIX VII - EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 5.4 (Continued)

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (Includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
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 regulations 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 2m ² in area.
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside 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.	0.2m ²

APPENDIX VII - EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 5.4 (Continued)

TEMPORARY SIGNS	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
<p>Building Construction Sites advertisement signs displayed only for the duration of the construction as follows:</p>		
i) Dwellings	One Advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
ii) Multiple Dwellings, Shops, Commercial and Industrial projects.	One sign as for (i) above	5m ²
iii) Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height.	One sign as for (i) above	10m ²
	One additional sign showing the name of the project builder.	5m ²
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.	2m ²
<p>Property Transactions.</p> <p>Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows:</p>		
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 2m ²
b) Multiple Dwellings, Shops, Commercial and Industrial Properties.	One sign as for (a) above.	Each sign shall not exceed an area of 5m ²
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 10m ²
<p>Display Homes</p>		
Advertisement signs displayed for the period over which homes are on display for public inspection.	i) One sign for each dwelling on display	2m ²
	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.	5m ²

APPENDIX VIII - TOWN CENTRE POLICY PLAN



TOWN OF NARROGIN

TOWN PLANNING SCHEME NO. 2 - SCHEME TEXT

ADOPTION

Adopted by Resolution of the Council of the Town of Narrogin at the meeting of the Council held on the 5th day of April 1993.

MAYOR

DATE 21/5/1993

TOWN CLERK DATE 21/5/1993

FINAL APPROVAL

1. Adopted by Resolution of the Council of the Town of Narrogin at the Ordinary meeting of the Council held on the 21st day of December 1993 and the Seal of the municipality was pursuant to that resolution hereunto affixed in the presence of:

MAYOR

TOWN CLERK

This Scheme Text is to be read in conjunction with the approval maps of the Scheme described in Clause 1.6 of this Scheme and to which formal approval was given by the Minister for Planning on the _day of _19_____

2. Recommended/Submitted for final approval by the STATE PLANNING COMMISSION

CHAIRMAN DATE

3. Final approval granted

MINISTER FOR TOWN PLANNING

DATE 9/5/1994

(PEHO/338)