



**LOCAL PLANNING SCHEME No.6**

**AMENDMENT No.6**

**OMNIBUS AMENDMENT**

**PLANNING AND DEVELOPMENT ACT 2005**  
**RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME**  
**SHIRE OF NORTHAM**  
**LOCAL PLANNING SCHEME NO. 6**  
**AMENDMENT NO. 6**

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above local planning scheme by:

That Council:

1. Pursuant to Part 5 of the *Planning and Development Act 2005*, resolves to initiate Amendment No. 6 to the Shire of Northam Local Planning Scheme No.6 to implement various (omnibus) amendments as follows:
  - 1.1 Under clause 3.3.2, after the 'P' symbol, insert the following symbol and corresponding meaning: -

'I'means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme;
  - 1.2 In Table 1: Zoning Table, reclassify the use class 'Caretaker's Dwelling' in the 'Commercial' and 'Mixed Use' zones from 'P' to 'I'.
  - 1.3 In Table1: Zoning Table, reclassify the use class 'Ancillary Accommodation' in the 'Mixed Use' zone from 'D' to 'X'.
  - 1.4 In Table1: Zoning Table, reclassify the use class 'Shop' in the 'Mixed Use' zone from 'X' to 'D'.
  - 1.5 In Table1: Zoning Table, delete the use class 'Park Home Park'.
  - 1.6 Insert in alphabetical order, in Table 1: Zoning Table the following Land Use classes and symbols in the cross reference in the Zoning Table:
  - 1.7 In Table 2: Site and Development Requirements Table (clause 4.5), with respect to the Mixed Use zone, modify the minimum boundary

setback requirements from 7.5m (front), 7.5m (rear) and 4m (side) to \* (front), \* (rear) and \* (side).

\* Means – to be determined by the local government in each particular case.

1.8 In Table 3: Car Parking Guidelines (clause 4.13), delete the following land uses and corresponding minimum car parking requirements:

- Fish Shop; and
- Public Amusement

1.9 Modify the wording of clause 4.22.3 to read as follows: -

Notwithstanding any other provisions contained in the Scheme, the local government may refuse to grant development approval for the development or use of any outbuilding on any Residential, *Rural Residential and Rural Smallholding* zoned lot which does not contain a dwelling.

1.10 Modify clause 4.24 by renumbering the existing provision subclause '4.24.1', and insert new subclauses 4.24.2 – 4.24.5 as follows: -

4.24.2 Where, in the opinion of the local government, 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, the local government may by notice in writing require the advertiser to –

- (i) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or
- (ii) remove the advertisement.

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

4.24.4 Any notice served in pursuant to clause 4.24.2 shall be served upon the advertiser and shall specify -

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

4.24.5 A person on whom notice is served under this clause may apply for a review to the State Administrative Tribunal under Part 14 of the Act against the determination of the local government.

1.11 Modify the wording of clause 4.30.4 to read as follows: -

The local government may grant temporary development approval for the temporary human habitation within an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a period not exceeding 12 months if a building permit for a dwelling is concurrently in force.

1.12 Modify the wording of clause 4.30.5 by inserting the words 'and Rural Smallholding' after the words 'Rural Residential' to read as follows: -

In the Rural Residential and Rural Smallholding zones, a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy.

1.13 Insert new clause 4.31 as follows:

**4.31 GENERAL APPEARANCE OF BUILDINGS AND PRESERVATION OF AMENITY**

4.31.1 Where, in the opinion of the local government, any proposed building or the erection of structures or carrying out of site works is out of harmony with existing buildings or the landscape of the locality by virtue of the design and appearance of the development, the colour or type of materials to be used on exposed surfaces, the height, bulk and massing of any building, the local government may refuse the application for development approval. The refusal can be made notwithstanding that the application may otherwise comply with the provisions of the Scheme. The local government may place conditions on any development approval granted for the proposed development to ensure that it will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality.

4.31.2 In exercising its discretion under this clause, the local government shall have regard to the following when assessing any application for development approval –

- (i) the external appearance of the building and any associated structures and landscaping;

- (ii) the dimensions and proportions of the building or structure;
- (iii) the materials used in the construction of the building taking into consideration texture, scale, shape and colour;
- (iv) the effect of the building or works on nearby properties, and on the occupants of those buildings;
- (v) the effect on the landscape and environment generally; and
- (vi) any other matter which in the opinion of the local government is relevant to the amenity of the locality.

1.14 Insert new clause 4.32 as follows:

4.32 UNTIDY PLACES, DERELICT VEHICLES, MACHINERY AND OBJECTS

- 4.32.1 No land within the Scheme area shall on a permanent or regular basis be used for the purposes of storage and/or the disposal of rubbish, refuse, car bodies, industrial waste (whether liquid or solid) or any recycled materials or buildings without the written approval of the local government.
- 4.32.2 The local government may, by written notice as provided for in clause 3.25 and Schedule 3.1 of the *Local Government Act 1995* require the owner, occupier or lessee of any land to undertake such works or actions for the improvement of the conditions and visual presentation of that property to a standard commensurate with those conditions prevailing in the locality.
- 4.32.3 The local government shall not permit the storage and/or wrecking of derelict vehicles, sea containers or machinery or the storage of any materials within any zone, except the General Industry zone, if it is visible from any road or where, in the opinion of the local government, it detracts from the amenity of the locality without the written approval of the local government.
- 4.32.4 Notwithstanding clause 4.32.3, should the applicant justify the proposal, commit to suitable management and address visual impact concerns following the receipt of an application for development approval, the local

government may grant approval with or without conditions.

4.32.5 Notwithstanding any other provision of the Scheme, the storage of disused vehicles and/or wrecking of any vehicle on private land other than land within the General Industrial zone is prohibited.

1.15 Insert new clause 4.33 as follows: -

#### 4.33 RELOCATED SECOND-HAND BUILDINGS

4.33.1 The local government may permit the erection of a relocated building on a lot where –

- (i) in its opinion such building is in a satisfactory condition and the design and location of the building is to the satisfaction of the local government and will not adversely affect the amenity of the locality;
- (ii) the applicant for a building permit for the relocated building lodges a cash bond and enters into an agreement, to the satisfaction of the local government, to ensure the building achieves a standard of presentation acceptable to the local government within 12 months of the issue of the building permit; and
- (iii) the proposal complies with the provisions of the local government's Local Planning Policies — Relocation and Use of Second-Hand Dwellings; and Transportable Structures.

1.16 Insert new clause 4.34 as follows: -

#### 4.34 HOLIDAY ACCOMMODATION USES — SHORT STAY RESTRICTIONS

4.34.1 No person shall occupy any holiday accommodation use, as specified in Table 1: Zoning Table for more than a total of 3 months in any 12-month period unless approved by the local government for management purposes and staff accommodation.

4.34.2 Notwithstanding the provisions of clause 4.34.1, the local government may permit the permanent occupancy of not more than 15% of caravan sites within a caravan park, where the applicant can demonstrate, to the satisfaction of the local government, that the primary tourist

accommodation purpose of the park will not be compromised and that adequate services and facilities exist to service the permanent population.

1.17 Insert new clause 4.35 as follows: -

#### 4.35 BUSH FIRE HAZARD AND FIRE MANAGEMENT PLANS

4.35.1 The local government will need to be satisfied when assessing any request for rezoning, structure plan or application for development approval, where in the opinion of the local government there are bush fire risks, that development will comply with any relevant State and local government policy on bushfire protection and, where applicable, any endorsed fire management plan. In particular, the local government is to have regard to –

- (i) State Planning Policy 3.4 Natural Hazards and Disasters;
- (ii) Guidelines for Planning in Bushfire Prone Areas or any updates;
- (iii) any advice obtained from the Department of Fire and Emergency Services; and
- (iv) any other planning consideration the local government considers relevant.

4.35.2 Bushfire Prone Areas are those areas designated by the Bushfire Prone Area Maps as designated by the Fire and Emergency Services (FES) Commissioner, which form part of the Scheme for the purposes of clause 4.35.

4.35.3 The Bushfire Prone Area Maps may be amended from time to time and are to be held at the local government office.

4.35.4 Construction and/or additions to habitable buildings throughout the municipality in areas classified as Bush Fire Prone, irrespective of whether or not a development approval of the local government is required, will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia and Australian Standard 3959—2009 (or any updates).

4.35.5 If an owner disputes their land's identification within a designated Bush Fire Prone Area, that owner may request in writing that the local government reconsider

that identification. Supporting documentation is to be provided from a suitably qualified and/or experienced practitioner to address the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates).

- 4.35.6 On receiving a request made under clause 4.35.5, the local government may determine that the land is not within a designated Bush Fire Prone area; or determine that the land's identification within a designated Bush Fire Prone Area is correct.
- 4.35.7 Applications for the construction and/or addition to habitable buildings within Bushfire Prone Areas are to be accompanied by a report from a suitably qualified and/or experienced practitioner, which is to identify the Bushfire Attack Level (BAL) in accordance with the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates). The BAL level will inform the application of AS3959.
- 4.35.8 The landowner will be responsible for permanent hazard reduction measures to maintain the identified BAL.
- 4.35.9 The local government may impose conditions to reduce bush fire risk to people and/or property including –
- (i) the provision of a fire fighting water supply;
  - (ii) the provision of fire services access;
  - (iii) the preparation of a Fire Management Plan in accordance with the *Guidelines for Planning in Bushfire Prone Areas* (or any updates), and implementation of specific fire protection measures set out in the plan; and
  - (iv) the implementation of measures to ensure that prospective purchasers are aware of the relevant scheme provisions, Fire Management Plan and publications addressing fire safety.
- 4.35.10 Where a Fire Management Plan has been endorsed by the Department of Fire and Emergency Services and/or the local government, through the planning process, the affected landowners will be responsible for the ongoing implementation of the 'landowners' responsibilities' section as specified in that Fire Management Plan.

18. Insert new clause 4.36 as follows: -



#### 4.36 TELECOMMUNICATIONS INFRASTRUCTURE

- 4.36.1 An application for development approval from the local government is required for the development of all telecommunications infrastructure (overhead cabling telecommunications towers, radio communications dishes, etc.) excluding those listed in the Telecommunications Low Impact Facilities Determination 1997 and subsequent Amendments to that Determination.
- 4.36.2 Applications for the development approval for telecommunications infrastructure shall be accompanied by plans and information required for applications for development approval under Part 7 of the deemed provisions and will be considered in relation to the following -
- (i) consistency with the objective and purpose of the zone or reserve;
  - (ii) social and economic benefits of the proposal;
  - (iii) the impact of the proposal on the landscape, heritage and environmental values of the locality;
  - (iv) coordination with other services; and
  - (v) any relevant Local Planning Policy adopted by the local government.

1.19 Insert new clause 4.37 as follows: -

#### 4.37 PROVISIONS AND CONTRIBUTIONS FOR SERVICES AND FACILITIES

- 4.37.1 Where, in the opinion of the local government and/or the Commission, there will be a demand for the provision of services or facilities as a consequence of the carrying out of development or subdivision of land, then, subject to the provisions of clause 4.37.2 below, the local government may impose as a condition of development approval for that development and the Commission may impose as a condition of subdivision approval a requirement for the provision of those services and facilities or the making of a monetary contribution in lieu of such provision.
- 4.37.2 A condition for development approval for development referred to in clause 4.37.1 may only be imposed where the payment of the contribution is-

- (i) provided for in a Structure Plan endorsed by the Commission;
- (ii) provided for in an adopted Commission Policy including Appendix 1 of State Planning Policy 3.6 and as relevant Council's adopted policies relating to road upgrading, drainage and associated standard development contribution;
- (iii) set out in a Development Contribution Plan (clause 5.6 and Schedule 9 of the Scheme).

1.20 Insert new clause 4.38 as follows: -

#### 4.38 HOME OFFICE, HOME OCCUPATION AND HOME BUSINESS

- 4.38.1 Development approval is not required to conduct a home office as defined in the Scheme.
- 4.38.2 Where the local government issues a development approval to conduct a home occupation or a home business, the approval relates to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted.
- 4.38.3 If in the opinion of the local government, a home occupation or home business is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may rescind the approval.
- 4.38.4 A development approval to conduct a home occupation or home business may be issued subject to an annual permit which may be renewed by application to the local government for development approval.

1.21 Under Schedule 1 'Dictionary of defined words and expressions, subclause 2 'land use definitions', insert in alphabetical order the following new definitions:

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

"Art Gallery" means premises —

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

"Bulky Goods Showroom" means premises —

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

or

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

“Commercial Vehicle Parking” means premises used for parking of one or 2 commercial vehicles but does not include —

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

or

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

“Garden Centre” means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

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

“Industry - Primary Production” means premises used —

- (a) to carry out a primary production business as that term is defined in the Income Tax Assessment Act 1997 (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses;

“Liquor Store – Large” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of more than 300 m<sup>2</sup>;

“Liquor Store – Small” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of not more than 300 m<sup>2</sup>;

“Small Bar” means premises the subject of a small bar licence granted under the Liquor Control Act 1988;

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

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government;

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

“Waste Disposal Facility” means premises used —

- (a) for the disposal of waste by landfill; or
- (b) the incineration of hazardous, clinical or biomedical waste;

“Waste Storage Facility” means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

- 1.22 In Schedule 7 'Rural Residential Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Ancillary Accommodation' as a 'D' (discretionary) use in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, R26 and RR27.
- 1.23 In Schedule 7 'Rural Residential Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Family Day Care' as an 'A' (discretionary, subject to advertising) in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, RR25, R26 and RR27.
- 1.24 In Schedule 8 'Rural Smallholding Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Ancillary Accommodation' as a 'D' (discretionary) use in RSH1.
- 1.25 In Schedule 8 'Rural Smallholding Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Family Day Care' as an 'A' (discretionary, subject to advertising) in RSH1.
- 1.26 Under Part 5 (Special Control Areas), insert the following text under clause 5.1.1: -
- “8. SCA8 – Structure Plan Areas”
- 1.27 Under Part 5 (Special Control Areas), insert the following special control area provisions: -
- 5.9 Structure Plan Areas (SCA8)
- 5.9.1 Structure Plan Areas are shown on the Scheme Map as SCA8 with a number. A Schedule of these areas is set out in Schedule 10.
- 5.9.2 For the purpose of clause 5.9, unless the context otherwise requires;
- “Proponent” means any owner or owners of land to which the Proposed Structure Plan relates that has or have submitted that Proposed Structure Plan.
- “Proposed Structure Plan” means a Structure Plan which may apply to either a local area or a district that has been prepared in accordance with clause Part 4 of the deemed provisions.
- “Structure Plan” means a proposed Structure Plan that has been approved by the Commission under clause 22(a) of the deemed provisions.

5.9.3 Purpose

The purpose of Structure Plan Areas Special Control Area is to:-

- (a) To identify areas requiring comprehensive structure planning prior to subdivision and development; and
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.

5.9.4 Planning requirements

- a) The local government requires a Structure Plan for a Structure Plan Area, or for any part or parts of a Structure Plan Area, before recommending subdivision or approving development of land within the Structure Plan Area.
- b) The local government may require a Structure Plan to be prepared for any land not within a Structure Plan Area where it can be demonstrated that the land requires substantial pre-planning before decisions are made with respect to its use, subdivision or development and the provisions of the foregoing clauses shall apply as relevant to the preparation of any such plan.
- c) Notwithstanding clause 5.9.4 a), the local government may approve a development or support a subdivision of the land in a manner that is consistent with the objectives of the underlying zone without requiring such a Structure Plan where, in its opinion, the proposal is of a minor nature, will not adversely affect the future subdivision or development of the land and where it can be demonstrated that it does not conflict with the future land use expectation of the Structure Plan Area.
- d) Where a Structure Plan exists, the subdivision and development of land is to generally be in accordance with the Structure Plan and any associated provisions contained in Schedule 10.
- e) The Commission may, as a condition of adopting or approving a Proposed Structure Plan, require a more detailed Structure Plan in future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the Proposed Structure Plans.
- f) Schedule 10 describes the Structure Plan Area in more detail and sets out the land use expectations, matters to be addressed and associated provisions for Structure Plans.

#### 5.9.5 Preparation of Structure Plans

- a) A Structure Plan must be prepared in a manner and form approved by the Commission in accordance with the provisions of clause 16 of the deemed provisions.
- b) A Structure Plan may with the agreement of the Commission after consultation with the local government, be prepared and implemented in stages.

#### 5.9.6 Operation of Structure Plan

- a) A Structure Plan commences operation on the date it is adopted by the Commission.
- b) A Structure Plan may distinguish between the provisions, requirements or standards which are intended to have affect as if included in the scheme, and any provisions, requirements which are only for guidance or such other purposes as stipulated in the Structure Plan.

Dated this 20<sup>th</sup> day of April 2016

CHIEF EXECUTIVE OFFICER

## AMENDMENT REPORT

### Purpose

To implement various (omnibus) amendments. Twenty eight (28) proposals have been identified for inclusion in this omnibus amendment to Local Planning Scheme No.6.

### Amendment Type

The amendment is a standard amendment pursuant to Regulation 34(f) of the Regulations as the proposal is considered to be an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;

### Statement

The Shire of Northam Local Planning Scheme No.6 (LPS6) was gazetted on 21<sup>st</sup> of August 2013. Ongoing use of LPS6 subsequent to gazettal has revealed a number of areas where refinements are required to improve the Scheme's operational effectiveness and to otherwise correct minor errors or omissions in the text. The process for implementation of recommended changes is through the Scheme Amendment process.

The inclusion of minor proposals in omnibus amendments provides an efficient and effective process to amend the Scheme, in terms of the number of proposals, public consultation, the Shire's resources and reporting to Council.

### Proposal

This omnibus amendment consists of twenty eight (28) proposals to amend LPS6 in the form or modification to the Scheme Maps, to correct drafting errors, rezoning of a property and make changes to the accompanying Scheme Text. The proposals are numbered sequentially with specific details of each proposal outlined and considered in this report.

| <b>Proposal 1</b>  |
|--|
| Modify clause 3.3.2, by inserting the symbol "I" and corresponding meaning after the symbol "P": -   |
| 'I' means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme; |
| <b>Explanation 1</b>   |
| There are a number of uses (such as a 'Caretakers Dwelling' which are incidental to another predominant use within the Scheme (i.e. the secondary use cannot exist without the primary use).   |



**Proposal 2**

In Table 1: Zoning Table, reclassify the use class 'Caretaker's Dwelling' in the 'Commercial' and 'Mixed Use' zones from 'P' to 'I'.

**Explanation 2**

It is considered that it is inconsistent to permit a 'Caretakers Dwelling' on a lot without an existing primary use for the 'caretaker' to look after. Therefore the permissibility for this land uses under the Scheme should be 'I' Incidental.

**Proposal 3**

In Table1: Zoning Table, reclassify the use class 'Ancillary Accommodation' in the 'Mixed Use' zone from 'D' to 'X'.

**Explanation 3**

A 'Single House' is an 'X' use within the 'Mixed Use' zone. An 'Ancillary Accommodation' use cannot exist without a 'Single House' existing on a lot and therefore should also be classified as an 'X' use within the 'Mixed Use' zone.

**Proposal 4**

In Table1: Zoning Table, reclassify the use class 'Caretaker's Dwelling' in the 'General Industry' zone from 'X' to 'D'.

**Explanation 4**

Caretakers Dwellings offer greater security and surveillance for businesses within the 'General Industry' zone which is isolated from residential areas. It is recommended that 'Caretakers Dwellings' be classified as a 'D' (Discretionary" use within the 'General Industry' zone which would allow the Shire to consider 'Caretakers Dwellings' on a case by case basis.

**Proposal 5**

In Table1: Zoning Table, delete the use class 'Park Home Park'.

**Explanation 5**

Park homes can only occur in a caravan park. The use class is, therefore, surplus to requirements.

**Proposal 6**

Insert in alphabetical order, in Table 1: Zoning Table the following Land Use classes and symbols in the cross reference in the Zoning Table:

| LANDUSE                       | RESIDENTIAL | DEVELOPMENT | COMMERCIAL | MIXED USE | TOURIST | GENERAL INDUSTRY | LIGHT & SERVICE INDUSTRY | RURAL | RURAL RESIDENTIAL | RURAL SMALLHOLDING |
|-------------------------------|-------------|-------------|------------|-----------|---------|------------------|--------------------------|-------|-------------------|--------------------|
| Abattoir                      | X           |             | X          | X         | X       | A                | X                        | A     | X                 | X                  |
| Art Gallery                   | X           |             | P          | P         | P       | X                | X                        | A     | X                 | A                  |
| Bulky Goods Showroom          | X           |             | P          | P         | X       | X                | D                        | X     | X                 | X                  |
| Commercial Vehicle Parking    | A           |             | X          | X         | X       | P                | P                        | D     | A                 | A                  |
| Garden Centre                 | X           |             | X          | D         | X       | D                | D                        | D     | A                 | A                  |
| Holiday Accommodation         | X           |             | D          | D         | P       | X                | X                        | A     | A                 | A                  |
| Industry - Primary Production | X           |             | X          | X         | X       | A                | X                        | A     | X                 | X                  |
| Liquor Store - Large          | X           |             | X          | A         | X       | X                | X                        | X     | X                 | X                  |
| Liquor Store - Small          | X           |             | A          | A         | X       | X                | X                        | X     | X                 | X                  |
| Small Bar                     | X           |             | A          | X         | A       | X                | X                        | X     | X                 | X                  |
| Trade Supplies                | X           |             | D          | D         | X       | P                | P                        | X     | X                 | X                  |
| Tree Farm                     | X           |             | X          | X         | X       | X                | X                        | D     | X                 | X                  |
| Waste Disposal Facility       | X           |             | X          | X         | X       | X                | X                        | X     | X                 | X                  |
| Waste Storage Facility        | X           |             | X          | X         | X       | A                | X                        | X     | X                 | X                  |

### Explanation 6

The Shire has received a number of enquiries and development applications in recent years for all of the land uses listed above. In order to provide clarity to Officers and applicants of these proposals. It is recommended that the above land use definitions and their level of permissibility be added to the Shire's Planning Scheme.

### Proposal 7

In Table 2: Site and Development Requirements Table (clause 4.5), with respect to the Mixed Use zone, modify the minimum boundary setback requirements from 7.5m (front), 7.5m (rear) and 4m (side) to \* (front), \* (rear) and \* (side).

(\* Means – to be determined by the local government in each particular case.)

#### **Explanation 7**

The majority of lots zoned 'Mixed Use' are too small in area for proposed buildings to feasibly fit within the minimum lot boundary setbacks. In order to achieve desirable development outcomes within the 'Mixed Use' zone it is recommended that the appropriate setbacks be determined by the local government on a case by case basis denoted within the Scheme text by the \* symbol.

#### **Proposal 8**

In Table 3: Car Parking Guidelines (clause 4.13), delete the following land uses and corresponding minimum car parking requirements:

- Fish Shop; and
- Public Amusement

#### **Explanation 8**

The Shire's Local Planning Scheme No.6 does not contain land use definitions for a 'fish shop' or 'public amusement' land uses nor are they listed within the *Planning and Development (Local Planning Schemes) Regulations 2015*. It is therefore recommended that the car parking requirements for these redundant uses be removed from the Scheme.

#### **Proposal 9**

Modify the wording of clause 4.22.3 to read as follows: -

Notwithstanding any other provisions contained in the Scheme, the local government may refuse to grant development approval for the development or use of any outbuilding on any Residential, **Rural Residential and Rural Smallholding** zoned lot which does not contain a dwelling.

#### **Explanation 9**

The majority of outbuildings unlawfully habituated are located on lots zoned 'Rural Residential' and 'Rural Smallholdings'. It is recommended that Clause 4.22.3 be amended to ensure consistency with the Shire's Local Planning Policy 1 - Outbuildings. Note that it would still be possible to grant temporary occupation of an outbuilding within the 'Rural Residential' and 'Rural Smallholding' zone where a Building Permit has been granted and the dwelling is under construction.

#### **Proposal 10**

Modify clause 4.24 by renumbering the existing provision subclause '4.24.1', and insert new subclauses 4.24.2 – 4.24.5 as follows: -

4.24.2 Where, in the opinion of the local government, 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

|  |
|--|
| <p>erected or displayed, the local government may by notice in writing require the advertiser to –</p> <ul style="list-style-type: none"> <li>(i) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or</li> <li>(ii) remove the advertisement.</li> </ul> <p>4.24.3 ‘The advertiser’ shall be interpreted as any one person or any group comprised of the landowner, occupier, licensee or other person having an interest in, or drawing benefit from, the display of an advertisement concerned.</p> <p>4.24.4 Any notice served in pursuant to clause 4.24.2 shall be served upon the advertiser and shall specify -</p> <ul style="list-style-type: none"> <li>(i) the advertisement(s) the subject of the notice;</li> <li>(ii) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice;</li> <li>(iii) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.</li> </ul> <p>4.24.5 A person on whom notice is served under this clause may apply for a review to the State Administrative Tribunal under Part 14 of the Act against the determination of the local government.</p> |
|--|

**Explanation 10**

There are a number of derelict and unmaintained signs within the Shire of Northam which detract from the appearance and amenity of our central business district in particular. The addition of these clauses would provide legal backing for the Shire to carryout enforcement action to ensure that land owners maintain their advertising signage to a satisfactory standard.

**Proposal 11**

Modify the wording of clause 4.30.4 to read as follows: -

The local government may grant temporary development approval for the **occupation of temporary human habitation within** an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a period not exceeding 12 months if a **building licence** building permit for a dwelling is concurrently in force **and the outbuilding complies with the specific requirements of the Building Code of Australia.**

| Current Wording  | Proposed Wording   |
|--|--|
| The local government may grant temporary development approval for the occupation of an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a period | The local government may grant temporary development approval for the <b>temporary human habitation within</b> an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a |

|  |  |
|--|--|
| not exceeding 12 months if a building licence for a dwelling is concurrently in force and the outbuilding complies with the specific requirements of the Building Code of Australia.   | period not exceeding 12 months if a building permit for a dwelling is concurrently in force. |
| <b>Explanation 11</b>  |  |
| There is a minor change in the wording of Clause 4.30.4 to remove the reference to the Building Code of Australia which does not form part of the Scheme. All outbuildings are required to be constructed in accordance with the Building Code of Australia which is enforced under different legislation. |  |

|  |  |
|--|--|
| <b>Proposal 12</b>   |  |
| Modify the wording of clause 4.30.5 by inserting the words ‘and Rural Smallholding’ after the words ‘Rural Residential’ to read as follows: -  |  |
| In the Rural Residential <b>zone</b> and <b>Rural Smallholding zones</b> , a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy. |  |
| <b>Current Wording</b>   | <b>Proposed Wording</b>  |
| In the Rural Residential zone, a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy.   | In the Rural Residential and Rural Smallholding zones, a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy. |
| <b>Explanation 12</b>  |  |
| There is a minor change in the wording to ensure the Scheme is consistent with Western Australian Planning Commission Policy.  |  |

|   |  |
|---|--|
| <b>Proposal 13</b>  |  |
| Insert new clause 4.31 as follows:  |  |
| <b>4.31 GENERAL APPEARANCE OF BUILDINGS AND PRESERVATION OF AMENITY</b>   |  |
| 4.31.1 Where, in the opinion of the local government, any proposed building or the erection of structures or carrying out of site works is out of harmony with existing buildings or the landscape of the locality by virtue of the design and appearance of the development, the colour or type of materials to be used on exposed surfaces, the height, bulk and massing of any building, the local government may refuse the application for development approval. The refusal can be made notwithstanding that the application may otherwise comply with the provisions of the Scheme. The local government may place conditions on any development approval granted for the proposed |  |

development to ensure that it will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality.

- 4.31.2 In exercising its discretion under this clause, the local government shall have regard to the following when assessing any application for development approval –
- (i) the external appearance of the building and any associated structures and landscaping;
  - (ii) the dimensions and proportions of the building or structure;
  - (iii) the materials used in the construction of the building taking into consideration texture, scale, shape and colour;
  - (iv) the effect of the building or works on nearby properties, and on the occupants of those buildings;
  - (v) the effect on the landscape and environment generally; and
  - (vi) any other matter which in the opinion of the local government is relevant to the amenity of the locality.

#### **Explanation 13**

The addition of this Clause would grant the local government to place greater weighting to the appearance of a building and its amenity within the streetscape when considering a new development application for a building.

#### **Proposal 14**

Insert new clause 4.32 as follows:

#### **4.32 UNTIDY PLACES, DERELICT VEHICLES, MACHINERY AND OBJECTS**

- 4.32.1 No land within the Scheme area shall on a permanent or regular basis be used for the purposes of storage and/or the disposal of rubbish, refuse, car bodies, industrial waste (whether liquid or solid) or any recycled materials or buildings without the written approval of the local government.
- 4.32.2 The local government may, by written notice as provided for in clause 3.25 and Schedule 3.1 of the *Local Government Act 1995* require the owner, occupier or lessee of any land to undertake such works or actions for the improvement of the conditions and visual presentation of that property to a standard commensurate with those conditions prevailing in the locality.
- 4.32.3 The local government shall not permit the storage and/or wrecking of derelict vehicles, sea containers or machinery or the storage of any materials within any zone, except the General Industry zone, if it is visible from any road or where, in the opinion of the local government, it detracts from the amenity of the locality without the written approval of the local government.

4.32.4 Notwithstanding clause 4.32.3, should the applicant justify the proposal, commit to suitable management and address visual impact concerns following the receipt of an application for development approval, the local government may grant approval with or without conditions.

4.32.5 Notwithstanding any other provision of the Scheme, the storage of disused vehicles and/or wrecking of any vehicle on private land other than land within the General Industrial zone is prohibited.

#### **Explanation 14**

There Shire has recent numerous complaints in recent years regarding the derelict state of buildings and untidy premises. The addition of these clauses would provide legal backing for the Shire to carryout enforcement action to ensure that land owners maintain their properties and/or remove unsightly structures, vehicles and materials from yards.

#### **Proposal 15**

Insert new clause 4.33 as follows: -

#### **4.33 RELOCATED SECOND-HAND BUILDINGS**

- 4.33.1 The local government may permit the erection of a relocated building on a lot where –
- (i) in its opinion such building is in a satisfactory condition and the design and location of the building is to the satisfaction of the local government and will not adversely affect the amenity of the locality;
  - (ii) the applicant for a building permit for the relocated building lodges a cash bond and enters into an agreement, to the satisfaction of the local government, to ensure the building achieves a standard of presentation acceptable to the local government within 12 months of the issue of the building permit; and
  - (iii) the proposal complies with the provisions of the local government's Local Planning Policies — Relocation and Use of Second-Hand Dwellings; and Transportable Structures.

#### **Explanation 15**

Relocated second hand dwellings can have a detrimental impact upon the amenity or streetscape of an area in not completed to a high standard. It is recommended that this Clause be reintroduced to the Scheme to ensure that any relocated second hand dwelling is completed to a high standard in accordance with the Shire's Local Planning Policies.

### **Proposal 16**

Insert new clause 4.34 as follows: -

#### **4.34 HOLIDAY ACCOMMODATION USES—SHORT STAY RESTRICTIONS**

- 4.34.1 No person shall occupy any holiday accommodation use, as specified in Table 1: Zoning Table for more than a total of 3 months in any 12-month period unless approved by the local government for management purposes and staff accommodation.
- 4.34.2 Notwithstanding the provisions of clause 4.34.1, the local government may permit the permanent occupancy of not more than 15% of caravan sites within a caravan park, where the applicant can demonstrate, to the satisfaction of the local government, that the primary tourist accommodation purpose of the park will not be compromised and that adequate services and facilities exist to service the permanent population.

### **Explanation 16**

The addition of the above Clauses will ensure that the Scheme is consistent with the Caravan & Camping Ground Regulations 1997. It will also ensure greater clarity for staff and proponents regarding the requirements for holiday accommodation uses (short-stay restrictions) and caravan parks alike.

### **Proposal 17**

Insert new clause 4.35 as follows: -

#### **4.35 BUSH FIRE HAZARD AND FIRE MANAGEMENT PLANS**

- 4.35.1 The local government will need to be satisfied when assessing any request for rezoning, structure plan or application for development approval, where in the opinion of the local government there are bush fire risks, that development will comply with any relevant State and local government policy on bushfire protection and, where applicable, any endorsed fire management plan. In particular, the local government is to have regard to –
- (i) State Planning Policy 3.4 Natural Hazards and Disasters;
  - (ii) Guidelines for Planning in Bushfire Prone Areas or any updates;
  - (iii) any advice obtained from the Department of Fire and Emergency Services; and
  - (iv) any other planning consideration the local government considers relevant.



- 4.35.2 Bushfire Prone Areas are those areas designated by the Bushfire Prone Area Maps as designated by the Fire and Emergency Services (FES) Commissioner, which form part of the Scheme for the purposes of clause 4.35.
- 4.35.3 The Bushfire Prone Area Maps may be amended from time to time and are to be held at the local government office.
- 4.35.4 Construction and/or additions to habitable buildings throughout the municipality in areas classified as Bush Fire Prone, irrespective of whether or not a development approval of the local government is required, will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia and Australian Standard 3959—2009 (or any updates).
- 4.35.5 If an owner disputes their land's identification within a designated Bush Fire Prone Area, that owner may request in writing that the local government reconsider that identification. Supporting documentation is to be provided from a suitably qualified and/or experienced practitioner to address the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates).
- 4.35.6 On receiving a request made under clause 4.35.5, the local government may determine that the land is not within a designated Bush Fire Prone area; or determine that the land's identification within a designated Bush Fire Prone Area is correct.
- 4.35.7 Applications for the construction and/or addition to habitable buildings within Bushfire Prone Areas are to be accompanied by a report from a suitably qualified and/or experienced practitioner, which is to identify the Bushfire Attack Level (BAL) in accordance with the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates). The BAL level will inform the application of AS3959.
- 4.35.8 The landowner will be responsible for permanent hazard reduction measures to maintain the identified BAL.
- 4.35.9 The local government may impose conditions to reduce bush fire risk to people and/or property including –
- (i) the provision of a fire fighting water supply;
  - (ii) the provision of fire services access;
  - (iii) the preparation of a Fire Management Plan in accordance with the *Guidelines for Planning in Bushfire Prone Areas* (or any updates), and implementation of specific fire protection measures set out in the plan; and

(iv) the implementation of measures to ensure that prospective purchasers are aware of the relevant scheme provisions, Fire Management Plan and publications addressing fire safety.

4.35.10 Where a Fire Management Plan has been endorsed by the Department of Fire and Emergency Services and/or the local government, through the planning process, the affected landowners will be responsible for the ongoing implementation of the 'landowners' responsibilities' section as specified in that Fire Management Plan.

**Explanation 17**

The addition of the above Clauses will ensure that the Scheme is consistent with the WAPC State Planning Policy 3.7 Planning in Bushfire Prone Areas.

**Proposal 18**

Insert new clause 4.36 as follows: -

**4.36 TELECOMMUNICATIONS INFRASTRUCTURE**

4.36.1 An application for development approval from the local government is required for the development of all telecommunications infrastructure (overhead cabling telecommunications towers, radio communications dishes, etc.) excluding those listed in the Telecommunications Low Impact Facilities Determination 1997 and subsequent Amendments to that Determination.

4.36.2 Applications for the development approval for telecommunications infrastructure shall be accompanied by plans and information required for applications for development approval under Part 7 of the deemed provisions and will be considered in relation to the following -

- (i) consistency with the objective and purpose of the zone or reserve;
- (ii) social and economic benefits of the proposal;
- (iii) the impact of the proposal on the landscape, heritage and environmental values of the locality;
- (iv) coordination with other services; and
- (v) any relevant Local Planning Policy adopted by the local government.

**Explanation 18**

The Shire has received a number of applications in recent years for 'Telecommunications Infrastructure'. The addition of the above Clauses will provide greater clarity for Officers and applicants when considering an application

for 'Telecommunications Infrastructure'.

#### **Proposal 19**

Insert new clause 4.37 as follows: -

#### **4.37 PROVISIONS AND CONTRIBUTIONS FOR SERVICES AND FACILITIES**

4.37.1 Where, in the opinion of the local government and/or the Commission, there will be a demand for the provision of services or facilities as a consequence of the carrying out of development or subdivision of land, then, subject to the provisions of clause 4.37.2 below, the local government may impose as a condition of development approval for that development and the Commission may impose as a condition of subdivision approval a requirement for the provision of those services and facilities or the making of a monetary contribution in lieu of such provision.

4.37.2 A condition for development approval for development referred to in clause 4.37.1 may only be imposed where the payment of the contribution is-

- (i) provided for in a Structure Plan endorsed by the Commission;
- (ii) provided for in an adopted Commission Policy including Appendix 1 of State Planning Policy 3.6 and as relevant Council's adopted policies relating to road upgrading, drainage and associated standard development contribution;
- (iii) set out in a Development Contribution Plan (clause 5.6 and Schedule 9 of the Scheme).

#### **Explanation 19**

The inclusion of these provisions in the Scheme complements the Development Contribution Plan provisions under Clause 5.6 of the Scheme, and will also provide greater clarity and certainty for staff, the Commission and proponents regarding requirements for developer contribution requirements.

#### **Proposal 20**

Insert new clause 4.38 as follows: -

#### **4.38 HOME OFFICE, HOME OCCUPATION AND HOME BUSINESS**

4.38.1 Development approval is not required to conduct a home office as

defined in the Scheme.

4.38.2 Where the local government issues a development approval to conduct a home occupation or a home business, the approval relates to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted.

4.38.3 If in the opinion of the local government, a home occupation or home business is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may rescind the approval.

4.38.4 A development approval to conduct a home occupation or home business may be issued subject to an annual permit which may be renewed by application to the local government for development approval.

#### **Explanation 20**

The addition of the above Clauses will provide greater clarity for Officers and applicants and nearby landowners when considering an application for home employment land uses.

#### **Proposal 21**

Under Schedule 1 'Dictionary of defined words and expressions, subclause 2 'land use definitions', insert in alphabetical order the following new definitions:

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

"Art Gallery" means premises —

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

"Bulky Goods Showroom" means premises —

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —
  - (i) automotive parts and accessories;
  - (ii) camping, outdoor and recreation goods;
  - (iii) electric light fittings;
  - (iv) animal supplies including equestrian and pet goods;
  - (v) floor and window coverings;
  - (vi) furniture, bedding, furnishings, fabrics, Manchester and homewares;
  - (vii) household appliances, electrical goods and home entertainment goods;
  - (viii) party supplies;

- (ix) office equipment and supplies;
- (x) babies' and children's goods, including play equipment and accessories;
- (xi) sporting, cycling, leisure, fitness goods and accessories;
- (xii) swimming pools;

or

- (b) used to sell by retail goods and accessories by retail if —

“Commercial Vehicle Parking” means premises used for parking of one or 2 commercial vehicles but does not include —

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

or

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

“Garden Centre” means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

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

“Industry - Primary Production” means premises used —

- (a) to carry out a primary production business as that term is defined in the Income Tax Assessment Act 1997 (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses;

“Liquor Store – Large” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of more than 300 m<sup>2</sup>;

“Liquor Store – Small” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of not more than 300 m<sup>2</sup>;

“Small Bar” means premises the subject of a small bar licence granted under the Liquor Control Act 1988;

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

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;

- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government;

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

“Waste Disposal Facility” means premises used —

- (a) for the disposal of waste by landfill; or
- (b) the incineration of hazardous, clinical or biomedical waste;

“Waste Storage Facility” means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

#### **Explanation 21**

The above land use definitions relate to Proposal 6 as listed above. In order to provide clarity to Officers and applicants of these proposals, it is recommended that the above land use definitions be added to the Shire’s Planning Scheme.

#### **Proposal 22**

In Schedule 7 ‘Rural Residential Zones’, modify the permissibility of uses (where currently not permitted – ‘X’) to permit ‘Ancillary Accommodation’ as a ‘D’ (discretionary) use in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, R26 and RR27.

#### **Explanation 22**

The Shire has received requests from land owners located within the above zones where ‘Ancillary Accommodation’ is currently not permitted. The above modification would allow land owners within these zone to apply for ancillary accommodation which is recommended to be classified as a ‘D’ (Discretionary) use within the Scheme. It is considered there are no planning reasons not to consider ancillary accommodation in the Rural Residential zone.

#### **Proposal 23**

In Schedule 7 ‘Rural Residential Zones’, modify the permissibility of uses (where currently not permitted – ‘X’) to permit ‘Family Day Care’ as an ‘A’ (discretionary, subject to advertising) in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, RR25, R26 and RR27.

#### **Explanation 23**

The Shire has received requests from land owners located within the above zones where ‘Family Day Care’ is currently not permitted. The above modification would allow land owners within these zone to apply for ‘Family Day Care’ which is recommended to be classified as an ‘A’ (Advertising) use within the Scheme. It is considered there are no planning reasons not to consider family day care facilities

in the Rural Residential zone.

**Proposal 24**

In Schedule 8 'Rural Smallholding Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Ancillary Accommodation' as a 'D' (discretionary) use in RSH1.

**Explanation 24**

The Shire has received requests from land owners located within the above zone where 'Ancillary Accommodation' is currently not permitted. The above modification would allow land owners within these zone to apply for ancillary accommodation which is recommended to be classified as a 'D' (Discretionary) use within the Scheme. It is considered there are no planning reasons not to consider ancillary accommodation in the Rural Smallholding zone.

**Proposal 25**

In Schedule 8 'Rural Smallholding Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Family Day Care' as an 'A' (discretionary, subject to advertising) in RSH1. It is considered there are no planning reasons not to consider family day care facilities in the Rural Smallholding zone.

**Explanation 25**

The Shire has received requests from land owners located within the above zone where 'Family Day Care' is currently not permitted. The above modification would allow land owners within these zone to apply for 'Family Day Care' which is recommended to be classified as an 'A' (Advertising) use within the Scheme.

**Proposal 26**

Under Part 5 (Special Control Areas), insert the following text under clause 5.1.1: -

8. SCA8 – Structure Plan Areas

**Explanation 26**

The addition of this Clause would afford the Shire the opportunity to ensure that a particular area is planned in a orderly and proper manner by enforcing a structure plan be prepared showing how the area is proposed to be developed.

**Proposal 27**

Under Part 5 (Special Control Areas), insert the following special control area provisions: -

**5.9 Structure Plan Areas (SCA8)**

5.9.1 Structure Plan Areas are shown on the Scheme Map as SCA8 with a number. A Schedule of these areas is set out in Schedule 10.

5.9.2 For the purpose of clause 5.9, unless the context otherwise requires;

**“Proponent”** means any owner or owners of land to which the Proposed Structure Plan relates that has or have submitted that Proposed Structure Plan.

**“Proposed Structure Plan”** means a Structure Plan which may apply to either a local area or a district that has been prepared in accordance with clause Part 4 of the deemed provisions.

**“Structure Plan”** means a proposed Structure Plan that has been approved by the Commission under clause 22(a) of the deemed provisions.

5.9.3 Purpose

The purpose of Structure Plan Areas Special Control Area is to:-

- (a) To identify areas requiring comprehensive structure planning prior to subdivision and development; and
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.

5.9.4 Planning requirements

- a) The local government requires a Structure Plan for a Structure Plan Area, or for any part or parts of a Structure Plan Area, before recommending subdivision or approving development of land within the Structure Plan Area.
- b) The local government may require a Structure Plan to be prepared for any land not within a Structure Plan Area where it can be demonstrated that the land requires substantial pre-planning before decisions are made with respect to its use, subdivision or development and the provisions of the foregoing clauses shall apply as relevant to the preparation of any such plan.
- c) Notwithstanding clause 5.9.4 a), the local government may approve a development or support a subdivision of the land in a manner that is consistent with the objectives of the underlying zone without requiring such a Structure Plan where, in its opinion, the proposal is of a minor nature, will not adversely affect the future subdivision or development of the land and where it can be demonstrated that it does not conflict with the future land use expectation of the Structure Plan Area.
- d) Where a Structure Plan exists, the subdivision and development of land is to generally be in accordance with the Structure Plan and any associated provisions contained in Schedule 10.
- e) The Commission may, as a condition of adopting or approving a Proposed Structure Plan, require a more detailed Structure Plan in future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the Proposed Structure Plans.



- f) Schedule 10 describes the Structure Plan Area in more detail and sets out the land use expectations, matters to be addressed and associated provisions for Structure Plans.

**5.9.5 Preparation of Structure Plans**

- a) A Structure Plan must be prepared in a manner and form approved by the Commission in accordance with the provisions of clause 16 of the deemed provisions.
- b) A Structure Plan may with the agreement of the Commission after consultation with the local government, be prepared and implemented in stages.

**5.9.6 Operation of Structure Plan**

- a) A Structure Plan commences operation on the date it is adopted by the Commission.
- b) A Structure Plan may distinguish between the provisions, requirements or standards which are intended to have affect as if included in the scheme, and any provisions, requirements which are only for guidance or such other purposes as stipulated in the Structure Plan.

**Explanation 27**

The addition of the above Clauses will provide greater clarity for Officers and applicants when considering, preparing and implementing a structure plan.

**Proposal 28**

Rezone Lot 881 Yilgarn Avenue, Malabaine from 'Rural' to 'Light and Service Industry'



**Explanation 28**

This lot has been identified in the Northam Growth Plan as being suitable for 'Light

& Service Industry' development. In order to facilitate this type of development the land is required to be zoned 'Light & Service Industry'.

## PLANNING AND DEVELOPMENT ACT 2005

### SHIRE OF NORTHAM

#### LOCAL PLANNING SCHEME NO.6

#### AMENDMENT NO. 6

The Shire of Northam under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above local planning scheme as follows:

- 1.1 Under clause 3.3.2, after the 'P' symbol, insert the following symbol and corresponding meaning: -  
  
'I' means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme;
- 1.2 In Table 1: Zoning Table, reclassify the use class 'Caretaker's Dwelling' in the 'Commercial' and 'Mixed Use' zones from 'P' to 'I'.
- 1.3 In Table 1: Zoning Table, reclassify the use class 'Ancillary Accommodation' in the 'Mixed Use' zone from 'D' to 'X'.
- 1.4 In Table 1: Zoning Table, reclassify the use class 'Shop' in the 'Mixed Use' zone from 'X' to 'D'.
- 1.5 In Table 1: Zoning Table, delete the use class 'Park Home Park'.
- 1.6 Insert in alphabetical order, in Table 1: Zoning Table the following Land Use classes and symbols in the cross reference in the Zoning Table:
- 1.7 In Table 2: Site and Development Requirements Table (clause 4.5), with respect to the Mixed Use zone, modify the minimum boundary setback requirements from 7.5m (front), 7.5m (rear) and 4m (side) to \* (front), \* (rear) and \* (side).  
  
\* Means – to be determined by the local government in each particular case.
- 1.8 In Table 3: Car Parking Guidelines (clause 4.13), delete the following land uses and corresponding minimum car parking requirements:

- Fish Shop; and
- Public Amusement

1.9 Modify the wording of clause 4.22.3 to read as follows: -

Notwithstanding any other provisions contained in the Scheme, the local government may refuse to grant development approval for the development or use of any outbuilding on any Residential, *Rural Residential and Rural Smallholding* zoned lot which does not contain a dwelling.

1.10 Modify clause 4.24 by renumbering the existing provision subclause '4.24.1', and insert new subclauses 4.24.2 – 4.24.5 as follows: -

4.24.2 Where, in the opinion of the local government, 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, the local government may by notice in writing require the advertiser to –

- (i) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or
- (ii) remove the advertisement.

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

4.24.4 Any notice served in pursuant to clause 4.24.2 shall be served upon the advertiser and shall specify -

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

4.24.5 A person on whom notice is served under this clause may apply for a review to the State Administrative Tribunal under Part 14 of the Act against the determination of the local government.

1.11 Modify the wording of clause 4.30.4 to read as follows: -

The local government may grant temporary development approval for the temporary human habitation within an outbuilding on a Rural Residential or Rural Smallholding zoned lot for a period not exceeding 12 months if a building permit for a dwelling is concurrently in force.

- 1.12 Modify the wording of clause 4.30.5 by inserting the words 'and Rural Smallholding' after the words 'Rural Residential' to read as follows: -

In the Rural Residential and Rural Smallholding zones, a demonstrated and sustainable water supply is to be provided in accordance with Western Australian Planning Commission Policy.

- 1.13 Insert new clause 4.31 as follows:

**4.31 GENERAL APPEARANCE OF BUILDINGS AND PRESERVATION OF AMENITY**

4.31.1 Where, in the opinion of the local government, any proposed building or the erection of structures or carrying out of site works is out of harmony with existing buildings or the landscape of the locality by virtue of the design and appearance of the development, the colour or type of materials to be used on exposed surfaces, the height, bulk and massing of any building, the local government may refuse the application for development approval. The refusal can be made notwithstanding that the application may otherwise comply with the provisions of the Scheme. The local government may place conditions on any development approval granted for the proposed development to ensure that it will not have an adverse impact on the character of the area or the amenity and landscape quality of the locality.

4.31.2 In exercising its discretion under this clause, the local government shall have regard to the following when assessing any application for development approval –

- (i) the external appearance of the building and any associated structures and landscaping;
- (ii) the dimensions and proportions of the building or structure;
- (iii) the materials used in the construction of the building taking into consideration texture, scale, shape and colour;
- (iv) the effect of the building or works on nearby properties, and on the occupants of those buildings;

- (v) the effect on the landscape and environment generally; and
- (vi) any other matter which in the opinion of the local government is relevant to the amenity of the locality.

1.14 Insert new clause 4.32 as follows:

4.32 UNTIDY PLACES, DERELICT VEHICLES, MACHINERY AND OBJECTS

- 4.32.1 No land within the Scheme area shall on a permanent or regular basis be used for the purposes of storage and/or the disposal of rubbish, refuse, car bodies, industrial waste (whether liquid or solid) or any recycled materials or buildings without the written approval of the local government.
- 4.32.2 The local government may, by written notice as provided for in clause 3.25 and Schedule 3.1 of the *Local Government Act 1995* require the owner, occupier or lessee of any land to undertake such works or actions for the improvement of the conditions and visual presentation of that property to a standard commensurate with those conditions prevailing in the locality.
- 4.32.3 The local government shall not permit the storage and/or wrecking of derelict vehicles, sea containers or machinery or the storage of any materials within any zone, except the General Industry zone, if it is visible from any road or where, in the opinion of the local government, it detracts from the amenity of the locality without the written approval of the local government.
- 4.32.4 Notwithstanding clause 4.32.3, should the applicant justify the proposal, commit to suitable management and address visual impact concerns following the receipt of an application for development approval, the local government may grant approval with or without conditions.
- 4.32.5 Notwithstanding any other provision of the Scheme, the storage of disused vehicles and/or wrecking of any vehicle on private land other than land within the General Industrial zone is prohibited.

1.15 Insert new clause 4.33 as follows: -

#### 4.33 RELOCATED SECOND-HAND BUILDINGS

- 4.33.1 The local government may permit the erection of a relocated building on a lot where –
- (i) in its opinion such building is in a satisfactory condition and the design and location of the building is to the satisfaction of the local government and will not adversely affect the amenity of the locality;
  - (ii) the applicant for a building permit for the relocated building lodges a cash bond and enters into an agreement, to the satisfaction of the local government, to ensure the building achieves a standard of presentation acceptable to the local government within 12 months of the issue of the building permit; and
  - (iii) the proposal complies with the provisions of the local government's Local Planning Policies — Relocation and Use of Second-Hand Dwellings; and Transportable Structures.

1.16 Insert new clause 4.34 as follows: -

#### 4.34 HOLIDAY ACCOMMODATION USES — SHORT STAY RESTRICTIONS

- 4.34.1 No person shall occupy any holiday accommodation use, as specified in Table 1: Zoning Table for more than a total of 3 months in any 12-month period unless approved by the local government for management purposes and staff accommodation.
- 4.34.2 Notwithstanding the provisions of clause 4.34.1, the local government may permit the permanent occupancy of not more than 15% of caravan sites within a caravan park, where the applicant can demonstrate, to the satisfaction of the local government, that the primary tourist accommodation purpose of the park will not be compromised and that adequate services and facilities exist to service the permanent population.

1.17 Insert new clause 4.35 as follows: -

#### 4.35 BUSH FIRE HAZARD AND FIRE MANAGEMENT PLANS

- 4.35.1 The local government will need to be satisfied when assessing any request for rezoning, structure plan or application for development approval, where in the opinion of the local government there are bush fire risks, that development will comply with any relevant State and local government policy on bushfire protection and, where applicable, any endorsed fire management plan. In particular, the local government is to have regard to –
- (v) State Planning Policy 3.4 Natural Hazards and Disasters;
  - (vi) Guidelines for Planning in Bushfire Prone Areas or any updates;
  - (vii) any advice obtained from the Department of Fire and Emergency Services; and
  - (viii) any other planning consideration the local government considers relevant.
- 4.35.2 Bushfire Prone Areas are those areas designated by the Bushfire Prone Area Maps as designated by the Fire and Emergency Services (FES) Commissioner, which form part of the Scheme for the purposes of clause 4.35.
- 4.35.3 The Bushfire Prone Area Maps may be amended from time to time and are to be held at the local government office.
- 4.35.4 Construction and/or additions to habitable buildings throughout the municipality in areas classified as Bush Fire Prone, irrespective of whether or not a development approval of the local government is required, will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia and Australian Standard 3959—2009 (or any updates).
- 4.35.5 If an owner disputes their land's identification within a designated Bush Fire Prone Area, that owner may request in writing that the local government reconsider that identification. Supporting documentation is to be provided from a suitably qualified and/or experienced practitioner to address the requirements of the *Guidelines for Planning in Bushfire Prone Areas* (or any updates).
- 4.35.6 On receiving a request made under clause 4.35.5, the local government may determine that the land is not within a designated Bush Fire Prone area; or determine that the



land's identification within a designated Bush Fire Prone Area is correct.

4.35.7 Applications for the construction and/or addition to habitable buildings within Bushfire Prone Areas are to be accompanied by a report from a suitably qualified and/or experienced practitioner, which is to identify the Bushfire Attack Level (BAL) in accordance with the requirements of the Guidelines for Planning in Bushfire Prone Areas (or any updates). The BAL level will inform the application of AS3959.

4.35.8 The landowner will be responsible for permanent hazard reduction measures to maintain the identified BAL.

4.35.9 The local government may impose conditions to reduce bush fire risk to people and/or property including –

- (i) the provision of a fire fighting water supply;
- (ii) the provision of fire services access;
- (iii) the preparation of a Fire Management Plan in accordance with the Guidelines for Planning in Bushfire Prone Areas (or any updates), and implementation of specific fire protection measures set out in the plan; and
- (iv) the implementation of measures to ensure that prospective purchasers are aware of the relevant scheme provisions, Fire Management Plan and publications addressing fire safety.

4.35.10 Where a Fire Management Plan has been endorsed by the Department of Fire and Emergency Services and/or the local government, through the planning process, the affected landowners will be responsible for the ongoing implementation of the 'landowners' responsibilities' section as specified in that Fire Management Plan.

18. Insert new clause 4.36 as follows: -

#### 4.36 TELECOMMUNICATIONS INFRASTRUCTURE

4.36.1 An application for development approval from the local government is required for the development of all telecommunications infrastructure (overhead cabling telecommunications towers, radio communications dishes, etc.) excluding those listed in the Telecommunications

Low Impact Facilities Determination 1997 and subsequent Amendments to that Determination.

- 4.36.2 Applications for the development approval for telecommunications infrastructure shall be accompanied by plans and information required for applications for development approval under Part 7 of the deemed provisions and will be considered in relation to the following -
- (i) consistency with the objective and purpose of the zone or reserve;
  - (ii) social and economic benefits of the proposal;
  - (iii) the impact of the proposal on the landscape, heritage and environmental values of the locality;
  - (iv) coordination with other services; and
  - (v) any relevant Local Planning Policy adopted by the local government.

1.19 Insert new clause 4.37 as follows: -

#### 4.37 PROVISIONS AND CONTRIBUTIONS FOR SERVICES AND FACILITIES

- 4.37.1 Where, in the opinion of the local government and/or the Commission, there will be a demand for the provision of services or facilities as a consequence of the carrying out of development or subdivision of land, then, subject to the provisions of clause 4.37.2 below, the local government may impose as a condition of development approval for that development and the Commission may impose as a condition of subdivision approval a requirement for the provision of those services and facilities or the making of a monetary contribution in lieu of such provision.
- 4.37.2 A condition for development approval for development referred to in clause 4.37.1 may only be imposed where the payment of the contribution is-
- (i) provided for in a Structure Plan endorsed by the Commission;
  - (ii) provided for in an adopted Commission Policy including Appendix 1 of State Planning Policy 3.6 and as relevant Council's adopted policies relating to road upgrading, drainage and associated standard development contribution;
  - (iii) set out in a Development Contribution Plan (clause 5.6 and Schedule 9 of the Scheme).

1.20 Insert new clause 4.38 as follows: -

4.38 HOME OFFICE, HOME OCCUPATION AND HOME BUSINESS

4.38.1 Development approval is not required to conduct a home office as defined in the Scheme.

4.38.2 Where the local government issues a development approval to conduct a home occupation or a home business, the approval relates to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted.

4.38.3 If in the opinion of the local government, a home occupation or home business is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may rescind the approval.

4.38.4 A development approval to conduct a home occupation or home business may be issued subject to an annual permit which may be renewed by application to the local government for development approval.

1.21 Under Schedule 1 'Dictionary of defined words and expressions, subclause 2 'land use definitions', insert in alphabetical order the following new definitions:

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

"Art Gallery" means premises —

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

"Bulky Goods Showroom" means premises —

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —
  - (i) automotive parts and accessories;
  - (ii) camping, outdoor and recreation goods;
  - (iii) electric light fittings;
  - (iv) animal supplies including equestrian and pet goods;
  - (v) floor and window coverings;
  - (vi) furniture, bedding, furnishings, fabrics, Manchester and homewares;

- (vii) household appliances, electrical goods and home entertainment goods;
- (viii) party supplies;
- (ix) office equipment and supplies;
- (x) babies' and children's goods, including play equipment and accessories;
- (xi) sporting, cycling, leisure, fitness goods and accessories;
- (xii) swimming pools;

or

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

“Commercial Vehicle Parking” means premises used for parking of one or 2 commercial vehicles but does not include —

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

or

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

“Garden Centre” means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

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

“Industry - Primary Production” means premises used —

- (a) to carry out a primary production business as that term is defined in the Income Tax Assessment Act 1997 (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses;

“Liquor Store – Large” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of more than 300 m<sup>2</sup>;

“Liquor Store – Small” means premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of not more than 300 m<sup>2</sup>;

“Small Bar” means premises the subject of a small bar licence granted under the Liquor Control Act 1988;

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

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government;

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

“Waste Disposal Facility” means premises used —

- (a) for the disposal of waste by landfill; or
- (b) the incineration of hazardous, clinical or biomedical waste;

“Waste Storage Facility” means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

1.22 In Schedule 7 ‘Rural Residential Zones’, modify the permissibility of uses (where currently not permitted – ‘X’) to permit ‘Ancillary Accommodation’ as a ‘D’ (discretionary) use in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, R26 and RR27.

1.23 In Schedule 7 ‘Rural Residential Zones’, modify the permissibility of uses (where currently not permitted – ‘X’) to permit ‘Family Day Care’ as an ‘A’ (discretionary, subject to advertising) in RR2, RR3, RR4, RR6, RR8, RR11, RR12, RR13, RR15, RR24, RR25, R26 and RR27.

- 1.24 In Schedule 8 'Rural Smallholding Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Ancillary Accommodation' as a 'D' (discretionary) use in RSH1.
- 1.25 In Schedule 8 'Rural Smallholding Zones', modify the permissibility of uses (where currently not permitted – 'X') to permit 'Family Day Care' as an 'A' (discretionary, subject to advertising) in RSH1.
- 1.26 Under Part 5 (Special Control Areas), insert the following text under clause 5.1.1: -
- “8. SCA8 – Structure Plan Areas”
- 1.27 Under Part 5 (Special Control Areas), insert the following special control area provisions: -

#### 5.9 Structure Plan Areas (SCA8)

5.9.1 Structure Plan Areas are shown on the Scheme Map as SCA8 with a number. A Schedule of these areas is set out in Schedule 10.

5.9.2 For the purpose of clause 5.9, unless the context otherwise requires;

“Proponent” means any owner or owners of land to which the Proposed Structure Plan relates that has or have submitted that Proposed Structure Plan.

“Proposed Structure Plan” means a Structure Plan which may apply to either a local area or a district that has been prepared in accordance with clause Part 4 of the deemed provisions.

“Structure Plan” means a proposed Structure Plan that has been approved by the Commission under clause 22(a) of the deemed provisions.

#### 5.9.3 Purpose

The purpose of Structure Plan Areas Special Control Area is to:-

- (a) To identify areas requiring comprehensive structure planning prior to subdivision and development; and
- (b) To coordinate subdivision, land use and development in areas requiring comprehensive planning.

#### 5.9.4 Planning requirements

- a) The local government requires a Structure Plan for a Structure Plan Area, or for any part or parts of a Structure Plan Area, before recommending subdivision or approving development of land within the Structure Plan Area.
- b) The local government may require a Structure Plan to be prepared for any land not within a Structure Plan Area where it can be demonstrated that the land requires substantial pre-planning before decisions are made with respect to its use, subdivision or development and the provisions of the foregoing clauses shall apply as relevant to the preparation of any such plan.
- c) Notwithstanding clause 5.9.4 a), the local government may approve a development or support a subdivision of the land in a manner that is consistent with the objectives of the underlying zone without requiring such a Structure Plan where, in its opinion, the proposal is of a minor nature, will not adversely affect the future subdivision or development of the land and where it can be demonstrated that it does not conflict with the future land use expectation of the Structure Plan Area.
- d) Where a Structure Plan exists, the subdivision and development of land is to generally be in accordance with the Structure Plan and any associated provisions contained in Schedule 10.
- e) The Commission may, as a condition of adopting or approving a Proposed Structure Plan, require a more detailed Structure Plan in future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the Proposed Structure Plans.
- f) Schedule 10 describes the Structure Plan Area in more detail and sets out the land use expectations, matters to be addressed and associated provisions for Structure Plans.

#### 5.9.5 Preparation of Structure Plans

- a) A Structure Plan must be prepared in a manner and form approved by the Commission in accordance with the provisions of clause 16 of the deemed provisions.
- b) A Structure Plan may with the agreement of the Commission after consultation with the local government, be prepared and implemented in stages.

#### 5.9.6 Operation of Structure Plan

- a) A Structure Plan commences operation on the date it is adopted by the Commission.
- b) A Structure Plan may distinguish between the provisions, requirements or standards which are intended to have effect as if included in the scheme, and any provisions, requirements which are only for guidance or such other purposes as stipulated in the Structure Plan.



**ADOPTION**

Adopted by resolution of the Council of the Shire of Northam at the Meeting of the Council held on the 20<sup>th</sup> day of April 2016.

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SHIRE PRESIDENT

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CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Approval

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DELEGATED UNDER S.16 OF  
THE PD ACT 2005

DATE.....

Approval Granted

.....

MINISTER FOR PLANNING

DATE.....