



Shire of Northam

Local Planning Scheme No. 6

Amendment No. 20

To reclassify Part Lot 600 on Deposited Plan 427356 from “Public Purposes: Church” to “Residential” zone R30 and to include ‘tourist accommodation’ as an additional use

Form 2A
Planning and Development Act 2005
RESOLUTION TO PREPARE OR ADOPT AMENDMENT
TO LOCAL PLANNING SCHEME

Shire of Northam Local Planning Scheme No. 6
Amendment No. 20

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Reclassifying Part Lot 600 on Deposited Plan 427356 from “Public Purposes: Church” to “Residential” R30.
2. Inserting into Schedule 2 (Additional Uses) the following text:

No.	Description of Land	Additional Use	Conditions
12	Lot 600 on Deposited Plan 427356	Tourist Accommodation ('A)	<ol style="list-style-type: none">1. All development on the land shall be subject to an application for Development Approval.2. All development and use shall be in accordance with an plans, conditions and management requirements approved by the local government.3. No alterations or extensions to the land use shall be undertaken without the approval of the local government.

3. Amending Schedule 1, clause 2 'land use definitions' as follows:
 - a. Amending the existing land use term for 'roadhouse' by deleting paragraph (d) and inserting:
 - (d) *accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*
4. Amend the Scheme Map, accordingly.

Dated this 21 day of August 2024


CHIEF EXECUTIVE OFFICER

SCHEME AMENDMENT REPORT

LOT 600 on Deposited Plan 427356 (185 Wellington Street West), Northam

SCHEME AMENDMENT No. 20

SHIRE OF NORTHAM LOCAL PLANNING SCHEME NO. 6 AMENDMENT REQUEST REPORT

Prepared by:

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JULY 2024

CONTENTS

1.0 EXECUTIVE SUMMARY

2.0 INTRODUCTION

3.0 LOCATION & SITE DETAILS

4.0 SCHEME AMENDMENT PROPOSAL

4.1 Amendment specifications

4.2 Rationale in support of amendment

5.0 STRATEGIC & STATUTORY FRAMEWORK

5.1 Local Planning Context

5.1.1 Local Planning Scheme No. 6

5.1.2 Shire of Northam Local Planning Strategy

5.2 Other Planning Considerations

5.2.1 Utility Services

5.2.2 Roads

6.0 CONCLUSION

Annexures

Annexure 1: Certificate of Title

Annexure 2: Deposited Plan

Annexure 3: Artist Impression – future development

Figures

Figure 1 Location Plan

1.0 EXECUTIVE SUMMARY

The purpose of this Scheme Amendment to the Shire of Northam Local Planning Scheme No.6 (LPS6) is to reclassify Part Lot 600 on Deposited Plan 427356 (185 Wellington Street West) in Northam from “Public Purposes: Church” local scheme reserve to “Residential” local scheme zone R30 with ‘tourist accommodation’ as an additional use in Schedule 2 of LPS6.

The proponents’ justification in support of the Scheme Amendment is summarised as follows:

- The proposal would be consistent with the orderly and proper planning of the locality;
- The proposal would benefit from existing road services, physical service infrastructure and urban facilities in Northam townsite;
- The proposal would provide for much needed tourism development and associated uses in Northam townsite such as short stay tourist accommodation, and preserve and integrate as part of the future tourist development of the site, a Category 2 Heritage Item listed in the Shire’s Municipal Heritage Inventory; and
- The use of the site for tourist-related land uses and a restaurant would not have any undue adverse effect on –
 - the occupiers and users of the development;
 - the properties in, or the inhabitants of the locality; or
 - the likely future development of the locality.

The proponents therefore seek the Council of the Shire of Northam’s favourable consideration of the proposed Scheme Amendment.

For the purposes of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed Scheme Amendment, Shire of Northam Scheme Amendment No. 20, is a ‘Standard’ Scheme Amendment.

2.0 INTRODUCTION

The proponents, Phaps Pty Ltd, own Lot 600 on Deposited Plan 427356 (the subject site) and lodges this request, seeking the Council of the Shire of Northam's support to amend *Shire of Northam Local Planning Scheme No. 6* (LPS6) by reclassifying that part of the subject site currently classified "Public Purposes: Church" local scheme reserve to "Residential" zone R30, and by amending the Scheme map accordingly.

Existing development on the site comprises the former St James Anglican Church building, constructed in 1911 and listed on the Shire's Municipal Heritage Inventory with a Category 2 level of significance (i.e., 'considerable significance'), including a residential dwelling and associated outbuilding (zoned Residential R30). The St James parish, however, amalgamated with the St John Anglican parish located at 11 Wellington Street East as a larger church was needed. Since that time, and despite the premises being identified as a local reserve for "church" purposes on the Shire's local planning scheme map, the church building has not been utilised as a place of worship.

The proponents acquired the property with the intention of redeveloping it for tourism and related purposes (a restaurant), while also aiming to preserve and incorporate the existing church building within the new development's design.

The purpose of this report is to provide the Shire with sufficient information to initiate an amendment to LPS6 in order to reclassify Part Lot 600 from "Public Purposes: Church", to "Residential" zone R30, to insert into Schedule 2 of the Scheme 'tourist accommodation' as an additional use, and to amend the Scheme Map accordingly.

The Shire Administration's assessment of this proposal is sought and following a supportive report to the Council of the Shire of Northam for initiation, the formal Scheme Amendment documents and further information (if required) will be provided.

3.0 LOCATION & SITE DETAILS

The subject land is described as Lot 600 on Deposited Plan 427356. A copy of the Deposited Plan is attached.

The land is described as follows (refer **Annexure 1**):

Land Description	Registered Proprietor	Volume	Folio	Size
Lot 600 on Deposited Plan 427356	Phaps Pty Ltd of PO Box 93 Mount Lawley WA 6050	4051	991	3,691m ²

The lot is located on the southwestern corner of Wellington Street West and Morrell Street in the series of properties bounded by Wellington Street West (north), Morrell Street (east), Croke Avenue (south), and Habgood Street (west). Refer **Figure 1 – Location Plan**.



Figure 1 – Location Plan (Source: DPLH – PlanWA)

The site gradually slopes from south to north.

Existing development on the subject land comprises the former St James Anglican Church building built in 1911, denoted on the Shire's Municipal Heritage Inventory with Category 2

level of significance (i.e., ‘considerable significance’), disused tennis court, and an existing residential dwelling and associated outbuilding. As part of the redevelopment of the site, the former church building will be retained, renovated and adapted for use as a boutique restaurant and to craft small-batch artisanal spirits. The existing dwelling and outbuilding will be demolished to make way for a variety of 22 purpose-built short-term accommodation units (this will be the predominant use of the land) and associated parking. 15 units will be motel-style accommodation, 5 X one-bedroom self-contained units, and 2 X 2-bedroom self-contained accommodation units.

The subject site has the following locational attributes:

- The land is located in close proximity of ‘The Rec Northam’ (formerly known as the Dukes Inn) on Duke Street and zoned ‘Commercial’;
- The site has access to all urban infrastructure services; and
- The site is conveniently located, highly accessible and is approximately one minutes’ drive from shopping and other commercial facilities in Northam townsite;

4.0 SCHEME AMENDMENT PROPOSAL

4.1 AMENDMENT SPECIFICATIONS

Proposed Scheme Amendment No. 20 seeks to amend *Shire of Northam Local Planning Scheme No. 6* (LPS6) by reclassifying Part Lot 600 on Deposited Plan 427356 (#185 Wellington Street, Northam) from “Public Purposes: Church” local scheme reserve to “Residential” zone R30 with ‘tourist accommodation’ as an additional use in Schedule 2, and by amending the Scheme map accordingly.

4.2 RATIONALE IN SUPPORT OF AMENDMENT

The proposed reclassification of the site from “Public Purposes: Church” to “Residential” zone R30 zoning, with an additional use class ‘tourist accommodation’ is consistent with the objectives outlined in the Shire’s Local Planning Scheme No. 6. The subject site is strategically located within close proximity to existing tourism-related developments, shopping centres, and urban facilities, making it ideal for a tourism-focused land use. The adaptive reuse of the heritage-listed church building for a boutique restaurant and small-batch artisanal spirits production aligns with the preservation and enhancement of the Shire’s historical and cultural assets, thereby enriching the local tourism experience.

The rezoning, configured to also accommodate *inter alia* tourist accommodation as an additional use, will allow for the development of purpose-built short-term accommodation units, catering to the increasing demand for diverse lodging options in the Northam region. By providing 15 motel-style units, 5 one-bedroom self-contained units, and 2 two-bedroom self-contained units, the proposal addresses various accommodation preferences, enhancing the Shire's attractiveness to a broader range of visitors. This diversification of accommodation options is in line with the objective of promoting tourism opportunities that complement the existing natural and man-made features of the Shire.

Moreover, the proposed development supports the Shire’s goals of encouraging tourism activities that benefit from existing infrastructure and services. The site’s accessibility to the existing road network and urban amenities ensures that the development can leverage existing physical service infrastructure efficiently. This not only maximises the site's potential but also aligns with sustainable development principles by utilising already established urban facilities and reducing the need for additional infrastructural investments.

The inclusion of ancillary services, such as the boutique restaurant, within the development enhances the overall tourism offering and provides value-added services to visitors. This holistic approach to tourism development ensures that the site will not only serve as a place of accommodation but also as a destination in itself, fostering longer visitor stays and increased economic activity in the local area.

5.0 STRATEGIC & STATUTORY FRAMEWORK

5.1 LOCAL PLANNING CONTEXT

5.1.1 Local Planning Scheme No. 6 (LPS 6)

The subject land is classified “Public Purposes: Church” Local Scheme Reserve and zoned “Residential” R30 by LPS 6.

The provisions of Part 2 (Reserves) and Part 4 (General Development Requirements), clause 4.2 (Residential Design Codes) in LPS 6 apply to the land.

Scheme Amendment No. 20 proposes to amend LPS 6 by reclassifying that part of Lot 600 on Deposited Plan 427356 (#185 Wellington Street, Northam) currently classified “Public Purposes: Church” local scheme reserve to “Residential” zone R30, adding ‘tourist accommodation’ as an additional use in Schedule 2, and by amending the Scheme map accordingly.

The objectives of the Tourist zone in the Scheme are to –

- *Promote and provide for tourism opportunities on strategically located tourism sites in and around the Northam, Wundowie, Bakers Hill and Clackline townsites that will complement the existing natural and man-made features of the Shire.*
- *Encourage the location of tourist activities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.*
- *Provide for tourism development and uses associated with tourism development, including retailing and service facilities where such facilities are an integral part of the development and are of a scale appropriate to the needs of the development.*
- *Ensure that short stay tourist and holiday accommodation are the predominant uses in this zone.*

Tourist accommodation is defined in the Scheme as ...accommodation specifically catering for tourists such as chalets, farm stay, guesthouses and similar but does not include a hotel, motel or caravan park, and which is not to be occupied by a person for more than 3 months in a 12 month period.

Restaurant in the Scheme is defined as ...premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the Liquor Control Act, 1988;

5.1.2 Shire of Northam Local Planning Strategy

The Shire's Local Planning Strategy (LPS) 2013 acknowledges that tourism is a growing contributor to the Shire's local economy due to its close proximity to the Perth Metropolitan Region and has significant potential to play an important role in the future economic development and growth of the Shire, further noting that Northam is being promoted as a '*Heritage, Commerce and Lifestyle*' centre with tourism focused on three key areas and their associated attractions:

- Adventure tourism;
- Events tourism; and
- Heritage tourism.

Key strategies under the tourism umbrella in the LPS are to –

- Promote further development and diversification of tourism in the Shire by providing infrastructure support to encourage investment in tourism infrastructure and services.
- Make investment in tourism an attractive and simple proposition by recognising tourism as a legitimate land use compatible with a range of existing land uses. [emphasis added]
- Ensure that due consideration is given to protecting the natural environment and cultural heritage places and values in planning for tourism development.
- Ensure that all future tourism development is appropriately located so as to minimise the potential for any land use conflicts and/or any detrimental impacts upon the natural environment or buildings and places of heritage significance. [Emphasis added]

5.2 Other Planning Considerations

5.2.1 Utility Services

The subject land is connected to telecommunications, reticulated power, scheme water and sewer services.

5.2.2 Roads

The site has frontage to Wellington Street West (north), Morrell Street (east), and Croke Avenue (south). These roads are under the maintenance, care, and control of the Shire of Northam.

6.0 CONCLUSION

The information and justification provided in this report is submitted to support the amendment of Shire of Northam Local Planning Scheme No. 6 to:

- Reclassify Part Lot 600 on Deposited Plan 427356 (185 Wellington Street West) in Northam from “Public Purposes: Church” local scheme reserve to “Residential” local scheme zone R30;
- Insert into Schedule 2 (Additional Uses) the use class ‘tourist accommodation’; and
- Amend the Scheme Map accordingly.

It is considered the proposed Scheme Amendment is a forward-thinking and strategically sound initiative that aligns with the Shire of Northam’s Local Planning Strategy and broader planning objectives. The adaptation and preservation of the heritage-listed church for a boutique restaurant and artisanal spirits production, alongside the development of short-term accommodation units, will significantly enhance the Shire’s tourism infrastructure. This proposal supports the Shire’s vision of promoting tourism opportunities that complement its unique natural and cultural assets, thereby fostering economic growth and community development.

Given the site's strategic location, existing heritage value, and the comprehensive nature of the proposed development, Scheme Amendment No. 20 presents a significant opportunity to boost local tourism, preserve cultural heritage, and provide high-quality, diverse accommodation options. The Shire of Northam and the Western Australian Planning Commission are urged to support this rezoning proposal, recognizing its potential to contribute positively to the region’s economic vitality and cultural richness.

Based on the information and justification provided in this report the proponents respectfully request that the Council of the Shire of Northam initiates, and the Western Australian Planning Commission supports Scheme Amendment No. 20 to Shire of Northam Local Planning Scheme No. 6 to reclassify Part Lot 600 on Deposited Plan 427356 from “Public Purposes: Church” local scheme reserve to “Residential” local scheme zone R30, inserting into Schedule 2 (Additional Uses) ‘tourist accommodation’, and by amending the Scheme map accordingly.

ANNEXURES

ANNEXURE 1
CERTIFICATE OF TITLE

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

4051

991

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 600 ON DEPOSITED PLAN 427356

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

PHAPS PTY LTD OF PO BOX 93 MOUNT LAWLEY WA 6050

(AF P968468) REGISTERED 29/4/2024

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP427356
PREVIOUS TITLE: 317-20, 1363-869
PROPERTY STREET ADDRESS: 185 WELLINGTON ST WEST, NORTHAM.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF NORTHAM

ANNEXURE 2
DEPOSITED PLAN

Plan Information

Tenure Type	Freehold
Plan Type	Deposited Plan
Plan Purpose	Subdivision

Plan Heading

LOTS 600

Locality and Local Government

Locality	NORTHAM
Local Government	SHIRE OF NORTHAM

Planning Approval

Planning Authority	Western Australian Planning Commission
Reference	163642

Survey Details

Survey Method	Compiled
Compiled From Field Records	
Compiled From Plans	P4110
Compiled From Titles	
Declared as Special Survey Area	No

Survey Certificate - Regulation 4 Compiled Plan

I hereby certify that this compiled plan -
(a) is a correct and accurate representation of the survey(s) of the subject land; and
(b) is in accordance with the relevant law in relation to which it is lodged.

MARK CAMERON SPENCER Licensed Surveyor	Date
---	------

Survey Organisation

Name	F.M. SURVEYS
Address	DUNCRAIG 6023
Phone	0400 781 694
Fax	
Email	mark@fmsurveys.com.au
Reference	1933

Former Tenure

New Lot / Land	Parent Plan Number	Parent Lot Number	Title Reference	Parent Subject Land Description
600	P4110	LOT 95	1363-869	
	P4110	LOT 96	317-20	
	P4110	LOT 97	317-20	



ADDITIONAL SHEETS
ENDORSEMENT SHEET

SHEET
1 OF 2 SHEETS

VERSION NUMBER
1

DEPOSITED PLAN
427356



SCALE 1:500 @ A3
5 0 25
ALL DISTANCES ARE IN METRES



ADDITIONAL SHEETS
ENDORSEMENT SHEET

SHEET 2 OF 2 SHEETS

VERSION NUMBER
1

DEPOSITED PLAN
427356

**ANNEXURE 3 PERSPECTIVE
DRAWINGS DEPICTING
FUTURE DEVELOPMENT**

Perspective Drawings of future development – Lot 600 on DP 427356: Drawing 1 –aerial view from Wellington Street West



Perspective Drawings of future development – Lot 600 on DP 427356: Drawing 2 – aerial view from Wellington Street West (NW)



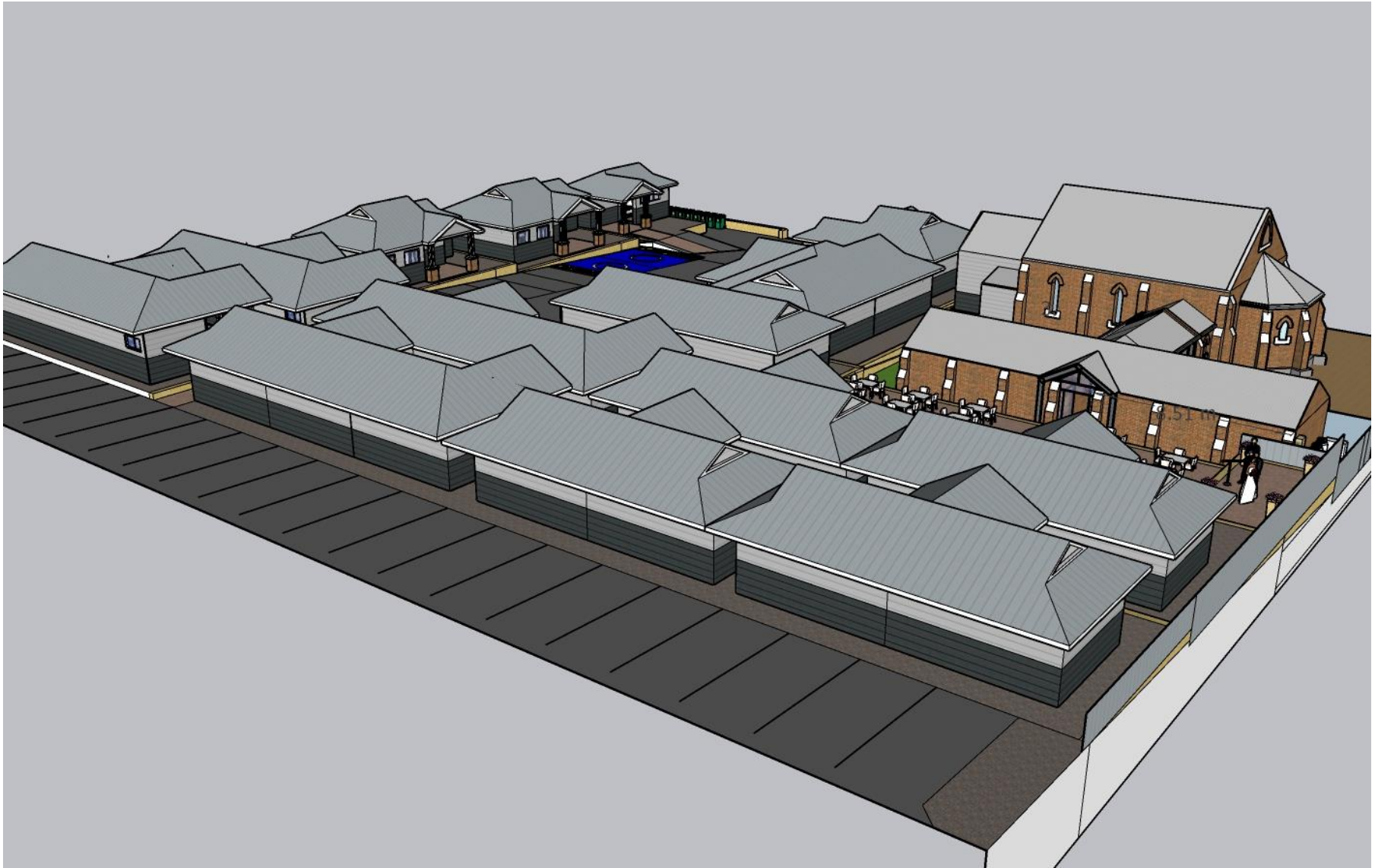
Perspective Drawings of future development – Lot 600 on DP 427356: Drawing 3 – aerial view from Croke Avenue (SW)



Perspective Drawings of future development – Lot 600 on DP 427356: Drawing 4 – aerial view from c/r Wellington Street & Morrell Street (NE)



Perspective Drawings of future development – Lot 600 on DP 427356: Drawing 5 – aerial view c/r Morrell Street & Croke Avenue (SE)

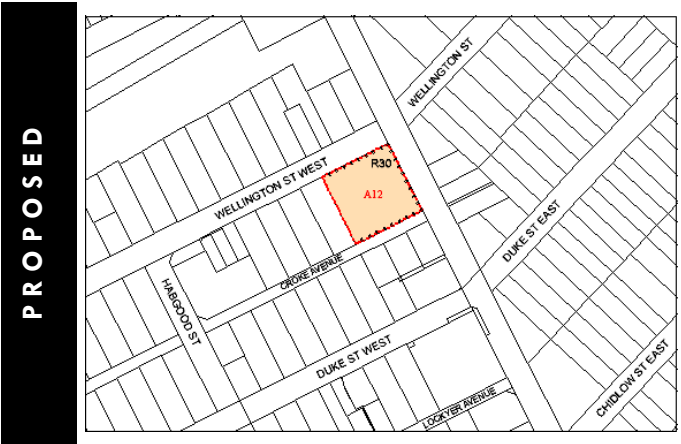
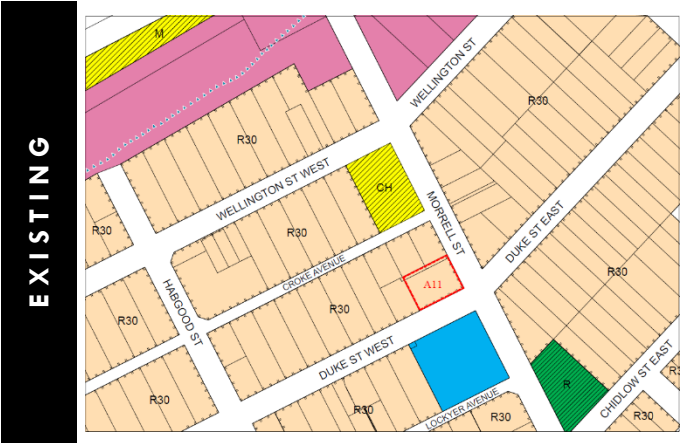


Perspective Drawings of future development – Lot 600 on DP 427356: Drawing 6 – street view from Wellington Street West



SCHEME AMENDMENT DOCUMENTS

PROPOSED SCHEME AMENDMENT NO. 20






LEGEND

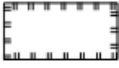



LOCAL SCHEME RESERVES

-  Parks and Recreation: Parks
-  Public Purposes: Church
-  Public Purposes: Museum

LOCAL SCHEME ZONES

-  Commercial
-  Mixed Use
-  Residential

OTHER CATEGORIES
(see scheme text for additional information)

-  R20 R Codes
-  A1 Additional Uses
-  Avon and Mortlock Rivers Special Control Area
-  No Zone

Planning and Development Act 2005
RESOLUTION TO AMEND LOCAL PLANNING SCHEME
Shire of Northam Local Planning Scheme No. 6
Amendment No. 20

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1. Reclassifying Part Lot 600 on Deposited Plan 427356 from “Public Purposes: Church” to “Residential” R30.
2. Inserting into Schedule 2 (Additional Uses) the following text:

No.	Description of Land	Additional Use	Conditions
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3. Amending Schedule 1, clause 2 'land use definitions' as follows:
 - a. Amending the existing land use term for 'roadhouse' by deleting paragraph (d) and inserting:
 - (d) *accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*
4. Amend the Scheme Map, accordingly.

The amendment is standard under the provisions of the *Planning and Development Act (Local Planning Schemes) Regulations 2015* for the following reason(s):

- (a) It is generally consistent with the objectives of the Local Planning Strategy;
- (b) Is anticipated to have minimal impact on surrounding land; and
- (c) Is anticipated to have no significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this 21st day of August 2024

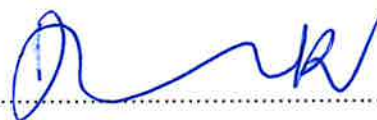

CHIEF EXECUTIVE OFFICER

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Northam at the Ordinary Meeting of the Council held on the 21 day of August, 2024.

**SHIRE PRESIDENT****CHIEF EXECUTIVE OFFICER****COUNCIL RESOLUTION TO ADVERTISE**

By resolution of the Council of the Shire of Northam at the Ordinary Meeting of the Council held on the 21 day of August, 2024, proceed to advertise this Amendment.

**SHIRE PRESIDENT****CHIEF EXECUTIVE OFFICER**

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the Shire of Northam at the Ordinary Meeting of the Council held on the _____ day of _____, 20____ and the Common Seal of the Shire of Northam was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
**DELEGATED UNDER S.16 OF
THE P&D ACT 2005**

DATE

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE