

2018



SHIRE OF EXMOUTH

Attachments

Ordinary Council Meeting – 24 May 2018



PART 6: MEETING ATTENDANCE FEES

This Part deals with fees payable to council members for attendance at council meetings and meetings as set out in section 5.98(1) and (2A) of the LG Act and regulation 30(3A) of the LG Regulations.

In particular it deals with fees for attendance at the following meetings –

- (a) council meetings;*
- (b) council committee meetings;*
- (c) Western Australian Local Government Association (WALGA) Zone meetings;*
- (d) Main Roads Western Australia Regional Road Group meetings*
- (e) regional local government meetings where an elected council member is deputising;*
- (f) meetings attended at the request of a Minister of the Crown;*
- (g) meetings where an elected council member is a delegate of the council.*

6.1 GENERAL

- (1) Pursuant to section 5.98(1)(b) of the LG Act, a council member who attends a council meeting is entitled to be paid the fee set by the local government or the regional local government within the range determined in section 6.2 of this Part for council meeting attendance fees.
- (2) Pursuant to section 5.98(1)(b) and (2A)(b) of the LG Act, a council member who attends a committee meeting or (at the request of the local government or regional local government) a meeting of a type prescribed in regulation 30(3A) of the LG Regulations is entitled to be paid the fee set by the local government or regional local government within the range determined in section 6.3 of this Part for attending committee meetings or, as the case requires, meetings of that type.
- (3) Each of the following meetings is a type of meeting prescribed in regulation 30(3A) of the LG Regulations -
 - (a) meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;

- (b) meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government;
 - (c) council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;
 - (d) meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;
 - (e) meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.
- (4) Pursuant to section 5.99 of the LG Act, a local government or regional local government may decide by an absolute majority that instead of paying council members an attendance fee referred to in section 5.98(1) of the LG Act, it will pay all council members who attend council or committee meetings a fee set within the range for annual fees determined in section 6.4 of this Part.
- (5) Regulation 30(3C) of the LG Regulations prevents the payment of a fee to a council member for attending a meeting of a type prescribed in regulation 30(3A) of those regulations if –
- (a) the person who organises the meeting pays the council member a fee for attending the meeting; or
 - (b) the council member is paid an annual fee in accordance with section 5.99 of the LG Act; or
 - (c) the council member is deputising for a council member at a meeting of a regional local government and the member of the regional local government is paid an annual fee in accordance with section 5.99 of the LG Act.
- (6) In determining the fees set out in this Part, the Tribunal has taken into account a range of factors including –
- (a) the time required to prepare adequately for the meetings including consideration of agenda papers, site visits related to agenda items and consultation with council staff and community members;

- (b) the role of the council member, mayor or president including, but not limited to, representation, advocacy, and oversight and determination of policy and local legislation;
 - (c) particular responsibilities associated with the types of meetings attended;
 - (d) responsibilities of a mayor, president or chairman to preside over meetings; and
 - (e) the relative “size” of the local government as reflected in the Tribunal’s local government banding model.
- (7) The Tribunal has not determined a specific meeting attendance fee for the purposes of section 5.98(1)(a) or (2A)(a) of the LG Act.

6.2 COUNCIL MEETING ATTENDANCE FEES – PER MEETING

- (1) The ranges of fees in Table 4 and Table 5 apply where a local government or regional local government decides by an absolute majority to pay a council member a fee referred to in section 5.98(1)(b) of the LG Act for attendance at a council meeting.

Table 4: Council meeting fees per meeting – local governments

Band	For a council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$609	\$785	\$609	\$1,177
2	\$369	\$576	\$369	\$772
3	\$191	\$406	\$191	\$628
4	\$90	\$236	\$90	\$485

Table 5: Council meeting fees per meeting – regional local governments

	For a council member other than the chairman		For a council member who holds the office of chairman	
	Minimum	Maximum	Minimum	Maximum
All regional local governments	\$90	\$236	\$90	\$485

6.3 COMMITTEE MEETING AND PRESCRIBED MEETING ATTENDANCE FEES – PER MEETING

- (1) The ranges of fees in Table 6 and Table 7 apply where a local government or regional local government decides to pay a council member a fee referred to in –
- (a) section 5.98(1)(b) of the LG Act for attendance at a committee meeting; or
 - (b) section 5.98(2A)(b) of the LG Act for attendance at a meeting of a type prescribed in regulation 30(3A) of the LG Regulations.

Table 6: Committee meeting and prescribed meeting fees per meeting – local governments

For a council member (including the mayor or president)		
Band	Minimum	Maximum
1	\$305	\$392
2	\$184	\$288
3	\$96	\$203
4	\$45	\$118

Table 7: Committee meeting and prescribed meeting fees per meeting – regional local governments

For a council member (including the chairman)		
	Minimum	Maximum
All regional local governments	\$45	\$118

6.4 ANNUAL ATTENDANCE FEES IN LIEU OF COUNCIL MEETING, COMMITTEE MEETING AND PRESCRIBED MEETING ATTENDANCE FEES

- (1) The ranges of fees in Table 8 and Table 9 apply where a local government or regional local government decides by an absolute majority that, instead of paying council members an attendance fee referred to in section 5.98 of the LG Act, it will pay all council members who attend council, committee or prescribed meetings an annual fee.

Table 8: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – local governments

Band	For a council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$24,360	\$31,364	\$24,360	\$47,046
2	\$14,718	\$23,000	\$14,718	\$30,841
3	\$7,612	\$16,205	\$7,612	\$25,091
4	\$3,553	\$9,410	\$3,553	\$19,341

Table 9: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – regional local governments

	For a council member other than the chairman		For a council member who holds the office of chairman	
	Minimum	Maximum	Minimum	Maximum
All regional local governments	\$1,777	\$10,455	\$1,777	\$15,682

**PART 7: ANNUAL ALLOWANCE FOR A MAYOR, PRESIDENT, CHAIRMAN,
DEPUTY MAYOR, DEPUTY PRESIDENT AND DEPUTY CHAIRMAN**

This Part deals with annual allowances payable to mayors, presidents, chairmen and their deputies in addition to any entitlement to meeting attendance fees or the reimbursement of expenses pursuant to section 5.98 of the LG Act.

In particular, this Part deals with –

- (a) the entitlement of a mayor, president or chairman to an additional allowance; and*
- (b) the discretion of a local government or regional local government to pay an additional allowance to a deputy mayor or deputy president or deputy chairman.*

7.1 GENERAL

- (1) Pursuant to section 5.98(5) of the LG Act, the mayor or president of a local government and the chairman of a regional local government are entitled, in addition to any fees or reimbursement of expenses payable under section 5.98(1) or (2), to be paid the annual allowance set by the local government or regional local government within the range determined in section 7.2 of this Part.
- (2) Pursuant to section 5.98A(1) of the LG Act, a local government or regional local government may decide by an absolute majority to pay the deputy mayor or deputy president of the local government, or the deputy chairman of the regional local government, an allowance of up to the percentage that is determined by the Tribunal of the annual allowance to which the mayor or president of the local government, or the chairman of the regional local government, is entitled under section 5.98(5) of the LG Act. That percentage is determined in section 7.3 of this Part. This allowance is in addition to any fees or reimbursement of expenses payable to the deputy mayor, deputy president or deputy chairman under section 5.98 of the LG Act.
- (3) In determining the allowances set out in this Part, the Tribunal has taken into account a range of factors including the following –
 - (a) the leadership role of the mayor, president or chairman;
 - (b) the statutory functions for which the mayor, president or chairman is accountable;
 - (c) the ceremonial and civic duties required of the mayor, president or chairman, including local government business related entertainment;

- (d) the responsibilities of the deputy mayor, deputy president or deputy chairman when deputising;
- (e) the relative “size” of the local government as reflected in the Tribunal’s local government banding model;
- (f) the civic, ceremonial and representation duties particular to the Lord Mayor of Western Australia’s capital city.

7.2 ANNUAL ALLOWANCE FOR A MAYOR, PRESIDENT OR CHAIRMAN

- (1) The ranges of allowances in Table 10 apply where a local government sets the amount of the annual local government allowance to which a mayor or president is entitled under section 5.98(5) of the LG Act.
- (2) The range of allowances in Table 11 apply where a regional local government sets the amount of the annual local government allowance to which a chairman is entitled under section 5.98(5) of the LG Act.
- (3) Despite the provisions of subsection (1), the Perth City Council is to set the amount of the annual local government allowance to which the Lord Mayor is entitled within the range of \$60,900 to \$135,909.

Table 10: Annual allowance for a mayor or president of a local government

For a mayor or president		
Band	Minimum	Maximum
1	\$50,750	\$88,864
2	\$15,225	\$62,727
3	\$1,015	\$36,591
4	\$508	\$19,864

Table 11: Annual allowance for a chairman of a regional local government

For a chairman		
	Minimum	Maximum
All regional local governments	\$508	\$19,864

7.3 ANNUAL ALLOWANCE FOR A DEPUTY MAYOR, DEPUTY PRESIDENT OR DEPUTY CHAIRMAN

- (1) The percentage determined for the purposes of section 5.98A(1) of the LG Act is 25 per cent.

PART 8: EXPENSES TO BE REIMBURSED

This Part deals with expenses for which council members are entitled to be reimbursed pursuant to section 5.98(2) of the LG Act.

In particular, this Part deals with –

- (a) expense reimbursements prescribed specifically in regulation 31(1) of the LG Regulations that must be paid by a local government or regional local government when claimed by a council member (i.e. telephone and facsimile rental, child care and travel); and*
- (b) expense reimbursements prescribed in general terms in regulation 32(1) of the LG Regulations that may be approved by a local government or regional local government and claimed by a council member.*

8.1 GENERAL

- (1) Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 31(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined in section 8.2(1) to (5) of this Part.
- (2) Regulation 31(1) of the LG Regulations prescribes the following kinds of expenses that are to be reimbursed –
 - (a) rental charges incurred by a council member in relation to one telephone and one facsimile machine; and
 - (b) child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.
- (3) Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 32(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined in section 8.2(6) to (8) of this Part.
- (4) Regulation 32(1) of the LG Regulations prescribes the following kinds of expenses that may be approved by a local government for reimbursement –
 - (a) an expense incurred by a council member in performing a function under the express authority of the local government;

- (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person;
- (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

8.2 EXTENT OF EXPENSES TO BE REIMBURSED

- (1) The extent to which a council member can be reimbursed for rental charges in relation to one telephone and one facsimile machine is the actual expense incurred by the council member.
- (2) The extent to which a council member can be reimbursed for child care costs incurred because of attendance at a meeting referred to in regulation 31(1)(b) of the LG Regulations is the actual cost per hour or \$25 per hour, whichever is the lesser amount.
- (3) The extent to which a council member of a local government can be reimbursed for travel costs referred to in regulation 31(1)(b) of the LG Regulations is –
 - (a) if the person lives or works in the local government district or an adjoining local government district, the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or
 - (b) if the person does not live or work in the local government district or an adjoining local government district, the actual cost, in relation to a journey from the person's place of residence or work and back –
 - (i) for the person to travel from the person's place of residence or work to the meeting and back; or
 - (ii) if the distance travelled referred to in subparagraph (i) is more than 100 kilometres, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.
- (4) The extent to which a council member of a regional local government can be reimbursed for travel costs referred to in regulation 31(1)(b) of the LG Regulations is the actual cost for the person to travel from the person's place of residence or work to the meeting and back.

- (5) For the purposes of subsections (3) and (4), travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained in Section 30.6 of the *Local Government Officers' (Western Australia) Interim Award 2011* as at the date of this determination.
- (6) The extent to which a council member can be reimbursed for child care costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is the actual cost per hour or \$25 per hour, whichever is the lesser amount.
- (7) The extent to which a council member can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the *Public Service Award 1992* issued by the Western Australian Industrial Relations Commission as at the date of this determination.
- (8) The extent to which a council member can be reimbursed for any other cost incurred under regulation 32(1) of the LG Regulations is the actual cost upon presentation of sufficient evidence of the cost incurred.

PART 9: ANNUAL ALLOWANCES IN LIEU OF REIMBURSEMENT OF EXPENSES

This Part deals with annual allowances that a local government or regional local government may decide to pay, pursuant to section 5.99A of the LG Act, to all council members in lieu of the reimbursement of expenses of a particular type under section 5.98(2) of the LG Act.

In particular, this Part deals with allowances to be paid instead of –

- (a) expense reimbursements prescribed specifically in regulation 31(1) of the LG Regulations that must be paid by a local government or regional local government when claimed by a council member (i.e. telephone and facsimile rental, child care and travel); and*
- (b) expense reimbursements prescribed in general terms in regulation 32(1) of the LG Regulations that may be approved by a local government or regional local government and claimed by a council member.*

9.1 GENERAL

- (1) Pursuant to section 5.99A of the LG Act, a local government or regional local government may decide by absolute majority that instead of reimbursing council members under the LG Act section 5.98(2) for all of a particular type of expense, it will pay all council members, for that type of expense, the annual allowance determined in section 9.2 of this Part or, as the case requires, an annual allowance within the range determined in that section.
- (2) Where a local government or regional local government has decided to pay council members an annual allowance for an expense of a particular type instead of reimbursing expenses of that type under section 5.98(2) of the LG Act, section 5.99A of the LG Act provides for reimbursement of expenses of that type in excess of the amount of the allowance.
- (3) In determining the maximum annual allowance for expenses of a particular type, the Tribunal has taken into account a range of factors including the following:
 - (a) the intent of the allowance to reflect the extent and nature of the expenses incurred and not to result in a windfall gain for council members;
 - (b) the capacity of local governments to set allowances appropriate to their varying operational needs;
 - (c) the particular practices of local governments in the use of information and communication technology (e.g. laptop computers, iPads);

- (d) the varying travel requirements of council members in local governments associated with geography, isolation and other factors.

9.2 ANNUAL ALLOWANCES DETERMINED INSTEAD OF REIMBURSEMENT FOR PARTICULAR TYPES OF EXPENSES

- (1) In this section –

ICT expenses means –

- (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; or
- (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations;

travel and accommodation expenses means –

- (a) travel costs, as prescribed by regulation 31(1)(b) of the LG Regulations; or
 - (b) any other expenses that relate to travel or accommodation and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations.
- (2) For the purposes of section 5.99A(b) of the LG Act, the minimum annual allowance for ICT expenses is \$500 and the maximum annual allowance for ICT expenses is \$3,500.
 - (3) For the purposes of section 5.99A(a) of the LG Act, the annual allowance for travel and accommodation expenses is \$50.

Shire of Exmouth Policy Manual

POLICY NO (1.28)***(1.28 – Chief Executive Officer Performance Review)***

Origin/Authority

Council Meeting: 24 May 2018

OBJECTIVE

The purpose of this policy is to provide consistent, transparent and accountable performance review process.

POLICY STATEMENT**(a) Rationale**

This process is documented and adopted by Council to ensure a consistent approach to the Shire of Exmouth CEO review.

The review process must be a collaborative, constructive process that is designed to enhance performance and provide guidance for the ensuing twelve months, aligning to the Shires Corporate Business Plan and Community Strategic Plan.

The performance review process should be regarded as an opportunity to build relationships and to increase the effectiveness of individuals, systems and processes which will improve the performance and the profile of the Shire of Exmouth.

Councilors participating in the review process will:

- Show an ability to be fair and objective;
- Use good communication and negotiating skills;
- Possess preparation and evaluation skills; and
- Have a good understanding of the Western Australian Salaries and Allowances Tribunal process and determinations.

(b) Contract

- The CEO contract must contain the Shires dispute resolution policy for both parties.
- The Shires agreed CEO review procedure shall be contained within the CEO contract.
- The review procedure contained within the CEO contract can be varied by agreement between the Council and the CEO under an amendment clause between reviews.
- The contract should be reviewed by WALGA or a recognized legal practitioner to ensure legislative requirements are satisfied.

(c) Review Periods

- It is a statutory requirement that the CEO's performance is reviewed annually.
 - For planning purposes the appraisal is to be undertaken no later than the month of June.
 - In the event that Council has concerns about the performance of the CEO, the Shire President may, at the request of Council, undertake an interim performance review.
 - The Shire President must write to the CEO if Council has requested an interim performance review, outlining the areas of concern to allow the CEO the opportunity to prepare.
 - The Shire President must allow the CEO a minimum of two weeks' notice prior to the commencement of an interim performance review.
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(d) Composition of the Performance Review Committee (PRC)

The CEO PRC will consist of:

- The Shire President.
- Two Councilors nominated by resolution of Council.

This committee is to be facilitated by an independent/external person mutually agreed by the CEO Performance Review Committee and the CEO.

The CEO and the PRC may by mutual agreement decide that an external facilitator is not required for every annual review.

All Councilors seeking appointment to the CEO review panel are encouraged to undertake the relevant CEO performance review training course provided by WALGA.

The CEO Performance Review Committee Terms of Reference will provide the direction and the process for the conducting of the review process and the establishment of roles and responsibilities of the Review Committee.

(e) Interview process

The Interview process undertaken during the formal performance meeting must be conducted in good faith by all parties.

(f) CEO Key Performance Indicators (KPI's)

- Will contain a balance of strategic and values based organizational KPI's.
- Will align to the Corporate Business Plan and or Community Strategic Plan.
- Will be reviewed annually and then new KPI's agreed between the CEO and the Shire of Exmouth Council after each review period.
- Once agreed upon, KPI's cannot be changed without mutual agreement.

Scope

This policy position applies to the conduct of CEO performance reviews.

Legislative and Strategic Context

Local Government Act 1995, s5.38 - The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

Review Position and Date

To be reviewed annually by Council.

Associated Documents

- CEO Employment Contract
- Shire of Exmouth CEO Performance Review Committee Terms of Reference.

Shire of Exmouth

CEO PERFORMANCE REVIEW COMMITTEE

TERMS OF REFERENCE

1. Name

The name of the Committee shall be the Shire of Exmouth CEO Performance Review Committee (CEOPRC).

2. Head of Power

The Committee is established by Council under Section 5.8 of the *Local Government Act 1995*.

3. Definitions

- **Act** means the *Local Government Act 1995*.
- **Committee** means the Shire of Exmouth CEO Performance Review Committee as stipulated in this document.
- **Council** means the Council of the Shire of Exmouth
- **Chief Executive Officer** (CEO) means the Chief Executive Officer of the Shire of Exmouth.
- **Elected Member** means a Councillor of the Shire of Exmouth.
- **Independent Facilitator** means the person appointed to assist with the performance review process and who is acceptable to both parties, i.e. CEO and Committee.
- **KPI's** means Key Performance Indicators as agreed between the CEO and Committee to deliver the key priorities of the Shire of Exmouth Corporate Business Plan.
- **Salaries and Allowances Determination** means the determination provided by the Salaries and Allowances Tribunal under Section 7A of the *Salaries and Allowances Act 1975* which requires the Tribunal at intervals of not more than 12 months, to "inquire into and determine, the amount of remuneration, or the minimum and maximum amounts of remuneration, to be paid or provided to chief executive officers of local governments".
- **Total Reward Package** refers to the remuneration payable to a Chief Executive Officer as defined by the Salaries and Allowances Tribunal.

4. Objectives

- 4.1 The Committee is established to fulfil the following functions:
- 4.1.1 Undertake an annual assessment of the CEO's performance in accordance with the provisions of the CEO's contract of employment as well as relevant statutory requirements;
 - 4.1.2 In conjunction with the CEO, develop key performance indicators deliver Council's key strategic priorities including those reflected in the Shire's Corporate Business Plan;
 - 4.1.3 Review the CEO's Total Reward Package annually and make recommendations to Council in relation to remuneration in accordance with the relevant terms of the contract of employment, taking into consideration the CEO's performance, the existing level of remuneration, and the applicable Salaries and Allowances Tribunal Determination.
 - 4.1.4 Provide positive communication opportunities between Council and the CEO; and
 - 4.1.5 Provide guidance to Council in assessing the CEO's performance.

5. Committee Structure

- 5.1 The Committee shall consist of the Shire President, and two elected members;
- 5.2 An independent facilitator, who is not a member of the Committee, shall be appointed under delegation to the Committee by Council to assist with the performance review process; and
- 5.3 A quorum will be three members.

- 5.4 The Committee will be provided with secretariat support from the Shire of Exmouth Manager of Human Resources.

6. Terms of Appointment

Appointment to the Committee shall be for a minimum term of two years and determined by the Council following ordinary local government elections, with the term to expire on the date of the subsequent ordinary local government elections.

If a member of the Committee resigns prior to an ordinary local government election, the Council will appoint a replacement.

7. Presiding Member

- 7.1 The Presiding Member of the Committee will be the Shire President.
- 7.2 The role of the Presiding Member includes:
- 7.2.1 overseeing and facilitating the conduct of meetings in accordance with the Act and the Shire's Meeting Procedures Local Law (2016);
 - 7.2.2 ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
 - 7.2.3 where a matter has been debated significantly and no new information is being discussed, to call the meeting to order and ask for the debate to be finalized and the matter resolved.

8. Meetings of the Committee

- 8.1 The Committee will meet as required to facilitate an annual assessment of the CEO's performance.
- 8.2 A meeting of the Committee is to be held:
- 8.2.1 if called for by either the Presiding Member or at least two Committee members in a notice to the CEO setting out the date and purpose of the proposed meeting; or
 - 8.2.2 if so decided by the Committee; or
 - 8.2.3 If called for by Council.
- 8.3 The Committee shall also meet with the CEO at least six monthly on such dates and at such times as the Committee determines to receive and discuss an update on the progress of KPI's or other matters.
- 8.4 The Committee may seek feedback from third parties by mutual agreement with the CEO to attend meetings and provide pertinent information, where necessary.

9. Powers of the Committee

- 9.1 The Committee is a formally appointed committee of Council and is responsible to that body.
- 9.2 The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility.
- 9.3 The Committee does not have any delegated authority.
- 9.4 The Committee recommendations are to be referred to Council for consideration and decision before implementation.

10. Voting

- 10.1 Each member of the Committee at a meeting will have one vote.

11. Review Process

The review process comprises the following steps:

- 11.1 Council appoints an independent facilitator to assist the Committee with the performance review process. The facilitator is to be acceptable to both parties, i.e. CEO and Council.

- 11.2 Committee meets to confirm process with independent facilitator and a briefing session will be facilitated with all elected members to cover the performance appraisal, the procedures followed, keeping in mind current progress of the Corporate Business Plan and the skills required of the panel members.
- 11.3 CEO provides a written report and self-rating to the Committee against the Key Performance Indicators (KPI's);
- 11.4 All elected members shall individually and independently rate and comment on the performance of the CEO against each of the KPI's and provide such assessment directly and confidentially to the independent facilitator;
- 11.5 The independent facilitator will consolidate all scores and comments so as to present an 'reviewer report' to the Committee to discuss and validate overall ratings;
- 11.6 The CEO meets with the Committee and independent facilitator for feedback and discussion;
- 11.7 The Committee determines final ratings;
- 11.8 The Committee and CEO determine KPI's for the forthcoming review period. The independent facilitator completes the final report, with final ratings and specific comments against each KPI.
- 11.9 The CEO meets with the Committee and independent facilitator for discussion of the remuneration package in accordance with the contract of employment; and
- 11.10 The final report, new KPIs and any remuneration packages recommendations are provided to Council for consideration prior to June 30th annually.

12. Completion of Process

The performance review panel must deliver a report to Council that outlines:

- What worked in the process.
- The new KPI's for the next 12 months.
- The new remuneration package.
- Recommended changes to this process over the next 12 months.

13 Record Keeping

The Shire President is to hold the record of the Performance review. All documents relating to the review process must be registered on the Shire of Exmouth records management system.

The Human Resource Manager will provide the administrative assistance to the Shire President.

14. Dispute

Where the CEO and Performance Review Committee cannot agree with the review rating and / or the renegotiation of the TRP then the dispute resolution process as outlined in the CEO Employment Contract is to be invoked.

15. Reporting Requirements

Recommendations arising from the Committee's deliberations shall be presented to the earliest available ordinary meeting of Council.

16. Alteration to Rules of Procedure

The Committee is to conduct a review of its terms of reference providing Council with recommendations for any changes annually.

17. Termination of Committee

Termination of the Committee shall be in accordance with the Act.

Shire of Exmouth Policy Manual

POLICY NO 1.29)***(1.29 – Responsible Service of Alcohol)***

Origin/Authority

Council Meeting: 24 May 2018

OBJECTIVE

The purpose of this policy is to create a workplace that prevents the miss use of alcohol within the workplace and ensures responsible use outside of the workplace.

POLICY STATEMENT

Alcohol can have a detrimental impact on safety and health in the workplace. Alcohol can reduce a person's ability to work safely by affecting the nervous system, coordination, motor control, concentration, alertness and impeding the ability to exercise judgment.

Consumption of alcohol can be part of fellowship and networking but consumption should be appropriate and represent the values of the organisation. It is important that actions of Councillors and staff at functions representing the Shire are seen to fulfil high community standards.

The Shire of Exmouth:

- Will provide /promote an alcohol free workplace;
- Is committed to providing a workplace culture that recognizes that drinking alcohol can have a negative influence on the health, work and social relationships of staff;
- Provide a safe and supportive work environment to reduce risks associated with drinking alcohol by only allowing the consumption of alcohol on the following conditions :
 - Civic Functions – Visiting dignitaries and oofficial functions of the organisation at the Chief Executive Officer and Shire Presidents discretion.
 - Dinner or Networking Events where the Chief Executive Officer, Staff and Councillors may attend and the event is determined to be furthering the interests of the Shire of Exmouth.
 - Staff Christmas Parties as a means of recognising the dedication and commitment shown by Council staff in the provision of services.
 - At conferences where networking and conference dinners form part of the registration and expectation of attendance.

On all occasions where alcohol is consumed employees and councillors must do so in accordance with the Fitness for Work- Drug Alcohol Policy 1.26 and the Shire of Exmouth Code of Conduct Policy 1.27.

Shire of Exmouth Policy Manual

POLICY NO 1.26***1.16 - Council Employees Housing***

Origin/Authority

Council Meeting: 24 May 2018

OBJECTIVE

The purpose of this policy is to establish guidelines for the provision of Council housing to attract and retain employees who hold key roles in the organisation based on operational requirements.

POLICY STATEMENT

With CEO approval the Council may provide an employee with a Council owned property or pay a housing allowance in lieu of the provision of a Council house.

If a Council owned property is provided it will be based on the following standards:

- CEO/Executive Managers – Executive standard
- Managers, professional or specialised staff as determined by the CEO and based on availability.

Where an employee is entitled to the provision of a housing allowance it will be treated as a taxable allowance, regarded as taxable income and attracts the minimum superannuation guarantee.

The value of the housing allowance will be established and agreed to by the CEO.

The provision of a Council house or payment of a housing allowance is only available for one member of a household if employed by the Council.

If an employee owns a house within the Shire of Exmouth boundaries the employee may not be eligible for a Council house but may be eligible for a housing allowance subject to CEO approval.

Residential Tenancy Agreement

Each tenancy shall be subject to the *Residential Tenancy Act 1998* (WA) ("the Residential Tenancy Act") and must be supported by a Residential Tenancy Agreement.

Rent payable by the employee will be subject to a reasonable annual increase. Employees will receive notice of increase in rent in accordance with the Residential Tenancy Act.

POLICY NO 1.17***1.17 - Relocation and Resettlement Expenses***

Origin/Authority

Council Meeting: 24 May 2018

OBJECTIVE

The purpose of this policy is to clarify the provision of relocation and resettlement expenses to assist attract employees into key roles in the organisation based on operational requirements.

POLICY STATEMENT

The Shire President will have the discretion to pay reasonable relocation expenses to secure the services of a Chief Executive Officer (CEO).

With CEO approval, Council may provide financial assistance to employees to assist in the reimbursement of removal expenses including furniture, vehicles, pets and flights to Exmouth on the following basis:

- up to \$6000 for specialised staff; and
- up to \$8000 for Executive Managers.

The CEO may approve reasonable requests for alternate arrangements in lieu of reimbursement of removal expenses to assist with resettlement if the dollar value is within the monetary guidelines above.

A minimum of three quotes must be obtained prior to acceptance of a furniture removalist.

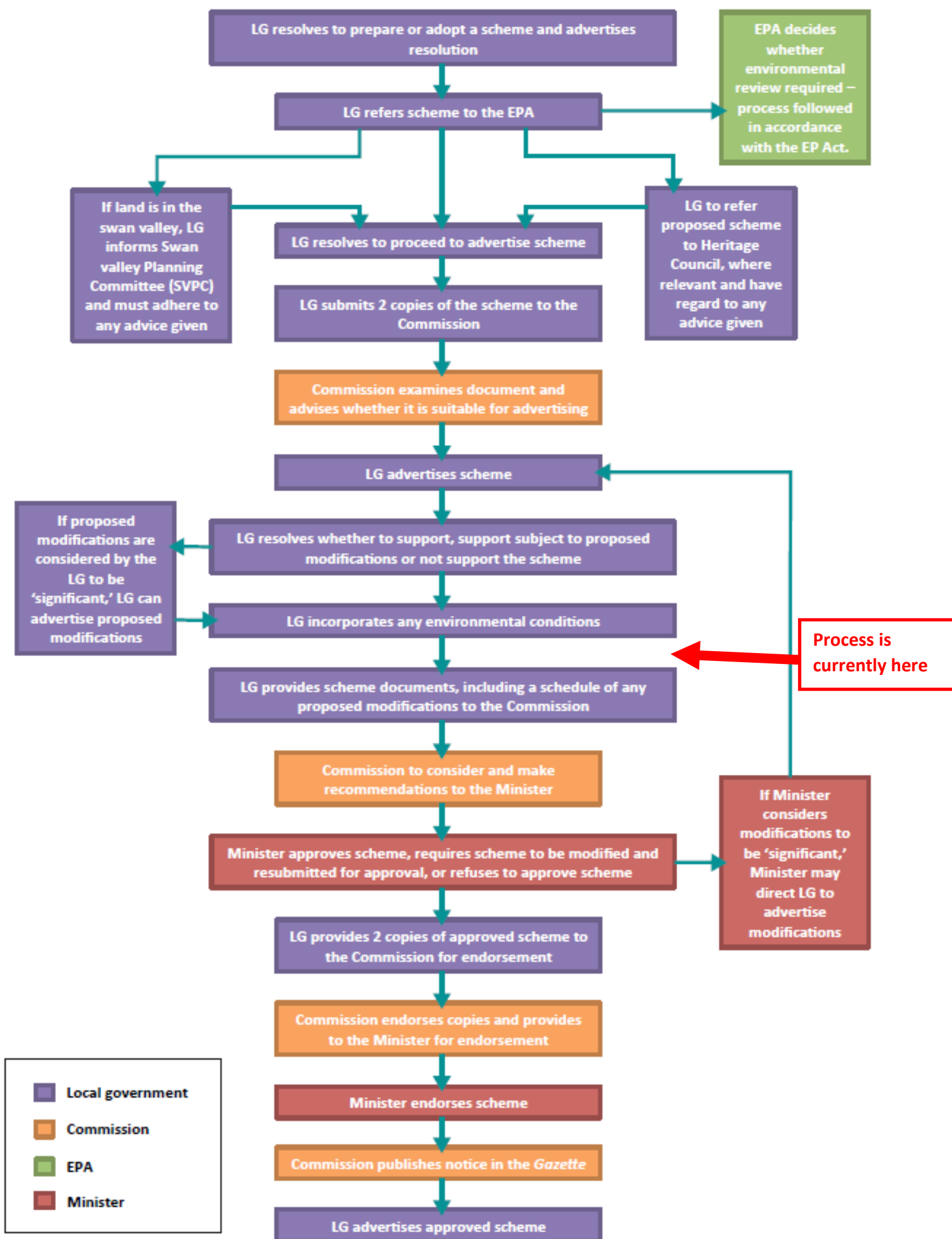
If alternate arrangements are made to reimburse resettlement expenses the CEO will document and record the agreement outlining the resettlement expenses with the employee.

Reimbursed will occur on the production of receipts and after the employee has commenced employment.

If the employee is terminated or resigns within 24 months the employee will pay back the relocation expenses based on the following:

- Less than 12 months service – 100% of relocation or resettlement expenses reimbursed
- More than 12 months service but less than 24 months service – 50% of expenses reimbursed.

Simplified preparation or adoption of a new local planning scheme flowchart



- Council resolved to Prepare draft Local Planning Scheme No. 4 (LPS4) and Local Planning Strategy (Strategy): **21 February 2013**
- Acknowledgement of Council's resolution above by the Western Australian Planning Commission (WAPC): **28 June 2013**
- Council resolved to adopt LPS4 (Rev 8) and Strategy (Rev 5) for advertising: **25 June 2015**
- LPS4 and Strategy submitted to the WAPC: **2 July 2015**
- LPS4 and Strategy referred to EPA by Taylor Burrell Barnett: **July 2015**
- Heritage study through preparation of LPS4 and Strategy revealed referral to Heritage Council prior to advertising process was unnecessary.
- The *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) gazetted which substantially amended the model scheme provisions and introduced deemed provisions which prevail over all local planning schemes in Western Australia: **25 August 2015**
- EPA determined environmental review is not required: **14 September 2015**
- Department of Planning, through Officer advice, recommended the Shire of Exmouth should review LPS4 and Strategy to be consistent with the gazetted Regulations: **24 September 2015**
- Regulations take effect: **19 October 2015**
- Council adopted reviewed LPS4 (Rev 9) and Strategy (Rev 6) consistent with the Regulations in consultation with the Department of Planning: **29 October 2015**
- Reviewed LPS4 and Strategy submitted to the WAPC: **4 November 2015**
- Given events above resulted in substantial amendments the Department of Planning were invited to visit the Shire of Exmouth Scheme area as a part of their assessment and recommendation to the WAPC: **18 November 2015**
- Department of Planning Officer attended the Shire of Exmouth Offices to discuss assessment of LPS4 and Strategy: **18 – 20 January 2016**
- WAPC advised the Shire of Exmouth that LPS4 and Strategy is suitable for advertising subject to modifications being made in accordance with an attached schedule: **12 April 2016**
- Modifications required by the WAPC put to Council's consideration where Council resolved to make all modifications and proceed with LPS4 (Rev 10) and Strategy (Rev 7): **28 April 2016**
- As required in the letter on the 28 April 2016, modified LPS4 and Strategy submitted to the WAPC and EPA: **23 May 2016**
- Consent given from the Department of Planning to advertise LPS4 and Strategy under delegation from the WAPC: **2 June 2016**
- Advertising of LPS4 (Rev 10) and Strategy (Rev 7) commenced: **2 June 2016**
- EPA responded to referral advising that they have no comments on modified LPS4 (Rev 10) and Strategy (Rev 7): **29 June 2016**
- Advertising of LPS4 and Strategy concluded: **23 September 2016**
- Council considered submissions received during advertising process and resolved to support LPS4 and Strategy with modifications, resulting in LPS4 (Rev 11) and Strategy (Rev 8): **15 December 2016**
 - No environmental conditions received through advertising process. However, provisions were modified based on submissions from environmental authorities.
 - Modifications to LPS4 and Strategy not considered significant to require re-advertisement by Council.
- Commissioner resolved to request a time extension for submission of LPS4 (Rev 11) to the WAPC to enable the on-going review of the administrative functions and projects carried out by the Council suspended during December 2016: **19 January 2017**
- Consideration Period concludes: **21 January 2017**
- WAPC grants time extension to the 15 June 2017 for the submission of Local Planning Scheme No. 4: **16 February 2016**
- Process put on hold to allow the independent review of LPS4 (Rev 11) by the Department of Planning.

Schedule of Late Submissions - Shire of Exmouth Local Planning Scheme No. 4 (Revision 11) and Local Planning Strategy (Revision 8)

Submissions

Please note:

LPS4	Refers to Local Planning Scheme No. 4.
TPS3	Refers to Town planning Scheme No. 3.
Strategy	Refers to the Local Planning Strategy.
DA	Refers to Development Application/s.
Regulation/s	Refers to the Planning and Development (Local Planning Schemes) Regulations 2015 or a specific Regulation within that document.
Deemed Provision	Refers to provision in 'Schedule 2 — Deemed provisions for local planning schemes' of the Planning and Development (Local Planning Schemes) Regulations 2015.
Previous Submission	Refers to a submission received during the 'Submission Period' as defined by the Regulations.
Late Submission	Refers to a submission in this Schedule of Late Submissions. These submissions have been received after the 'Submissions Period' and their consideration is dependent upon the Commission approving the extension of the 'Consideration Period' pursuant to Regulation 25(1)(d).
Previous Modification	Refers to a modification to LPS4 adopted by Council at the December 2016 Ordinary Council Meeting pursuant to Regulation 25(3)(b).
Proposed Modification	Refers to a modification to LPS4 proposed after the Modifications adopted by Council above which are yet to be adopted.
Attachment	Refers to attachments at the end of this Schedule due to some of the Late Submissions being received with attachments.

****To view a previous modification and/or submission please refer to the Schedule of Submissions and Schedule of Modifications in Attachment 6 and 7 of the Agenda.***

No.	Name, Address, Date and Lodgement Capacity (if applicable)	Affected Property (if applicable)	Submission Comments	Officers Comments
1.	Ablett Pty Ltd. West Perth WA. 11 July 2017. Lodged as owner of the affected property.	Lots 6 & 319 Yardie Creek Road, North West Cape.	<p>Re: Lot 6 Yardie Creek Road, Exmouth – Submission on Local Planning Scheme 4.</p> <p>We refer to recent advices from Stephen Seward, acting on behalf of Ablett Pty Ltd, in respect of the above and wish to confirm the Ablett Pty Ltd formally withdraws its request to rezone part of Lot 6 (Lot B), as per the attached submissions (refer Previous Submission No. 23), from 'Recreation and Open Space' to 'Special Use – Tourist Accommodation'. To be clear the current zoning(s) are to remain as is.</p> <p>Ablett is now progressing negotiations with the Department of Lands, acting on behalf of the State, to purchase the adjoining Lot 319 which will result in both Lots 6 and 319 being amalgamated to form one lot only.</p> <p>Thank you for your assistance and please advise if further information is required.</p>	<p>Noted.</p> <p>It is recommended that the withdrawal of Previous Submission No. 23 is supported as this allows the development of the subject properties in accordance with the Vlamingh Head Masterplan without its review being necessary. As a result Previous Modifications 279, 397 and 398 to LPS4 will also be required to be removed as they were made as a result of the Previous Submission.</p> <p>Refer to Proposed Modification 13 to LPS4. Refer to Proposed Modification 5 to Strategy.</p>

2.	<p>Landcorp (Western Australian Land Authority) and Urbis.</p> <p>The Esplanade, Perth WA.</p> <p>Part 1: 5 January 2018.</p> <p>Part 2: 16 February 2018.</p> <p>Part 3: 4 April 2018.</p> <p>Lodged by Landcorp as the owner and by Urbis on behalf of the owner of the affected land.</p>	<p>Lot 9510 on Deposited Plan 055557</p>	<p><u>PART 1 – Landcorp (Attachment 1)</u></p> <p>Land Corp appreciates the Shire of Exmouth's willingness to consider comments on the proposed Shire's Local Planning Scheme #4 (LPS 4) and Local Planning Strategy #1 (Strategy). LandCorp understands the Shire intends to present these documents to Council in February 2018 for approval to submit to the Western Australian Planning Commission.</p> <p>As you are probably aware, Land Corp, over the past 12 months, has met with the Shire's Executive and planning officers to resolve development options for Lot 9510 Mortiss Street (Superlot D). Superlot D provides the land needed to accommodate a variety of development opportunities within the Exmouth Marina, and could expand Exmouth's tourism opportunities (resorts and holiday accommodation associated with the region and the Ningaloo Reef) whilst integrating with the Exmouth Boat Harbour functions (resources, fishing, defence and safe cruise ship disembarkation) and Precinct B (residential and commercial). The site has unique development requirements and may need flexible planning controls to attract investment and opportunities to Exmouth.</p> <p>The current zoning of "Marina" provides a clear message to investors of the intended purpose of the site. The State Government has invested considerable funds in developing the required marina infrastructure and the services needed to support the industrial, commercial and residential activities encouraged by the Marina.</p> <p>LandCorp understands the position currently being faced by the Shire, to address the requirement of the Department of Planning, Lands and Heritage (DPLH) that all future zones be consistent with the suite of zones described within the Model Scheme Text. However, LandCorp considers that the proposal to introduce a "Residential" only zoning over the site with a Special Control Area over Superlot D is not preferable for the current zoning and scheme provisions due to the reduced flexibility of the proposed zoning. Land Corp also questions whether that action would be consistent with the Exmouth Marina Agreement between the State Government and the Shire, as it places the State's investment and the commercial and industrial components of the development at risk.</p> <p>During recent discussions with Shire planning staff, LandCorp understood there is support for the existing "Marina" zoning remaining in place and LandCorp supports that position. During recent discussions with Shire planning staff, LandCorp understood there is support for the existing "Marina" zoning remaining in place and LandCorp supports that position. Under the current scheme provisions, the emphasis is placed on developers to demonstrate how a future residential or tourism activity on the site would integrate into the existing Exmouth Marina land use activities. If the land is zoned "Residential" the expectation would be for any existing and future "non-residential" activities within the Exmouth Marina to be undertaken and managed to maximise residential enjoyment.</p> <p>LandCorp welcomes the opportunity to meet with the Shire, DPLH and Department of Transport to discuss this matter.</p> <p><u>PART 2 - Urbis</u></p> <p>Further to our discussion on Friday, please find below a copy of the draft provisions for Precinct D at the Marina.</p> <p>As I mentioned, essentially what we are seeking is some guidance on land use permissibility and basic guidance on preferred development outcomes.</p>	<p>Noted.</p> <p>Some of the statements in this Late Submissions are not correct. In particular, although the affected property is listed in the Residential section of the Planning Analysis in the Strategy there was never an intention for the property to be classified as the 'Residential' zone. The affected property was included within Special Use Zone 6 which simply outlined the requirement for the amendment of the existing <i>Exmouth Marina Village Outline Development Plan</i>. What that amendment would look like is guided by the above section of the Strategy.</p> <p>Initial discussions on the matter resulted in only modifications to the Strategy being requested through Part 1 of this Late Submission. As a result the land use intent and design review for the affected property would be altered through the amendment process outlined above. Given the substantial amount of land identified by the Strategy for future residential development Landcorp's proposed revised land use intent and design review is considered to have merit in expanding the economic capability of Exmouth. Therefore, modification is recommended. However, a major concern was the compatibility of development with the adjacent Exmouth Boat Harbour, which is vested to the Department of Transport. Therefore, any modification needs to encompass such considerations.</p> <p>Through discussions with the Department of Planning it was advised that a 'Marina' zone, as currently contained in TPS3, would not be supported as it is not consistent with the Regulations. Therefore, Special Use Zone 6 has been used.</p> <p>Subsequent to Part 1 of this Late Submission being received a meeting was organised between Landcorp, the Shire of Exmouth and the Department of Transport. During this meeting Landcorp indicated that they were also seeking modifications to LPS4 through the introduction of land use permissibility to provide future developers greater certainty of being able to develop the land uses proposed to be listed LPS4. The Department of Transport did not wish to comment at that point in time as they requested to see any proposed modifications first.</p> <p>As a result of the meeting Landcorp engaged the planning consultants Urbis who lodged Part 2 of this submission with modifications to Special Use Zone 6 shown in Attachment 2. Major concerns with the proposal were as follows:</p> <ul style="list-style-type: none"> • The designation of land uses with a 'P' permissibility which Council is not permitted to refuse and therefore may prevent enforcement of the future structure plan and design guidelines. Land uses should be advertised accordingly through the adoption of these documents prior to being implemented with 'P' permissibility in LPS4. • Land Use Conditions 3 and 4 are outlining requirements which should be captured through the adoption of the structure plan and design guidelines. • It is easier to create a new Special Use Zone to deal with the affected property as the last remaining vacant land under the above ODP. Thereby, Special Use Zone 6 can deal with the developed areas of the Exmouth Marina Village. <p>The idea of including the requirement for design guidelines was put forward by Urbis. This is considered a necessary requirement as the structure plan does not capture the introduction of site and development requirements, which was an oversight in the advertised LPS4.</p>
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		<p>We have not included detailed design provisions like you see in some of the other precincts simply because that design work has not been completed. In this context, we have noted that the ODP will need to be updated to reflect some of the basic development requirements (i.e. points 3 and 4 below). We have also stated that the Marina Design Guidelines will need to be updated as part of a separate process as the Commission will unlikely accept these now being included in the ODP.</p> <p>Table 2 – Proposed Area D Provisions (Refer Attachment 2).</p> <p><u>PART 3 - Landcorp</u></p> <p>I refer to our previous submission on the Shire of Exmouth's Draft Local Planning Scheme No.4 and Local Planning Strategy No.1 dated 5 January 2018 and our subsequent discussions and emails to provide a suitable response to that submission.</p> <p>LandCorp is generally satisfied with the draft changes to the scheme and strategy provided by the Shire of Exmouth on 23 February 2018 (Refer Attachment 3). LandCorp believes these new provisions will provide it and prospective purchasers with the strategic planning certainty moving forward, and accepts the requirement for a new Structure Plan and Design Guidelines/Local Planning Policy to be prepared to resolve and confirm the detailed planning expectations.</p> <p>Land Corp still however has concerns in relation to the current proposed wording of the Local Planning Strategy as it relates to Superlot D. Specifically, Area 7 sub clauses 4c, which currently reads as follows:</p> <p><i>c) Any Public Open Space and non-development areas being located along the eastern side of Precinct D to achieve maximum separation from the Exmouth Boat Harbour. Adjacent development is to address these public spaces and/or the canal to create an 'urban edge' and passive surveillance.</i></p> <p>In relation to 4(c), LandCorp considers that the provision of additional public open space or other non-development areas along the eastern edge of Precinct E will generate a poor planning outcome. Simply expecting that area of the site to be set aside as Public Open Space will:</p> <ul style="list-style-type: none"> • not provide an effective buffer to the marina activities unless sound walls, earth bunds or intense plantings are installed within the POS; • limit planning and design options to provide alternate (and possibly superior) solutions to the land use interface; and • create an unnecessary ongoing maintenance cost burden for the Shire. <p>As the Shire is aware, it has always been the intention for Precinct D to perform a mixed-use function, accommodating a variety of both residential and non-residential uses. Further, LandCorp wishes to be provided the opportunity to explore, in consultation with the Department of Transport and the Shire, appropriate interface treatment to the Exmouth Boat Harbour that can be provided for through built form and other site specific responses (i.e. double glazing, landscaping, fencing orientation of windows/living areas).</p> <p>Therefore, designating open space/non-development areas through the Local Planning Strategy is we believe premature and we request that the Shire delete the current wording of sub-clause 4(c) and replace it with the following:</p> <p><i>All lots within Precinct D shall be the subject of a requirement for a notification on title, advising purchasers/landowners of the subject lots proximity to the Exmouth</i></p>	<p>The Department of Transport were referred the proposed modifications under Part 2 and provided the comments outlined in their Late Submissions 5.</p> <p>As a result of all of the above Council Officers drafted the proposed provisions set out in Attachment 3 as a balance between Landcorp's proposed modifications and the Department of Transport's comments. As the matter evolved significantly from Landcorp's initial submission they lodged Part 3 of this Late Submission which is more aligned with the outcome in Attachment 3. More comments were raised in Part 3 regarding modifications to the Strategy, in particular regarding provision 3.2.7.2(4)(d) and notifications on certificates of title. Notifications have already been captured through proposed provision 3.2.7.2(4)(h) in Attachment 3, therefore further modification in this regard is considered unnecessary. However, further modification is proposed in replacing provisions 3.2.7.2(4)(c) and (d) to address Landcorp's comments.</p> <p>The Department of Transport has the opportunity to input into the adoption of the structure plan and design guidelines regarding the subdivision layout, including location of public open space and non-development areas, and site and development requirements during the advertising process. Landcorp has indicated in Part 3 of this Late Submission that they wish to explore appropriate development interface options in consultation with the Department of Transport through this process.</p> <p>The current classification under LPS4 and any proposed modifications are not considered to cause non-compliance with the Exmouth Marina Village Agreement.</p> <p>Therefore, based on the above modifications are recommended to the Strategy and LPS4.</p> <p>Refer to Proposed Modification 22 to LPS4. Refer to Proposed Modifications 1 and 3 to Strategy. Landcorp advised through a subsequent teleconference they were satisfied with the final Proposed Modifications to the Strategy.</p>
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			<p><i>Boat Harbour and potential noise, odour and dust considerations associated with being located in close proximity to a working harbour.</i></p> <p>A subsequent structure plan process can then determine the appropriateness of residential or non-residential development along the eastern edge of Precinct D and if appropriate, Design Guidelines can then be prepared to address built form requirements to ensure an appropriate interface treatment (current covered by sub-clause 4(d)).</p> <p>LandCorp looks forward to continuing to working with the Shire of Exmouth on the development of Superlot D at Exmouth Marina. Should you have any further queries, please do not hesitate to contact me.</p>	
3.	<p>TPG + Place Match (now merged into Element).</p> <p>St Georges Tce, Perth WA.</p> <p>8 January 2018.</p> <p>Lodged on behalf of owner of affected property.</p>	Lot 2 Yardie Creek Road, North West Cape.	<p>TPG + Place Match, on behalf of the owner of Lot 2 Yardie Creek Road, North West Cape, is pleased to present this submission regarding the proposed Shire of Exmouth Local Planning Scheme No. 4 (LPS 4), and specifically the provisions of Special Use Zone 2 (SU 2).</p> <p>Background</p> <p>The current wording of proposed LPS 4 provides a limited and restrictive list of potential land uses that may be developed on Lot 2 and Lot 6 Yardie Creek Road (subject site), being: Tourist Development, Caravan Park, Camping Ground, Holiday Accommodation, Holiday House, Restaurant/Café, Shop and Caretaker's Dwelling. It is therefore implied that no other land uses may be considered and legally approved for development on the subject site.</p> <p>Proposal</p> <p>Tourism is an ever changing and evolving industry, and given the unique nature of the subject site, being a freehold tourism site on the North West Cape, it lends itself to future tourism development in a form that may not necessarily strictly fall within the definitions of the limited land uses listed above. So as not to arbitrary restrict future tourism development, and to enable the consideration of appropriate tourism based development on the site, it is proposed that a general discretion clause be inserted. On this basis, we would suggest that at Schedule 4 – Special Use Zones, the following new clause be inserted into the 'Conditions' column of SU 2, under the heading 'Land Use':</p> <p><i>3. Other land uses are not permitted, unless the land use is consistent with the Vlamingh Head Masterplan, and the local government has exercised its discretion by granting development approval.</i></p> <p>The suggested new clause above would therefore enable the consideration of other land uses not currently contemplated, but with an appropriate form of control by the decision maker, and also requiring consistency with the Vlamingh Head Masterplan. We look forward to the Shire of Exmouth's consideration of this request, and would be pleased to discuss this further as required. In this regard please do not hesitate to contact the undersigned on [REDACTED], or via email [REDACTED].</p>	<p>Noted.</p> <p>It is recommended that the inclusion of proposed Land Use Condition 3 in Special Use Zone 2 is supported. The permissible land uses listed in Special Use Zone 2 have been updated in accordance with the model land uses from the Regulations rather than remaining with what is listed in the <i>Vlamingh Head Masterplan</i>. The proposed Condition 3 still allows the implementation of the Masterplan should any inconsistencies from the Regulations arise. In addition, should the Masterplan be reviewed and amended, as outlined in the document, the proposed Condition allows for the implementation of an updated Masterplan without the need for a scheme amendment to LPS4.</p> <p>Refer to Proposed Modification 14 to LPS4.</p>
4.	<p>Planning Western Australia.</p> <p>1 February 2018.</p>	Lot 1 (1) Truscott Crescent, Exmouth.	<p>I refer to our discussion last week regarding the proposed new town planning scheme as it relates to SU4 which currently accommodates the RAC Holiday Park in Exmouth. Please find below my further submission relating to the proposed planning scheme provisions:</p>	Noted.

	Lodged on behalf of owner of affected property.		<p><u>Site requirements</u> Setbacks as determined by the local government – This provision creates too much uncertainty for the land owner and should be removed. That matter will be resolved through development application process.</p> <p><u>Development requirements</u> Clause 2 relates to administrative considerations that are to be addressed in the preparation and lodgement of a planning application. These considerations are adequately provided for under clause 67 of the deemed provisions. If necessary, further policy information could be developed through local planning policy or advisory notes. It is recommended that Clause 2 is removed.</p> <p>Clause 5 should be amended as follows:</p> <p><i>‘Notwithstanding clause 4 above, a maximum of three dwellings, including a caretakers dwelling, are permitted for permanent accommodation at the premises.’</i></p> <p>Please feel free to contact me as necessary if you would like to discuss these matters further.</p>	<p>Noted. Council’s determination of setbacks would be subject to those matters set out under Deemed Provision 67 which is all the matters that can be considered in determining a development application. Deemed Provision 67 applies anyway regardless of the subject ‘Site requirements’ Condition in Special Use Zone 4. Therefore, it is recommended that the proposed modification is supported as the Condition is superfluous.</p> <p>Noted. ‘Development requirements’ Condition 2 outlines the requirement for information to accompany a development application which is already required under Deemed Provisions 63 and 67. The intent of this clause can be better achieved through administrative practices. Therefore, it is recommended that the proposed modification is supported as the Condition is superfluous.</p> <p>Noted. ‘Development requirements’ Condition 5 Contains an oversight by omitting the Caretakers Dwelling land use. Condition 4 restricts the length of stay within Special Use Zone 4 to 4 months within any 12 month period. The intention was to include Dwelling and Caretakers Dwelling as permissible land uses in conjunction with Condition 5 to allow limited accommodation on site for employees. However, the omission of Caretakers Dwelling from Condition 5 results in Condition 4 restricting the habitation of a Caretakers Dwelling to 4 months for permanent accommodation. Therefore, it is recommended that modification to Condition 5 is supported to include Caretakers Dwelling in Condition 5. However wording stating “two Dwellings and one Caretakers Dwelling” is recommended to make the clause less confusing.</p> <p>Refer to Proposed Modifications 17 and 18 to LPS4.</p>
5.	<p>Department of Transport.</p> <p>Essex Street, Fremantle WA</p> <p>27 February 2018.</p> <p>Lodged as major stakeholder affected by proposal in Landcorp’s submission above.</p>	<p>Lot 9510 on Deposited Plan 055557</p>	<p>At the outset, confirmation is requested on whether the ODP plan/report and provisions set down in the draft Local Planning Strategy are to be retained, removed or amended. LPS1 provisions 2) and 5.d), e) and i), in particular are important and, along with the suggestions below, their consideration should form part of the process - either incorporated into the Scheme with the ODP amended or perhaps, with Landcorp’s interests now limited, via a new Structure Plan dealing just with Precinct D.</p> <p>The DoT is forced to concede that the best opportunity to control any off-site impacts on the land from harbour activities has been lost in that the encroachment by sensitive land uses cannot be avoided with Precinct D land having already been zoned and linked to an adopted ODP and Design Guidelines. With the land not yet developed nor lots sold, however there is opportunity to incorporate design measures and new provisions that attempt to reduce the likely impacts to both new development as well as harbour operations.</p> <p>The proposed ‘Provision 4’ appears to attempt to do this. Unfortunately the provision provides limited assurance for the DoT as, under the Noise Regulations 1997, the trigger for assessment of noise would normally come from a complaint (from a ‘receiver’), and if noise limits are non-compliant the obligation is on the ‘emitter’ to resolve the non-compliance. In addition, as applications are made prior to occupation of the land there will be no ‘receiver’ from which to assess the potential non-compliance, and thus the appropriate attenuation will be difficult to design in.</p> <p>he DoT appreciates the spirit of the provision, however, and requests that the following matters be considered (those in bold are seen as critical to the DoT’s interests in terms of ongoing harbour activities):</p>	<p>Noted.</p> <p>The Department of Transport’s comments have been considered in recommending Proposed Modifications as a result of Landcorp’s Late Submission. It is also noted that the process proposed in LPS4 for the affected property requires the adoption of a structure plan and design guidelines. These processes will require more localised consultation with stakeholders, such as the Department, and will determine the site and development requirements and subdivision layout. Some of the comments in this Late Submission will be better captured through the adoption of the structure plan and design guidelines.</p> <p>Refer to Proposed Modification 22 to LPS4. Refer to Proposed Modifications 1 and 3 to Strategy.</p>

			<ul style="list-style-type: none"> • Amending the ODP layout of the Precinct D area (to provide increased physical separation) by placing POS or non-development areas along the Precinct's eastern boundary; • That Notifications on Title be required for the first line of lots nearest the eastern boundary advising future owners that their lot is within close proximity to a working boat harbour from which occasional noise, dust and spray drift may impact on amenity; • Requiring fencing or substantial vegetation between the harbour and/or in front of any Precinct D residential or short stay use in the east abutting the canal to reduce noise, capture wind-borne dust and spray drift and improve visual amenity, • Requiring increased setbacks in the area of the Harbour Precinct 4 and Precinct D common boundary (the DoT in its draft Harbour Development Plan proposes a 3m setback to 1 storey buildings along this interface increasing to 6m for 2 storey + buildings within which only storage to less than 2m in height, car parking and landscaping should be undertaken); and • Requiring all lots with dwellings or short-stay uses along the length of Precinct D's eastern boundary to incorporate noise attenuation from the outset, such as self-closing doors, limited openings facing east, building materials comprising double brick or being able to attenuate noise, double glazing of windows and glass doors, installation of fences and vegetation along each lot's eastern boundary particularly in front of openings and the like. <p>The DoT supports proposed Provision 3 to prevent passenger vehicles entering Mortiss Street (that are often in reverse gear) causing safety hazards and potentially severe conflict with truck traffic associated with the harbour. We can discuss this matter in further detail later, also in the context of the upcoming Mortiss Street upgrade.</p> <p>Provision 4 should be amended to refer to the Harbour Development Plan's "Precinct 4 – Maritime Light and Service Industry" and not "Precinct E – Light Industrial area" given the impending lodgement of the DoT's Harbour Development Plan.</p> <p>Thanks again for this opportunity to comment, we look forward to progressing the matters at hand to the mutual benefit of all parties.</p>	
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Attachments

Attachment 1 – Landcorp’s Proposed Strategy Provisions

3.2.7 SPECIAL USE AREA 7- EXMOUTH MARINA PRECINCT D

3.2.7.1 DESCRIPTION

Location	Area 7 (Precinct D) is located within the southern portion of the Exmouth Marina Village, bounded by Murat Road to the west, Mortiss Street to south, canal waterway and portion of Precinct E (marine based light industry) to the east and the southern boundary of Precinct B (residential/mixed use) to the north.
Site Description	The land is currently vacant and comprises Lot 9510. The area comprises approximately 17.8ha. Area 7 (Precinct D) is currently subject to the Exmouth Marina Village Outline Development Plan and Exmouth Marina Village Agreement. The Development Guidelines of the Marina Village ODP identify Precinct D as having an evolving precinct character supporting “public recreation, short stay residential, caravan park, dry lot subdivision, semi-industrial live-work waterfront lots (where abutting Precinct E) through to residential waterfront lots (abutting Precinct A)”. This design vision is to be reviewed.
Existing Zoning	‘Marina’ zone.



SITE PLAN - AREA 7 (PRECINCT D EXMOUTH MARINA)

3.2.7.2 SPECIAL USE- MARINA AREA 7 (Precinct D) PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as ‘Marina’ consistent with the zoning under TPS 3 and the intent of the Exmouth Marina Village Agreement 2003.
- 2) The land use intent for Area 7 (Precinct D) is for marina, tourism, some residential, public spaces between waterfront lots in select locations and mixed use development in select locations.
- 3) The LPS supports a design review of the development vision for Area 7 (Precinct D). Given the Shire’s *Tourism Strategy* does not support a caravan park in this location and the LPS identifies an excess provision of public open space, the local government does not support the inclusion of these land uses in future structure planning.
- 4) Land contained within Area 7 (Precinct D) will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision and development.
- 5) In assessing a structure plan, the local government will have regard to:
 - a) Tourism, mixed uses and residential that integrate with the existing Exmouth Marina Village, including the Exmouth Boat Harbour.
 - b) The revised design vision for Area 7 (Precinct D) with reference to Planning Consideration 3) above.
 - c) The approved District Water Management Strategy (as amended).
 - d) The interface with local open space areas. Development is to address the public spaces and/or the canal to encourage passive surveillance. Further, maintain public access along the canal edge.
 - e) The Murat Road frontage and its importance as the towns entry statement.
 - f) The interface with Precinct B and Cobia Close with provision made for the extension of Cobia Close either as a vehicular or pedestrian accessway.
 - g) The need for the Mortiss Street interface to deliver a landscaped edge to the main entry road to the Boat Harbour.



3.2.7.3 ACTION STATEMENTS

- a) The LPS identifies the land for ‘Special Use - Marina’ consistent with the existing ‘Marina’ zoning under TPS 3.
- b) Classify the land as ‘Special Use - Marina’ zone – Area 7 (Precinct D) within LPS 4.
- c) The ‘Special Use - Marina’ zone – Area D to require the amendment of the existing structure plan as a prerequisite to subdivision and development.

Attachment 2 – Urbis’ Proposed LPS4 Provisions

Table 2 – Proposed Area D Provisions

No.	Description of Land	Special Use	Conditions
SU5	Lot 9510 on Plan 55557 Scheme Map 5 (appears on Scheme Map No.2?)	Marina	<p>Area D</p> <p>Land Use</p> <p>1. The following land uses are classified as having a ‘P’ designation:</p> <ul style="list-style-type: none">• Single House• Dwelling• Grouped Dwelling• Short Stay Residential <p>The following land uses are classified as having a ‘D’ designation:</p> <ul style="list-style-type: none">• Bed and Breakfast• Caravan Park• Holiday Accommodation• Hotel• Motel• Tourist Development• Mixed Development <p>The following land uses are classified as having an ‘A’ designation:</p> <ul style="list-style-type: none">• Marine Support Facility• Industry – Light• Industry – Service• Trade Display• Warehouse / Storage• Club Premises• Telecommunications Infrastructure <p>2. All other land uses are classified as having a ‘X’ designation.</p> <p>3. No residential development shall be permitted fronting or siding Mortiss Street. Notwithstanding, residential development may be permitted rearing Mortiss Street provided there no vehicular access.</p> <p>4. Any application for a residential use which is situated adjacent to Precinct E – Light Industrial area, shall be required to address acoustic and other environmental considerations, to the satisfaction of Shire. Where deemed necessary, the Shire may require noise attenuation treatment in the event of noise levels reaching non-compliance with environmental standards.</p> <p>Development Requirements</p> <p>The Shire will not:</p> <p>a) recommend approval to any subdivision application; or</p> <p>b) approve any development application,</p> <p>Unless:</p> <p>a) the Exmouth Marina Village Outline Development Plan, has been amended to the satisfaction of the Shire, pursuant to Part 4, Clause 29 of the Planning and Development (Local Planning Schemes) Regulations 2015 deemed provisions. Any application shall be generally in accordance with the amended Exmouth Marina Village Outline Development Plan;</p> <p>Site Requirements</p> <p>The Shire will not:</p>

No.	Description of Land	Special Use	Conditions
			a) Recommend approval to any subdivision application; or b) Approve any development application Unless: a) the Broad Design Guidelines have been amended to the satisfaction of the Shire. The amended Broad Design Guidelines may address (but not be limited to) the following as development relates to Precinct D: <ul style="list-style-type: none"> Setbacks, fencing, privacy, open space, height and plot ratio.

Attachment 3 – Shire of Exmouth Proposed LPS4 and Strategy Provisions

Proposed ‘Special Use Zone 7 – Area D’

No	Description of Land	Special Use	Conditions
SU7	Area D in the Exmouth Marina Village being Lot 9510 on Deposited Plan 055557. Scheme Map 5	As a ‘D’ Use: <ul style="list-style-type: none"> Bed and Breakfast; Dwelling; Grouped Dwelling; Holiday Accommodation; Holiday Home; Hotel; Motel; Single House; and Tourist Development; As an ‘A’ use: <ul style="list-style-type: none"> Industry – Light; Industry – Service; Marine Support Facility; Service Station; Telecommunications Infrastructure; Trade Display; and Warehouse/Storage; 	1. Applications for subdivision and development approval shall not be supported unless: <ul style="list-style-type: none"> (a) the Exmouth Marina Village Outline Development Plan has been amended as a new structure plan for Area D to the satisfaction of the local government, pursuant to Part 4 of the deemed provisions; and (b) New Design Guidelines have been prepared for the area, which revoke the Exmouth Marina Village Broad Design Guidelines, and adopted as a local planning policy under Part 2 of the deemed provisions; 2. The Design Guidelines adopted under Clause 1(b) above are to be implemented as if they form part of the Scheme.

3.2.7 FUTURE RESIDENTIAL AREA 7 – MARINA PRECINCT D

3.2.7.1 DESCRIPTION

Location	Area 7 is located within the southern portion of the Exmouth Marina Village Outline Development Plan area, bounded by Murat Road to the west, Mortiss Street to south, industrial canal waterway and Precinct E (Exmouth Boat Harbour) to the east and the southern boundary of Precinct B (residential/mixed use) to the north.
Site Description	The land is currently vacant and comprises Lot 9510. The area comprises approximately 17.8ha. Area 7 is currently subject to the Exmouth Marina Village Outline Development Plan and Broad Design Guidelines for Precinct D. The Broad Development Guidelines of the Marina Village ODP identify Precinct D as having an evolving precinct character supporting “public recreation, short stay residential, caravan park, dry lot subdivision, semi-industrial live-work waterfront lots (where abutting Precinct E) through to residential waterfront lots (abutting Precinct A)”. This design vision is to be reviewed.
Existing Zoning	‘Marina’ zone.



SITE PLAN - FUTURE RESIDENTIAL AREA 7

3.2.7.2 FUTURE RESIDENTIAL AREA 7 PLANNING CONSIDERATIONS

- 1) The land use intent for Area 7 (Precinct D) is for tourism, residential, public spaces between waterfront lots in select locations and live-work mixed use composite development. Delivery of the land use intent needs to be in a manner which is compatible with existing surrounding development.
- 2) The LPS supports a design review of the development vision for Area 7 (Precinct D). Specifically the existing structure plan references a caravan park land use and nominates a large public open space area adjacent to Murat Road. Given the Shire's Tourism Strategy does not support a caravan park in this location and the LPS identifies an excess provision of public open space, the local government does not support the inclusion of these land uses in future structure planning.
- 3) The LPS identifies vacant Area 7 as a Special Use Zone which will be subject to the preparation and approval of a new structure plan and design guidelines as a prerequisite to subdivision and development.
- 4) In assessing a structure plan and design guidelines, the local government will have regard to:
 - a) The land use intent and revised design vision for Area 7 (Precinct D) with reference to Planning Considerations 1) and 2) above.
 - b) The approved District Water Management Strategy (as amended).
 - c) Any Public Open Space and non-development areas being located along the eastern side of Precinct D to achieve maximum separation from the Exmouth Boat Harbour. Adjacent development is to address these public spaces and/or the canal to create an 'urban edge' and passive surveillance.
 - d) The use of screening devices, such as landscaping, along the eastern interface of Precinct D to further reduce noise, capture wind-borne dust and spray drift and improve visual amenity impacts from the Exmouth Boat Harbour.
 - e) The Murat Road frontage recognising its importance as a townscape entry statement and consideration of the Murat Road Design Guidelines.



- f) The development interface with Precinct B addressing Cobia Close or backing onto lots fronting Cobia Close. Development shall be compatible with the existing residential development, with provision made for the extension of Cobia Close either as a vehicular or pedestrian accessway.
- g) The Mortiss Street interface being compatible with traffic accessing the Exmouth Boat Harbour and the adjacent Precinct E through restricting street access to sensitive land uses, landscape screening devices and live-work mixed use composite development.
- h) The requirement for notifications on certificates of title for properties throughout Precinct D advising of noise and other potential emissions from the Exmouth Boat Harbour. Sensitive land uses requiring noise attenuate measures to mitigate noise impacts.
- 5) The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:
 - a) Proposed development has adequate protection from a 100 year ARI flood; and
 - b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.

3.2.7.3 ACTION STATEMENTS

- a) The LPS identifies Precinct D for a new 'Special Use Zone' to deal with the undeveloped portion of the Exmouth Marina Village.
- b) Classify the land as 'Special Use Zone 7' within LPS 4 and include tourism, residential and composite mixed use special land uses.
- c) Insert provisions into 'Special Use Zone 7' to require the adoption of a new structure plan and design guidelines as a prerequisite to subdivision and development.
- d) Require any future structure plan and design guidelines to address the planning considerations detailed above.

Schedule of Late Modifications to Shire of Exmouth Draft Local Planning Scheme No. 4 (Revision 11) and Local Planning Strategy (Revision 8)

Please Note:

LPS4	Refers to draft Local Planning Scheme No. 4.
TPS3	Refers to Town planning Scheme No. 3.
Strategy	Refers to the draft Local Planning Strategy.
DA	Refers to Development Application/s.
Regulation/s	Refers to the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or a specific Regulation within that document.
Previous Modification	Refers to a modification to LPS4 and/or Strategy adopted by Council at the December 2016 Ordinary Council Meeting pursuant to Regulation 25(3)(b).
Proposed Modification	Refers to a modification to LPS4 and/or Strategy in this schedule proposed after the Previous Modifications which are yet to be adopted.
Deemed Provision	Refers to a provision in 'Schedule 2 — Deemed provisions for local planning schemes' of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Late Submission	Refers to a submission in the Schedule of Late Submissions. These submissions have been received after the 'Consideration Period' and their consideration is dependent upon the Commission approving the extension of the 'Consideration Period' in accordance with Regulation 25(1)(d).
Previous Submission	Refers to a submission received during the 'Submission Period' as defined by the Regulations.
Attachment	Refers to an Attachment at the end of this Schedule.

***To view a previous modification and/or submission please refer to the Schedule of Submissions and Schedule of Modifications in Attachment 6 and 7 of the Agenda.**

No.	Pg No.	Proposed Modification	Reason	Identification Method
Local Planning Scheme No. 4				
1.	27	Amend Clause 4.6.4 as follows: <ul style="list-style-type: none"> Amend Clause 4.6.4(a) to the following: <p>“(a) The deemed-to-comply provisions of the R Codes in relation to outbuildings are varied by inclusion of the following provisions in items (b) to (e) inclusive of this clause 4.6.4.”</p> Add Clause 4.6.4(e) as follows: <p>“(e) Commencing the development of an Outbuilding is not permitted until such time as the development of a Dwelling within the same lot has been substantially commenced, which includes the development of the Dwelling pad, footings and all walls and/or frame.”</p> 	Currently Council's policy framework allows for the development of Outbuildings prior to a Dwelling in certain circumstances. This was included in the advertised version of LPS4 except only permissible where a statutory declaration is signed outlining that a Dwelling would be constructed within 6 months of the Outbuilding. This mechanism has been used by other local governments and has proved to result in substantial compliance issues where property owners refuse to develop the Dwelling after 6 months. As a result, the Clauses relating to this mechanism were removed through Previous Modification 127 to LPS4 as Council determined to no longer permit the development of an Outbuilding prior to a Dwelling. However, as an oversight LPS4 is now completely silent on the matter. Therefore, the proposed Clauses are required to prevent the development of an Outbuilding prior to the substantial commencement of a Dwelling.	Testing of LPS4 against DA, development proposals and queries.
2.	27	Remove the words “and Rural” from Clause 4.6.4(c).	This Clause currently restricts Outbuildings in the Rural zone to 150m ² in area. This is considered unreasonable as the structures in this zone generally do not affect adjoining property occupiers and/or the amenity of the locality.	After consideration of Proposed Modification 1 to LPS4. Refer Previous Modification 127 to LPS4.
3.	27-28	Amend Section '4.8 Sea Containers' as follows: <ul style="list-style-type: none"> Amend Clause 4.8.2 to the following: <p>“4.8.2 Unless otherwise provided for by this Scheme, Sea containers are not permitted in zones that are not listed in Table 2 set out in clause 4.8.3.”</p> Increase the Maximum Number of Sea Containers in 'Table 2 Sea Containers', contained within Clause 4.8.3, as follows: <ul style="list-style-type: none"> 'Service Commercial' and 'Rural Residential': 2. 'Light Industry' and 'Special Use Zone 1 – Composite': 5. Remove 'Special Use Zone 5 – P1' from 'Table 2 Sea Containers'. 	Through the advertising of LPS4 permitted sea container numbers were consistent with Council's existing <i>Policy No. 6.9 – Use of Sea Containers</i> . Through a submission numbers in heavy industrial zones were increased. Through testing LPS4 against DA's the maximum length was increased. Refer Previous Modifications 139-145 to LPS4. A substantial compliance action was commenced at the end of 2016 regarding unlawful sea containers. Through this process many DA's for sea containers in the zones the subject of this Proposed Modification were lodged. Given that lighter industrial land uses are carried out in these zones the current number restrictions have been unreasonable in some circumstances where people are seeking approval for numbers in line with this Proposed Modification, which would be reasonable for the associated land use. Currently 2 sea containers are permitted in the Rural residential zone which is considered Reasonable.	Testing of LPS4 against DA, development proposals and queries following a substantial compliance action.

		<ul style="list-style-type: none"> Amend Clause 4.8.5 to the following: <i>“4.8.5 Where considered necessary by the Local Government, Sea Containers shall be adequately screened from the street and shall not be located over existing utilities and services.”</i> 	<p>Sea container development occurs in special use zones which aren't mentioned in Table 2. Such works may also occur in future zones not mentioned in Table 2. Therefore, the proposed amendment to Clause 4.8.2 will allow sea containers to occur in the future where considered necessary through mention in other areas of the scheme, particularly scheme amendments.</p> <p>It is considered unreasonable to implement screening in all circumstances, particularly for heavy industrial areas. The proposed amendment to Clause 4.8.5 allows use of discretion to determine where screening is necessary and reasonable.</p>	
4.	29	<p>Amend Clause '4.13.1' to the following:</p> <p><i>“4.13 Development fronting Murat Road</i> <i>4.13.1 For land fronting onto Murat Road, unless otherwise provided for by the Scheme, Activity Centre Plan a Structure Plan or a Local Development Plan, the following provisions apply.”</i></p>	<p>Clause '4.13 Development fronting Murat Road' has been included to replace Council's <i>Policy No. 6.7 - Murat Road Development Guidelines</i> which seeks to achieve positive amenity outcomes and consistent development on the main road into Exmouth. The provisions would result in positive amenity outcomes. However site and development requirements, particularly setbacks and building height, are included in Clause 4.13 which are also provided for by most zones fronting Murat Road in Part 3 of the LPS4, resulting in a duplication/inconsistency.</p> <p>The site and development requirements prescribed for each zone have been done so that they are compatible with the development type and density. Clause 4.13.1 prescribes a generic setback and height which is impractical for some of the higher density zones. Therefore, the amendment clarifies that the zones prevail while prescribing uniform standards if there ends up being a particular zone which is silent on these matters in the future.</p>	Testing of LPS4 against DA, development proposals and queries.
5.	31-32	<p>Amend Section '4.14 Caretakers Dwelling' as follows:</p> <ul style="list-style-type: none"> Delete Clause 4.14.1(f). Amend existing Clause 4.14.1(i) to the following: <i>“(i) A Caretakers Dwelling shall have a maximum floor area of 100m², measured from the external face of walls.”</i> Replace existing Clauses 4.14.1(j) and 4.14.1(k) with the following: <i>“(j) Open Verandahs and Carports attached to a Caretakers Dwelling may be permitted but shall not be enclosed by any means unless the total floor area remains within a maximum of 100m² in accordance with Clause 4.14.1(i) above.”</i> <i>“(k) Only one (1) Swimming Pool and Outbuilding associated with a Caretaker's Dwelling shall be permitted which shall be minor in nature and no larger than 10m² each.”</i> <i>“(l) A Caretaker's Dwelling shall be a fully detached separate building from the predominant non-residential use and cannot be located within part of any structure or building.”</i> Renumber Subclauses of 4.14.1 as required Add Clause 4.14.2(e) as follows: <i>“(e) A written undertaking by the property owner in the form of a Statutory Declaration acknowledging that the occupants of the Caretakers Dwelling accept that they are not entitled to the same enjoyment, health</i> 	<p>Clause 4.14.1(f) is superfluous as the property owner and/or proprietor could authorise any person to occupy a Caretakers Dwelling meaning provision doesn't achieve anything.</p> <p>Including open structures in the maximum floor area requirement, such as carports and verandahs, is considered unreasonable as it does not follow Council's current <i>Policy No. 6.4 - Caretaker's Dwelling</i> or the guidance from the WAPC's <i>Planning Bulletin 70/2017 Caretakers' dwellings in industrial areas</i>, which both specifically state external face of walls for measuring maximum area.</p> <p>Through testing LPS4 against development proposals we have noticed that people are claiming swimming pools to be works associated with their industrial land use as a loop hole to get around the prohibition of having a swimming pool with their Caretakers Dwelling. In reality the swimming pools will be used by the occupants of the Caretakers Dwelling.</p> <p>In some cases there is a lot a merit to such claims as a proponent's primary business may include activities which require the display of a swimming pool, such as the sale of swimming pools or a contractor which develops structures associated with swimming pools. However, currently Clause 4.14.1(j) will result in inconsistent decision making regarding swimming pools on properties with a Caretakers Dwelling where Council has to assess a proposals merit and whether it is justified to claim that a swimming pool can be considered as works under the primary land use.</p> <p>The purpose of Clause 4.14.1(j) as it currently stands is to prevent the use of Caretakers Dwellings expanding to an extent similar to that of a normal Dwelling and as a result watering down an industrial area from achieving its primary purpose of carrying out industrial land uses. This Proposed Modification is considered to keep the development of swimming pools and outbuildings minor in nature to address this issue. The proposed addition of Clause 4.14.2(e) further addresses this issue by requiring proponents to</p>	Testing of LPS4 against DA, development proposals and queries.

		<i>standards and noise levels as would normally be associated with an area designated and/or zoned for residential purposes.”</i>	provide a written acknowledgement that they accept not having the enjoyment that would normally be associated with an area designated and/or zoned for residential purposes. Therefore, there will be no basis to complaints regarding industrial noise and/or emissions. However, all proponents will now have the opportunity to have a swimming pool to provide consistency in how Caretakers Dwellings are developed. Proposed Clause 4.14.2(e) is also a mechanism consistent with Council’s current Policy No. 6.4.	
6.	37	Amend Section ‘4.21 Landscaping’ as follows: • Delete Clause 4.21.3.	Section ‘4.21 Landscaping’ is based on Council’s current <i>Policy No. 6.10 – Landscaping</i> . Clause 4.21.3 is not consistent with the current Policy. Furthermore this provision is considered best addressed through a Policy provision.	Testing of LPS4 against DA, development proposals and queries.
7.	37	Amend Section ‘4.23 Use of Setback Areas’ as follows: • Replace Clauses 4.23.1(c) and (d) with the following: “4.23 Use of setback areas (c) the loading and unloading of vehicles; (d) landscaping with lawns, gardens trees and shrubs; and (e) advertisements and signs.”	It is common for signs and advertisements to be located within front setbacks which does not cause an issue when developed in accordance with site and development requirements. Currently Provisions 4.23 essentially prohibits advertisements being developed in the front setback which is considered unreasonable. Proposed Modifications to subclauses (c) and (d) are required for the continuation of the list in adding subclause (e).	Testing of LPS4 against DA, development proposals and queries.
8.	38	Delete Section ‘4.25 Sale or consumption of liquor’ and renumber LPS4 as required.	This clause is in regard to the provision of a management plan for land uses involving liquor. The statutory framework for the sale and consumption liquor is set out by the <i>Liquor Control Act 1988</i> which is administrated by the Department of Local Government, Sport and Cultural Industries. The Act includes requirements for the management of a licensed premises. Therefore, Section 4.25 is a duplication of a matter enforced through legislation administered by the State Government and not local government.	Testing of LPS4 against DA, development proposals, queries and requests for Section 40 Certificates under the Act.
9.	46	Amend ‘Table 5 Signage Zoning and Permissibility Table’ LPS Zone title columns in Clause 4.32.4 as follows: • Amend ‘Special Use Zone 4’ to the following: “Special Use Zone 4, 5” • Amend the ‘Special Use Zone 1, 2, 5’ to the following: “Special Use Zone 1, 2”	Proposed Modification 18 to LPS4 has been put forward for Special Use Zone 5 which results in the zone being very similar to Special Use Zone 4. Therefore the signage permissibility considerations should be same necessitating Special Use Zone 5 to be moved to the same column as Special Use Zone 4.	Processing of Scheme Amendment 31 to TPS3.
10.	53	Delete Clause 4.32.7(c).	This provision refers to an Australian Standard which is enforceable in its own right and should not be duplicated in planning legislation through LPS4.	Testing of LPS4 against DA, development proposals and queries.
11.	79	Amend ‘Restricted Use 3’ area as follows: • Include the following land uses with a ‘D’ designation: • Agriculture – Intensive; and • Rural Pursuit/Hobby Farm.	We have been referred a lease proposal by the Lands division of the Department of Planning, Lands and Heritage for activities which fall within the definitions of ‘Agriculture – Extensive’ (already listed in RU3), ‘Agriculture – Intensive’ and ‘Rural Pursuit/Hobby Farm’. These are land uses that have occurred historically at the site and are not considered to pose any issues if they were allowed to occur with the Restricted Use 3 area in accordance with the other site and development requirements of LPS4.	Crown Lease referral from the Department of Planning, Lands and Heritage.
12.	80, 83 Scheme Map 7	Remove Previous Modifications 278 and 383 to LPS4.	This proposed Modification is in regard to the development investigation area in the Mowbowra Industrial Estate. Previous Modifications 278 and 383 to LPS4 are no longer relevant due to the Ministerial determination of Scheme Amendment 31 to TPS3. For further explanation refer to Proposed Modification 18 to LPS4.	Received Ministerial determination of Scheme Amendment 31 to TPS3.
13.	83 Scheme Map 3	Remove Previous Modifications 279, 397 and 398 to LPS4.	This Proposed Modification involves Lots 6 and 319 Yardie Creek Road, North West Cape for which the Vlamingh Head Masterplan prescribes the site and development requirements for developing the lots. The Masterplan does not support the development of the rear of Lot 6. Therefore, the original intention was for a land swap arrangement of	Received Late Submission 1 from owner of Lot 6, Yardie Creek Road, North West Cape.

			<p>the rear Lot 6 land portion with Lot 319 owned by the State Government. Subsequently a Special Use Zone was implemented over the land where development is permissible in accordance with the Masterplan.</p> <p>During the submission period last year the owner of Lot 6 lodged a submission advising that the land swap arrangement had fallen through and sought the rezoning of the whole of Lot 6 to Special Use Zone 2. The zoning modification was made in accordance with the submission (Refer to Previous Modifications 279, 397 and 398 to LPS4). However, during July 2017 the owner of Lot 6 advised that there was a new intention to purchase Lot 319 and amalgamate it into Lot 6, thereby allowing the site to be developed in accordance with the Masterplan. Resultantly, a Late Submission was lodged requesting the previous submission and associated Previous Modifications above be withdrawn and the zoning returned to how it was advertised in LPS4 and currently classified in TPS3. In contemplating this matter further, it is considered that the zoning probably should not have been modified in the first place as it is not consistent with the Masterplan. The Masterplan should be amended as a prerequisite of any zoning changes.</p>	
14.	83	<p>Amend 'Special Use Zone 2' as follows:</p> <ul style="list-style-type: none"> Add the following Condition 3 to 'Land Use': <p><i>"3. Other land uses are not permitted, unless the land use is consistent with the Vlamingh Head Masterplan, and the local government has exercised its discretion by granting development approval."</i></p>	<p>All land uses included in Special Use Zone 2 are the updated model land uses from the Regulations that are reasonably consistent with the land uses listed by the <i>Vlamingh Head Masterplan</i>, except for 'Ecotourism Accommodation' and 'Short-Stay Apartment' as these were not defined by TPS3 or elsewhere in Council's current planning framework.</p> <p>Therefore, this Proposed Modification ensures development can occur in accordance with the Masterplan where there are any inconsistencies. In addition, should the Masterplan be reviewed and amended proposed Land Use Condition 3 will allow development to be carried out without the requirement for a scheme amendment. Otherwise land uses potentially identified as permissible in a revised Masterplan will still be prohibited by the Scheme prior to a scheme amendment occurring.</p>	Received Late Submission 3 from landowner of the properties under this zoning requesting the minor modification.
15.	85	<p>Amend 'Special Use Zone 3' as follows:</p> <ul style="list-style-type: none"> Add the following Condition 20 to 'General Development Requirements': <p><i>"20. A maximum of five (5) Sea Containers no greater than twenty (20) metres in length are permitted within any leasehold lot, excluding Sea Containers which may be used for the construction of Hangars used for the storage of aircraft."</i></p>	<p>Sea Containers are currently a type of development that has been supported for affordable storage within the Exmouth Aerodrome. They are also used for the construction of affordable 'dome' Hangars to store aircraft. As an oversight in draft LPS4 Section '4.8 Sea Containers' prohibits the use of sea containers in the Aerodrome. Therefore, this Proposed Modification in conjunction with Proposed Modification 3 to LPS4 above will allow a maximum of 5 Sea Containers no longer than 20m. This is consistent with current development. Any additional Sea Containers is considered to undermine the amenity of the area, which is accessed by the tourism public, and exceeds what is necessary for aviation land uses. To ensure development remains affordable use of Sea Containers for Hangar construction has been excluded from the maximum requirement.</p>	Identified through Proposed Modification 3 to LPS4.
16.	86	<p>Amend 'Special Use Zone 4' as follows:</p> <ul style="list-style-type: none"> Delete the following text from 'Description of Land' column: <p><i>"Lot 149 Hunt Street"</i></p>	<p>The original intention of Scheme Amendment 31 to TPS3 was to rezone the subject property in a manner which is consistent with Special Use Zone 4 in LPS4. Therefore, this property was advertised as Special Use Zone 4 in LPS4 accordingly. Due to the reasons in Proposed Modifications 12 and 18 to LPS4, Lot 149 is no longer going to be zoned as such and should therefore be removed from the description. Its removal was forgotten as an oversight in Previous Modifications 278 to LPS4.</p>	Processing of SA31 to TPS3.
17.	87	<p>Amend 'Special Use Zone 4' as follows:</p> <ul style="list-style-type: none"> Delete the entire 'Site requirements' Condition. Delete Condition 2 of 'Development requirements' 	<p>The 'Site requirements' Condition refers to the setbacks "being as determined by the local government". Deemed Provision 67 sets out the considerations by which setbacks would be determined in this scenario. In addition, the rest of the Condition refers to other legislation enforceable in its own right. Therefore, the Condition is considered superfluous.</p>	Received Late Submission 4 requesting the minor modifications.

		<ul style="list-style-type: none"> Amend Condition 5 of 'Development requirements' to the following: <i>"5. Notwithstanding Condition 4 above, a maximum of two Dwellings and one Caretakers Dwelling are permitted for permanent accommodation by staff employed by the Caravan Park and/or Camping Ground."</i> 	<p>Similarly, 'Development requirements' Condition 2 is considered superfluous as it lists matters covered by Deemed Provision 67, information that can be required under Deemed Provision 63 and matters that are required under the Caravan Park and Camping Ground legislation. The intent of the provision is to advise prospective developers of DA information requirements which can be achieved through administrative processes.</p> <p>The wording of 'Development requirements' Condition 5 contains an oversight. One Caretakers Dwelling is permissible within each property covered by Special Use Zone 4. A Caretakers Dwelling generally allows permanent accommodation. However, the current wording of Condition 5 omits the Caretakers Dwelling land use meaning Condition 4 would restrict occupation of the Caretakers Dwelling to 4 months.</p>	
18.	88-90	<p>Delete all current text in 'Special Use Zone 5' and replace with text consistent to the Ministerial Decision for Scheme Amendment 31 to TPS3. The text is as follows:</p> <ul style="list-style-type: none"> Include the following text in the 'Description of Land' column: <i>"Lot 149 and Lot 150 Hunt Street, North West Cape.</i> <i>Scheme Map 7".</i> Include the following land uses in the 'Special Use' column: <i>"P' Uses:</i> <ul style="list-style-type: none"> <i>Camping Ground; and</i> <i>Caravan Park.</i> <i>'I' Uses:</i> <ul style="list-style-type: none"> <i>Caretaker's Dwelling;</i> <i>Community Purpose;</i> <i>Convenience Store;</i> <i>Dwelling;</i> <i>Fast Food Outlet;</i> <i>Motel;</i> <i>Public Utility;</i> <i>Recreation - Private;</i> <i>Restaurant/Café; and</i> <i>Shop.</i> <i>'A' Uses:</i> <ul style="list-style-type: none"> <i>Telecommunications Infrastructure."</i> Include the following text in the 'Conditions' column: <i>"1. The objectives of Special Use Zone 5 are as follows:</i> <i>(a) To cater for the current and future supply of affordable tourist accommodation, principally in the form of a caravan park and camping ground, to meet current and anticipated demand.</i> 	<p>The Ministerial decision for Scheme Amendment 31 to TPS3 has seen approval for new Special Use Zone 8 over Lot 149 and Lot 150 Hunt Street, North West Cape. Therefore, this Proposed Modification is required to transition the Special Use Zone into LPS4.</p> <p>The land was originally included in Special Use Zone 4 in the advertising of LPS4. However, Scheme Amendment 31 was not determined before the final adoption of LPS4 by Council in December 2016. Therefore, the properties were returned to their classification under TPS3 prior to Scheme Amendment 31 being commenced through Previous Modifications 278, 383 and 411 to LPS4. LPS4 being put on hold in 2017 resulted in enough time passing for Scheme Amendment 31 to be approved. Therefore, Previous Modifications 278, 383 and 411 to LPS4 are no longer necessary as per Proposed Modification 12 to LPS4 above.</p> <p>Although the intention is almost the same as Special Use Zone 4, the properties require a separate Special Use Zone due to the coastal study provisions that were identified through the above scheme amendment process. As Special Use Zone 5 in the adopted LPS4 is proposed to be reclassified to 'Strategic Infrastructure – Boat Harbour' Reserve through Proposed Modification 24 to LPS4, it becomes an empty Special Use Zone which can be used for this Proposed Modification.</p> <p>Aside the from the coastal study provisions, the intent of proposed Special Use Zone 5 is the same as Special Use Zone 4. Therefore, further minor modifications from what has been adopted in TPS3 are proposed in order to make proposed Special Use Zone 5 consistent with Proposed Modification 17 to LPS4 above and Special Use Zone 4 in LPS4.</p> <p>The further minor modifications to Special Use Zone 8 in TPS3 include the following:</p> <ul style="list-style-type: none"> Rewording of Condition 5 to require a local development plan prior to considering a development application. Currently the wording of TPS3 can be interpreted as allowing the concurrent consideration of the required local development plan and a development application. This undermines the purpose of a local development plan in prescribing the planning framework which development is required to be in accordance with and subsequently enforced through the development application process. Removing Condition 10 in accordance with Proposed Modification 17 to LPS4 above. Amending Condition 12 in accordance with Proposed Modification 17 to LPS4 above. Amending Condition 15 to be consistent with Special Use Zone 4. The Condition's reference to 'Commercial land uses' was removed through Scheme Amendment 31 as TPS3 does not categorise land uses into different types, such as Commercial, Industrial, Residential, etc, in the way LPS4 does through 'Table 1 Zoning Table'. As 	Received Ministerial determination of Scheme Amendment 31 to TPS3 and consideration of Proposed Modification 17 to LPS4.

		<p>(b) <i>To control the location, form, character and density of development to complement the natural and built features within the locality.</i></p> <p>(c) <i>To provide for high quality short-term accommodation and tourist facilities which are compatible with the adjoining industrial area.</i></p> <p>(d) <i>To ensure development results in sustainable foreshore management and coastal hazard mitigation.</i></p> <p>2. <i>Subdivision is not permitted.</i></p> <p>3. <i>A portion of Lot 149 extending 140m from the Horizontal Shoreline Datum (HSD) is at risk of erosion and inundation over the 100 year planning timeframe. In making an application for development approval, adequate coastal hazard risk management and adaptation planning shall be provided as required by Statement of Planning Policy 2.6 State Coastal Planning Policy (refer to the coastal processes study Project SE036.01.RevA, 26 August 2016).</i></p> <p>4. <i>A coastal foreshore management plan is to be prepared by the applicant and shall include as a minimum the matters set out in the State Coastal Planning Policy Guidelines section 9.1 Coastal Plan requirements.</i></p> <p>5. <i>The coastal foreshore management plan is to demonstrate that the landowner shall be responsible for the implementation of the coastal foreshore management plan as well as funding maintenance, monitoring and management of foreshore works.</i></p> <p>6. <i>Prior to considering any development application, the local government shall require a local development plan to be prepared in accordance with Part 6, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 addressing the following:</i></p> <ul style="list-style-type: none"> <i>i. Landform, drainage and topography;</i> <i>ii. Soils and vegetation;</i> <i>iii. Internal vehicle and pedestrian movements, including location and dimensions of roads and footpaths;</i> <i>iv. The location, size and function of all communal open space areas;</i> <i>v. Land uses;</i> <i>vi. Indicative site layout;</i> <i>vii. Servicing, including sewer, water, drainage and power;</i> <i>viii. A bushfire attack level assessment and bushfire management plan; and</i> <i>ix. Such other information as may be required by the local government.</i> <p>7. <i>No permanent buildings or structure are permitted within the portion of Lot 149 extending 140m from the HSD (refer to the coastal processes study Project SE036.01.RevA, 26 August 2016).</i></p> <p>8. <i>As a condition of development approval, a notification shall be placed on the Certificate of Title of Lot 149 stating the following:</i></p> <p><i>'Vulnerable Coastal Area - This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years'.</i></p> <p>9. <i>As a condition of development approval, a notification shall be placed on the Certificate of Title of Lot 150 and Lot 149 stating the following:</i></p>	<p>a result this Proposed Modification is required to achieve the intent of the Condition, as contained in Special Use Zone 4.</p>	
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19.	107	<p>Amend 'Special Use Zone 6' as follows:</p> <ul style="list-style-type: none">• Replace 'Area B – Precinct 3 – Residential Dry Lots Development Requirement' Condition 13 with the following: <p>13. Fencing:</p> <p>(a) Fencing on side and rear boundaries shall be constructed in one or a combination of the following materials:</p> <p>i. Rear boundary Lots 92 to 102: Shall be Colourbond Steel and the colour Willow; and</p> <p>ii. All other boundaries as follows:</p> <table><tr><td><u>Material</u></td><td><u>Colour</u></td></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table>	<u>Material</u>	<u>Colour</u>	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural	<p>Conditions for Special Use Zone 6 are predominantly consistent with Council's current local planning policy framework. An oversight has seen the same fencing provisions for Area B – Precinct 2 also included for Area B – Precinct 3. Precinct 2 is the most common residential canal lots where Precinct 3 does not front any canal, therefore the fencing provisions do not work. Resultantly, it is recommended that the provisions from the existing local planning policy are inserted instead, however removing the specification for 'Neetalock' fencing as this extent of specificity is considered unreasonable.</p>	<p>Testing of LPS4 against DA, development proposals and queries.</p>
<u>Material</u>	<u>Colour</u>											
Colorbond Steel	Terrace or Similar											
Painted / Rendered Masonry	Limestone or Similar											
Limestone	Natural											

		<p>(b) Fencing Height shall be as follows:</p> <ul style="list-style-type: none"> i. Side: maximum of 1.8 metres from natural ground level; ii. Rear boundary Lots 92 to 102: shall be 1.8 metres in height from natural ground level and completed prior to occupation of the Dwelling; iii. Rear all other Lots: maximum of 1.8 metres from natural ground level; and iv. Fencing in the front setback area, including on lot boundaries, is not permitted under any circumstances. 		
20.	114-120	<p>Amend 'Special Use Zone 6' as follows:</p> <ul style="list-style-type: none"> Replace 'Area B – Precinct 6 and 6A – Horwood Quays and Landing Park Tourist Commercial Development Requirements' Conditions 1, 2 & 3 with the following: <ul style="list-style-type: none"> “1. Only Commercial land uses are permitted on the ground floor of any development. 2. No Commercial land uses are permitted on upper floors of any development.” Renumber 'Area B – Precinct 6 and 6A – Horwood Quays and Landing Park Tourist Commercial Development Requirements' Conditions as required. Replace 'Area B – Precinct 7 – Tourist Commercial Mixed Use Development Requirements' Conditions 1, 2 & 3 with the following: <ul style="list-style-type: none"> “1. Only Commercial land uses are permitted on the ground floor of any development. 2. No Commercial land uses are permitted on upper floors of any development.” Delete 'Serviced Apartment' land use from 'Area B – Precinct 7 – Tourist Commercial Mixed Use Development Requirement' Condition 5. Delete 'Industry – Cottage' land use from 'Area B – Precinct 7 – Tourist Commercial Mixed Use Development Requirement' Condition 6. Renumber 'Area B – Precinct 7 – Tourist Commercial Mixed Use Development Requirements' Conditions as required. 	<p>Most land uses permissible under TPS3 and Council's <i>Policy No. 6.20 – Design Guidelines For Exmouth Marina Village Precinct 'B'</i> have been carried over to Special Use Zone 6 and 7. The intention of the current framework is for only commercial land uses to be developed on the ground floor and residential uses to be developed on upper floors. However, under the current framework there is no designation of which land uses are considered 'residential' or 'commercial' in nature and this is considered on its merits. In LPS4 the zoning table clarifies which land uses are considered as 'residential', 'tourism', 'commercial', 'industrial', 'rural' and 'community and civic' in nature. As a result some of the land uses which are currently intended to be considered as 'residential' in nature due to involving human habitation (even for a short time frame) are now considered tourism land uses in the zoning table, such as Holiday Accommodation. Such accommodation land uses were intended to be present on upper floors, but the current provisions in LPS4 restrict them to the ground floor which is where only commercial uses were intended to be located. Therefore, this Proposed Modification looks to maintain the intent of the current policy framework.</p> <p>One of the intentions of Previous Modification 365 to LPS4 was to move the 'Serviced Apartment' land use from Condition 6 with a 'D' permissibility to Condition 5 with a 'P' permissibility to remove the ability for claims of compensation under injurious affection. However, as an oversight Serviced Apartment was placed under Condition 5 and not removed from Condition 6. Therefore, its deletion from Condition 6 is required to remove the duplication.</p> <p>The 'Industry – Cottage' land use involves the carrying out of a trade or light industry at a premises to produce art. These activities are considered impractical when the premises is not located on a ground floor due to only commercial uses being permitted on the ground floor. As a result Industry – Cottage was removed from Precinct 6 and 6A in the preparation of SU6. Precinct 7 is very similar in its use, therefore it is recommended that the Industry – Cottage land use is removed.</p>	Testing of LPS4 against DA, development proposals and queries.
21.	115	<p>Amend 'Special Use Zone 6' as follows:</p> <ul style="list-style-type: none"> Amend 'Area B – Precinct 6 and 6A – Horwood Quays and Landing Park Tourist Commercial Development requirement' Condition 11(b) to the following: <ul style="list-style-type: none"> “11. Fencing: <ul style="list-style-type: none"> (b) Garage doors will be permitted to the rear boundary. All fencing to these areas shall be non-permeable.” 	<p>The text “Garage doors will be permitted to the rear boundary” was omitted from this Condition as an oversight in the preparation of LPS4. This wording comes from Council's existing <i>Policy No. 6.20 – Design Guidelines For Exmouth Marina Village Precinct 'B'</i>.</p>	Testing of LPS4 against DA, development proposals and queries.
22.	129 Scheme Map 5	<p>Amend 'Special Use Zone 6' as follows:</p> <ul style="list-style-type: none"> Remove all Conditions text relating to 'Area D'. <p>Create new 'Special Use Zone 7' as follows:</p> <ul style="list-style-type: none"> Include the following text in the 'Description of Land' column: 	<p>Precinct D remains the last superlot under the <i>Exmouth Marina Village Outline Development Plan</i> (ODP) that is undeveloped. Precinct E has since become part of the Exmouth Boat Harbour vested to the Department of Transport. Currently in LPS4 Special Use Zone 6 deals with the ODP area. The zone has essentially replaced the Marina zone in TPS3. All of the previous 'Precincts' have been captured as 'Areas' in Special Use Zone 6 with specific provisions relating to those Areas.</p>	Received Late Submission 2 from Landcorp requesting modifications to the development vision of 'Superlot D' contained in the

		<p><i>“Area D in the Exmouth Marina Village being Lot 9510 on Deposited Plan 055557.</i></p> <p><i>Scheme Map 5”</i></p> <ul style="list-style-type: none"> • Include the following land uses in the ‘Special Use’ column: <i>“D’ Uses:</i> <ul style="list-style-type: none"> • <i>Bed and Breakfast;</i> • <i>Grouped Dwelling;</i> • <i>Holiday Accommodation;</i> • <i>Holiday Home;</i> • <i>Hotel;</i> • <i>Motel;</i> • <i>Single House; and</i> • <i>Tourist Development;</i> <i>‘A’ Uses:</i> <ul style="list-style-type: none"> • <i>Industry – Light;</i> • <i>Industry – Service;</i> • <i>Marine Support Facility;</i> • <i>Service Station;</i> • <i>Telecommunications Infrastructure;</i> • <i>Trade Display; and</i> • <i>Warehouse/Storage.”</i> • Include the following text in the ‘Conditions’ column: <i>“1. Applications for subdivision and development approval shall not be supported unless:</i> <i>(a) the Exmouth Marina Village Outline Development Plan has been amended as a new structure plan for Area D to the satisfaction of the local government, pursuant to Part 4 of the deemed provisions; and</i> <i>(b) New Design Guidelines have been prepared for the area, which revoke the Exmouth Marina Village Broad Design Guidelines, and adopted as a local planning policy under Part 2 of the deemed provisions;</i> <i>2. The Design Guidelines adopted under Clause 1(b) above are to be implemented as if they form part of the Scheme.”</i> <p>Reclassify the land described in the ‘Description of Land’ column above to the ‘Special Use Zone 7’ on Scheme Map 5 accordingly.</p>	<p>The Strategy identifies a land use intent and design review for Precinct D as what is outlined in the ODP is not supported. Guidance on what this review should look like is provided in the Strategy. The intention for Area D (Superlot D) in LPS4 was for Special Use Zone 6 to simply require the amendment of the ODP prior to any application for subdivision and/or development approval being supported. Land use permissibility was not included in the scheme as this would be recommended in the resulting structure plan which would then be implemented in LPS4 through subsequent scheme amendment. Between the approval of the structure plan and subsequent scheme amendment any development application would be considered as uses not listed by LPS4 with due regard given to approval in accordance with the structure plan.</p> <p>The land is currently owned by Landcorp. Towards the end of 2017 the Shire received a late submission from Landcorp requesting modification to the above guidance and land use intent provided by the Strategy. The modifications are considered to provide beneficial outcomes for the community and expand Exmouth’s economic capacity. Therefore have been supported for Council’s consideration (refer to Proposed Modifications 1 and 3 to the Strategy). However, through further discussion Landcorp requested the inclusion of land use permissibility in LPS4 consistent with the Strategy to provide greater certainty for their inclusion in the future. Therefore, the list of land uses has been included in the ‘Special Use’ column.</p> <p>Through discussions with the Department of Planning it was determined that it is simpler to create a new Special Use Zone to deal with the vacant land and leave Special Use Zone 6 to deal with the existing developed land. Therefore Special Use Zone 7 is proposed.</p> <p>As an oversight the Area D Conditions in the current adopted LPS4 do not include any requirement to implement site and development requirements as a structure plan only deals with land use and subdivision. Therefore, the requirement for the adoption of design guidelines is also recommended which are to be implemented as if they are part of the scheme to give them statutory effect. The wording in regard to the structure plan has been revised to work in more effectively with the additional requirement for Design Guidelines.</p>	<p><i>Exmouth Marina Village Outline Development Plan.</i></p> <p>Received Late Submission 5 from the Department of Transport commenting on Landcorp’s proposal which was considered in proposing this modification.</p>
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23.	Scheme Map 4	<p>Reclassify the following properties on Scheme Map 4 to 'Public Purposes' Reserve:</p> <ul style="list-style-type: none"> • Crown Reserve 28970 being Lot 714 on Deposited Plan 172542; and • The portion of Crown Reserve 28970 being Lot 32 Learmonth St, Exmouth on Deposited Plan 209501 classified as such on Scheme Map 1 of TPS3. 	<p>The proposed reclassification area is essential drainage way infrastructure. This Proposed Modification returns the portion of Lot 32 to the same classification under TPS3. It is a new classification of Lot 714, however this property is part of the same drainage way and the classification is needed to protect and administratively manage Council's drainage infrastructure.</p>	<p>Through a proposal to purchase and amalgamate Lot 32 into the adjoining property.</p>
24.	Scheme Map 5	<p>Reclassify 'Special Use Zone 5', excluding Lot 1481 Neale Cove, Exmouth on Deposited Plan 038636, and any land currently or intended to be in the care, control and management of the Department of Transport for the purpose of the Exmouth Boat Harbour (refer Attachment 1) on Scheme Map 5 to 'Strategic Infrastructure – Boat Harbour' Reserve.</p>	<p>Over the past 2 years there has been much disagreement between the Shire of Exmouth and Department of Transport regarding the classification of the Exmouth Boat Harbour in LPS4. During July 2017 the Department approached the Shire to recommence discussions on the matter and it was agreed to seek Council's reclassification of the land to a local planning scheme reserve as sought by the Department. As a result of this Proposed Modification the Department of Transport are proposing to prepare a local planning policy to provide the site and development framework for the Exmouth Boat Harbour. The leasing arrangements implemented by the Department provide the Shire further security regarding the use of the Harbour in accordance with the policy and its enforcement. Enforcement of the planning framework was what initially raised concerns for the Shire. As a result, Special Use Zone 5 was prepared in the advertised LPS4 as a more stringent framework to address potential surrounding land use conflict. In addition, this Proposed Modification is consistent with Previous Submission 22.</p> <p>To reclassify Lot 1481 to a local planning scheme reserve causes the risk of injurious affection under the <i>Planning and Development Act 2005</i>. Therefore, this property is captured by Proposed Modification 26 to LPS4.</p>	<p>Discussions with the Department of Transport.</p> <p>Refer Previous Modification 403 to LPS4.</p>
25.	76	<p>Create new 'Additional Use 6' as follows:</p> <ul style="list-style-type: none"> • Include the following text in the 'Description of Land' column: <i>"A portion of Lot 1493 Murat Road, Exmouth on Deposited Plan 039344 and Lot 1391 on Deposited Plan 217782 as shown on Scheme Map 5."</i> • Include the following land uses in the 'Additional Use' column: <i>"P' Uses:</i> <ul style="list-style-type: none"> • <i>Agriculture – Extensive."</i> • Include the following text in the 'Conditions' column: <ul style="list-style-type: none"> <i>"1. The objective of Additional Use 6 is to allow for the development of the additional use in a manner which does not undermine the land being developed in accordance with the Local Planning Strategy in the future.</i> <i>2. Notwithstanding Clause 3.11.2, the local government may approve any development application for the additional use prior to the approval of a structure plan.</i> <i>3. The minimum building setbacks shall be:</i> <ul style="list-style-type: none"> <i>(a) Street: 20 metres; and</i> <i>(b) Other Boundaries: 10 metres.</i> <p>Reclassify the land described in the 'Description of Land' column above (refer Attachment 2) with 'Additional Use 6' on Scheme Map 5 accordingly.</p> <p>Amend Section '3.11 Urban Development zone' as follows:</p> <ul style="list-style-type: none"> • Add the following objective 3.11.1(d): 	<p>Currently the Shire of Exmouth leases portions of the properties outlined in the 'Description of Land' column of this modification for the purpose of accommodating animals, primarily horses. As a result it is likely that development applications associated with these activities are going to be received.</p> <p>LPS4 classifies the subject land as the Urban Development zone as the land is identified in the Strategy for residential development in the future. Clause 3.11.2 of the Urban Development zone requires the approval of a structure plan prior to a development application being able to be approved. This will create issues for the above horse blocks and prevent any further use of the land from what is currently occurring.</p> <p>The current use of the land for the horse blocks is not considered to undermine its ability to be developed in accordance with LPS4 and the Strategy in the future. Therefore, this Proposed Modification for an Additional Use classification is recommended to allow the determination of development applications for the additional use prior to the approval of a structure plan.</p> <p>Additional objective 3.11.1(d) is recommended in order to make the proposed Additional Use consistent with the Urban Development zone and the intent above.</p>	<p>Testing of LPS4 against DA, development proposals and queries.</p>

		<i>(d) to allow for low intensity interim development prior to a structure plan in limited circumstances as an additional use on Crown land which doesn't undermine the future development of that land in accordance with any local planning strategy and this Scheme.</i>		
26.	Following Special Use Zone 7 above. Scheme Map 5	<p>Create new 'Special Use Zone 8' as follows:</p> <ul style="list-style-type: none"> Include the following text in the 'Description of Land' column: <i>"Lot 1481 Neale Cove, Exmouth on Deposited Plan 038636.</i> <i>Scheme Map 5"</i> Include the following land uses in the 'Special Use' column: <i>"P' Uses:</i> <ul style="list-style-type: none"> <i>Marine Support Facility;</i> <i>'D' Uses:</i> <ul style="list-style-type: none"> <i>Land uses outlined in any local planning policy adopted under Part 2 of the deemed provisions or other lawfully adopted planning policy."</i> Include the following text in the 'Conditions' column: <i>"1. Site and development requirements shall be in accordance with any local planning policy adopted under Part 2 of the deemed provisions or other lawfully adopted planning policy.</i> <i>2. Development shall be marine and port related.</i> <i>3. The maximum number and length of sea containers shall be in accordance with the General Industry Zone."</i> <p>Reclassify the land described in the 'Description of Land' column above to 'Special Use Zone 8' on Scheme Map 5 accordingly.</p>	<p>As a result of Proposed Modification 24 to LPS4 Special Use Zone 5 is being removed and replaced with the 'Strategic Infrastructure – Boat Harbour' local planning scheme reserve in agreement with the Department of Transport.</p> <p>Pursuant to Section 174(1)(a) of the <i>Planning and Development Act 2005</i> when land is reserved under a planning scheme it is injuriously affected. When land is injuriously affected the local government is liable to pay compensation to the affected landowner.</p> <p>The State Government of WA is the owner of the majority of land in the Exmouth Boat Harbour. As the Department of Transport is requesting that we classify the Harbour as a local planning scheme reserve it is unlikely that the State will seek compensation. However, Lot 1481 is a freehold property in private ownership. Therefore, this proposed Modification is recommended to prevent the property from being injuriously affected which could lead to the Shire of Exmouth being liable for compensation.</p> <p>It is recommended that the site and development requirements for the property are captured in the local planning policy that the Department of Transport are proposing, as outlined in Proposed Modification 24 to LPS4.</p> <p>In addition, as there is only one boat harbour it is recommended that development is marine and port related as development which is not can occur in other areas outside of the Harbour. Condition 3 is proposed to allow the development of sea containers under Section '4.8 Sea Containers' as requested under Previous Submission 8.</p>	Consideration of Proposed Modification 24 to LPS4.
27.	53	Delete Clause 4.32.8.	<p>Clause 4.32.8 has the purpose of prohibiting 'Third party Advertising' which is advertising goods or services not located within the property the advertisement is located on. The main concerns for signs and advertisements is considered to be their impact on the amenity of the area within which they are located. Therefore, in order to prevent signs from having an adverse impact LPS4 contains development requirements restricting the size, number and location of advertisements. However, what is actually displayed on the advertisement is not considered to impact the amenity as long as the advertisement complies with the other development requirements. Clause 4.32.8 restricts what is displayed on the advertisement which is considered overzealous and restrictive of the local tourism industry which seeks advertising.</p>	Testing of LPS4 against DA, development proposals and queries.
Local Planning Strategy				
1.	3	<p>Amend Section '2 Residential' in Part 1 of the Strategy as follows:</p> <ul style="list-style-type: none"> Amend 'Action' 2.3(g) to the following: <i>g) Include 'Future Residential' - Area 7 within a new 'Special Use Zone' under LPS 4, refer to the land as 'Area D' and require a Structure Plan and Design Guidelines to be prepared that review the design vision and development requirements of the approved Exmouth Marina Village Outline Development Plan (ODP) and Broad Design Guidelines.</i> 	This Proposed Modification is required in order for Action 2.3(g) in Part 1 of the Strategy to be consistent with Proposed Modification 3 to the Strategy.	Received Late Submission 2 from Landcorp requesting modifications to the development vision of 'Superlot D' contained in the <i>Exmouth Marina Village Outline Development Plan</i> .

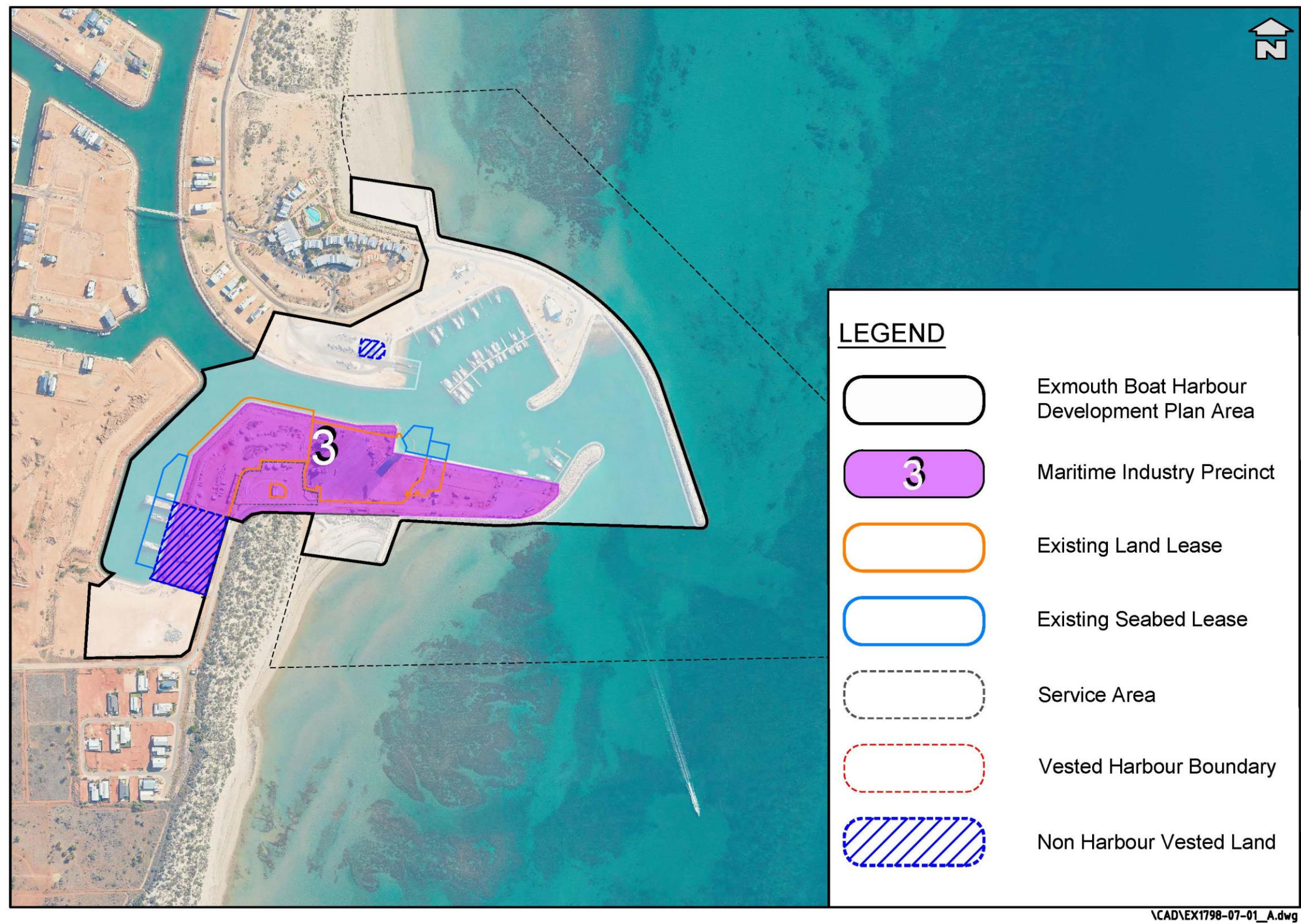
2.	117	<p>Amend Section '3.2.6 Future Residential Area 6' in Part 3 of the Strategy as follows:</p> <ul style="list-style-type: none"> • Replace 'Future Residential Area 6 Planning Consideration' 3.2.6.2(4)(g) with the following: <p><i>g) The Mortiss Street interface being compatible with traffic accessing the Exmouth Boat Harbour and the adjacent Precincts D (Future Residential Area 7) and E (Exmouth Boat Harbour). Investigation into measures to achieve this including, but not limited to, restricting street access to sensitive land uses, landscape screening devices, notifications on certificate of title and alternative land uses along this frontage which are compatible with residential development through their transition into the remainder of Area 6.</i></p>	<p>Previously Planning Consideration 3.2.6.2(4)(g) limited the Mortiss Street interface of Future Residential Area 6 to residential development only due to the same interface to Mortiss Street being outlined for Future Residential Area 7 to the North (Precinct D), in particular Planning Consideration 3.2.7.2(5)(h). However, as a result of Proposed Modification 3 to the Strategy this Proposed Modification is recommended in order to make the Mortiss Street interface of Area 6 consistent with Area 7. In addition, This Proposed Modification is considered to reduce potential land use conflict between the Exmouth Boat Harbour and surrounding sensitive land uses, particularly residential development.</p>	<p>Received Late Submission 2 from Landcorp requesting modifications to the development vision of 'Superlot D' contained in the <i>Exmouth Marina Village Outline Development Plan</i>.</p>
3.	118-119	<p>Amend Section '3.2.7 Future Residential Area 7 – Marina Precinct D' in Part 3 of the Strategy as follows:</p> <ul style="list-style-type: none"> • Amend Section '3.2.7 Future Residential Area 7 – Marina Precinct D' title to the following: <i>"3.2.7 Future Residential Area 7 – Marina Precinct D Special Use Area"</i> • Amend '3.2.7.1 Description - Location' to the following: <i>"Area 7 is located within the southern portion of the Exmouth Marina Village Outline Development Plan area, bounded by Murat Road to the west, Mortiss Street to south, industrial canal waterway and Precinct E (Exmouth Boat Harbour) to the east and the southern boundary of Precinct B (residential/mixed use) to the north."</i> • Replace all provisions of 'Section 3.2.7.2 Future Residential Area 7 Planning Considerations' with the following: <i>"1) The land use intent for Area 7 (Precinct D) is for tourism, residential, public spaces between waterfront lots in select locations and live-work mixed use composite development. Delivery of the land use intent needs to be in a manner which is compatible with existing surrounding development.</i> <i>2) The LPS supports a design review of the development vision for Area 7 (Precinct D). Specifically the existing structure plan references a caravan park land use and nominates a large public open space area adjacent to Murat Road. Given the Shire's Tourism Strategy does not support a caravan park in this location and the LPS identifies an excess provision of public open space, the local government does not support the inclusion of these land uses in future structure planning.</i> <i>3) The LPS identifies vacant Area 7 as a Special Use Zone which will be subject to the preparation and approval of a new structure plan and design guidelines as a prerequisite to subdivision and development.</i> <i>4) In assessing a structure plan and design guidelines, the local government will have regard to:</i> <ol style="list-style-type: none"> <i>a) The land use intent and revised design vision for Area 7 (Precinct D) with reference to Planning Considerations 1) and 2) above.</i> <i>b) The approved District Water Management Strategy (as amended).</i> <i>c) An appropriate interface treatment to the Exmouth Boat Harbour being established to ensure land use compatibility. Investigation</i> 	<p>This Proposed Modification is as a result of Late Submission 2. It is in regard to Precinct D of the Exmouth Marina Village which is outlined in Proposed Modification 22 to LPS4. Landcorp's Late Submission proposes to revise the land use intent and design review for Precinct D. The intent of this revision is considered to provide beneficial outcomes for the community and expand Exmouth's economic capacity. However, a major concern is the development of the site's compatibility with the adjacent Exmouth Boat Harbour, vested to the Department of Transport. Therefore, comments have been provided by the Department of Transport through Late Submission 5. As a result this Proposed Modification is recommended as it considers both parties interests.</p>	<p>Received Late Submission 2 from Landcorp requesting modifications to the development vision of 'Superlot D' contained in the <i>Exmouth Marina Village Outline Development Plan</i>.</p> <p>Received Late Submission 5 from the Department of Transport commenting on Landcorp's proposal which was considered in proposing this modification.</p>

		<p><i>into the use of screening devices, such as landscaping, and/or other measures along the eastern interface of Precinct D to further reduce noise, capture wind-borne dust and spray drift and improve visual amenity impacts from the Exmouth Boat Harbour.</i></p> <p><i>d) The Murat Road frontage recognising its importance as a townscape entry statement and consideration of the Murat Road Design Guidelines.</i></p> <p><i>e) The development interface with Precinct B addressing Cobia Close or backing onto lots fronting Cobia Close. Development shall be compatible with the existing residential development, with provision made for the extension of Cobia Close either as a vehicular or pedestrian accessway.</i></p> <p><i>f) The Mortiss Street interface being compatible with traffic accessing the Exmouth Boat Harbour and the adjacent Precinct E through measures such as restricting street access to sensitive land uses, landscape screening devices and live-work mixed use composite development.</i></p> <p><i>g) The requirement for notifications on certificates of title for properties throughout Precinct D advising of noise and other potential emissions from the Exmouth Boat Harbour. Sensitive land uses requiring noise attenuation measures to mitigate noise impacts.</i></p> <p><i>h) Any other matters considered relevant through the advertising of the structure plan and design guidelines.</i></p> <p><i>5) The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:</i></p> <p><i>a) Proposed development has adequate protection from a 100 year ARI flood; and</i></p> <p><i>b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.</i></p> <ul style="list-style-type: none"> • Replace all provisions of Section '3.2.7.3 Action Statements' with the following: <ul style="list-style-type: none"> <i>"a) The LPS identifies Precinct D for a new 'Special Use Zone' to deal with the undeveloped portion of the Exmouth Marina Village.</i> <i>b) Classify the land as 'Special Use Zone 7' within LPS 4 and include tourism, residential and composite mixed use special land uses.</i> <i>c) Insert provisions into 'Special Use Zone 7' to require the adoption of a new structure plan and design guidelines as a prerequisite to subdivision and development.</i> <i>d) Require any future structure plan and design guidelines to address the planning considerations detailed above."</i> 		
4.	152-153	<p>Amend Section '5.2.6 Existing Industry Area 6 – Marine Based Light Industry (Precinct E)' in Part 3 of the Strategy as follows:</p> <ul style="list-style-type: none"> • Amend '5.2.6.1 Description - Location' to the following: <p><i>"Area 6 (Reserve 47981 and Lot 1481 Neale Cove) is located within the Exmouth Marina – Precinct E."</i></p> • Delete 'Existing Industry Area 6 Planning Consideration' 5.2.6.2(1). 	This Proposed Modification to the Strategy is required to ensure its consistency with Proposed Modifications 24 and 26 to LPS4 and the Department of Transport's intention to prepare a local planning policy.	Through consideration of Proposed Modifications 24 and 26 to LPS4.

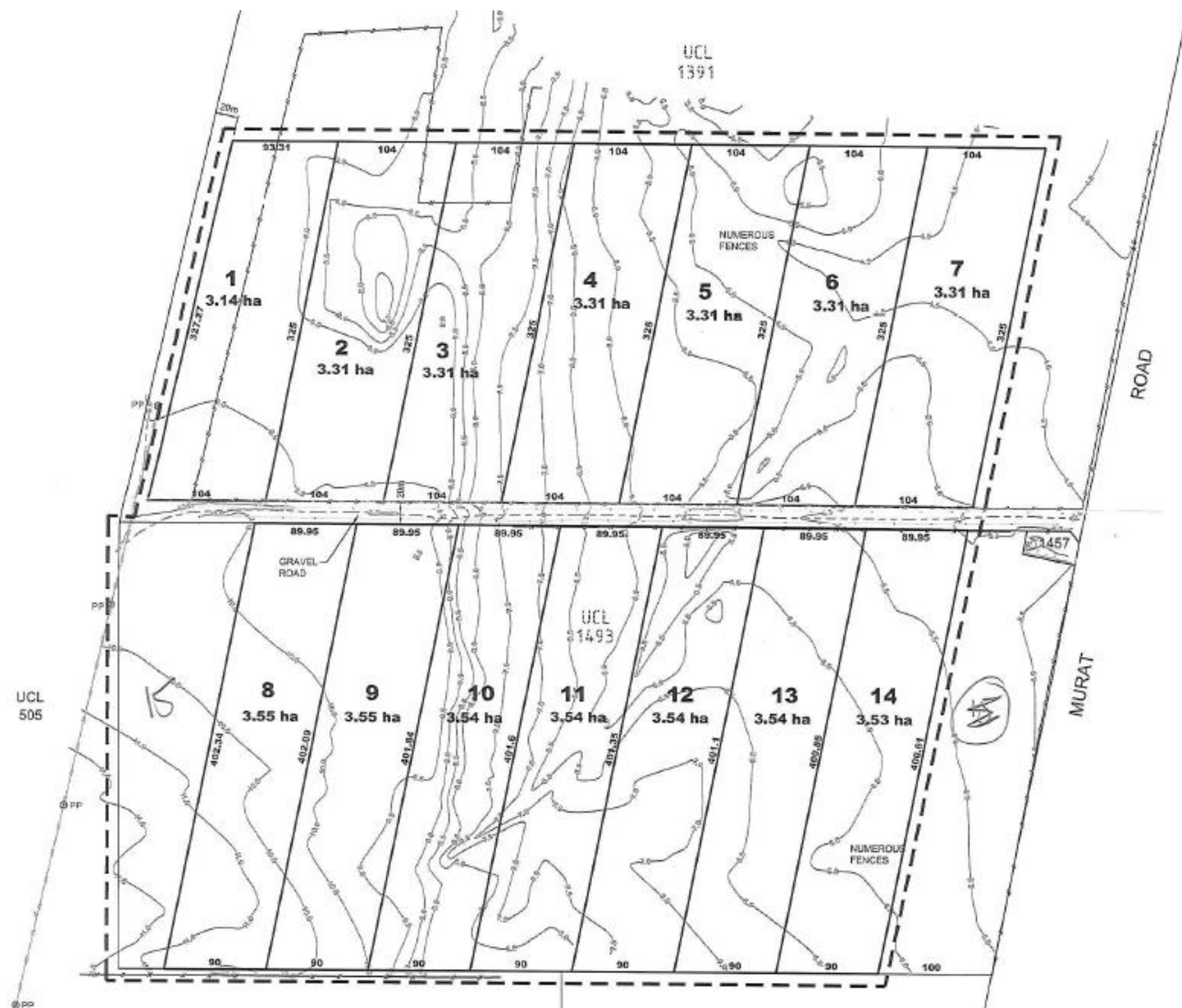
		<ul style="list-style-type: none"> • Amend 'Existing Industry Area 6 Planning Consideration' 5.2.6.2(5) to the following: <i>"5) In assessing any proposed planning instrument, subdivision and/or development application, the local government will have regard to:"</i> • Renumber provisions in Section '5.2.6.2 Existing Industry Area 6 Planning Considerations' as required. • Amend 'Action Statement' 5.2.6.3(d) to the following: <i>"d) Require the preparation of a management plan as information to accompany a development application and implementation as a condition of development approval."</i> 		
5.	Spatial Plan 4 169	Remove Previous Modifications 45 & 131 to the Strategy .	This Proposed Modification is in regard to Spatial Plan 4 and Section '6.1.3 Action Statements' in Part 3 of the Strategy. Previous Modifications 45 & 131 to the Strategy were made as a result of Previous Modifications 279, 397 and 398 to LPS4 . As a result of Proposed Modification 13 to LPS4 above the Previous Modifications to the Strategy are no longer required.	Received Late Submission 1 from owner of Lot 6, Yardie Creek Road, North West Cape.
6.	7	<p>Amend Section '4 Industrial' in Part 1 of the Strategy as follows:</p> <ul style="list-style-type: none"> • Amend 'Actions' 4.3(k), (l) and (m) to the following: <i>"k) Include 'Existing Industry Area 6 – Marine Based Light Industry (Precinct E)' in an appropriate infrastructure type classification under LPS 4 and review the development requirements of the Broad Design Guidelines associated with the Exmouth Marina Village Outline Development Plan (ODP) for Precinct E.</i> <i>l) Work collaboratively with the Department of Transport to achieve a high standard of development within that portion of Precinct E located within the Exmouth Boat Harbour Reserve.</i> <i>m) The Exmouth Marina Village ODP and associated Broad Design Guidelines to be amended and/or rescinded and replaced with an appropriate planning instrument for Precinct E."</i> 	This Proposed Modification to the Strategy is required to ensure its consistency with Proposed Modifications 24 and 26 to LPS4, Proposed Modification 4 to the Strategy and the Department of Transport's intention to prepare a local planning policy.	Through consideration of Proposed Modifications 24 and 26 to LPS4 and Proposed Modification 4 to the Strategy.

Attachments

Attachment 1 – Land in the Care, Control and Management of the Department of Transport for the Purpose of the Exmouth Boat Harbour



Attachment 2 – Portions of Lot 1493 and 1391 for Classification as Additional Use 6





SHIRE OF EXMOUTH

LOCAL PLANNING SCHEME NO. 4

Revision 11 – December 2016

*Please note certain images and the scheme maps may have been removed and/or not updated from Revision 10. Therefore, for all figures, images and scheme maps please view Revision 10 in conjunction with the Schedule of Modifications adopted on the 15 December 2016 and the modifications proposed in this agenda.

Shire of Exmouth Local Planning Scheme No. 4

Scheme Amendments

AMENDMENT NO.	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
1.				
2.				
3.				

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PART 1 - PRELIMINARY

1.1 Citation

This local planning scheme is the Shire of Exmouth Scheme No. 4.

1.2 Commencement

Under section 87(4) of the Act, this local planning scheme comes into operation on the day it is published in the *Gazette*.

1.3 Scheme revoked

The following local planning scheme is revoked -

Shire of Exmouth Town Planning Scheme No. 3, Gazetted 3 September 1999.

1.4 Notes do not form part of Scheme

Notes, and instructions printed in italics, do not form part of this Scheme.

Note:

The Interpretation Act 1984 section 32 makes provision in relation to whether headings form part of the written law.

1.5 Responsibility for Scheme

The Shire of Exmouth is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

1.6 Scheme area

This Scheme applies to the area shown on the Scheme Map.

1.7 Contents of Scheme

1.7.1 In addition to the provisions set out in this document (the scheme text), this Scheme includes the following —

(a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2);

(b) the Scheme Map.

(c) the following plans, maps, diagrams, illustrations or materials —

Special Use Zone SU1 Structure Plan – Lot 51 Minilya-Exmouth Road;

Special Use Zone SU3 Exmouth Aerodrome Locality Site Plan;

Special Use Zone SU5 Boat Harbour - Precincts P1 and P2;

Figure A1 – Area A;

Figure A2 – Canal Lots;

Figure B1 – Area B;

Figure B2 – Area B;

Figure C1 – Area C;

Figure C2 – Area C (inclusive).

- 1.7.2 This Scheme is to be read in conjunction with any local planning strategy for the Scheme area.

1.8 Purposes of Scheme

The purposes of this Scheme are to -

- (a) set out the local government's planning aims and intentions for the Scheme area; and
- (b) set aside land as local reserves for public purposes; and
- (c) zone land within the Scheme area for the purposes defined in the Scheme; and
- (d) control and guide land use and development including processes for the preparation of structure plans, activity centre plans and local development plans; and
- (e) set out procedures for the assessment and determination of development applications; and
- (f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
- (g) make provision for the administration and enforcement of the Scheme; and
- (h) address other matters referred to in Schedule 7 of the Act.

1.9 Aims of Scheme

The aims of this Scheme are to -

- (a) facilitate implementation of the State Planning Strategy and relevant regional plans and policies, by co-ordinating the Scheme with such plans and policies; and
- (b) promote development consistent with the planning objectives and recommendations of the Local Planning Strategy; and
- (c) facilitate planning for the appropriate balance between economic and social development, public health, conservation of the natural environment, and improvements in lifestyle and amenity; and
- (d) define the uses and types of development to be permitted on land within the Scheme Area; and
- (e) control and regulate the development of land, erection and demolition of buildings, and the carrying out of works.

1.10 Relationship with local laws

Where a provision of this Scheme is inconsistent with a local law, the provision of this Scheme prevails to the extent of the inconsistency.

1.11 Relationship with other local planning schemes

There are no other local planning schemes of the Shire of Exmouth which apply to the Scheme area.

1.12 Relationship with region planning scheme

There are no region planning schemes which apply to the Scheme area.

PART 2 - RESERVES

2.1 Regional reserves

There are no regional reserves in the Scheme area.

Note:

The process of reserving land under a regional and local planning scheme is separate from the process of reserving land under the Land Administration Act 1997 section 41.

2.2 Local reserves

2.2.1 In this clause —

Department of Main Roads means the department principally assisting in the administration of the *Main Roads Act 1930*;

Western Australian Road Hierarchy means the document of that name available on the website maintained by the Department of Main Roads.

2.2.2 Local reserves are shown on the Scheme Map according to the legend on the Scheme map.

2.2.3 The objectives of each local reserve are as follows:

(a) Public Open Space:

- (i) To set aside areas for foreshore reserves, particularly those established under the *Planning and Development Act 2005* s.152.
- (ii) To protect, conserve and enhance coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance.
- (iii) To provide for public coastal foreshore reserves and access to them on the coast.
- (iv) To provide for a range of active and passive recreation uses and amenities, such as playgrounds, barbeque/shade/picnic areas, pedestrian access and minor car parks, where appropriate.
- (v) To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.

(b) Environmental Conservation:

- (i) To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision.
- (ii) To identify and protect areas of biodiversity conservation significance within World Heritage Areas, National Parks and State and other conservation reserves.
- (iii) To set aside land with conservation value within the Cape Range National Park, Jurabi and Bundegi Coastal Parks and Muiron Islands, Exmouth Water Reserve, islands within the Exmouth Gulf, and land abutting the Ningaloo Marine Park and the Exmouth Gulf that reflects the 40 metre setback landward of the high water mark.

- (iv) Provide for development consistent with established management plans for National Parks or Conservation Reserves, or development that contributes towards increased safety, security, enhancement or ongoing management of an area, place, land parcel or reserve.
 - (v) Cater for programs and activities that promote education, research and increased public awareness of minimising environmental impact when visiting a conservation reserve.
 - (vi) Promote development that enhances public enjoyment of land reserved conservation balanced with the need to protect, mitigate, control and/or manage impacts on the natural environment.
 - (vii) Accommodate drainage, essential services, mining activities, recreational activities, or general infrastructure that is consistent with other management objectives.
- (c) Civic and Community:
- (i) To provide for a range of community facilities which are compatible with surrounding development.
 - (ii) To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.
- (d) Public Purposes:
- (i) To provide for a range of essential physical and community infrastructure.
- (e) Strategic Infrastructure:
- (i) To set aside land required for port or airport facilities.
- (f) Primary Distributor Road:
- (i) To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
 - (ii) To limit fixed or permanent advertising devices within primary distributor roads to mitigate visual clutter and detrimental impacts on safety and amenity.
- (g) District Distributor Road:
- (i) To set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.
 - (ii) To limit fixed or permanent advertising devices within district distributor roads to mitigate visual clutter and detrimental impacts on safety and amenity.

- (h) Local Distributor Road:
 - (i) To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
- (i) Drainage/Waterway:
 - (i) To set aside land required for significant waterways and drainage.
 - (ii) To cater for development that relies on a waterway location and does not detrimentally impact on any applicable World Heritage values or other values, cause negative visual impact, or restrict access to public areas.
 - (iii) To accommodate jetties and ancillary facilities or structures.
 - (iv) To accommodate development that provides a benefit to the community, economic or employment opportunities and / or enhances tourism experiences.
- (j) Local Road:
 - (i) To set aside land required for a local road being a road classified as an Access Road under the Western Australia Road Hierarchy.

2.3 Additional uses for local reserves

There are no additional uses for land in local reserves that apply to this Scheme.

PART 3 - ZONES AND USE OF LAND

3.1 Zones

Zones are shown on the Scheme Map according to the legend on the Scheme Map.

3.2 Zoning table

The zoning table for this Scheme is as follows:

Table 1 Zoning Table

Land Use	Residential	Urban Development	Commercial			Tourism	Light Industry	Service Commercial	General Industry	Industrial Development	Rural Residential	Rural
Residential Land Uses												
Aged or Dependent Persons Dwelling	P	REFER CLAUSE 3.11	X	X	X	X	X	X	X	REFER CLAUSE 3.15	X	X
Ancillary Dwelling	P		X	X	X	X	X	X	X		P	D
Caretaker's Dwelling	X		X	X	I	I	I	I	X		X	I
Dwelling	P		X	X	X	I	X	I	X		P	D
Repurposed Dwelling	D		X	X	X	I	X	I	X		D	D
Second-hand Dwelling	D		X	X	X	I	X	I	X		D	D
Outbuilding	P		X	X	X	D	X	D	X		D	D
Family Day Care	A		X	X	X	A	X	X	X		A	P
Grouped Dwelling	D		X	X	X	I	X	X	X		X	X
Home Business	A		X	D	X	X	X	X	X		A	P
Home Occupation	D		X	D	X	X	X	D	X		D	P
Multiple Dwelling	D		X	X	X	I	X	X	X		X	X
Residential Building	D		X	X	X	I	X	X	X		X	D
Single House	P		X	X	X	X	X	X	X		P	D
Workforce Accommodation	X		X	X	X	X	X	X	X		X	A
Tourism Land Uses												
Bed and Breakfast	A	REFER CLAUSE 3.11	X	X	X	D	X	X	X	REFER CLAUSE 3.15	A	D
Camping Ground	X		X	X	X	X	X	X	X		X	A
Caravan Park	X		X	X	X	X	X	X	X		X	X
Guesthouse	A		X	X	X	D	X	X	X		A	D
Holiday Accommodation	A		X	X	X	D	X	X	X		X	X
Holiday House	A		X	X	X	D	X	X	X		A	D
Hotel	X		X	X	D	P	X	X	X		X	X
Motel	X		X	X	D	P	X	X	X		X	X
Serviced Apartment	X		X	D	D	P	X	X	X		X	X
Tourist Development	X		X	X	X	D	X	X	X		X	X

Nature Based Park	X		X	X	X	X	X	X	X		X	A
Commercial Land Uses												
Betting Agency	X	REFER CLAUSE 3.11	A	D	X	X	X	X	X	REFER CLAUSE 3.15	X	X
Brewery	X		X	X	X	X	D	D	D		X	D
Child Care Premises	A		X	D	D	X	X	X	X		X	X
Cinema / Theatre	X		X	X	D	D	X	X	X		X	X
Consulting Rooms	A		D	D	X	X	X	D	X		X	X
Convenience Store	X		P	D	X	I	X	D	X		X	X
Discount Department Store	X		X	X	D	X	X	X	X		X	X
Exhibition Centre	X		A	D	X	D	X	D	X		X	P
Fast Food Outlet	X		D	D	X	D	X	A	X		X	X
Lunch Bar	X		P	D	X	D	D	D	D		X	X
Fish Shop	X		X	X	X	X	D	D	D		X	X
Liquor Store - Large	X		D	D	D	X	X	A	X		X	X
Liquor Store – Small	X		D	D	D	X	X	A	X		X	X
Laundromat	X		P	D	X	X	D	D	D		X	X
Market	X		A	D	X	X	X	D	X		X	X
Medical Centre	X		D	D	X	X	X	D	X		X	X
Mixed Development	X		X	P	X	X	X	X	X		X	X
Nightclub	X		A	X	X	X	A	X	X		X	X
Office	X		D	D	P	X	X	D	X		X	X
Prescribed Premises	X		X	X	X	X	X	X	X		X	A
Reception Centre	X		A	A	P	D	X	D	X		X	X
Restaurant/Cafe	X		D	D	D	D	X	A	X		X	X
Restricted Premises	X		A	A	X	X	X	A	X		X	X
Service Station	X		X	X	X	X	D	A	D		X	D
Shop	X		P	D	X	I	X	A	X		X	X
Supermarket	X		A	X	X	X	X	X	X		X	X
Bulky Goods Showroom	X		A	D	P	X	P	P	X		X	X
Small Bar	X		A	D	X	D	X	X	X		X	X
Tavern	X		A	X	X	X	X	A	X		X	X
Veterinary Centre	X		X	X	X	X	X	A	X		X	P
Industrial Land Uses												
Bus Depot	X	REFER CLAUSE 3.11	X	X	X	X	D	D	D	REFER CLAUSE 3.15	X	X
Fuel Depot	X		X	X	X	X	D	A	D		X	X
Industry - Cottage	A		X	X	X	X	X	P	X		D	P
Industry - Extractive	X		X	X	X	X	X	X	D		X	A
Industry	X		X	X	X	X	X	X	P		X	X
Industry - Hazardous	X		X	X	X	X	X	X	D		X	X
Industry - Light	X		X	X	X	X	P	P	D		X	X
Mining Operations	X		X	X	X	X	X	X	P		X	A
Industry - Noxious	X		X	X	X	X	X	X	A		X	A
Industry – Primary Production	X		X	X	X	X	D	X	D		X	D
Industry - Service	X		X	X	X	X	P	P	D		X	X
Machinery Sales	X		X	X	X	X	D	D	D		X	X
Marine Filling Station	X		X	X	X	X	D	D	P		X	X
Marine Support Facility	X		X	X	X	X	X	X	A		X	X
Motor Vehicle Hire	X		X	X	X	I	D	D	D		X	X
Motor Vehicle Repair	X		X	X	X	X	D	D	D		X	X
Motor Vehicle Wash	X		X	X	X	X	D	D	D		X	X
Motor Vehicle Wreckers	X		X	X	X	X	D	X	D		X	X
Motor Vehicle, Boat or Caravan Sales	X		X	X	X	X	D	D	X		X	X
Garden Centre	X		X	X	X	X	D	D	X		X	D

Renewable Energy Facility	X		X	X	X	X	X	X	A		X	D		
Salvage Yard	X		X	X	X	X	X	X	D		X	X		
Trade Display	X		X	X	X	X	D	D	X		X	X		
Transport Depot	X		X	X	X	X	D	A	D		X	A		
Trade Supplies	X		X	X	X	X	D	D	D		X	X		
Warehouse/storage	X		X	X	X	X	P	D	P		X	X		
Rural Land Uses														
Abattoir	X	REFER CLAUSE 3.11	X	X	X	X	X	X	X	A	REFER CLAUSE 3.15	X	D	
Agriculture - Intensive	X		X	X	X	X	X	X	X	X		X	D	
Agriculture - Extensive	X		X	X	X	X	X	X	X	X		X	P	
Animal Establishment	X		X	X	X	X	X	X	X	X		X	P	
Animal Husbandry - Intensive	X		X	X	X	X	X	X	X	X		X	P	
Produce Stall	X		X	X	X	X	X	X	X	X		X	D	P
Rural Pursuit/Hobby Farm	X		X	X	X	X	X	X	X	X		X	A	P
Community and Civic Land Uses														
Car Park	X	REFER CLAUSE 3.11	D	D	D	D	D	D	D	D	REFER CLAUSE 3.15	X	X	
Civic Use	X		D	D	P	X	D	D	X	X		X	X	
Club Premises	X		A	D	D	D	X	A	X	X		X	D	
Community Purpose	X		X	D	D	X	X	X	X	X		X	X	
Corrective Institution	X		X	X	X	X	X	X	X	X		X	X	A
Educational Establishment	X		X	D	D	X	X	D	X	X		X	X	A
Funeral Parlour	X		X	D	D	X	X	D	X	X		X	X	X
Hospital	X		X	X	X	X	X	X	X	X		X	X	X
Place of Worship	A		X	D	D	X	X	D	X	X		X	X	P
Public Utility	P		P	P	P	P	P	P	P	P		P	P	P
Recreation - Private	X		X	D	D	D	D	D	X	X		X	X	D
Telecommunications Infrastructure	A		A	A	A	A	A	A	D	X		X	A	D
Waste Disposal Facility	X		X	X	X	X	X	X	X	X		X	X	D

3.3 Interpreting zoning table

3.3.1 The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.

3.3.2 The symbols used in the zoning table have the following meanings:

- P means that the use is permitted if it complies with all relevant development standards and requirements of this Scheme;
- 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 all relevant development standards and requirements of this Scheme;
- D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;
- A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions;
- X means that the use is not permitted by this Scheme.

Notes:

1. *The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land. For development on land that does not require development approval see clause 61 of the deemed provisions.*
2. *In considering an application for development approval, the local government will have regard to clause 67 of the deemed provisions.*

3.3.3 A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.

3.3.4 The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table —

- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
- (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
- (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

3.3.5 If a use of land is identified in a zone as having a P or I designation, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.

3.3.6 If a use of land is identified in a zone as having an X designation, the local government must refuse an application for development approval for that use in that zone unless —

- (a) the development approval application relates to land that is being used for a non-conforming use; and
- (b) the local government considers that the proposed use of the land would be less detrimental than the non-conforming use.

3.3.7 If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land —

- (a) a structure plan;
- (b) an activity centre plan;
- (c) a local development plan.

3.4 Additional uses

3.4.1 Schedule 2 sets out —

- (a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and
- (b) the conditions that apply to that additional use.

3.4.2 Despite anything contained in the zoning table, land that is specified in Schedule 2 may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.

Note:

An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.

3.5 Restricted uses

3.5.1 Schedule 3 sets out —

- (a) restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and
- (b) the conditions that apply to that restricted use.

3.5.2 Despite anything contained in the zoning table, land that is specified in the Schedule 3 may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.

Note:

A restricted use is the only use or uses that is permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted.

3.6 Special use zones

3.6.1 Schedule 4 sets out —

- (a) special use zones for specified land that are in addition to the zones in the zoning table; and
- (b) the classes of special use that are permissible in each Special Use Zone; and
- (c) the conditions that apply in respect of the special uses.

3.6.2 A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.

Note:

Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.

3.7 Non-conforming uses

3.7.1 Unless specifically provided, this Scheme does not prevent:

- (a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
- (b) the carrying out of development on land if:
 - (i) before the commencement of this Scheme, the development was lawfully approved; and
 - (ii) the approval has not expired or been cancelled.

3.7.2 Clause 3.7.1 does not apply if:

- (a) the non-conforming use of the land is discontinued; and

- (b) a period of 6 months, or longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.
- 3.7.3 Clause 3.7.1 does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government:
 - (a) purchases the land; or
 - (b) pays compensation to the owner of the land in relation to the non-conforming use.

3.8 Changes to non-conforming use

- 3.8.1 A person must not, without development approval:
 - (a) alter or extend a non-conforming use of land; or
 - (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
 - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
 - (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.
- 3.8.2 An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- 3.8.3 A local government may only grant development approval for a change of use of land referred to in clause 3.8.1(d) if, in the opinion of the local government the proposed use:
 - (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
 - (b) is closer to the intended purpose of the zone in which the land is situated.

3.9 Register of non-conforming uses

- 3.9.1 The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
- 3.9.2 A register prepared by the local government must set out the following:
 - (a) a description of each area of land that is being used for a non-conforming use;
 - (b) a description of any building on the land;
 - (c) a description of the non-conforming use; and
 - (d) the date on which any discontinuance of the non-conforming use is noted.
- 3.9.3 If the local government prepares a register under clause 3.9.1 the local government:
 - (a) must ensure that the register is kept up-to-date; and
 - (b) must make a copy of the register available for public inspection during business hours at the offices of the local government; and
 - (c) may publish a copy of the register on the website of the local government.

- 3.9.4 An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.

Zone Objectives and Site and Development Requirements

3.10 Residential zone

- 3.10.1 The objectives of the Residential zone are as follows:

- (a) To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- (b) To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- (c) To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

- 3.10.2 The site and development requirements of the Residential zone are as follows:

Except as otherwise provided in this Scheme, all development within the Residential zone shall comply with the relevant provisions of the R Codes.

3.11 Urban Development zone

- 3.11.1 The objectives of the Urban Development zone are as follows:

- (a) To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.
- (b) To provide for a range of residential densities to encourage a variety of residential accommodation.
- (c) To provide for the progressive and planned development of future urban areas for residential purposes and other uses normally associated with residential development.

- 3.11.2 The site and development requirements of the Urban Development zone are as follows:

The local government shall not:

- (i) recommend approval to any subdivision application; or
- (ii) approve any development application;

unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved in accordance with Part 4 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.

3.12 Commercial zone

- 3.12.1 The Commercial zone comprises three distinct areas:

Retail Core – C1;

Mixed Use – C2;

Mixed Business – C3,

as shown on the Scheme Maps.

3.12.2 The objectives of the Commercial zone are as follows:

- (a) To provide for a range of shops, offices, restaurants and other commercial outlets in defined town sites or activity centres;
- (b) To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades;
- (c) To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality;
- (d) To create enhanced pedestrian environments with pedestrian shelter, active ground floor uses and passive surveillance wherever possible; and
- (e) Create an identifiable central focus in the Town Centre through enhancing the built form and the public realm.

3.12.3 The general development requirements applicable to the whole of the Commercial zone are as follows:

- (a) Wherever development abuts public areas, including roads and car parks it shall be designed to address the space and establish an 'urban edge' to provide natural surveillance and allow casual interaction between the development and the public space.
- (b) Development shall have entries addressing the street through elements such as verandahs or other design features.
- (c) Building design shall provide a clear expression of the architectural style envisaged for the overall site including height, colour, texture, external material, roof pitch and character as defined by the *Exmouth Town Centre and Foreshore Revitalisation Plan*. Buildings must provide one or more of the following elements in the street elevation:
 - (i) Variation in roof form;
 - (ii) Horizontal articulation of the façade; and
 - (iii) Verandahs.
- (d) Large areas of blank wall will not be accepted on the front and street façade. The public face of each development shall be detailed to provide visual richness and passive surveillance, and reduce bulk.
- (e) Formal modulation shall be sought through placement of windows and openings, balconies and material changes to the street and open spaces.
- (f) Zincalume shall not be a permitted building material, unless it is concealed from public view.
- (g) All development shall be in accordance with the local government's adopted colour palette.
- (h) Building facades that front any street shall be constructed of masonry and/or glass material or similar, to a minimum height of 3 metres from the natural ground level to the satisfaction of the local government.
- (i) Development shall make satisfactory provision for:
 - (i) Bin storage areas that can be serviced by rubbish trucks within the property and/or the verge immediately adjoining the property; and

- (ii) Service access to the rear of a commercial use for the purpose of loading and unloading of goods.
- (j) Floor levels of ground floors should match the level of abutting footpaths, subject to drainage and flooding requirements.

3.12.4 Retail Core – C1

3.12.4.1 The site requirements of the Retail Core – C1 area are as follows:

- (a) The minimum building setbacks shall be:

Street:	Nil.
Side:	Nil.
Rear:	At the discretion of the local government.

- (b) The minimum lot size shall be 120m².

3.12.4.2 The specific development requirements of the Retail Core – C1 area are as follows:

- (a) Active commercial and/or civic uses shall be located on the ground floor at the discretion of the local government.
- (b) Building height shall be a maximum of 12 metres and the maximum wall height shall be 9.75 metres above natural ground level.
- (c) Development shall where practical provide pedestrian shelter, a minimum of 2 metres wide over the road verge in the form of an awning, canopy, balcony or verandah and shall be designed to appear as thin, lightweight elements. Bull nose verandahs shall not be permitted.
- (d) Any structure proposed in accordance with clause 3.12.4.2(c) shall be cantilevered with no supporting structures permitted in the public realm.
- (e) The minimum clearance from ground level for any structure overhanging a footpath is 2.75 metres. Signage suspended beneath an overhanging structure shall have a minimum clearance of 2.4 metres.
- (f) Provision and maintenance of overhanging structures is the responsibility of the building owner.

3.12.5 Mixed Use – C2

3.12.5.1 The site requirements of the Mixed Use – C2 area are as follows:

- (a) With the exception of land abutting Murat Road, the minimum building setbacks shall be:

Primary Street:	4.5 metres.
Rear:	3 metres.
Side:	At the discretion of the local government.

Where land abuts Murat Road, setbacks shall be at the discretion of the local government.

- (b) The minimum lot size shall be 180m².

3.12.5.2 The specific development requirements of the Mixed Use – C2 area are as follows:

- (a) Commercial and/or civic uses shall occupy the ground floor of any development. Upper floor uses shall be residential.

- (b) Building height shall be a maximum of 9 metres and the maximum wall height shall be 7 metres above natural ground level.
- (c) For land on the corners of Murat Road and Maidstone Crescent the local government shall allow a variation to the maximum height prescribed by clause 3.12.5.2 to enable building elements with increased height to draw attention to its location.
- (d) Residential development shall comply with the R40 Density Code, unless otherwise provided for by the Scheme.
- (e) All necessary rubbish bin areas, drying areas and similar facilities and services to be clearly separated between the residential and commercial uses and screened from the street.
- (f) Every residential dwelling shall have direct access from a habitable room to an open balcony with a minimum area of 3m².
- (g) Each dwelling shall have a balcony facing the primary road or public open space and may project up to 1 metre into the front setback.
- (h) Each dwelling shall have an enclosed, lockable storage area, constructed in a design and material matching the dwelling, fully screened from any street, not within the primary street setback area, accessible from outside the dwelling, with a minimum dimension of 1.5 metres with an internal area of at least 4m².
- (i) The first 1.5 metres of the primary street setback area and 1 metre of the secondary street setback area shall be landscaped, excluding any crossover.
- (j) Fencing:
 - (i) Side/Rear: maximum height 1.8 metres excluding the front setback area.
 - (ii) Front Setback Area: maximum height 0.9 metres high on the side boundary only.
 - (iii) Fencing shall not be permitted in any other area except as required by regulation, or for internal security purposes.

3.12.6 Mixed Business – C3

3.12.6.1 The site requirements of the Mixed Business – C3 area are as follows:

The minimum building setbacks shall be:

Primary Street: 4.5 metres.
 Rear/Side: At the discretion of the local government.

Where a boundary abuts public open space the minimum setback shall be 1 metre for a minimum of 50% of the length of building, and a nil setback may be permitted for the remainder.

3.12.6.2 The specific development requirements of the Mixed Business – C3 area are as follows:

- (a) Building height shall be a maximum of 9 metres and the maximum wall height shall be 6.5 metres above natural ground level.
- (b) The local government will not recommend approval to any subdivision application unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved in accordance with Part 4 of the deemed provisions, or a Local Development Plan has been prepared and

approved in accordance with Part 6 of the deemed provisions. The Structure Plan or Local Development Plan shall be in accordance with the intent of the *Exmouth Town Centre and Foreshore Revitalisation Plan*.

- (c) The minimum net lettable area for bulky goods showroom use shall be 400m².
- (d) Upper level balconies may project up to 1 metre into the primary street setback.
- (e) The first 1.5 metres of the primary street setback and 1 metre of the secondary street setback area shall be landscaped, excluding any crossover.
- (f) Fencing height and style shall be at the discretion of the local government.

3.13 Tourism zone

3.13.1 The objectives of the Tourism zone are as follows:

- (a) To promote and provide for tourism opportunities.
- (b) To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.
- (c) To allow limited residential uses where appropriate.
- (d) To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.
- (e) To ensure that sufficient land is set aside for the current and future need for short-term accommodation.
- (f) To ensure the Exmouth townsite remains the principal place in the District for tourism services and facilities, including short-term accommodation.

3.13.2 The site requirements of the Tourism zone are as follows:

All development shall comply with the following site requirements:

- (a) Setbacks:
 - (i) For short-term accommodation and residential development – in accordance with the R40 Density Code.
 - (ii) For uses other than short-term accommodation and residential development, as determined by the local government.
- (b) Lot Sizes:
 - (i) For short-term accommodation and residential development – in accordance with the R40 Density Code.
 - (ii) For uses other than short-term accommodation and residential development, as determined by the local government.

3.13.3 The development requirements of the Tourism zone are as follows:

- (a) Development shall not exceed 9 metres in height above natural ground level, except where:
 - (i) A Structure Plan specifies otherwise, in which case the height limit specified by the Structure Plan shall apply; or

- (ii) The local government considers that particular circumstances warrant an exception being made and provided the objectives of the Tourism zone are not compromised.
- (b) In considering an application for development approval the local government shall generally in accordance with clause 67 of the deemed provisions, but particularly items (m), (n) and (zb) have due regard to the following:
 - (i) The colour and texture of external building materials, the local government may require the building facade and side walls to a building depth of 3 metres to be constructed in masonry and/or glass material or similar;
 - (ii) Building size, height, bulk, roof pitch;
 - (iii) Setback and location of the building on its lot;
 - (iv) Architectural style and design details of the building;
 - (v) Function of the building;
 - (vi) Relationship to surrounding development; and
 - (vii) Other characteristics considered by the local government to be relevant.
- (c) Landscaping shall be provided to complement the appearance of the proposed development. The local government shall require a landscaping plan to be submitted and approved prior to commencement of development.
- (d) All development shall be in accordance with the local government's adopted colour palette.
- (e) The local government may approve permanent residential accommodation as part of a tourist development that involves:
 - (i) A new tourist development; or
 - (ii) A substantial refurbishment of an existing tourist development,

provided that the predominant use of the site remains for short-term accommodation and other tourism uses, and provides for a high quality tourism outcome or tourism benefit.
- (f) Tourism development shall comply with the minimum and average lot sizes as per the R40 Density Code.
- (g) For the purpose of determining an application under clause 3.13.3(e) the local government may permit up to a maximum 40% of the total gross floor area of the development, excluding commercial areas and communal tourism facilities, to be utilised for permanent residential accommodation, having regard for the following:
 - (i) The overall size of the development site;
 - (ii) The need to protect sufficient area to accommodate the long term tourism needs of the locality;
 - (iii) The extent to which the area of highest tourism value is protected for tourism use;

- (iv) The effectiveness of site design and architectural treatment in ensuring a high quality of development, and the preservation of the tourism values of the site;
 - (v) Physical infrastructure and services, including consideration of the urban infrastructure requirements of permanent residents;
 - (vi) The degree to which the scale and design of the site complements the surrounding landscape and character of the area, with the tourism component given priority in those areas of highest tourism amenity, such as the coastal locations or land with panoramic views;
 - (vii) The integration between residential and tourism uses and the management structure of the tourism component; and
 - (viii) The protection of residential amenity through careful design to maximise tourism value and minimise disturbance and conflicts between land uses.
- (h) Strata Titling will only be supported subject to development demonstrating a consistent architectural design theme for the overall site, and appropriate management arrangements, via a management statement, including a maximum length of stay provision of three (3) months in any twelve (12) month period applied to the short-term accommodation component on all developments.
 - (i) Where the local government approves development pursuant to clause 3.13.3 (e) occupancy of the residential accommodation will not be permitted until the short-term accommodation and associated facilities are operational.
 - (i) Where development approved pursuant to clause 3.13.3(e) is to be staged, the proportion of residential development shall, at no stage, exceed the proportion as approved for the whole development.

3.14 General Industry zone

3.14.1 The objectives of the General Industry zone are as follows:

- (a) To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.
- (b) To accommodate industry that would not otherwise comply with the performance standards of light industry.
- (c) Seek to manage impacts such as noise, dust and odour within the zone.

3.14.2 The site requirements of the General Industry zone are as follows:

All development shall comply with the following site requirements:

- (a) Minimum Lot Size: 2,500m².
- (b) Setbacks:
 - (i) Primary Street: 7.5 metres.
 - (ii) Side/Rear: As determined by the local government.

3.14.3 The development requirements of the General Industry zone are as follows:

- (a) The local government will not recommend approval to any subdivision application proposing five or more lots unless a Structure Plan in respect of the

area the subject of the application, has been prepared and approved pursuant to Part 4 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.

- (b) Suitable manoeuvring space shall be provided so that all vehicles can enter and exit the site in a forward gear.
- (c) Landscaping shall be provided along the street frontage for a distance of not less than 1 metre from the street boundary excluding any crossover.
- (d) In considering an application for development approval the local government will, pursuant to clause 67 of the deemed provisions, have regard to the following:
 - (i) The potential for emissions to be produced and proposed control measures;
 - (ii) On-site effluent and trade waste disposal;
 - (iii) Drainage and stormwater management;
 - (iv) Buffer requirements between the proposed industry and surrounding land uses;
 - (v) The impact of the proposal on visual amenity, having regard for proposed landscaping and clearing of existing vegetation;
 - (vi) Measures proposed to manage emergency events including fire and cyclones; and
 - (vii) Hours of operation,

and may impose appropriate conditions, on advice from the relevant authorities, including the preparation and approval of a Management Plan, prior to the commencement of the proposed use, to address any of the matters listed or any other matter, as may reasonably be required.

3.15 Industrial Development zone

3.15.1 The objectives of the Industrial Development zone are as follows:

- (a) To designate land for future industrial development.
- (b) To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme.

3.15.2 The site and development requirements of the Industrial Development zone are as follows:

The local government shall not:

- (i) recommend approval to any subdivision application; or
- (ii) approve any development application;

unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved in accordance with Part 4 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.

3.16 Light Industry zone

3.16.1 The objectives of the Light Industry zone are as follows:

- (a) To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.
- (b) To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.

3.16.2 The site requirements of the Light Industry zone are as follows:

All development shall comply with the following site requirements:

- (a) Minimum Lot Size: 1,500m².
- (b) Setbacks:
 - (i) Primary Street: 7.5 metres.
 - (ii) Side/Rear: As determined by the local government.

3.16.3 The development requirements of the Light Industry zone are as follows:

- (a) The local government will not recommend approval to any subdivision application proposing five or more lots unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved pursuant to Part 4 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.
- (b) Development shall not exceed a 7 metre wall height and 9 metre roof height, above natural ground level.
- (c) Suitable manoeuvring space shall be provided so that all vehicles can enter and exit the site in a forward gear.
- (d) Landscaping shall be provided along the street frontage for a distance of not less than 1 metre from the street boundary excluding any crossover.
- (e) Strata title subdivision shall not be permitted.

3.17 Service Commercial zone

3.17.1 The objectives of the Service Commercial zone are as follows:

- (a) To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.
- (b) To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.
- (c) Provide for residential living to enable business owners to live and work on the same premises; and
- (d) To achieve and maintain a high standard of presentation to all streets.

3.17.2 The site requirements of the Service Commercial zone are as follows:

All development shall comply with the following site requirements:

- (a) Minimum Lot Size: 2,000m².
- (b) Setbacks:
 - (i) Primary Street: 6 metres.
 - (ii) Side/Rear: As determined by the local government.

3.17.3 The development requirements of the Service Commercial zone are as follows:

- (a) The local government will not recommend approval to any subdivision application proposing five or more lots unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved pursuant to Part 4 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.
- (b) Development shall not exceed a 7 metre wall height and 9 metre roof height, above natural ground level.
- (c) Suitable manoeuvring space shall be provided so that all vehicles can enter and exit the site in a forward gear.
- (d) Landscaping shall be provided along the street frontage for a distance of not less than 1 metre from the street boundary excluding any crossover.
- (e) Development on a lot may include no more than one (1) of the following land uses as an 'I' incidental use:
 - (i) Caretakers dwelling;
 - (ii) Dwelling;
 - (iii) Repurposed dwelling; or
 - (iv) Second-hand dwelling.
- (f) The local government may approve a Dwelling or Repurposed dwelling or Second-hand dwelling or Caretaker's dwelling in addition to a non-residential use on a lot subject to the following:
 - (i) Only one residential development shall be permitted on a lot;
 - (ii) Residential development shall comply with the R10 Density Code provisions of the R Codes, including the provision of a minimum site area for the residential development, unless otherwise provided for by the scheme;
 - (iii) Landscaped open space areas as part of the residential development site shall be established prior to the commencement of the approved non-residential use of the land, and shall only be used for their approved purpose;
 - (iv) The building complies with all necessary standards for a habitable dwelling and is specifically designed and constructed for that purpose;
 - (v) A minimum separation distance of 5 metres is provided between the residential development and any non-residential building, such area to be included as part of the residential development site;
 - (vi) The residential development is only to be occupied by the proprietor or an employee, and their immediate family, of the approved non-residential use on the same lot;

- (vii) The residential development shall not be occupied prior to the commencement of the approved non-residential use of the land; and
- (viii) No administrative or other functions associated with the approved non-residential use are to be undertaken in the residential development unless a Home Occupation or Home Business has been approved by the local government.
- (g) A dwelling or repurposed dwelling or second-hand dwelling or caretakers dwelling shall be located behind the non-residential use, such that the non-residential use has direct interface with the street, unless otherwise determined by a Structure Plan.

3.18 Rural Residential zone

3.18.1 The objectives of the Rural Residential zone are as follows:

- (a) To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.
- (b) To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
- (c) To provide for lot sizes in the range of 1 ha to 4 ha.

3.18.2 The general development requirements of the Rural Residential zone are as follows:

- (a) The local government will not recommend approval to any subdivision application unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved pursuant to Part 4 of the deemed provisions and the application is generally in accordance with the Structure Plan.
- (b) All development shall be in accordance with the local government's adopted colour palette.
- (c) The following shall apply to all new subdivision and development of land in the Rural Residential zone:
 - (i) Not more than one building envelope is permitted per lot.
 - (ii) The maximum wall height of any dwelling shall be 6 metres from the minimum required finished floor level, except where there is no minimum required finished floor level the maximum wall height shall be measured from the point where the wall directly intersects with natural ground level.
 - (iii) The minimum floor area of any dwelling, including verandahs, shall be 150m².
 - (iv) All external building materials, including roofs shall be of a non-reflective material.
 - (v) Strategic firebreaks remain the responsibility of the owner within whose lot the firebreak is situated.
 - (vi) The internal power supply line to the dwelling is to be provided underground.
 - (vii) Fencing of, and within, the building envelope is only permitted where the fencing is of a form and type approved by the local government. In this

regard, the local government will only approve open styles of fencing which have low visual impact.

- (viii) Unless otherwise specified, boundary fencing is permitted, however it must be of an open rural style to the satisfaction of the local government.
- (ix) On-site effluent disposal shall be located within the building envelope and is to be provided to the specification and satisfaction of the local government.
- (x) Clearing of vegetation within a building envelope shall only be permitted for the construction of a dwelling and associated outbuildings, clearing for yard areas and the immediate curtilage of buildings, installation of effluent disposal systems, fire protection zone or the establishment of other uses as approved by the local government.
- (xi) Clearing of vegetation outside of the building envelope for any purpose is prohibited, except in the following circumstances;
 - (a) A driveway to the building envelope. The maximum width of any driveway shall be 3 metres. Any driveway shall be constructed of local materials which are complementary in colour to the natural landscape. Driveways should follow the natural contour of the land and should avoid significant vegetation to minimise visual impact;
 - (b) Strategic firebreaks or other fire management requirements as defined in the Structure Plan or associated Fire Management Plan; and
 - (c) Provision of underground services.
- (xii) In order to enhance the rural amenity of the land in areas which are, in the opinion of the local government, deficient in vegetation cover, the local government may require, as a condition of any development approval, additional vegetation planting.
- (xiii) The keeping of livestock shall not exceed standards of good animal husbandry as determined by the local government with advice from the Department of Agriculture and Food WA.
- (xiv) The maximum width of crossovers at the front lot boundary shall be 3 metres.

3.18.3 Area A – Preston Street

3.18.3.1 The special site requirements of the Rural Residential zone Area A – Preston Street are as follows:

All development shall comply with the following site requirements:

- (a) Setbacks:
 - (i) Street: 20 metres.
 - (ii) Side/Rear: 10 metres.
- (b) The minimum lot size shall be 1 hectare.

3.18.4 Area B – Cape Wilderness Estate

3.18.4.1 The special development requirements of the Rural Residential zone Area B – Cape Wilderness Estate are as follows:

- (a) Subdivision shall not be supported.
- (b) A building envelope not exceeding 4,000m² and setback a minimum of 20 metres from any lot boundary is to be defined by the owner and in accordance with the approved Foreshore Management Plan, and approved by the local government prior to the issue of any development approval.
- (c) No building envelope is to be situated on land below the RL3.0 metre natural contour and no floor level of any dwelling shall be less than RL3.5 metres.
- (d) Access from all lots onto Minilya-Exmouth Road to be to the satisfaction of the local government and consistent with advice received from Main Roads WA.
- (e) The local government may require the applicant at the time of seeking a development approval to prepare a landscaping plan to demonstrate how structures will be screened from Minilya-Exmouth Road. Where a landscape plan is required, the local government will only permit the planting of local species.

3.19 Rural zone

3.19.1 The objectives of the Rural zone are as follows:

- (a) To set aside land for future land release through rezoning and subdivision within the Exmouth Townsite.
- (b) To provide for the maintenance or enhancement of specific local rural character.
- (c) To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.
- (d) To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.
- (e) To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.
- (f) To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.

3.19.2 The site requirements of the Rural zone are as follows:

Setbacks: As determined by the local government.

3.19.3 The development requirements of the Rural zone are as follows:

There is a general presumption against subdivision of land in the Rural zone.

PART 4 - GENERAL DEVELOPMENT REQUIREMENTS

4.1 R Codes

- 4.1.1 The R-Codes, modified as set out in clause 4.2, are to be read as part of this Scheme.
- 4.1.2 The local government —
 - (a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of the R-Codes on the website of the local government.
- 4.1.3 The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
- 4.1.4 The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with clause 4.1.3 unless otherwise provided for in this scheme.

4.2 Modification of R-Codes

- 4.2.1 The following variations and exclusions to the R-Codes shall apply:
 - (a) The definition of Open Space is varied to permit up to 70m² or 10 per cent of the site area whichever is lesser to be covered by verandahs, patios, or other such structures not more than 0.5 metres above natural ground level, unenclosed on at least two sides; and
 - (b) Other variations as specified in clause 4.6.

4.3 Other State planning policies to be read as part of Scheme

There are no other State Planning Policies that are to be read as part of this Scheme.

4.4 Modification of State planning policies

There are no modifications to a State planning policy that, are to be read as part of the Scheme.

4.5 Environmental conditions

There are no environmental conditions imposed under the Environmental Protection Act 1986 that apply to this Scheme.

4.6 Additional site and development requirements

- 4.6.1 The following provisions in this clause 4.6 set out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.
- 4.6.2 To the extent that a requirement referred to in clause 4.6.1 is inconsistent with a requirement in the R Codes, an Activity Centre Plan, a Local Development Plan or a State or Local Planning Policy, the requirement referred to in clause 4.6.1 prevails.
- 4.6.3 Ancillary dwelling site and development requirements are as follows:
 - (a) The deemed-to-comply provisions of the R Codes in relation to ancillary dwellings are varied by inclusion of the items (b) to (f) inclusive.
 - (b) A maximum of one ancillary dwelling may be permitted per lot.

- (c) The maximum plot ratio area for an ancillary dwelling is 100m².
- (d) Green title, survey strata or strata subdivision of a lot containing an ancillary dwelling is not permitted if it will result in the ancillary dwelling being on a separate lot.
- (e) The appearance, colours, roof pitch and construction standard of the ancillary dwelling shall be similar to, or better than, the main dwelling.
- (f) Mining camp style transportable units and converted sea containers are not permitted as ancillary dwellings.

4.6.4 Outbuildings additional site and development requirements are as follows:

- (a) The deemed-to-comply provisions of the R Codes in relation to outbuildings are varied by inclusion of the following provisions in items (b) to (d) inclusive of this clause 4.6.4.
- (b) Outbuildings in the Residential Zone on any lot shall not exceed a collective floor area of 90m², with a maximum wall height to the top of the external wall (roof above) and top of external wall (concealed roof) of 3.6 metres and a maximum ridge height of 4.5 metres, in each case measured from natural ground level.
- (c) Outbuildings in the Rural Residential and Rural zone shall not have a floor area collectively in excess of 150m², and shall have a maximum wall height top of external wall (roof above) and top of external wall (concealed roof) of 3.8 metres and maximum ridge height of 4.8 metres, in each case measured from natural ground level.
- (d) Outbuildings shall not be located in front of any dwelling and, where possible, should be sited at the rear of the lot.

4.7 Additional site and development requirements for areas covered by Structure Plan, Activity Centre Plan or Local Development Plan

There are no additional requirements of this kind which apply to this Scheme.

4.8 Sea containers

- 4.8.1 Development Approval is required for the placement of a Sea Container on a lot except where it is:
 - (a) fully enclosed within a building;
 - (b) associated with the loading or unloading of containers for shipping, provided that the container does not remain on the lot for more than seven (7) days;
 - (c) to be used for storage of plant, machinery or building equipment where a building licence is current and construction is taking place, provided that the Sea Container shall be removed within 14 days of completion of construction.
- 4.8.2 Sea containers are not permitted in zones that are not listed in Table 2 set out in clause 4.8.3.
- 4.8.3 The local government may grant development approval for the placement of Sea Containers subject to the following limits:

Table 2 Sea Containers

Zone	Max Number of Sea Containers	Maximum Length (m)
Service Commercial; and Rural Residential	1	12
Light Industry; and Special Use Zone 1 – Composite	2	20
General Industry; and Special Use Zone 5 – P1; and Special Use Zone 1 – Industrial; and Rural	Unlimited	Unlimited

4.8.4 Sea Containers shall not be used as any form of accommodation.

4.8.5 Sea Containers shall be adequately screened from the street and shall not be located over existing utilities and services.

4.8.6 Where Sea Containers have fallen into disrepair or become unsightly at the discretion of local government, they shall be removed from the lot or suitably upgraded.

4.9 Workforce accommodation

4.9.1 A Workforce Accommodation unit may take the form of a self-contained unit, mining camp-style unit or caravan.

4.9.2 Each Workforce Accommodation unit shall contain no more than one (1) bedroom.

4.9.3 Workforce Accommodation that contains more than one unit shall be centrally managed as a single complex.

4.9.4 No directional signs associated with Workforce Accommodation shall be permitted.

4.9.5 Laundry, sanitary and ablution facilities shall be provided or accessible within the lot.

4.9.6 A management statement is required to be submitted with a Development Application for Workforce Accommodation. The management statement shall be prepared, and approved to the satisfaction of the local government. The management statement shall be clearly displayed in the Workforce Accommodation. The management statement shall detail:

- (a) maintenance;
- (b) site access;
- (c) emergency management;
- (d) security; and
- (e) occupant rules.

4.9.7 Workforce Accommodation shall have external colours consistent with the local government's adopted colour palette.

4.9.8 Pursuant to clause 67 of the deemed provisions, Development Approval granted for Workforce Accommodation shall be valid for a maximum period of 3 years, except where the Transient Workforce Accommodation is a caravan, approval is valid for a maximum period of 4 months.

4.10 Disposal of waste

No person shall, without the approval of the local government, use privately owned land for the disposal or dumping of any form of rubbish or waste matter, either temporarily or permanently.

4.11 Transportable structures and second-hand external materials

- 4.11.1 All transportable structures and the use of second-hand external material require development approval, excluding development exempted by clause 61 of the deemed provisions.
- 4.11.2 Mining camp transportable accommodation units are not permitted in the gazetted Exmouth Town Site.
- 4.11.3 When considering an application for development approval for a transportable structure and/or the use of second-hand external materials, the local government shall have regard to, and may impose conditions concerning:
- (a) The external appearance and material finishes to be brought up to an as new standard, the screening of sub-floor spaces, the addition to, or modification of, the existing building and the time frame imposed to complete specified work and connect the building to lot services;
 - (b) Removal of Asbestos;
 - (c) The effect on surrounding properties and may require alterations to the, exterior cladding, design and site location;
 - (d) The provision of landscaping and/or screening to the building and/or site; and
 - (e) The provision of a bond or bank guarantee of \$10,000 in favour of the local government as security for the completion of the building to a standard of presentation acceptable to the local government within a specified time.
- 4.11.4 Where the provision of a bond or bank guarantee is required, the local government shall refund the payment upon satisfactory completion of the necessary building and landscaping/screening works.
- 4.11.5 Transported structures must be completely restumped and fully enclosed within 12 weeks of the structure being erected on the subject site.

4.12 Floodlighting

No person shall erect, install or maintain any floodlighting, spotlight or other forms of lighting for any purpose, unless the emission of light from such devices is oriented or controlled so as not to interfere with the amenity of any adjacent locality, nor cause a traffic hazard in the nearby street system.

4.13 Development fronting Murat Road

- 4.13.1 For land fronting onto Murat Road, unless otherwise provided for by a Structure Plan or Local Development Plan, the following provisions apply:
- (a) The dual use footpath alignment shall take precedence over any vehicle crossover.
 - (b) Vehicle access, manoeuvring and car parking spaces shall be constructed of concrete, asphalt and/or bitumen surface.

- (c) A maximum of one 12 metre wide crossover is permitted from Murat Road per lot and shall be sealed. In the case of corner lots, access shall be provided from the Secondary Street and not Murat Road.
- (d) Manoeuvring area shall be provided within the lot for all vehicles to enter and exit the lot in a forward gear.
- (e) Weather protection shall be provided to all public entries.
- (f) Maximum permissible fill shall be 0.5 metres above natural ground level.
- (g) The buildings external walls fronting Murat Road shall be constructed of a minimum of two (2) of the following materials, to a minimum depth of 3 metres:
 - (i) Masonry;
 - (ii) Render;
 - (iii) Timber;
 - (iv) Weatherboard;
 - (v) Horizontal Colorbond sections;
 - (vi) Painted Concrete Panels; and
 - (vii) Exposed Aggregate.
- (h) Development shall have entries that address the street through elements such as entry porticos, feature canopies or other design features.
- (i) Formal modulation shall be sought through placement of windows and openings, balconies and material changes to the street.
- (j) All necessary rubbish bin areas, drying areas and similar facilities and services to be screened from public roads.
- (k) Zincalume shall not be a permitted building material, unless it is concealed from public view.
- (l) Development shall be capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and/or the verge immediately adjoining the property.
- (m) Large areas of blank wall will not be accepted on the front and street façade. The façade of each development shall be detailed to provide visual richness, and reduce bulk.
- (n) External colours shall accord with the local government's adopted Colour Palette.
- (o) External lighting shall be provided to improve night time visibility. All lighting shall be down lit to reduce sky glare and impact on adjoining development. Lighting shall be provided at all public entries.
- (p) The building height for any development shall be a maximum wall height of 6 metres and maximum pitched roof height of 9 metres, above natural ground level.
- (q) Fencing abutting Murat Road shall be a maximum 1.8 metres high with 2x courses of reconstituted limestone blocks with limestone pylons on both sides

of the crossover and the corners of the lot, separated by visually permeable pool fencing.

- (r) Signage on fencing or as part of fencing fronting Murat Road shall not exceed 10% of the area of fencing and shall not compromise the streetscape as determined by the local government.
- (s) A-frame signs shall not be permitted within the Murat Road reserve.
- (t) Landscaping within the Murat Road setback shall be a minimum of 1.5 metres.
- (u) Minimum setbacks from Murat Road shall be 6 metres.
- (v) Side and rear setbacks shall be at the discretion of the local government.

4.14 Caretaker's Dwelling

4.14.1 The provisions of this clause shall apply to all Caretaker's Dwellings:

- (a) A Caretaker's Dwelling shall not be developed and occupied on a lot until that lot has been developed and is being used for the predominant industrial/commercial use.
- (b) If the predominant industrial/commercial use ceases to exist, the Caretaker's Dwelling must be vacated by the occupier.
- (c) A Caretaker's Dwelling may need to include measures to mitigate adverse environmental impacts such as noise and emissions/fumes.
- (d) Only one (1) Caretaker's Dwelling is permitted on a lot.
- (e) Subdivision of a Caretaker's Dwelling is not permitted for strata or freehold subdivision.
- (f) Occupation of a Caretaker's Dwelling is restricted to the proprietor, manager in charge of the approved land use, or other authorised person, and their immediate family.
- (g) A caravan, mining camp-style unit, converted sea container or other transportable structure, but not including a transportable dwelling, shall not be permitted as a Caretaker's Dwelling.
- (h) A Caretaker's Dwelling shall be screened and/or fenced from the street to the satisfaction of the local government, and shall be sited at the rear of the lot behind the predominant industrial/commercial use.
- (i) A Caretaker's Dwelling shall have a maximum floor area of 100m², measured from the external face of walls which includes verandahs, garages, carports and upper storey levels.
- (j) Swimming pools and outbuildings associated with a Caretaker's Dwelling shall be not permitted.
- (k) A Caretaker's Dwelling shall be a fully detached separate building from the predominant non-residential use and cannot be located within part of any structure or building.

4.14.2 Caretaker's Dwelling applications are required to demonstrate, to the satisfaction of the local government:

- (a) the necessity for a caretaker on the site;

- (b) there will not be an unacceptable health risk to the caretaker;
- (c) that the provision of a Caretaker's Dwelling will not compromise the lawful operations of lawfully established surrounding land uses, nor prejudice future surrounding land use that could reasonably be expected to be lawfully established; and
- (d) that the level of security necessary for the security of a site cannot ordinarily be provided by a security service or by staff being 'on call'.

4.15 Holiday Accommodation / Holiday House

- 4.15.1 Holiday Accommodation and Holiday House shall not be permitted in the Skipjack Circle subdivision.
- 4.15.2 Holiday Accommodation and Holiday House applications shall comply with the following occupancy requirements:
 - (a) any room in the building that is not a bedroom shall not be used for sleeping purposes;
 - (b) for every person over the age of 10 years using a habitable room for sleeping purposes there shall be least 14 cubic metres of air space per person; and
 - (c) for every person between the ages of 1 and 10 years using a habitable room for sleeping purposes there shall be at least 8 cubic metres of air space per person.
- 4.15.3 Notwithstanding clause 4.15.2 the maximum occupancy of any dwelling used for a 'Holiday House' or 'Holiday Accommodation' shall be 12 persons of all ages.
- 4.15.4 A Site Plan shall be included with any development application and shall clearly designate parking areas.
- 4.15.5 One (1) advertisement may be provided at the premises, in accordance with the following standards:
 - (a) The advertisement shall be a maximum dimension of 450 millimetres in height, length of 450 millimetres, not exceeding 0.2 square metres in size;
 - (b) The advertisement shall be securely fixed to a fence or building within the lot, displayed in a position within the property boundary visible from the primary street; and
 - (c) The advertisement shall only state the:
 - (i) The name/address of the premises; and
 - (ii) The caretaker or manager contact details.
- 4.15.6 A management statement shall be prepared to the satisfaction of the local government and submitted with a Development Application. The management statement shall detail:
 - (a) Operation Management;
 - (b) Rubbish collection;
 - (c) Maintenance;
 - (d) Noise

- (e) Emergency contacts;
- (f) Security; and
- (g) Occupant rules.

The management statement shall be clearly displayed in the dwelling.

4.15.7 An emergency response plan shall be prepared to the satisfaction of the local government submitted with a Development Application. The emergency response plan shall detail:

- (a) Fire escape route;
- (b) Location of fire extinguishers;
- (c) Location of smoke alarms; and
- (d) Emergency contacts.

The emergency response plan shall be clearly displayed in the dwelling.

4.15.8 The Holiday Accommodation or Holiday House shall be managed by a local caretaker/manager living and readily contactable within 10 minutes of the property.

4.15.9 A fire extinguisher is required in a clearly visible location in the premises at all times, and is required to be maintained in proper working order and marked on the emergency response plan.

4.15.10 The Holiday Accommodation or Holiday House shall provide at least two (2) rubbish bins where the total number of occupants is 10 or less. Where there are 10 or more occupants at least three (3) rubbish bins must be provided.

4.15.11 Unless the local government determines otherwise, any approval granted for such a development will be granted for a limited period of one (1) year, renewed by way of further annual application prior to the expiration of that time period.

4.15.12 In considering a renewal of an approval, the local government shall have regard to:

- (a) The applicants compliance with conditions of the original approval and the approved Management Statement; and
- (b) Any record of complaint received by the local government during the last approval period.

4.16 Bed and Breakfast/Guesthouse

4.16.1 The bedrooms and amenities to be utilised by guests are to be provided under the main roof and physically connected to the main dwelling by common wall.

4.16.2 The host shall permanently reside in the dwelling/single house approved for a Bed and Breakfast/Guesthouse, and provide breakfast to guests.

4.16.3 Guest access to a kitchen for the preparation of meals shall not be permitted.

4.16.4 A fire extinguisher is required in a clearly visible location in the premises at all times, and is required to be maintained in proper working order and marked on the emergency response plan.

4.16.5 Separate bathroom and toilet facilities shall be provided for guests.

- 4.16.6 The host shall maintain a guest register that shall be made available for inspection upon request.
- 4.16.7 One (1) advertisement may be provided at the premises, in accordance with the following standards:
- (a) The advertisement shall be a maximum dimension of 450 millimetres in height, length of 450 millimetres, not exceeding 0.2 square metres in size;
 - (b) The advertisement shall be securely fixed to a fence or building within the lot, displayed in a position within the property boundary visible from the primary street; and
 - (c) The advertisement shall only state the:
 - (i) The name/address of the premises; and
 - (ii) The caretaker or manager contact details.
- 4.16.8 A management statement shall be submitted with a Development Application for Bed and Breakfast/Guesthouse. The management statement shall be prepared to the satisfaction of the local government. The management statement shall be clearly displayed in the Bed and Breakfast/Guesthouse. The management statement shall detail:
- (a) Operational Management;
 - (b) Rubbish collection;
 - (c) Maintenance;
 - (d) Noise;
 - (e) Emergency contacts;
 - (f) Security; and
 - (g) Occupant rules.
- 4.16.9 An emergency response plan shall be submitted with a Development Application for Bed and Breakfast/Guesthouse. The emergency response plan shall be prepared to the satisfaction of the local government. The emergency response plan shall be clearly displayed in the Bed and Breakfast/Guesthouse. The emergency response plan shall detail:
- (a) Fire escape route;
 - (b) Location of fire extinguishers;
 - (c) Location of smoke alarms; and
 - (d) Emergency contacts.
- 4.16.10 Unless the local government determines otherwise, any approval for a Bed and Breakfast/Guesthouse will be granted for a limited period of one (1) year, renewed by way of further annual application prior to the expiration of that time period.
- 4.16.11 In considering a renewal of an approval, the local government shall have regard to:
- (a) The applicants compliance with conditions of the original approval and the approved Management Statement; and

- (b) Any record of complaint received by the local government during the last approval period.
- 4.16.12 If in the opinion of the local government, a Bed and Breakfast/Guesthouse is causing a nuisance or annoyance to owners or occupiers of land in the locality the local government may:
 - (a) revoke the approval; or
 - (b) issue a notice to the occupier of the land in respect of which the approval is issued specifying measures to be undertaken to cease the nuisance or annoyance.

4.17 Nature Based Parks

- 4.17.1 Nature Based Park applications shall only be supported in approved surveyed lots/areas.
- 4.17.2 Nature Based Park applications shall be referred to the Department of Parks and Wildlife and may be required to address in addition to clause 67 of the deemed provisions, to the satisfaction of local government:
 - (a) Public access/to and from proposed location;
 - (b) Flora and Fauna Surveys;
 - (c) Biodiversity Protection and Quarantine Management Plans;
 - (d) Foreshore Management Plans;
 - (e) Emergency Management Plans covering bushfires and cyclones; and
 - (f) Flood Studies.
- 4.17.3 The Nature Based Park use must be incidental to the rural use of the land, unless special provisions in the Scheme, allow otherwise.

Note:

Nature Based Park applications are required to be in accordance with the Caravan Parks and Camping Grounds Act 1995 the Caravan Parks and Camping Grounds Regulations 1997.

4.18 Potable water supply

- 4.18.1 The Local Government will not support subdivision or, where applicable grant development approval, for residential dwellings unless it is demonstrated, to the local government's satisfaction that all dwellings will:
 - (a) be connected to an approved reticulated water supply; or
 - (b) have access to an approved alternative supply of potable water with on-site storage. A roof catchment water supply shall only be approved if it is connected into a water tank having a minimum capacity of 92,000 litres.
- 4.18.2 Where, in addition to the requirements of clause 4.18.1(b) for a supply of potable water for any dwelling, additional water supplies are required for fire fighting and secondary purposes, the capacity of the rainwater catchment tank shall be a minimum of 135,000 litres and shall be fitted with a standard 50mm camlock valve.
- 4.18.3 Where the local government has approved a potable water supply other than from the reticulated water supply network, the local government shall require that any sampling, analysis and/or treatment of the supply and storage shall be undertaken by

the applicant to the satisfaction of the local government, in consultation with the Department of Health.

4.19 Home Occupation and Home Business

- 4.19.1 An approval to conduct a Home Occupation or a Home Business is issued to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not to be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which a home occupation or home business approval is issued the approval is cancelled.
- 4.19.2 The hours of operation shall be limited to the normal business hours of 8am to 5pm Monday to Saturday.
- 4.19.3 Following the issue of a development approval, the applicant must then obtain a Home Occupation or a Home Business Permit from the local government. The Home Occupation or Home Business cannot operate without a current permit.
- 4.19.4 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:
- (a) revoke the approval; or
 - (b) issue a notice to the occupier of the land in respect of which the approval is issued specifying measures to be undertaken to cease the nuisance or annoyance.
- 4.19.5 A Home Occupation and Home Business shall:
- (a) not entail more than two (2) clients or customers travelling to and from the dwelling at any time;
 - (b) not involve the penetration of skin (including body piercing, tattooing and electrolysis) which has specific health requirements that require monitoring and regulation;
 - (c) not involve the hire of any vehicle, trailer, boat, or caravan;
 - (d) not involve the use of a commercial vehicle; and
 - (e) not include the outdoor storage of any materials or supplies.

4.20 Battleaxe lots

- 4.20.1 The local government shall not recommend approval for a proposed subdivision or adopt a proposed Structure Plan, in any zone, where that subdivision or Structure Plan proposes battleaxe lots, except where, in the opinion of the local government:
- (a) any alternative subdivision layout without battleaxe lots is rendered impractical by the shape or topography of the land or other factor(s); or
 - (b) there is an overriding benefit from the creation of one or more battleaxe lots in terms of reduced environmental impact or improved amenity.

4.21 Landscaping

- 4.21.1 The local government may request for the submission of a landscaping plan with an application for, or as a condition of, development approval.

- 4.21.2 Implementation of the landscaping plan shall occur within six (6) calendar months of the completion of any related approved development, or the date of occupancy if occupancy commences prior to the completion of the development.
- 4.21.3 Where landscaping is required to be provided within the front setback area, trees shall be provided at the rate of at least one (1) tree to every four (4) metres of frontage.
- 4.21.4 Where parking is required to be provided, shade trees shall be provided at the rate of at least one (1) tree to every seven (7) bays.
- 4.21.5 The local government may in a landscaped area restrict the use of concrete, gravel, pebble and similar hard materials and require the planting of lawns, trees and/or shrubs in lieu thereof.

4.22 Secondary street setback for non-residential development

In respect of non-residential development, unless otherwise stated in the Scheme, where a lot has frontage to two or more streets, the setback from the secondary street shall be half the setback required from the primary street.

4.23 Use of setback areas

- 4.23.1 A person shall only use land within a front setback area for one or more of the following purposes:
 - (a) a means of access;
 - (b) the daily parking of passenger vehicles in an approved car parking area;
 - (c) the loading and unloading of vehicles; and
 - (d) landscaping with lawns, gardens trees and shrubs.
- 4.23.2 The front setback area and, where visible from the street, the side setback area, shall not be used for the following purposes:
 - (a) parking of vehicles which are being wrecked or repaired;
 - (b) the stacking or storage of fuel, raw materials, products or by-products, waste of manufacture, or containers including sea containers; and
 - (c) parking of commercial vehicles.

4.24 External attachments to buildings

Notwithstanding any other provision in the Scheme, the local government may require details of, and impose conditions in respect of, the location and screening of:

- (a) Air conditioners;
- (b) Water tanks;
- (c) Clothes Lines;
- (d) Satellite dish, antennae and other communication equipment;
- (e) Solar panels: and
- (f) Any other attachment to a building that may not typically be shown on development application plans,

to ensure that any such attachments do not adversely impact on the amenity of the locality.

4.25 Sale or consumption of liquor

Any use of land or buildings approved under the Scheme for the sale or consumption of liquor shall, unless otherwise determined by the local government, be subject to a Management Plan that has been prepared to the satisfaction and approval of local government and consistent with any conditions of the development approval.

4.26 Parking requirements

- 4.26.1 A person shall not develop or use any land or adapt any building for any purpose unless parking spaces as specified in Table 3 are provided.

Table 3 Car Parking Requirements

Use	Minimum Number of Required Parking Spaces
Residential Land Uses	
Aged or Dependent Persons Dwelling; Ancillary Dwelling; Dwelling; Grouped Dwelling; Multiple Dwelling; Single House; Residential Building; Repurposed Dwelling; Second-hand Dwelling	In accordance with the R Codes.
Caretaker's Dwelling	Two (2) spaces in addition to the required parking for the predominant use.
Family Day Care	Two (2) spaces
Workforce Accommodation	One (1) space for every two (2) bedrooms.
Home Business	One (1) space per staff member.
Tourism Land Uses	
Bed and Breakfast; Guesthouse	One (1) space per guest bedroom in addition to parking required by the R Codes.
Camping Ground; Caravan Park; Nature Based Park	Two (2) spaces per chalet or cabin. One (1) additional space for every chalet/cabin that can accommodate more than six (6) people. One (1) additional space for every two (2) staff members. One (1) additional bus space for every 40 persons which may be accommodated.
Holiday Accommodation; Holiday House	One (1) space per 4 guests which may be accommodated in the premises. A maximum of five (5) spaces, per dwelling which includes trailer parking.
Hotel; Motel; Tourist Development	One (1) space for every bedroom. One (1) visitor space per twenty (20) bedrooms. One (1) additional bus space for every 40 persons which may be accommodated. One (1) additional space for every two (2) staff members. One (1) space for every four (4) seats in dining area if open to the public.

Use	Minimum Number of Required Parking Spaces
	One (1) space for every 6m ² of bar area if open to the public.
Serviced Apartment	One (1) space per unit. One (1) additional space for every unit that can accommodate more than 4 people. One (1) additional space for every two (2) staff members.
Commercial Land Uses	
Betting Agency	One (1) space per 30m ² of NLA used for the purposes of administration or accounting. One (1) space per 20m ² of NLA open to the public. One (1) additional space for every two (2) staff members.
Restaurant/Cafe; Fast Food Outlet; Lunch Bar	One (1) space for every 7m ² NLA; or One (1) space for every 4 seats of dining area, whichever is greater.
Child Care Premises	One (1) space for every 10 children the premises is designed and approved to accommodate. One (1) additional space for every two (2) staff members.
Cinema / Theatre;	One (1) space per every four (4) seats. One (1) additional space for every two (2) staff members.
Consulting Rooms; Medical Centre	Four (4) spaces for every consulting room up to two (2) rooms; and two (2) spaces for every additional consulting room.
Convenience Store	One (1) space per 20m ² of NLA, but with a minimum of not less than three (3) spaces, whichever is the greater.
Exhibition Centre	One (1) space per 40m ² of NLA.
Liquor Store - Small; Liquor Store – Large; Shop; Discount Department Store; Fish Shop	One (1) space for every 20m ² of NLA. One (1) additional space for every two (2) staff members.
Laundromat	One (1) space per 20m ² of NLA.
Market; Restricted Premises	One (1) space per 20m ² of NLA of buildings and outdoor areas used for market purposes, but with a minimum of not less than 5 bays.
Night Club; Small Bar; Tavern	One (1) space for every 6m ² of bar area. One (1) additional space for every two (2) staff members.
Office; Reception Centre	One (1) space for every 20m ² of NLA.
Service Station	One (1) space per 20m ² of NLA retail area. One (1) additional space for every two (2) staff members.
Supermarket	One (1) space for every 30m ² of NLA.
Bulky Goods Showroom	One (1) space for every 50m ² of NLA.
Veterinary Centre	One (1) space for every 25m ² of NLA with a minimum of 4 spaces. One (1) additional space for every two (2) staff members.
Industrial Land Uses	

Use	Minimum Number of Required Parking Spaces
Brewery	<p>One (1) space for every two (2) staff members; plus</p> <p>One (1) space per 50m² of NLA of premises open to the public for display, sale or exhibition, where the premises incorporates such an area; plus</p> <p>An additional one (1) space per 4 seats or one (1) space per 6m² of NLA of premises used for dining and/or drinking area, whichever is the greater, where the premises incorporates such an area.</p>
Fuel Depot	One (1) space for every two (2) staff members.
Industry – Cottage	One (1) space per 50m ² of NLA
Industry – Extractive; Industry; Industry – Hazardous; Mining Operations; Industry – Noxious; Industry – Primary Production; Marine Filling Station; Marine Support Facility; Salvage Yard	<p>One (1) space per 100m² of NLA of buildings used for industry purposes and One (1) space per 250m² of open outdoor area used for industry purposes; or</p> <p>One (1) space per two (2) staff members; but with a minimum of five (5) spaces; plus</p> <p>An additional one (1) space per 30m² of NLA used for the purposes of administration.</p>
Industry – Light; Industry – Service; Warehouse/Storage	One (1) space for every 50m ² of NLA.
Motor Vehicle Hire	<p>One (1) space per 30m² of sales/customer service area and office space; plus</p> <p>Four (4) additional drop off spaces; plus</p> <p>One (1) space per hire vehicle.</p>
Motor Vehicle Repair; Motor Vehicle Wreckers; Trade Supplies	<p>One (1) space per 50m² NLA used for wrecking/repair; or two (2) spaces per service bay, whichever is the greater.</p> <p>One (1) space per 30m² NLA of sales/customer service area and office space.</p> <p>One (1) additional space for every two (2) staff members.</p>
Motor Vehicle Wash	<p>Queuing space for one (1) waiting vehicle for each wash bay.</p> <p>One (1) additional space for every two (2) staff members.</p>
Motor Vehicle, Boat or Caravan Sales; Machinery Sales	<p>One (1) space per 150m² of site area allocated to vehicle display and sales (including buildings).</p> <p>Where vehicle servicing is provided, one (1) space per 30m² of sales/customer service area and office space, plus one (1) space per service bay.</p> <p>One (1) additional space for every two (2) staff members.</p>
Garden Centre	<p>Two (2) spaces per 50m² of publicly accessible sales area.</p> <p>One (1) additional space for every two (2) staff members.</p>
Trade Display	One (1) space per 40m ² NLA and One (1) space per 250m ² of open outdoor area used for trade display.
Transport Depot; Bus Depot	One (1) space for every two (2) staff members.
Renewable Energy Facility	One (1) space for every two (2) staff members, plus additional spaces as determined by the local government.
Rural Land Uses	

Use	Minimum Number of Required Parking Spaces
Abattoir	One (1) space per 100m ² of NLA used for abattoir purposes, or one (1) space per employee, whichever is the greater, but with a minimum of not less than five (5) spaces; plus An additional one (1) space per 30m ² of NLA used for the purposes of administration.
Animal Establishment	One (1) space for every ten (10) animals the facility is designed to accommodate, plus One (1) space for every two (2) employees. A minimum of four (4) spaces shall be provided.
Community and Civic Land Use	
Civic Use; Community Purpose	One (1) space per 40m ² of NLA.
Club Premises	One (1) space per 4 persons capable of being accommodated.
Educational Establishment	One (1) space per two (2) employees. Bus, parent and student parking required at the discretion of the local government.
Funeral Parlour	One (1) space per four (4) persons capable of being accommodated for any memorial service areas. One (1) additional space for every two (2) staff members.
Hospital	One (1) space per four (4) beds. One (1) additional space for every two (2) staff members.
Place of Worship	One (1) space for every four (4) persons capable of being accommodated.
Recreation – Private - Gymnasium - Health Studio - Bowling Alley - Cricket - Skating Rink - Swimming Pool - Squash Courts - Spectator Seating - Dining/Drinking - Staff	One (1) space for every 10m ² NLA. One (1) space for every 10m ² NLA. Two (2) spaces for every lane. Ten (10) spaces per pitch One (1) space for every 20m ² skating area. One (1) space for every 20m ² pool area. Four (4) spaces for every court. One (1) space for every five (5) seats provided. One (1) space for every 6m ² floor space. One (1) space for every two (2) staff members present at any one time.

4.26.2 Where the calculated number of parking spaces in accordance with Table 3 results in a fraction of a space, the required total number of spaces shall be rounded up to the nearest higher whole number.

4.26.3 Where a particular parking requirement for a use class is not specified in Table 3, the local government shall determine the number of car parking spaces to be provided having regard to the:

- (a) nature of the proposed development;
- (b) requirements of the Building Code;

- (c) number of employees and visitors/clients to be associated with the development; and
 - (d) orderly and proper planning of the locality.
- 4.26.4 Where parking spaces are required for disabled, visitor, trailer, boat, caravan, bus, motorcycle, bicycle or other specific purposes, they are to be marked and permanently retained for that exclusive use.
- 4.26.5 When the use of any premises is changed to a use class that under the Scheme requires a greater number of parking spaces, additional parking spaces shall be provided to meet the requirements of the new use in accordance with the Scheme.
- 4.26.6 When a development on any land is enlarged, additional parking spaces to meet the requirements of Table 3 shall be provided in respect of the enlarged portion only.

4.27 Parking area development standards

- 4.27.1 The parking spaces shall measure not less than the dimensions as shown in Table 4 for the type of parking layout adopted.

Table 4 Parking Area Development Standard

Parking Type	Minimum Dimensions	Minimum Manoeuvring Area
Bicycle Parking	1.7 metres (length) 0.6 metres (width)	At discretion of the local government
Boat/Trailer Parking	10 metres (length) 3.2 metres (width)	At discretion of the local government
Car Parking – Accessible (Disabled Parking)	As per Building Code	As per Building Code
Car Parking – Standard	Parallel parking – 6.7 metres (length); 3 metres (width) Angle parking - 5.4 metres (length); 2.7 metres (width) 90° parking – 5.5 metres (length); 2.7 metres (width)	Two Way: - Parallel 6 metres - Angle 6 metres - 90° 6 metres One Way: - Parallel 3 metres - Angle 5.8 metres - 90° 6 metres
Car Parking – Residential	As per R-Codes	As per R-Codes
Motor Cycle Parking	2.5 metres (length) 1.2 metres (width)	At discretion of the local government
Bus Parking	14 metres (length) 3.5 metres (width)	12.5 metres

- 4.27.2 When considering any application for development approval, the local government shall have regard to, and may impose conditions on, the location and design of the required parking spaces. In particular, the local government shall take into account and may impose conditions concerning:
- (a) The proportion of parking spaces to be roofed or covered;
 - (b) The adequacy of vehicle access and manoeuvring area;

- (c) The location of the parking spaces on the site and their effect on the amenity of adjoining development;
 - (d) The extent to which parking spaces are located within required building setback areas;
 - (e) The locations of existing or proposed public footpaths, vehicular crossing, or private footpaths within the lot, and the effect on both pedestrian and vehicular traffic movement and safety;
 - (f) The suitability and adequacy of proposed screening or landscaping;
 - (g) The incorporation of Crime Prevention through Environmental Design principles;
 - (h) The need for spaces for disabled, visitor, trailer, boat, caravan, bus, motorcycle, bicycle or other specific purposes;
 - (i) Sign posting and line marking; and
 - (j) The prevention of traffic conflict with any adjoining vehicle crossovers, parking areas, public roads or rights-of-way.
- 4.27.3 Parking and manoeuvring areas may be required to be adequately designed to enable all vehicles to enter and exit the property in forward gear.
- 4.27.4 Parking and manoeuvring areas may be required to be constructed of paved concrete and/or bitumen surface or similar.
- 4.27.5 All parking spaces, garages and carports shall be accessible and useable for the full number of parking spaces required whenever the building or use which they serve is in operation.
- 4.27.6 Parking areas shall incorporate existing vegetation or new landscaping, where possible, to increase visual amenity and provide shading.
- 4.27.7 All parking and access areas shall be appropriately sealed, drained, marked and appropriately lit to the satisfaction of the local government.
- 4.27.8 Where parking is provided behind the building line, parking and manoeuvring areas may be suitably constructed using crushed rock/gravel/limestone to a minimum standard of 80mm thick to the satisfaction of local government.
- 4.27.9 Where there is more than one use on a particular lot/development site or within an individual tenancy, the parking requirement is to be calculated separately for each such use, whether or not such use is incidental to the predominant use.

4.28 Variation to parking requirement

- 4.28.1 The local government may approve a reduction to the standard parking requirement specified in clause 4.26 if it is satisfied that the reduced provision will satisfactorily achieve the intent of the requirement. In considering an application to vary the parking requirement, the local government shall consider the following factors:
- (a) The potential for reciprocal parking between different uses on the site;
 - (b) Whether an appropriate alternative parking arrangement can be provided;
 - (c) Whether a reduced parking requirement can be justified to the satisfaction of the local government; and
 - (d) Whether a suitable cash-in-lieu arrangement is feasible.

- 4.28.2 The local government may permit different land uses, within the site or on adjoining sites, to share or combine parking facilities, and may approve a reduction in the total parking requirement provided it is satisfied:
- (a) No conflict will occur as a result of the joint use of the parking facilities;
 - (b) The peak demands for parking bays from the individual land uses do not coincide; and
 - (c) The combined parking provision will provide an adequate level of service for the approved uses.
- 4.28.3 Where the local government permits the joint use of parking facilities between adjoining sites, it shall require the landowners involved to prepare a suitable legal agreement registered on the property title to ensure reciprocal rights of access exist and the parking facilities can be maintained.
- 4.28.4 Where a legal agreement has been required by the local government in accordance with clause 4.28.3 that agreement shall not be varied or removed without the consent of the local government and only where the local government is satisfied that the joint use of parking facilities is no longer required.
- 4.28.5 The local government may require that reciprocal access and circulation arrangements are provided for any use/development of premises, where such arrangements are deemed necessary to improve traffic management, road safety or amenity.

4.29 Cash-in-lieu for parking

- 4.29.1 The local government may accept a payment of cash-in-lieu of part, or all, of a minimum parking requirement provided that the local government is satisfied that suitable public parking facilities exist, or are planned, within reasonable proximity to the land in respect of which a cash-in-lieu arrangement is made, and to which the cash in lieu payment can be utilised;
- 4.29.2 Where the local government accepts cash-in-lieu in accordance with clause 4.29.1:
- (a) The cash-in-lieu payment shall be expressed as a rate per parking bay and determined by independent valuation, and shall include the cost of land and construction of parking bays including sealing, kerbing, marking, drainage, lighting, landscaping, access driveways and all other necessary infrastructure; and
 - (b) The payment shall be placed in a dedicated parking fund to be used only for the provision of public parking facilities, including land acquisition and construction, but not maintenance, of parking facilities.
- 4.29.3 If an owner or applicant objects to the costs or values determined by the local government at clause 4.29.2 the matter shall be referred to arbitration in accordance with the *Commercial Arbitration Act 1985*.

4.30 Parking of commercial vehicles in Residential zone, Special Use Zone 6, and Urban Development zone

- 4.30.1 No person on any lot within the Residential zone, Special Use Zone 6 and Urban Development zone may:
- (a) Park or store any commercial vehicle within a lot;
 - (b) Repair, service, or wash a commercial vehicle unless such work is minor, only generates easily contained liquid waste, and is carried out entirely within the

lot. Liquid waste shall be as defined in the *Health (Liquid Waste) Regulations 1993* and shall be disposed of in accordance with the requirements of the local government.

4.30.2 Notwithstanding clause 4.30.1, the local government may grant development approval for the parking of a commercial vehicle within a lot, subject to the following minimum criteria:

- (a) The commercial vehicle forms an essential part of the occupation of an occupier of the premises;
- (b) The commercial vehicle is parked in an outbuilding or garage at all times;
- (c) The commercial vehicle is not used or designed for use for the transportation of livestock or the transportation or disposal of liquid or solid wastes;
- (d) Any associated materials or machinery is contained on/in the commercial vehicle at all times and the activity does not cause nuisance due to the emission of noise, dust, light or other pollutants; and
- (e) The vehicle is operated in accordance with the *Environmental Protection (Noise) Regulations 1997* and other relevant statutes.

4.30.3 An approval to park a commercial vehicle is issued to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not to be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which the approval is issued the approval is cancelled.

4.31 Loading/unloading areas

- 4.31.1 Service areas shall be provided with sufficient access and manoeuvring space for the largest vehicle most likely to access the lot in relation to all permitted uses of the land. In the case of the 'Light Industry', 'Service Commercial' and 'General Industry' zones, the site shall be able to accommodate, as a minimum, a medium rigid vehicle with a length of 8.8 metres and a 10 metre turning radius.
- 4.31.2 All manoeuvring shall be contained on-site unless otherwise approved by the local government. The local government may consider an access arrangement that requires on-street manoeuvring where it is deemed it will have no impact on safety or traffic flow, and where it can be demonstrated that the movement can be limited to one reverse movement, either onto or off the street.
- 4.31.3 Loading areas shall be designed so that all commercial vehicles are located wholly on site during loading/unloading and where possible, located behind the building line.
- 4.31.4 Loading areas shall be separated from areas of car parking, pedestrian activities and access driveways so as not to impede on-site traffic or pedestrian movement.

4.32 Control of advertisements

4.32.1 Existing advertisement

Advertisements which:

- (a) were lawfully erected, placed or displayed prior to the approval of the Scheme; or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the local government prior to the approval of the Scheme, hereinafter in this clause referred to as "existing advertisements",

may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

4.32.2 Discontinuance

Notwithstanding the Scheme objectives and clauses 4.32.1 and 4.32.3 where the local government can demonstrate exceptional circumstances which cause an existing or exempted advertisement to seriously conflict with the objectives of the Scheme, it may by notice in writing require the advertiser to remove, relocate, adapt, or otherwise modify the advertisement within a period of time specified in the notice. The notice shall be in form prescribed by clause 80 of the deemed provisions.

4.32.3 Exempt advertisements

The following are classed as exempt advertisements:

- (a) All advertisements erected, placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.
- (b) All classes of buildings, one (1) advertisement sign containing the name, number or address of the building, the purpose for which the building is used or the name or address of the managing agent thereof, with a maximum area of 0.2m².
- (c) All signs classified as 'E' exempt within Table 5, subject to the provisions of the Scheme.
- (d) Temporary erection or installation of electoral advertisements as provided in clause 61(1)(g) of the deemed provisions.
- (e) All advertisements required for compliance with a statutory requirement.
- (f) All advertisements erected, placed or displayed on land owned, vested to, or managed by the local government.

Note:

In regard to clause 4.32.3(f) all advertisements are subject to local government local laws.

4.32.4 Table 5 indicates, subject to the provisions of the Scheme, the permissibility of sign types within each zone.

Table 5 Signage Zoning and Permissibility Table

LPS Zone	Residential	Urban Development	Commercial	Special Use Zone 6	Tourism	Special Use Zone 4	Light Industry	Service Commercial	General Industry	Rural Residential	Rural	Local Scheme Reserve	Special Use Zone 1, 2, 5
Type Of Sign													
On Building													
Roof Sign (Part of)	X	X	D	D	D	D	D	D	D	X	D	D	D
Roof Sign (Above)	X	X	X	X	X	X	X	X	X	X	X	X	X
Wall Sign	E	E	E	E	E	E	E	E	E	E	E	D	E
Projecting Sign	X	X	D	D	D	D	D	D	D	X	D	D	D
Window Sign	X	X	E	E	E	E	E	E	E	X	E	E	E
Verandah Sign	X	X	D	D	D	D	D	D	D	X	E	D	D
Off Building													

LPS Zone	Residential	Urban Development	Commercial	Special Use Zone 6	Tourism	Special Use Zone 4	Light Industry	Service Commercial	General Industry	Rural Residential	Rural	Local Scheme Reserve	Special Use Zone 1, 2, 5
Pylon Sign	X	X	D	D	D	D	D	D	D	X	D	D	D
Hoarding Sign	X	X	D	D	D	D	D	D	D	X	D	D	D
Portable A-Frame (On Ground)	X	X	E	E	E	E	E	E	E	X	E	E	E
Tethered Sign (Flag)	X	X	E	X	E	E	E	E	E	X	E	E	E
Banner Sign (Community Service and Entertainment)	X	X	E	E	E	E	E	E	E	X	E	D	E
Banner Sign (Commercial)	X	X	X	X	E	E	E	E	E	X	X	D	E
Fence Sign	X	X	E	D	D	D	E	E	E	X	D	D	D
Mobile Billboard Sign	X	X	D	D	D	D	D	D	D	X	X	D	D
Garage Sale Sign	E	E	E	E	E	X	X	E	X	E	X	E	X
Real Estate Signs	E	E	E	E	E	E	E	E	E	E	E	E	E
Building Construction Signs	E	E	E	E	E	E	E	E	E	E	E	E	E
Display Home Signs	E	E	E	E	E	X	X	E	X	E	E	X	E
E = Exempt, if in accordance with the provisions of the Scheme													
D = Discretionary, application required													
X = Not permitted													

4.32.5 On Building Signs

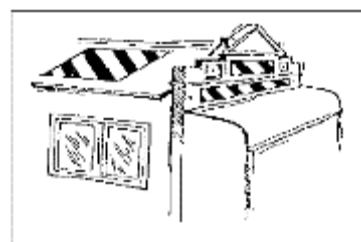
On Building Signs include the following sign types:

(a) Roof Sign (Part of)

This is an advertising sign, which is fixed to a fascia, or to the roof itself or which forms part of a projection above the eaves, or ceiling of the building.

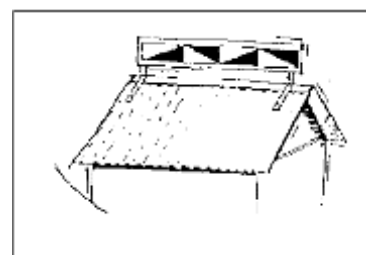
A Part of Roof sign shall:

- (i) be fixed parallel to the roof;
- (ii) have a maximum area of 3m²;
- (iii) not project more than 0.3 metres out from the building;
- (iv) not be within 0.3 metres of either end of roof; and
- (v) fit within the gable of the roof.



(b) Roof Sign (Above)

An advertising sign, which protrudes above the normal roof line (maximum pitched roof height).

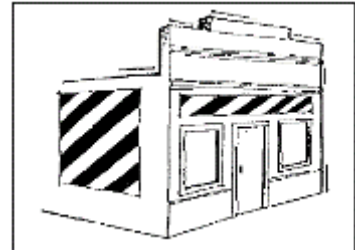


(c) Wall Sign

An advertising sign which is fixed to the external part of a wall of the building.

A wall sign shall:

- (i) Not be above the lowest point of the eaves or ceiling (roof);
- (ii) Not project more than 0.3 metres out from the building; and
- (iii) Not project below the top of any door.



A Wall Sign if located within a Residential, Residential Development, Rural Residential zone shall:

- (i) not exceed 0.2m² in area; and
- (ii) not exceed one (1) sign per lot.

(d) Projecting Sign

An advertising sign, which is attached to a projection which projects more than 0.3 metres from a wall.

Projecting signs shall:

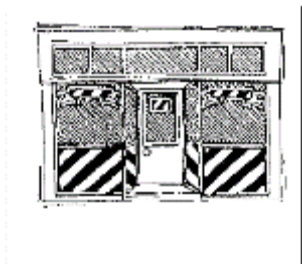
- (i) be limited to one (1) such sign per lot;
- (ii) not exceed 0.6 metres in a vertical dimension;
- (iii) have a minimum clearance of 2.4 metres from the ground;
- (iv) not weigh more than 30kg;
- (v) be at a right angle to the wall to which it is attached;
- (vi) project no more than 1 metre from the wall to which it is attached;
- (vii) not exceed 1.5m² in area; and
- (viii) not project above the top of any wall to which it is attached.

(e) Window Sign

This is an advertising sign, which is painted or fixed either to the interior or exterior of the glazed area of a window and any part of which is visible from outside the building.

Window signs shall:

- (i) not cover more than 50% of the glazed areas of any one window; and
- (ii) not exceed 10m² in area in aggregate per lawful land use.



(f) Verandah Signs

Verandah signs include signs on or attached to a verandah. Verandah signs include blinds or screens dropped vertically down from the fascia of a verandah, awning or canopy to provide protection from the sun, rain or wind where these blinds or screens contain forms of advertising.

Verandah Signs shall:

- (i) not exceed 2.4 metres in length;
- (ii) not exceed 0.6 metres in a vertical dimension;
- (iii) not weigh more than 30kg;
- (iv) not be within 3 metres of another such sign attached to the underside of the same verandah;
- (v) not project beyond the outer frame or surround of the verandah;
- (vi) have a minimum clearance of 2.4 metres from the ground;
- (vii) not extend above the maximum height of the verandah to which it is attached; and
- (viii) if on the underside of a verandah be at right angles to the street boundary except on a corner lot where the sign may be placed so as to be visible from both streets.

4.32.6 Off Building Signs

Off Building Signs include the following sign types:

(a) Pylon Signs

An advertising sign, which is fixed to a structure, which has one or more supports and the structure has a greater height than width.

Pylon Signs shall:

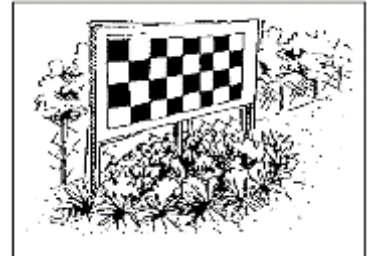
- (i) the advertisement shall have a minimum clearance of 0.5 metres from ground level;
- (ii) the structure shall have a greater height than width;
- (iii) the structure shall have a maximum width of 2.5 metres;
- (iv) not be located on a lot where there is a hoarding sign; and
- (v) be limited to one (1) sign per lot.

(b) Hoarding Signs

An advertising sign, which is fixed to a structure and which has one or more supports.

Hoarding Signs shall:

- (i) the advertisement shall have a minimum clearance of 0.5 metres from ground level;
- (ii) the advertisement shall have a maximum area of 3m²;
- (iii) be limited to one (1) sign per lot;
- (iv) not be located on a lot where there is an existing Pylon Sign; and
- (v) the structure shall not be higher than 2.5 metres above natural ground level.



(c) Portable A-Frame (On Ground) Signs

An advertising sign which is not attached to a building and includes sandwich board signs and A-frame signs.

Portable A-frame signs shall:

- (i) not be higher than 1.2 metres above natural ground level;
- (ii) only be displayed during normal business hours of the business to which the sign relates;
- (iii) be limited to a maximum of two (2) signs per lawfully approved land use;
- (iv) not obstruct pedestrian access;
- (v) have no moving parts once the sign is in place; and
- (vi) have a maximum display area of 1.2m².



(d) Tethered Signs (Flag)

This type of sign includes any sign tethered (tied) to any structure or tree or pole. It includes “lighter than air” aerial devices.

Tethered Signs (Flag) shall:

- (i) have a maximum area of 2m²;
- (ii) be no higher than the building to which it relates;
- (iii) be removed at the end of each business day; and
- (iv) be limited to a maximum of two (2) displayed per lawfully approved land use.

(e) Fence Signs

Fence Signs include signs erected, attached to or painted on a fence.

Fence Signs shall:

- (i) have a maximum area of 10% of the section of fence to which it is attached; and
- (ii) Not be located on a lot where there is commercial banner sign/s;

(f) Mobile Billboard Signs

It is intended that advertising signs will fall into this category if they are applied to, or adhered to or placed on a vehicle (the vehicle might be a car, truck, boat, trailer, caravan, machinery or similar whether moveable or not). The mobile billboard sign can be a product or object, which is displayed for the purpose of advertising.

Mobile billboard signs shall:

- (i) be placed so as not to cause any interference with the ordinary lawful use of the subject land;
- (ii) have no moving physical parts;
- (iii) be limited to a maximum of one (1) sign per lot; and
- (iv) have vertical and horizontal dimensions which do not exceed 2 metres.

(g) Garage Sale Signs

A garage sale sign is a notice attached to an upturned and weighed down cardboard box, milk crate or similar device, advertising a garage sale.

Garage Sale signs shall:

- (i) not exceed 0.5m²;
- (ii) have a maximum height of 0.5 metres;
- (iii) not cause a traffic or pedestrian hazard; and
- (iv) be removed immediately upon completion of the garage sale within 24 hours.

(h) Banner Signs – Community Service and Entertainment

Community Service and Entertainment Banner Signs include signs to display advertisements of meetings, charitable functions, art or cultural activities or other events of public interest or the display of advertisements at theatres and other places of public entertainment (other than those conducted by a person for the purpose of commercial gain unless in the interest of the community or tourists).

Community Service and Entertainment Banner Signs shall:

- (i) not be erected more than 2 weeks before the meeting, function, event or activity to which it is advertising;
- (ii) be removed within 24 hours after the conclusion of the meeting, function, event or activity to which it is advertising;
- (iii) not exceed 4m²; and
- (iv) have lettering not less than 200mm high.

(i) **Banner Signs – Commercial**

Commercial Banner Signs is a sign on non-rigid material hung on a building or a fence to promote sales or special activity but does not include Community Service and Entertainment Banner Signs.

Commercial Banner Signs shall:

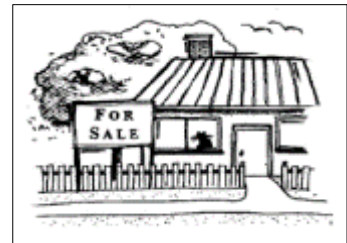
- (i) not exceed 4m²;
- (ii) have lettering not less than 200mm high;
- (iii) be limited to one (1) sign per lawful land use; and
- (iv) not be located on a lot where there is existing fence sign/s.

(j) **Real Estate Signs**

Real Estate Signs includes signs erected for new developments or subdivisions, for sale signs and other property transaction signs.

Real Estate Signs shall:

- (i) have a maximum collective area of 2m² per residential lot;
- (ii) have a maximum collective area of 5m² for multiple dwelling, grouped dwelling, tourist, commercial and industrial properties;
- (iii) have a maximum collective area of 10m² for subdivisions, and developments involving buildings exceeding 12 metres in height; and
- (iv) be removed when the property transaction is complete or when 90 per cent of the lots have been sold, whichever is lessor.



(k) **Building Construction Signs**

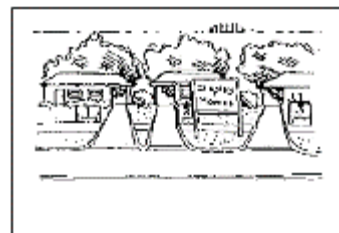
An advertising sign, which is displayed only for the duration of the construction of a building or development. This sign can also include a tradesman's individual trades' signs or logos.

(l) **Display Home Signs**

This is advertising sign displayed for the period over which homes are on display for public inspection.

Display Home Signs shall:

- (i) be limited to a maximum of 1 sign per lot;
- (ii) have a maximum area of 2m² for dwellings; and
- (iii) have a maximum area of 5m² for grouped/multiple dwellings.



(m) Election Signs

The temporary erection or installation of an advertisement which functions as an election sign is the subject of a development approval exemption provision in clause 61(1)(g) of the deemed provisions.

Any election sign which does not fall within scope of the exemption in clause 61(1)(g) of the deemed provisions is subject to the following controls:

- (i) For the purpose of this clause, an election sign is a sign which relates to a local, State or Federal election. The term includes a bill, poster, placard or advertisement relating to any election, attached to or pasted, painted, or stencilled, on any hoarding, wall, building, or structure whether erected upon private property or upon a public place, but does not include a sign erected by the local government for the purpose of public information.
- (ii) An election sign, not exempted by clause 61(1)(g) of the deemed provisions, may only be displayed during the period commencing 45 days before the election to which it relates and ending two days after the election, and if so restricted in time, does not require development approval

4.32.7 Illuminated Signage

Illuminated signage shall:

- (a) not comprise flashing lights;
- (b) not interfere with or be likely to be confused with traffic control signals or create a traffic hazard; and
- (c) have its electrical installation constructed and maintained in accordance with the relevant Australian Standard.

4.32.8 Third Party Advertising is not permitted in any zone.

4.33 Variations to site and development requirements

- 4.33.1 The local government may approve an application for development approval that does not comply with the site and development requirements.
- 4.33.2 An approval under subclause 4.33.1 may be unconditional or subject to any conditions the local government considers appropriate.
- 4.33.3 If the local government is of the opinion that the non-compliance with a site and development requirement will mean that the development is likely to adversely affect

any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must —

- (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and
- (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.

4.33.4 The local government may only approve an application for development approval under this clause if the local government is satisfied that —

- (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and
- (b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

4.34 Restrictive covenants

4.34.1 A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.

4.34.2 If clause 4.34.1 operates to extinguish or vary a restrictive covenant —

- (a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and
- (b) the local government must not grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the deemed provisions.

PART 5 - SPECIAL CONTROL AREAS

5.1 Special control areas

- 5.1.1 Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.
- 5.1.2 Despite any other provision of the Scheme, development approval is required for all works within a Special Control Area.
- 5.1.3 The purpose, objectives and additional provisions that apply to each special control area are set out below.

5.2 Exmouth Water Reserve (SCA 1)

5.2.1 Purpose and objectives

The Priority One Source Protection Area is shown on the Scheme Map as the Exmouth Water Reserve SCA 1 in accordance with the recommendations of the *Exmouth Water Reserve Drinking Water Source Protection Plan* published by the Department of Water. The objectives of SCA1 are:

- (a) To ensure that land use and development within the Public Drinking Water Source Area is compatible with the protection and long-term management of water resources for public water supply.
- (b) To ensure that decisions on land use and development take into account the requirements of the *Exmouth Water Reserve Drinking Water Source Protection Plan* published by the Department of Water.

5.2.2 Additional provisions

In determining any application within SCA 1 the local government must have regard to the following:

- (a) Advice from Department of Water or other relevant agencies and relevant conditions to prevent or minimise the potential risk of groundwater contamination;
- (b) Any relevant environmental protection policy on public drinking water supply;
- (c) *State Planning Policy 2.7 Public Drinking Water Source Policy*;
- (d) The recommendations of the *Exmouth Water Reserve Drinking Water Source Protection Plan* published by Department of Water and amended from time to time;
- (e) The management direction provided by priority areas of certain areas, noting that Priority One areas are defined and managed to ensure there is no degradation of the quality of the drinking water source with the objective of risk avoidance. Consistent with the preventive risk-based framework of Western Australian Government, changes of land use that introduce additional risks are not recommended; and
- (f) The most recent Department of Water, Land use compatibility tables for public drinking water source areas.

5.3 Exmouth Power Station (SCA 2)

5.3.1 Purpose and objectives

The Exmouth power station is an essential public utility within the town site that, unless future relocation occurs, requires consideration in terms of guidance for land use and development within the buffer area of the power station. The objectives of SCA 2 are:

- (a) To ensure that the use and development of land is compatible with the operation of the Exmouth Power Station.
- (b) To minimise impacts on residential and other sensitive uses.

5.3.2 Additional Provisions

In considering any application for development approval, Scheme amendment request, structure plan or subdivision application, and in addition to matters listed in clause 67 of the deemed provisions the local government must have regard to the following:

- (a) Applications may be required to be supported by the preparation of an acoustic report to demonstrate how development will be designed to minimise the effects of noise intrusion. The acoustic report shall be prepared by an acoustical consultant with relevant qualifications;
- (b) Development may be required to be designed to incorporate noise attenuation measures having regard to any applicable acoustic report prepared pursuant to clause 5.3.2(a), with a view to significantly reduce low frequency noise within the sleeping areas of any sensitive land use. Consideration should be given to the location of sleeping areas and the types of glazing, door and window casings, wall and ceiling materials as well as insulation; and
- (c) The local government may impose conditions on any development approval so as to, amongst other matters, require prospective purchasers or residents to be provided information advising of the existence of the noise hazard.

5.4 Exmouth Aerodrome (SCA 3)

5.4.1 Purpose and objectives

The Exmouth Aerodrome is an important component of the regional transport infrastructure and supports regional aviation. The objectives of SCA 3 are:

- (a) To protect the use of the Exmouth Aerodrome for the operation of private, recreational or commercial aircraft and associated functions including the storage of aircraft and all parts relating to their operation, maintenance, repair and radio communication facilities.
- (b) To ensure that development in the vicinity of the Exmouth Aerodrome is compatible with any existing development and operation of the aerodrome.

5.4.2 Additional Provisions

In considering any application for development approval, Scheme amendment request, structure plan or subdivision application, and in addition to matters listed in clause 67 of the deemed provisions the local government must have regard to the following:

- (a) The Exmouth Aerodrome Master Plan;

- (b) Any sensitive land use shall have regard for the ANEF (Australian Noise Exposure Forecast) or any other relevant noise modelling applying to the Aerodrome operation;
- (c) Structures must be built with non-reflective materials and in accordance with the local government's colour palette. Zincalume is not a permitted building material;
- (d) All new development and structures, including towers, antennae, and any alterations to roof lines and any increase to building heights on land within SCA 3 will not be permitted unless the proposed height of the development has been considered and approved by the relevant authority controlling airport operations and complies with any Obstacle Limitation Surface that applies to the Exmouth Aerodrome; and
- (e) Illuminated signs, pylon signs, signs above a roof line, flashing lights on buildings on land within SCA 3 will not be permitted unless the proposed signs and lights have been approved by the relevant authority controlling airport operations.

5.5 Floodplain (SCA 4)

5.5.1 Purpose and objectives

The Department of Water and the local government's consultants have produced 100 year average recurrence interval (ARI) floodplain mapping of a number of watercourses in the Exmouth Area. Floods higher than this level will occur but, on average, will be less frequent. The objectives of SCA 4 are:

- (a) To minimise impacts on the floodplain from inappropriate encroachment of development.
- (b) To avoid subdivision and development within the high hazard floodplain.
- (c) To ensure that proposed floodplain development has adequate flood protection and does not impact on the existing flood regime of the area.

Note:

The designation of particular parts of the district as flood prone areas should not be interpreted to imply that areas outside the designated areas are necessarily free from risk associated with flood or extreme rainfall events.

5.5.2 Additional Provisions

In considering any application for development approval, Scheme amendment request, structure plan or subdivision application, and in addition to matters listed in clause 67 of the deemed provisions the local government must have regard to the following:

- (a) The general presumption against subdivision and development within the flood plain unless:
 - (i) Hydraulic modelling has been prepared to the satisfaction and approval of the Department of Water;
 - (ii) In respect of land within the high hazard flood plain, suitable controls are in place to ensure no development will encroach into the high hazard floodplain, excluding earthworks for the provision of essential roads, bridges, footpaths, and jetties.

- (b) Building levels within the floodplain achieving the recommended minimum floor level of at least 0.5 metres above the relevant 100 year ARI flood level for the location having regard to advice from the Department of Water.

5.6 Minilya-Exmouth Road (SCA 5)

5.6.1 Purpose and objectives

Minilya-Exmouth Road is the primary entrance road to the town site, and in itself is a tourism experience showcasing the environmental and landscape qualities of the district. The purpose of SCA 5 is to preserve the landscape values along the Minilya-Exmouth Road from the encroachment of inappropriate development, and maintain view sheds along Minilya-Exmouth Road. This 100 metre wide area on either side of the Minilya-Exmouth Road is from the southern edge of the gazetted Exmouth Townsite Boundary to the southern local government boundary. The objectives of SCA5 are:

- (a) To protect natural environmental and landscape features along Minilya-Exmouth Road;
- (b) To maintain views of the Cape Range, Exmouth Gulf, and rural lands; and
- (c) To ensure that inappropriate development and use does not occur that would compromise the visual experience along Minilya-Exmouth Road.

5.6.2 Additional Provisions

In addition to matters listed in clause 67 of the deemed provisions the local government must have regard to the following:

- (a) Development shall be supported by a Visual Landscape Assessment prepared in accordance with the West Australian Planning Commission: Visual Landscape Planning in Western Australia a manual for evaluation, assessment, siting and design document.
- (b) Any proposed crossover providing access to Minilya-Exmouth Road shall be referred to Main Roads WA.

SCHEDULES

Schedule 1	Terms referred to in Scheme
	1. Terms used
	2. Land use terms used
Schedule 2	Additional uses
Schedule 3	Restricted uses
Schedule 4	Special use zones

SCHEDULE 1 — TERMS REFERRED TO IN SCHEME

1. Terms used

In this Scheme:

annexe has the meaning given in the *Caravan Parks and Camping Grounds Regulations 1997*.

aquaculture, in relation to agriculture - intensive, means any fish farming operation for which a fish farm licence issued pursuant to the provisions of Part V of the *Fisheries Act 1905* and the *Fisheries Regulations 1938* is required.

artificial waterway means any artificial channel, lake, harbour or embayment for use or intended for use by vessels for navigation purposes and which may also be used for ornamental and recreational purposes. The term includes any access channel or connecting channel, any addition to or alteration of any waterway within the meaning of this definition and any system of waterways within the meaning of this definition provided in any development of land. The term also includes any other waterway designed for other purposes such as drainage, but which is capable of use as a waterway as herein defined.

artificial waterway structures means any structures on, in or over the artificial waterway, and includes jetties, launching ramps, bridges, moorings and water control structures.

boat harbour means an area of protected navigable waters where boats can shelter and where boat-to-shore (and vice versa) transfers of people or goods can be made. Includes the associated land, breakwaters and dredged waterways.

building has the meaning given in the R-Codes.

building envelope means an area of land within which all buildings and effluent disposal facilities on a lot must be contained.

building height, in relation to a building:

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above, excluding minor projections as that term is defined in the R-Codes.

cabin means a dwelling forming part of a tourist development or caravan park that is:

- (a) an individual unit other than a chalet; and
- (b) designed to provide short-term accommodation for guests.

camp means any portable shed or hut, tent, tent fly, awning, blind or other portable thing used as or capable of being used for habitation and includes a vehicle of a prescribed type or in prescribed circumstances.

canal estate means a development or subdivision that adjoins or directly influences an existing or proposed artificial waterway. For planning purposes, any development where the titles to the subdivided lots extend into, abut or are proximate to an artificial waterway shall be deemed to be part of a canal estate unless the Western Australian Planning Commission determines otherwise.

chart datum means a permanently established surface from which soundings or tide heights are established, and are the theoretical level of water in any tidal area during the lowest possible astronomical tide as defined in the Australian National Tide Tables.

chalet means a dwelling forming part of a tourist development or caravan park that is —

- (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
- (b) designed to provide short-term accommodation for guests.

commencement day means the day this Scheme comes into effect under section 87(4) of the Act.

commercial vehicle means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including:

- (a) a utility, van, truck, tractor, boat, bus or earthmoving equipment; and
- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a).

connecting channel means any channel in navigable water associated with the construction of an artificial waterway and connected or intended to be connected to the artificial waterway, and retaining wall or other works associated with such channels. The term includes any addition or alteration to any such channel, retaining wall or other works.

conservation has the meaning given in the *Heritage of Western Australia Act 1990* section 3(1).

construction of a building includes the erection, assembly or placement of a building but does not include the renovation, alteration, extension, improvement or repair of a building.

contiguous means separated by less than 20 metres.

curtilage in relation to a dwelling means the yard of the dwelling, or an area in the immediate vicinity of the dwelling on the same lot used for purposes ancillary to the dwelling. The curtilage shall not include the area located between the street frontage of the lot and the dwelling thereon except with the special approval of the local government. The term shall have a like meaning in relation to land around buildings other than dwellings.

design life means the period over which a structure or a structural element remains fit for use for its intended purpose with appropriate maintenance.

development has the meaning given in the *Planning and Development Act 2005*.

development approval means development approval of the local government obtained under Part 8 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

development contribution area means an area of land identified in a development contribution plan as an area to which the plan applies.

development site means that part of a lot on which a building that is the subject of development stands or is to be constructed.

environment has the meaning given in the *Environmental Protection Act 1986*.

FES Commissioner has the meaning given to that term in the *Fire and Emergency Services Act 1998*.

floodplain means the extent of flooding in a 1 to 100-year flood event for a particular watercourse, which includes the high and low hazard floodplain areas:

- (a) the **high hazard floodplain** means the area of land that would be affected by river flooding in a 1 to 100-year flood event for a particular watercourse, where development and land uses should be limited to those which would not affect the flow of floodwaters.
- (b) the **low hazard floodplain** means the area of land that would be affected by river flooding in a 1 to 100-year flood event, where development would normally be permitted subject to a specified minimum habitable floor level above the relevant 1 in 100-year flood level to provide adequate flood protection.

floor area has the meaning given in the Building Code of Australia (BCA).

foreshore reserve means a reserve established for the management and protection of the foreshore of a natural waterway.

frontage in relation to a building:

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the line where a road reserve and the front of a lot meet and, if a lot abuts 2 or more road reserves, the one to which the building or proposed building faces.

Gazettal date in relation to a Scheme, means the date on which the Scheme is published in the *Government Gazette* under the *Planning and Development Act 2005*.

habitable building means a permanent or temporary structure on land that:

- (a) is fully or partially enclosed; and
- (b) has at least one wall of solid material and a roof of solid material; and
- (c) is used for a purpose that involves the use of the interior of the structure by people for living, working, studying or being entertained.

heritage precinct means a precinct of heritage value having a distinctive nature, which may contain elements of only minor individual significance but heightened collective significance, and within whose boundaries controls may be necessary to retain and enhance its character.

incidental use means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use.

lot has the same meaning as in the *Planning and Development Act 2005*.

minerals has the meaning given in the *Mining Act 1978*.

natural water body means the water body adjacent to a proposed canal estate that will be used to provide the source water for natural flushing.

navigable waters means rivers, lakes, inlets and other waters on which any vessel or any type of marine craft can be navigated.

net lettable area (NLA) means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas —

- (a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building.

non-conforming use has the meaning given in the *Planning and Development Act 2005* section 172.

obstacle limitation surface means a horizontally and vertically defined airspace boundary in the vicinity of an airport that has been specified and/or endorsed by the airport operator as representing the maximum desirable height above Australian Height Datum of any building, antenna, other structure or natural feature on land directly underneath the surface.

park home shall have the same meaning given to it in the *Caravan Parks and Camping Grounds Regulations 1997*.

plot ratio, means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located.

precinct means a definable area where particular planning policies, guidelines or standards apply.

predominant use means the primary use of premises to which all other uses carried out on the premises are incidental.

retail means the sale or hire of goods or services to the public.

sea container means a standardised re-usable container used to store materials and products and would normally be used in ground and sea (surface) freight transportation.

sensitive land use has the same meaning as it has in *State Planning Policy 4.1 State Industrial Buffer*.

short-term accommodation means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.

third party advertising means signage or advertising promoting other companies, goods or services not directly part of the subject business within the lot.

transportable structure means any building or structure that is wholly or partly prefabricated at any place other than the lot upon which it is to be erected or placed, including an established structure transported from another site.

wall height, in relation to a wall of a building —

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or

- (b) if the building is used for purposes other than residential purposes, means the vertical distance from the natural ground level of the boundary of the property that is closest to the wall to the point where the wall meets the roof or parapet.

waterway banks means all natural or constructed boundaries to the waters, extending from the waterway bed to the upper level of the flood and wave affected waterway shore. This upper level shall be defined with respect to a 1:100 year flood event.

waterway bed means land below the water of the artificial waterway.

waterway management authority means the authority responsible for managing a natural waterway.

waterways manager means the agency (normally local government) responsible for the management, monitoring and maintenance works within the boundaries of the water bodies of an artificial waterway and its entrance channel.

wholesale means the sale of goods or materials to be sold by others.

2. A word or expression that is not defined in this Scheme —

- (a) has the meaning it has in the *Planning and Development Act 2005*; or
- (b) if it is not defined in that Act — has the same meaning as it has in the R-Codes.

3. Land use terms used

If this Scheme refers to a category of land use that is listed in this provision the meaning of that land use is as follows:

abattoir means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.

aged or dependant persons dwelling has the meaning given in the R-Codes.

agriculture - extensive means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture — intensive or animal husbandry — intensive.

agriculture - intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following:

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- (d) aquaculture.

ancillary dwelling has the meaning given in the R-Codes.

animal establishment means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre.

animal husbandry - intensive means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens.

bed and breakfast means a dwelling:

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
- (b) containing not more than 2 guest bedrooms.

betting agency means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*.

brewery means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the *Liquor Control Act 1988*.

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 childrens' 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.

bus depot means a building or place used for the servicing, repair and garaging of buses and other vehicles used for the purposes of a bus transport undertaking.

camping ground has the meaning given in the *Caravan Parks and Camping Grounds Act 1995*.

car park means premises used primarily for parking vehicles whether open to the public or not but does not include:

- (a) any part of a public road used for parking or for a taxi rank; or
- (b) any premises in which cars are displayed for sale.

caravan park has the meaning given in the *Caravan Parks and Camping Grounds Act 1995*.

caretaker's dwelling means a dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building, operation or plant.

child care premises means premises where:

- (a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.

cinema / theatre means premises where the public may view a motion picture or theatrical production.

civic use means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.

club premises means premises used by a legally constituted club or association or other body of persons united by a common interest.

community purpose means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.

consulting rooms means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

convenience store means premises —

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 300m² net lettable area.

corrective institution means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility.

discount department store means large retail premises selling a wide variety of different goods organised into various departments.

dwelling has the meaning given in the R-Codes.

educational establishment means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.

exhibition centre means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.

family day care means premises where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided;

fast food outlet means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten —

- (a) without further preparation; and
- (b) primarily off the premises.

fish shop means premises where wet fish and similar foods are processed and displayed only for sale on the premises.

fuel depot means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include premises used:

- (a) as a service station; or
- (b) for the sale of fuel by retail into a vehicle for use by the vehicle.

funeral parlour means premises used —

- (a) to prepare and store bodies for burial or cremation;

- (b) to conduct funeral services.

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.

grouped dwelling has the meaning given in the R-Codes.

guesthouse means a dwelling or part of a dwelling occupied by a person but containing rooms used to accommodate short-term guests for hire or reward.

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.

holiday house means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.

home business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out business, service or profession if the carrying out of the business, service or profession:

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50m²; and
- (d) does not involve the retail sale or display of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

home occupation means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2m²; and
- (e) does not involve the retail sale, display or hire of any goods, unless the sale, display or hire is done only by means of the Internet; and
- (f) does not:
 - (i) require a greater number of parking spaces than normally required for a single dwelling; or

- (ii) result in an increase in traffic volume in the neighbourhood;
- and
- (g) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

home office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation:

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling.

hospital means premises used as a hospital as defined in the *Hospitals and Health Services Act 1927* section 2(1).

hotel means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including any betting agency on the premises.

industry means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes:

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes.

industry - cottage means premises, other than premises used for a home occupation, that are used by the occupier of the premises for the purpose of carrying out a trade or light industry producing arts and crafts goods if the carrying out of the trade or light industry:

- (a) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (b) if the premises is located in a residential zone – does not employ any person other than a member of the occupier's household; and
- (c) is compatible with the principal uses to which land in the zone in which the premises is located may be put; and
- (d) does not occupy an area greater than 50m²; and

- (e) does not involve the display on the premises of a sign with an area exceeding 0.2m².

industry - extractive means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes —

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.

industry - hazardous means premises used for an industry which by reason of the processes involved or the method or manufacture or the nature of the materials used or produced requires isolation from other buildings, but does not include a nuclear activity.

industry - light means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed.

industry - noxious means an industry in which the processes involved constitute an offensive trade within the meaning of the *Health Act 1911*.

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.

industry - service means premises with a retail shop front:

- (a) from which goods manufactured on the premises are sold; or
- (b) used as a depot for receiving goods to be serviced.

jetty has the meaning given in the *Port Authorities Act 1999*.

laundromat means premises used for the commercial cleaning of clothes and laundry either in a self-service or serviced manner.

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 300m².

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 300m².

lunch bar means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas.

machinery sales means premises used for the display and/or sale of agricultural or transport machinery and equipment.

marina means:

- (a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and
- (b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services.

marine filling station means premises used for the storage and supply of liquid fuels and lubricants for marine craft.

marine support facility means premises used for lay-down, fabrication, repair, loading and maintenance purposes associated with marine based industry, and may include a marine based component as a single operator or common use facility and terrestrial based components, whether contiguous or not.

market means premises used for the display and sale of goods from stalls by independent vendors.

medical centre means premises, other than a hospital, used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

mining operations means premises where mining operations, as that term is defined in the *Mining Act 1978* section 8(1) is carried out.

mixed development means any building used for the purpose of both:

- (a) one or more lawful non-residential uses; and
- (b) one or more dwellings vertically above one or more lawful non-residential uses.

motel means premises, which may be licensed under the *Liquor Control Act 1988*:

- (a) used to accommodate guests in a manner similar to a hotel; and
- (b) with specific provision for the accommodation of guests with motor vehicles.

motor vehicle, boat or caravan sales means premises used to sell or hire motor vehicles, boats or caravans.

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

motor vehicle repair means premises used for or in connection with:

- (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or
- (b) repairs to tyres other than recapping or retreading of tyres.

motor vehicle wash means premises primarily used to wash motor vehicles.

motor vehicle wreckers means premises used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts.

multiple dwelling has the meaning given in the R-Codes.

nature based park has the meaning given in the *Caravan Parks and Camping Grounds Regulations 1997*.

nightclub means premises the subject of a nightclub license granted under the *Liquor Control Act 1988*.

office means premises used for administration, clerical, technical, professional or similar business activities, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking.

outbuilding has the meaning given in the R-Codes.

park home park means premises used as a park home park as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Schedule 8.

place of worship means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.

prescribed premises has the meaning given in *Civil Aviation Act 1988*.

produce stall means a stall used to sell produce grown or made locally.

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

reception centre means premises used for hosted functions on formal or ceremonial occasions.

recreation - private means premises that are:

- (a) used for indoor or outdoor leisure, recreation or sport; and
- (b) not usually open to the public without charge.

repurposed dwelling means a building or structure not previously used as a single house, which has been repurposed for use as a dwelling.

resource recovery centre means premises other than a waste disposal facility used for the recovery of resources from waste.

renewable energy facility means premises used to generate energy by a renewable resource and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for a domestic property or existing use of premises.

residential building has the meaning given in the R-Codes.

restaurant/cafe means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*.

restricted premises means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of —

- (a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth); or

- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or
- (c) smoking-related implements.

roadhouse means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services —

- (a) a full range of automotive repair services;
- (b) wrecking, panel beating and spray painting services;
- (c) transport depot facilities;
- (d) short-term accommodation for guests;
- (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies.

rural pursuit/hobby farm means any premises, other than premises used for agriculture — extensive or agriculture — intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household —

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises.

salvage yard means land and buildings used for the storage and sale of materials salvaged from the demolition or renovating of buildings or machinery.

second-hand dwelling means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular or transportable dwelling.

service station means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for:

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and/or
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.

serviced apartment means a group of units or apartments providing —

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities.

shop means premises other than a bulky goods showroom, a liquor store — large or a liquor store — small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

shopping centre means a group of retail shops and other incidental commercial establishments that is planned and managed as a single complex, typically with on-site parking provided.

single house has the meaning given in the R-Codes.

small bar means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*.

supermarket means a single, large retail premises selling primarily food products and other incidental goods to meet daily needs organised into aisles.

tavern means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*.

telecommunications infrastructure means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit, or other structure related to the network.

tourist development means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide —

- (a) short-term accommodation for guests; and
- (b) onsite facilities for the use of guests; and
- (c) facilities for the management of the development.

trade display means premises used for the display of trade goods and equipment for the purpose of advertisement.

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.

transport depot means premises used primarily for parking or garaging of 3 or more commercial vehicles including:

- (a) any ancillary maintenance or refuelling of those vehicles; and
- (b) any ancillary storage of goods bought to the premises by those vehicles; and
- (c) the transfer of goods or persons from one vehicle to another.

veterinary centre means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.

warehouse/storage means premises including indoor or outdoor facilities used for —

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods.

waste disposal facility means premises used —

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

workforce accommodation means premises, which may include modular or relocatable buildings, used —

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

SCHEDULE 2 — ADDITIONAL USES

Clause 3.4

No	Description of Land	Additional Use	Conditions
A1	L311 (H12) Maidstone Crescent, Exmouth Scheme Map 4	Consulting Room 'D' use	As determined by the local government.
A2	L312 (H561) Murat Road, Exmouth Scheme Map 4	Tavern 'D' use	As determined by the local government.
A3	L315 (H77) Maidstone Crescent, Exmouth Scheme Map 4	Service Station 'D' use	As determined by the local government.
A4	L1 Kailis Road, L220 Minilya Exmouth Road, Learmonth Scheme Map 9	Caretakers Dwelling 'I' use	As stated in clause 4.14 and may only be permitted in existing dwellings as approved by the Local Government.
A5	L21 (H40) Mortiss Street, Exmouth L22 (H42) Mortiss Street, Exmouth L23 (H44) Mortiss Street, Exmouth L24 (H46) Mortiss Street, Exmouth L25 (H48) Mortiss Street, Exmouth L26 (H50) Mortiss Street, Exmouth L27 (H52) Mortiss Street, Exmouth Scheme Map 5	Office 'D' use	As determined by the local government.

SCHEDULE 3 — RESTRICTED USES

Clause 3.5

No	Description of Land	Restricted Use	Conditions
R1	<p>Lots 910, 1364 and Portion of Lot 1030 Maidstone Crescent, and Lots 913 and 1027 Payne Street, Exmouth</p> <p>Scheme Map 4</p>	Supermarket and small scale retail and commercial uses	<p>Site Requirements</p> <p>The minimum building setbacks shall be:</p> <ul style="list-style-type: none"> (i) Street: Nil (ii) Federation Park: 7 metres (iii) Other/Rear: Nil <p>Development Requirements</p> <p>In addition to the provisions of clause 3.12 the following requirements shall apply:</p> <ol style="list-style-type: none"> 1. The predominant use of the area shall be Supermarket. 2. The following land uses are classified as having a P designation: <ul style="list-style-type: none"> • Supermarket. 3. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> • Restaurant/Café; • Convenience Store; • Fast Food Outlet; • Liquor Store - Small; • Liquor Store – Large; • Shop; • Small Bar; • Tavern; • Car Park. 4. All other land uses are classified as having an X designation. 5. Small scale retail and commercial activities shall: <ol style="list-style-type: none"> (i) Sleeve any Supermarket proposal on a minimum of two sides providing active frontages to Federation Park and Maidstone Crescent; (ii) be incidental to the predominant supermarket use; and (iii) have a maximum individual street frontage of 15 metres. 6. Development shall provide pedestrian shelter, a minimum of 2 metres wide in the form of an awning, canopy, balcony or verandah on a minimum of three (3) sides to provide articulation to Federation Park, Maidstone Crescent and Payne Street. The pedestrian shelter shall be designed to appear as thin, lightweight elements. Bull nose verandahs shall not be permitted. 7. Awnings shall be cantilevered with no structural components or supporting structures permitted in the public realm. 8. The minimum height from ground level for a canopy or awning overhanging a footpath is 2.75 metres. Signage suspended

No	Description of Land	Restricted Use	Conditions
			<p>beneath a canopy shall have a minimum clearance of 2.4 metres.</p> <p>9. Provision and maintenance of canopies and awnings is the responsibility of the building owner.</p> <p>10. Built Strata subdivision shall only be supported where there is consistent building design and internal fit out for the overall site. No other form of subdivision will be supported.</p> <p>11. On corner sites, buildings must address both street frontages.</p>
R2	<p>Lot 902 Madaffari Drive, Exmouth</p> <p>Scheme Map 5</p>	Tourist Development	<p>Site Requirements</p> <p>The minimum building setbacks shall be:</p> <ul style="list-style-type: none"> (i) Front (Madaffari Drive): 5 metres. (ii) Rear (Sunrise Beach): 5 metres. (iii) All other boundaries: in accordance with the R40 Density Code. <p>Development Requirements</p> <ol style="list-style-type: none"> 1. Tourist Development is classified as having a P designation. 2. All other land uses are classified as having an X designation. 3. Strata subdivision shall only be supported subject to consistent building design and internal fit out for the overall site. 4. A consistent landscaping theme shall be adopted throughout the development to provide visual consistency. The first 2 metres of the front setback from Madaffari Drive shall be landscaped. 5. The maximum building height shall be 12 metres above natural ground level. The maximum wall height shall be 9.75 metres above natural ground level. 6. Access to the resort shall be provided from Madaffari Drive via a maximum of two access points. 7. Building design shall provide a clear expression of the architectural style envisaged for the overall site including height, colour, texture, external material, roof pitch and character to existing development. 8. Pedestrian paths shall be provided within the resort to provide internal pedestrian accessibility. 9. Boundary fencing shall be 2x courses of reconstituted limestone blocks with intermittent dividing limestone pylons, separated by visually permeable uniform fencing.

No	Description of Land	Restricted Use	Conditions
R3	<p>Portion lot 857 Murat road, lots 854, 853 Murat Road, lots 856, 858, 855, 859, 860, 861, 865, 852, 851 McLeod Street, and Lot 316 Minilya-Exmouth road.</p> <p>Scheme Map 6</p>	Agriculture – Extensive	<p>Site Requirements</p> <p>The minimum building setbacks shall be:</p> <ul style="list-style-type: none"> (i) Street: 20 metres. (ii) Other Boundaries: 10 metres. <p>Development Requirements</p> <ol style="list-style-type: none"> 1. Agriculture – Extensive is classified as having a D designation. 2. All other land uses are classified as having an X designation. 3. Minimum Lot Size: 3ha.

SCHEDULE 4 — SPECIAL USE ZONES

Clause 3.6

No	Description of Land	Special Use	Conditions
SU1	<p>Lots fronting Ingram Street, Tuckey Street, Young Street, Hunt Street and Thresher Street, North West Cape</p> <p>Scheme Map 7</p>	<p>Industrial</p> <p>Composite development comprising a combination of industrial and single housing on each lot</p> <p>Development Investigation</p>	<p>General Site and Development Requirements</p> <ol style="list-style-type: none"> Subdivision and development of land shall be in accordance with Structure Plan – Lot 51 Minilya-Exmouth Road. Requirements pertaining to the General Industry zone under the Scheme apply to all development except as may be otherwise provided in this Schedule and the Structure Plan. In considering an application for development approval the local government shall generally in accordance with clause 67 of the deemed provisions, but particularly items (m), (n) and (zb) have due regard to the following: <ol style="list-style-type: none"> any approved Environmental Management Plan applying to land included in this zone; buffer separation distances as prescribed in the Environmental Protection Authority's Guidelines for Environment and Planning; the level and extent of emissions likely to be generated by the proposed use; and the adequacy of the proposed method of onsite effluent, trade waste and stormwater disposal that will be generated by the proposed use. <p>Industrial Precinct</p> <p>Precinct Land Use</p> <p>The permissibility of land uses shall be as per the General Industry zone except that the following land uses are classified as having an I designation:</p> <ul style="list-style-type: none"> Caretaker's dwelling. <p>and the following land uses are classified as having an X designation:</p> <ul style="list-style-type: none"> Fuel Depot; Industry – Noxious; and Service Station. <p>Precinct Site and Development Requirements</p> <p>A Caretaker's Dwelling shall be situated on a lot as follows:</p> <ol style="list-style-type: none"> For non-corner lots any Caretaker's Dwelling shall not protrude forward of the rear most setback of the industrial use as either constructed or operating on the land.

No	Description of Land	Special Use	Conditions
			<p>ii. For those corner lots designated Ind.1 and Ind.2 on the Structure Plan any Caretaker's Dwelling shall be located forward of the front most setback of the industrial use as either constructed or operating on the land.</p> <p>Composite Development Precinct</p> <p>Precinct Land Use</p> <ol style="list-style-type: none"> 1. Land designated as Composite on the Structure Plan may be used for Industrial and Residential uses, within defined building envelopes separated by a vegetated buffer. 2. Only one (1) industrial land use may be permitted to be established on each lot within the Composite Area. 3. Only one (1) residential land use may be permitted to be established on each lot within the Composite Area. 4. No administrative and other associated functions of the approved industrial use are to be carried out within the associated dwelling, unless approval for a Home Occupation has first been granted by the local government. 5. The permissibility of land uses shall be as per the General Industry zone except that the following land uses are classified as having an X designation: <ul style="list-style-type: none"> • Abattoir; • Fuel Depot; • Industry – Extractive; • Industry – Hazardous; • Industry – Noxious; • Motor Vehicle Wreckers; • Service Station; • Transport Depot; • Renewable Energy Facility. <p>and the following land uses are classified as having a D designation:</p> <ul style="list-style-type: none"> • Dwelling; • Repurposed Dwelling; • Secondhand Dwelling; • Home Occupation; • Home Business. <p>Precinct Site and Development Requirements</p> <ol style="list-style-type: none"> 1. Land designated as Composite on the Structure Plan may be developed, within defined building envelopes separated by a vegetated buffer. 2. An industrial use permitted by the Scheme and approved by the local government is to be contained within the Industrial Building Envelope only.

No	Description of Land	Special Use	Conditions
			<p>3. Approval by the local government of a residential land use in the Composite Precinct shall only be granted where:</p> <ul style="list-style-type: none"> i. The applicant has submitted an acoustic report which provides an assessment of noise impact associated with current and potential industrial uses and recommends appropriate noise attenuation measures to the residential use to address any such impact. ii. An industrial use has been lawfully established on the same lot upon which the residential use is intended to be established; <p style="text-align: center;">OR</p> <p>Simultaneous approval has been granted by the local government for an industrial use on the same lot.</p> <p>4. Where simultaneous approval has been granted by the local government for both an industrial and residential use on the same lot, the physical development approved within the Industrial Envelope must be completed prior to occupation of the residential use.</p> <p>5. A residential use may only be occupied by the owner, manager, lessee or employee (and immediate family thereof) of the approved industrial use on that lot.</p> <p>6. Any proposed vegetated buffer and landscaped areas shall only be used for their intended and approved purpose, and shall be established prior to any approved use commencing.</p> <p>7. Any residential development shall accord with the R-Codes, and other applicable provisions of the Scheme.</p> <p>8. The minimum site area per residential use, minimum frontage, minimum open space, minimum outdoor living area and minimum boundary setbacks shall be equivalent to the R20 density code site requirements prescribed in the R-Codes.</p> <p>9. Separate vehicle crossovers and driveways shall be provided to both the Industrial Building Envelope and the Residential Building Envelope contained on the same lot.</p> <p>10. All parking provided for any approved industrial use shall be in accordance with the Scheme and shall be contained wholly within the Industrial Building Envelope.</p> <p>11. Additional parking may be permitted within the Residential Building Envelope where a Home Occupation approval has been granted for the carrying out of administrative and associated functions related to the industrial use on that lot.</p>

No	Description of Land	Special Use	Conditions
			<p>12. Variations to the location of nominated vehicle crossover and access easement to the Industrial Building Envelope, or reductions in road reserve widths, as may be indicated on the Structure Plan, are permitted at the discretion of the local government.</p> <p>13. Memorials are required on all new titles at the time of lot creation to advise prospective purchasers that lots in the area will be developed for Industrial uses. Final wording to be to the satisfaction of the local government.</p> <p>Development Investigation Precinct</p> <p>Structure Plan – Lot 51 Minilya-Exmouth Road nominates a portion of the Special Use Zone as Development Investigation Precinct. It is the intention that this precinct be used for tourist related activities which may include a caravan park and associated uses.</p> <p>Prior to development of the Development Investigation Precinct there shall be an analysis of flood risk and environmental impacts, and further amendment to the Scheme.</p>
SU2	<p>Lot 2 and Lot 6 Yardie Creek Road, North West Cape</p> <p>Scheme Map 3</p>	Tourist Accommodation	<p>Land Use</p> <p>1. The following land use is classified as having a P designation:</p> <ul style="list-style-type: none"> • Tourist Development. <p>2. The following land uses are classified as having a D designation:</p> <ul style="list-style-type: none"> • Caravan Park; • Camping Ground; • Holiday Accommodation; • Holiday House; • Restaurant/Cafe; • Shop; and • Caretaker's Dwelling. <p>Site and Development Requirements</p> <p>Detailed site and development requirements shall be in accordance with the Vlamingh Head Masterplan.</p>
SU3	<p>Exmouth Aerodrome, Reserve 32867, Lot 73, No. 73 Minilya-Exmouth Road</p> <p>Scheme Maps 7 & 8</p>	Aerodrome	<p>Objectives</p> <p>The objectives of Special Use Zone 3 are as follows:</p> <ol style="list-style-type: none"> 1. To set aside land for the development of airport or aviation facilities and industry. 2. To provide guidance on the built form to ensure that it does not conflict with the safe and secure operations of the aerodrome. <p>General Land Use</p> <p>1. The following land use is classified as having a P designation:</p>

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> • Car Park <ol style="list-style-type: none"> 2. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> • Fuel Depot; • Prescribed Premises; and • Telecommunications Infrastructure. 3. Notwithstanding Point 1 above, the leasehold lots 15 and 18 depicted on the Exmouth Aerodrome Locality Site Plan shall only be developed for aviation fuel purposes. 4. All land uses shall be aviation related as per the objectives of the Special Use Zone. 5. No development is permitted in the Aircraft Taxiway/Runway or the Apron Area as depicted on the Exmouth Aerodrome Locality Site Plan, excluding the sealing of runways, taxiways and apron areas. <p>General Site Requirements</p> <ol style="list-style-type: none"> 1. Setbacks: <p>A minimum 5 metre setback shall be provided off any side leasehold lot boundary (inclusive of openable hangar doors).</p> 2. Development shall not exceed 60% of the leasehold lot area excluding the apron area. <p>General Development Requirements</p> <ol style="list-style-type: none"> 1. Subdivision and development of land shall be in accordance with the Exmouth Aerodrome Locality Site Plan. 2. No buildings shall be permitted outside the building envelope as shown on the Exmouth Aerodrome Locality Site Plan. 3. The runway shall be protected from development so as to protect an obstacle-free gradient of less than 1.6% for the take-off runway. 4. All new development and structures, including towers, antennae, and any alterations to roof lines and any increase to building heights on land within the reserve will not be permitted unless the proposed height of the development has been considered and approved by the local government and complies with any Obstacle Limitation Surface that applies to the Exmouth Aerodrome. 5. Development on the minimum western side setback, shall not exceed a maximum height of 5 metre (applicable to leasehold lots 1, 11, 12, and 15). 6. For every 7 metres from the runway strip edge, the maximum permissible height increases by 1 metre. 7. Structures must be built with non-reflective materials and in accordance with the local government's colour palette. Zincalume is not a permitted building material.

No	Description of Land	Special Use	Conditions
			<p>8. Solar panels where installed shall be non-reflective or situated in such a position so as to prevent pilot blinding.</p> <p>9. Advertising devices are not permitted, except for wall signs that are not illuminated nor have flashing lights, unless the proposed signs and lights have been approved by the local government.</p> <p>10. The local government shall be responsible for fencing of any airside boundary of public car parks and any other non-leasable area. Where a fence is provided to a leasehold lot boundary, the fence shall thereafter be maintained by the leaseholder to the satisfaction of the local government.</p> <p>11. Fencing shall be constructed to a minimum standard of 7-strand 2.50mm heavy galvanised high tensile ring-lock fencing, 1.8m high uprights every 15 metres.</p> <p>12. One airside vehicle gate and one airside personnel gate is permitted per leasehold lot.</p> <p>13. Every leasehold lot shall include car parking at a ratio of one bay per employee. Car parking shall be accessed from roads and located within the leasehold lot.</p> <p>14. The total combined width of crossovers shall not exceed 50% of the frontage width of the leasehold front lot boundary.</p> <p>15. The local government shall landscape and maintain green spaces and vegetation buffer areas within any non-leasable area.</p> <p>16. Landscaping shall incorporate species contained on the local government's recommended plant species list, and shall be undertaken in accordance with the local government's Landscaping local planning policy.</p> <p>17. Power, sewer and water storage and supply (if no reticulated system connection to mains is provided) shall be provided within the leasehold lot, including any fire hydrant system (if so required).</p> <p>18. The keeping of livestock is prohibited within special use zone 3.</p> <p>19. The minimum finished floor level of development shall be in accordance with the Exmouth Aerodrome Locality Site Plan.</p> <p>General Aviation (GA) Precinct</p> <p>Precinct Development Requirements</p> <p>General aviation operations are only permitted within this precinct (maximum Code A aircraft).</p> <p>Helicopter Precinct</p> <p>Precinct Development Requirements</p>

No	Description of Land	Special Use	Conditions
			<p>Helicopter operations only permitted within this precinct.</p> <p>Commercial Precinct</p> <p>Precinct Development Requirements</p> <p>Commercial aviation operations are only permitted within this precinct (maximum Code B aircraft).</p> <p>Commercial Precinct Future</p> <p>Precinct Development Requirements</p> <p>Commercial aviation operations are only permitted within this precinct (maximum Code C aircraft).</p>
SU4	<p>Lot 149 Hunt Street, reserve 38704, lots 1, 1403, 1404 Truscott Crescent, lot 198 Pace Rtt, and portion reserve 27648</p> <p>Scheme Maps 3, 4, 5 and 7</p>	Caravan Park and Camping Ground	<p>Objectives</p> <p>The objectives of Special Use Zone 4 are as follows:</p> <ol style="list-style-type: none"> 1. To cater for the current and future supply of affordable tourist accommodation, principally in the form of caravan parks and camping grounds, to meet the current and anticipated demand. 2. To control the location, form, character and density of development to complement the natural and built features within the locality. 3. To provide for high quality short-term accommodation and tourist facilities. 4. To protect potential and existing caravan and camping areas from the encroachment by other incompatible use or development. <p>Land Use</p> <ol style="list-style-type: none"> 1. The following land uses are classified as having a P designation: <ul style="list-style-type: none"> • Camping Ground; and • Caravan Park. 2. The following land uses are classified as having an I designation: <ul style="list-style-type: none"> • Restaurant/Café; • Convenience store; • Fast Food Outlet; • Shop; • Motel; • Dwelling; • Community Purpose; • Public Utility; • Recreation –Private; • Caretaker's Dwelling. 3. The combined gross floor area allocated for the commercial land uses listed in clause 2 above shall not exceed 500m². 4. The following land uses are classified as having an A designation: <ul style="list-style-type: none"> • Telecommunications Infrastructure.

No	Description of Land	Special Use	Conditions
			<p>5. All other land uses are classified as having an X designation.</p> <p>Site requirements</p> <p>Setbacks where not defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> or <i>Caravan Parks and Camping Grounds Regulations 1997</i> shall be as determined by the local government.</p> <p>Development requirements</p> <ol style="list-style-type: none"> 1. Development shall not exceed 2 storey in height, above natural ground level except where the local government considers that particular circumstances may warrant an exception and provided the objectives of the special use zone and the Scheme are not compromised. 2. In considering any development application for a new Caravan Park and Camping Ground development, the local government shall require a detailed report addressing the following: <ol style="list-style-type: none"> i. Landform, drainage and topography; ii. Soils and vegetation; iii. Internal vehicle and pedestrian movement system, including location and dimensions of roads and footpaths; iv. The location, size and function of all communal open space areas; v. Land uses; vi. Indicative lot/site layout; vii. Servicing, including sewer, water, drainage and power; and viii. Such other information as may be required by the local government. 3. Landscaping shall be provided to integrate the development into the natural landscape and provide screening from visual and noise impacts of surrounding land uses. 4. The maximum period of occupation of a site by any person or persons is 4 months. 5. Notwithstanding clause 4 above, a maximum of two dwellings are permitted for permanent accommodation by staff employed by the Caravan Park and/or Camping Ground. 6. Fencing of individual caravan or camping sites is not permitted. 7. Green title, survey strata or strata subdivision is not permitted. <p><i>Note: Development shall comply with all requirements of the Caravan Parks and Camping Grounds Act 1995 and Caravan Parks and Camping Grounds Regulations 1997.</i></p>

No	Description of Land	Special Use	Conditions
SU5	Reserve 47807, lot 1481 Neale Cove, portion of reserve 47981, portion of reserve 49037, and reserve 49039 Scheme Maps 5, P1 and P2	Boat Harbour	<p>Special Use Zone 5 consists of P1 South Harbour and P2 North Harbour as identified in Boat Harbour - Precincts P1 and P2.</p> <p>Objectives</p> <p>The objectives of Special Use Zone 5 are as follows:</p> <ol style="list-style-type: none"> 1. To set aside land for the development of port or marine facilities and marine industry. 2. To facilitate uses that complement the operation of the Exmouth Boat Harbour. 3. To provide guidance on the built form to ensure an appropriate transition from the residential canal estates to the Exmouth Boat Harbour. 4. To minimise the visual impact of the marine industrial area within the South Harbour on the surrounding residential and tourist uses. 5. To ensure a high standard of development that responds to the unique location. <p>Land Use</p> <p>All land uses shall be marine and port related as per the objectives of the Special Use Zone.</p> <p>P1 South Harbour</p> <p>Precinct Land Use</p> <ol style="list-style-type: none"> 1. The following land uses are classified as having a P designation: <ul style="list-style-type: none"> • Marine Support Facility; • Marina. 2. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> • Industry – Light (considered to include boat repairs); • Fuel Depot; • Marine Filling Station; • Transport Depot (considered to include refuelling); • Industry - Service; • Office and • Warehouse/storage. 3. The following land uses are classified as having an A designation: <ul style="list-style-type: none"> • Telecommunications Infrastructure. 4. All other land uses are classified as having an X designation. <p>Precinct Site requirements</p> <p>The minimum building setbacks shall be:</p> <p>(a) Street: 7.5 metres.</p>

No	Description of Land	Special Use	Conditions
			<p>(b) All other boundaries: at the discretion of the local government.</p> <p>Precinct Development requirements</p> <ol style="list-style-type: none"> Maximum building height shall be 8 metres to the top of wall and 11 metres to the top of roof, above natural ground level except where the local government considers that particular circumstances may warrant an exception and provided the objectives of the special use zone are not compromised. The first 1.5 metres of the front setback shall be landscaped so as to provide screening from surrounding land uses, excluding any crossover. At development application stage the local government shall require a management plan to be prepared by the applicant to address matters including: <ol style="list-style-type: none"> Level, extent and control of emissions likely to be generated by the proposed use; On site effluent and trade waste disposal; Drainage, flooding and storm water management; Visual amenity/landscaping/clearing of vegetation; Hours of operation; Buffer and relevant buffer requirements; Fire management; and Cyclones. Manoeuvring area shall be provided for all vehicles to enter and exit the lot in a forward gear. Roof form shall be complementary to the surrounding Marina area at the discretion of the local government. Boundary fencing shall be maximum 1.8 metres high and shall be a minimum 90% visually permeable. <p>P2 North Harbour</p> <p>Precinct Land Use</p> <ol style="list-style-type: none"> The following land uses are classified as having a P designation: <ul style="list-style-type: none"> Fish Shop; Carpark; Market; Public Utility; and Marina. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> Restaurant/café; Civic Use; Club Premises; Office; Community Purpose; and

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> Convenience Store. <p>3. The following land uses are classified as having an A designation:</p> <ul style="list-style-type: none"> Shop; and Small Bar. <p>4. All other land uses are classified as having an X designation.</p> <p>Precinct Site and Development requirements</p> <p>1. Prior to any subdivision and/or development a Local Development Plan shall prepared and approved in accordance with Part 6 of the deemed provisions.</p> <p>2. Siting and Development requirements shall thereafter be in accordance with any approved Local Development Plan over the subject land.</p>
SU6	Scheme Map 5	Marina	<p>Objectives</p> <p>The overall objectives of Special Use Zone 6 are as follows:</p> <ol style="list-style-type: none"> To provide for public marina uses, tourist, commercial and residential components for the local and visiting community, which has strong links to the existing cultural and town precincts, in recognition of the strategic location of the site in its local regional context. To ensure a consistently high standard of development with quality design that provides visual interest through detail and scale, and positively contributes to the streetscape and canal environments. To complement and not compete with other zones for civic, tourist and commercial uses. <p>Overall development requirements</p> <ol style="list-style-type: none"> All development shall require development approval in accordance with clause 60 of the deemed provisions. Development includes the sinking of a bore or well, and swimming pools. Notwithstanding the provisions of this Scheme, development shall comply with the easements, encumbrances and other limitations notated on the certificate of title for the land. Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the R Codes is to conform with the provisions of those Codes. Zincalume shall not be permitted as a building material. Storm water drainage from the lot frontage including garden and paved areas shall be retained on-site and/or directly discharged into the local

No	Description of Land	Special Use	Conditions
			<p>government's road drainage system via fully controlled drainage systems.</p> <ol style="list-style-type: none"> 6. All development shall be in accordance with the local government's adopted colour palette. 7. Developments shall be provided with a sealed driveway and crossover in colours and materials that complement the development. 8. Wherever development abuts public open space, it shall be designed to address the space and establish an 'urban edge' to provide natural surveillance and allow casual interaction between the development and the open space. 9. Developments shall have front entries addressing the street through elements such as entry porticos or other design features. 10. Large areas of blank wall will not be accepted on the front and / or street façade, and the canal waterway. The public face of each building shall be detailed to provide visual richness, and reduce bulk. 11. Formal modulation shall be sought through placement of windows and openings, balconies and material changes to street and open spaces. 12. All fences and retaining walls where provided by the developer shall not be altered with all maintenance of such fences being the responsibility of the landowner. 13. No obstructions shall be placed so as to restrict or hinder access along any canal edge or street side footpath. <p>Area A</p> <p>Area A consists of canal lots, dry lots and a landmark site as identified in Figure A1-Area A.</p> <p>Area A – Canal Lots</p> <p>Area A – Canal Lots consist of a Net Developable Area (NDA), Conditional Development Area (CDA), Nutrient Retention Area (NRA) and Upper Retaining Wall as identified in Figure A2 – Canal Lots.</p> <p>Site requirements:</p> <ol style="list-style-type: none"> 1. Setbacks: <ol style="list-style-type: none"> (a) Primary Street: <ol style="list-style-type: none"> i. Dwelling – Ground Floor: average 4.5 metres with a minimum 3 metres. ii. Upper Floor: average 6 metre minimum, with a minimum 3 metres.

No	Description of Land	Special Use	Conditions
			<p>iii. Garage/Carport: minimum 5.5 metres.</p> <p>(b) Secondary Street: 1.5 metres ground and upper floor.</p> <p>(c) Side: In accordance with the R20 Density Code.</p> <p>(d) Rear (Canal): Nil to CDA for the main dwelling. This does not include open structures such as pergolas, patios or gazebos.</p> <p>(e) Conditional Development Area</p> <p>i. Canal: minimum 6 metres from the canal side of the upper retaining wall; OR 4 metres from the canal side of the upper retaining wall if the maximum finished floor level is 5.00m AHD.</p> <p>ii. Side: 1.5 metres ground and upper floor.</p> <p>Development requirements</p> <p>1. Subdivision and development shall be in accordance with the 'Residential' zone in the zoning table and the R20 Density Code under the R Codes where the provisions of the Scheme are silent.</p> <p>2. Notwithstanding clause 1. above the following land uses are classified as having a D designation:</p> <ul style="list-style-type: none"> • Dwelling; • Ancillary Dwelling; • Single House; • Outbuilding; and • Jetty; <p>and the following land uses are classified as having an X designation:</p> <ul style="list-style-type: none"> • Industry – Cottage; • Repurposed Dwelling; • Second-hand Dwelling; • Child Care Premises; • Place of Worship; and • Consulting Rooms. <p>3. The NDA is treated as the effective lot area for the purpose of calculating subdivision potential excluding the CDA, NRA, footpath, canal rock walls and areas which form part of the canal and are underwater.</p> <p>4. Outbuildings shall have a maximum area of 32m², having a maximum width of 4.5 metres, max wall height tops of external wall (roof above) and top of external wall (concealed roof) of 3 metres and max ridge height of 4.5 metres, above natural ground level. External materials and colours shall be consistent with that of the main dwelling.</p> <p>5. Jetty structures shall be located wholly within the Jetty envelope and the mooring</p>

No	Description of Land	Special Use	Conditions
			<p>of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.</p> <p>6. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>7. Storm water from garden areas abutting the canal shall be directed to the NRA. Clean rainwater from roofed areas may be directly discharged via fully controlled drainage systems to the waterway.</p> <p>8. No dwelling shall be approved unless it has a minimum floor area of 150m², inclusive of all floors, measured to include the external walls of the dwelling, excluding balconies, verandahs, garages, carports, patios, pergolas, external storage and outdoor living areas.</p> <p>9. The maximum wall height shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum wall height is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above.</p> <p>10. The minimum finished floor level for all habitable buildings shall be 5.25m AHD except for lots 365, 366, 367, 397, 398 and 399 which require a minimum finished floor level of 5.50m AHD.</p> <p>11. The total width of the crossover(s) at the street boundary shall not exceed 40% of the frontage of a lot.</p> <p>12. Garages and carports are to remain residential size and scale and shall not occupy more than 50% of the lot frontage for single storey development, or 60% for 2 storey development.</p> <p>13. Development shall maintain protection of the NRA. The NRA shall not be sealed but can be used for landscaping, grated or otherwise covered with permeable materials that allow nutrient run-off to be contained on site.</p> <p>14. Conditional Development Area:</p> <p>(a) Development within the CDA shall be designed to complement the main dwelling in terms of architectural style, colours and materials, and shall maintain view lines to the canal from neighbouring dwellings.</p> <p>(b) Development within the CDA shall be open sided.</p> <p>(c) The visual privacy provisions of the R Codes shall not apply to development in the CDA.</p> <p>(d) All balustrades and internal fences within the CDA shall be a minimum 90% visually permeable and shall</p>

No	Description of Land	Special Use	Conditions
			<p>have a maximum height of 1.2 metres.</p> <p>(e) All construction in the CDA shall require certification from a structural engineer that the building does not impose any surcharge load contrary to the global stability of the canal wall.</p> <p>(f) Development above natural ground level shall have the underside screened from the canal waterway.</p> <p>(g) Retaining walls shall be a maximum height of 0.75 metres setback a minimum of 2 metres from the canal side of the upper retaining wall OR a maximum height of 1.5 metres setback 4 metres from the canal side of the upper retaining wall. The height of retaining walls shall be measured from the top of the Upper Retaining Wall.</p> <p>(h) Any filling and associated retaining walls shall be setback a minimum of 1.5 metres from side lot boundaries.</p> <p>(i) A subsoil drainage system shall be provided to divert water away from retaining walls.</p> <p>15. Fencing Height</p> <p>(a) Front Setback Area: maximum 0.9 metres including the street front boundary and side boundary.</p> <p>(b) Side: maximum 1.8 metres (NDA) and a maximum 0.9 metres (CDA) solid. Between 0.9 metres and 1.8 metres (CDA) shall be a minimum 90% visually permeable. No fence permitted within 2 metres of any shared stair access to the canals.</p> <p>(c) Canal: maximum 1.8 metres and shall be a minimum 90% visually permeable. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances. The minimum setback for canal frontage fencing is on top of the Upper Retaining Wall.</p> <p>(d) The height of fencing shall be measured from natural ground level.</p> <p>Area A – Dry Lots</p> <p>Site requirements:</p> <p>1. Setbacks:</p> <p>(a) Primary Street:</p> <p>i. Ground Floor: average 4.5 metres with a minimum 3 metres.</p> <p>ii. Upper Floor: average 6 metre minimum with a minimum 3 metres.</p>

No	Description of Land	Special Use	Conditions
			<p>iii. Garage/Carport: minimum 5.5 metres.</p> <p>(b) Secondary Street: 1.5 metres ground and upper floor.</p> <p>(c) Side and Rear: In accordance with R20 Density Code with the exception of lots adjoining Warne Street and the foreshore reserve which shall have a minimum setback of 4 metres for all development.</p> <p>Development requirements:</p> <ol style="list-style-type: none"> Subdivision and development shall be in accordance with the Residential zone in the zoning table and the R20 Density Code under the R Codes where the provisions of the Scheme are silent. Notwithstanding clause 1. above the following land uses are classified as having a D designation: <ul style="list-style-type: none"> Dwelling; Single House; Ancillary Dwelling; and Outbuilding; <p>and the following land uses are classified as having an X designation:</p> <ul style="list-style-type: none"> Industry – Cottage; Repurposed Dwelling; Second-hand Dwelling; Child Care Premises; Place of Worship; and Consulting Rooms. Outbuildings shall be a maximum area of 32m², having a maximum width of 4.5 metres, maximum wall height, tops of external wall (roof above) and top of external wall (concealed roof), of 3 metres and max ridge height of 4.5 metres, above natural ground level. Outbuilding materials and colours shall be consistent with that of the main dwelling. No dwelling shall be approved unless it has a minimum floor area of 150m², inclusive of all floors, measured to include the external walls of the dwelling, excluding balconies, verandahs, garages, carports, patios, pergolas, external storage and outdoor living areas. The maximum wall height shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum wall height is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above. The minimum finished floor level for all habitable buildings shall be 5.25m AHD with the exception of Lots 463, 464, 465,

No	Description of Land	Special Use	Conditions
			<p>466, 467, 468, 469, 470, 471, 472 where the finished floor level shall not vary from the original lot level by a more than 600mm for the building pad only. The ground level of the balance of the lot shall not be altered.</p> <p>8. The size and scale of garages and carports are to remain residential in nature and not detract from the main dwelling being less than 50% of the lot frontage for single storey development, or 60% if there is a second storey above.</p> <p>9. The total width of the crossover(s) at the street boundary shall not exceed 40% of the frontage of a lot.</p> <p>10. Vehicle access to Warne Street is not permitted from Lots 472, 474, 475, 476, 477, and 478.</p> <p>11. Fencing Height:</p> <p>(a) Front Setback Area: maximum 0.9 metres including the street front boundary and side boundary.</p> <p>(b) Side/Rear: maximum 1.8 metres.</p> <p>(c) Fencing to Warne Street: shall be constructed with uniform fencing to Warne Street along the rear boundaries, with the design and standard of fencing to be approved by the local government.</p> <p>Area A – Landmark</p> <p>Area A – Landmark consists of a Nutrient Retention Area (NRA) and Upper Retaining Wall as identified in Figure A2 – Canal Lots.</p> <p>Site requirements:</p> <p>1. Setbacks:</p> <p>(a) Murat Road: average of 5 metres with a minimum of 4 metres.</p> <p>(b) Warne St/Madaffari Drive: minimum 6 metres.</p> <p>(c) Open Space/Spill Way: minimum 1.5 metres.</p> <p>(d) Rear (Canal): minimum 4 metres from the canal side of Upper Retaining Wall.</p> <p>(e) Side: In accordance with the R60 Density Code.</p> <p>Development requirements:</p> <p>1. The following land uses are classified as having a P designation:</p> <ul style="list-style-type: none"> • Serviced Apartment; and • Grouped Dwelling. <p>2. The following land uses are classified as having a D designation:</p> <ul style="list-style-type: none"> • Multiple Dwelling; • Tourist Development; • Hotel; and

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> • Motel; <p>with incidental uses at the discretion of the local government.</p> <p>3. There shall be no integration of residential uses with tourism uses.</p> <p>4. The following land use is classified as having an A designation:</p> <ul style="list-style-type: none"> • Telecommunications Infrastructure. <p>5. All other land uses are classified as having an X designation.</p> <p>6. The effective lot area for the purpose of calculating subdivision potential excludes all land within 4 metres of the canal side of the Upper Retaining Wall, NRA, footpath, canal rock walls and areas which form part of the canal and are underwater.</p> <p>7. All residential development shall comply with the R60 Density Code, unless otherwise provided by the Scheme.</p> <p>8. Jetties shall not be permitted.</p> <p>9. Storm water from garden areas abutting the canal shall be directed to the NRA. Clean rainwater from roofed areas may be directly discharged via fully controlled drainage systems to the waterway.</p> <p>10. Development shall maintain protection of the NRA. The NRA shall not be sealed but can be used for landscaping, grated or otherwise covered with permeable materials that allow nutrient run-off to be contained on site.</p> <p>11. Development on the landmark site should draw attention to this location whilst reinforcing the sense of architectural identity.</p> <p>12. The minimum finished floor level for all habitable rooms shall be 5.50m AHD.</p> <p>13. This site shall include a prominent architectural tower structure, and may be constructed to a maximum height of up to 14 metres above natural ground level. The tower may include an observation deck overlooking the locality with external design features complementary to the immediate building design on the site.</p> <p>14. With the exception of the architectural tower structure, the development shall have a maximum height of 9 metres above 5.50m AHD. A third level is permissible within the roof structure, provided that the roof structure shall have a maximum pitch of 33 degrees.</p> <p>15. Internal movement system shall be designed to ensure that rubbish collection vehicles can enter, empty bins and exit the site in forward gear.</p> <p>16. Retaining walls shall be a maximum height of 1 metre, setback a minimum of 2 metres from the canal side of the Upper Retaining Wall, or a maximum height of 2</p>

No	Description of Land	Special Use	Conditions
			<p>metres setback 4 metres from the canal side of the Upper Retaining Wall. The height of retaining walls shall be measured from the top of the Upper Retaining Wall.</p> <p>17. Any filling and associated retaining walls shall be setback a minimum of 1.5 metres from side lot boundaries.</p> <p>18. A subsoil drainage system shall be provided to divert water away from retaining walls.</p> <p>19. Fencing Height:</p> <p>(a) Front Setback Area: maximum 0.9 metres including the street front boundary and side boundary.</p> <p>(b) Side: maximum 1.8 metres. Within 4 metres of the canal side of the upper retaining wall maximum 0.9 metres solid. Between 0.9 metres and 1.8 metres fencing shall be a minimum 90% visually permeable. No fence permitted within 2 metres of any shared stair access to the canals.</p> <p>(c) Canal: maximum 1.8 metres and shall be a minimum 90% visually permeable. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances. The minimum setback for canal frontage fencing is on top of the secondary retaining wall.</p> <p>(d) The height of fencing shall be measured from natural ground level.</p> <p>Area B</p> <p>Area B consists of 10 precincts as identified in Figure B1 – Area B.</p> <p>Certain lots within Area B consists of a No Load Zone, Lower Terrace, Secondary Retaining Wall, and Canal Setout Line as identified in Figure B2 – Area B.</p> <p>Area B – Precinct 1 Revetment Lots</p> <p>Site requirements:</p> <p>1. Setbacks:</p> <p>(a) Primary Street:</p> <p>i. 5 metres for garages and carports; and</p> <p>ii. 4 metres for the building envelope.</p> <p>(b) Rear:</p> <p>i. 5 metres from the Canal Setout Line for a maximum of 50% of the width of the lot. The balance shall be set back a minimum of 8 metres from the Canal Setout Line.</p> <p>ii. Upper floor rear balconies may project up to 0.5 metres into the rear setback but must be</p>

No	Description of Land	Special Use	Conditions
			<p>setback 0.5 metres from a side boundary.</p> <p>iii. Stairs are permitted from the ground floor down to the lower terrace within the 1.25 metre zone directly adjacent the secondary retaining wall including the landing.</p> <p>iv. Ground floor rear balconies are permitted to be built against the side boundary provided a 1.65 metre high screen is provided.</p> <p>(c) Side:</p> <p>i. Ground floor: Nil.</p> <p>ii. 1st Floor: Single residential lots with a primary street frontage of 13 metres or greater – in accordance with the R Codes;</p> <p>OR</p> <p>Single residential lots with a primary street frontage of less than 13 metres – at the discretion of the local government.</p> <p>iii. Where side boundaries abut Public Open Space a side setback of 1 metres shall apply to 50% of the dwelling envelope, the balance may have a nil setback.</p> <p>Development requirements:</p> <p>1. The following land use is classified as having a P designation:</p> <ul style="list-style-type: none"> • Aged or Dependent Persons Dwelling. <p>2. The following land uses are classified as having a D designation</p> <ul style="list-style-type: none"> • Dwelling; • Grouped Dwelling; • Multiple Dwelling; • Holiday Accommodation; • Holiday House; • Bed and Breakfast; • Guesthouse; • Serviced Apartment; and • Home Occupation. <p>3. The following land uses are classified as having an A designation:</p> <ul style="list-style-type: none"> • Industry – Cottage; • Residential Building, and • Telecommunications Infrastructure. <p>4. All other land uses are classified as having an X designation.</p> <p>5. All residential development shall comply with the R40 Density Code, unless otherwise provided by the Scheme.</p> <p>6. The finished ground level at the time of subdivision shall not be raised.</p>

No	Description of Land	Special Use	Conditions				
			<div><div>7. The maximum wall height shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum wall height is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above.</div><div>8. Crossovers shall not exceed 4.5 metres in width and shall be setback a minimum of 0.75 metres from any side boundary on the front lot boundary.</div><div>9. The area of private open space shall have a minimum dimension of 3.3 metres and a minimum area of 16m².</div><div>10. Weather protection shall be provided to entrances of residential buildings.</div><div>11. External Materials:<div><div>(a) At least two different materials must be featured on external walls and shall be selected from the following:<div><div>i. Rendered brickwork (light, flat, bagged texture).</div><div>ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber).</div><div>iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber).</div><div>iv. Painted timber or fibre cement weather boarding.</div><div>v. Painted flat fibre cement sheet.</div><div>vi. Custom orb (for walls).</div><div>vii. Limestone blocks (natural or reconstituted).</div><div>viii. Tilt concrete or precast concrete with textured and painted finishes.</div></div></div></div></div><div>12. Minimum pitch to conventional roof forms shall be 35 degrees for single storey dwellings, excluding carports and patios. Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey dwellings.</div><div>13. No building, including stores, shall be approved on the lower terrace of any lot.</div><div>14. Landscaping is not permitted within 2.2 metres of the secondary retaining wall.</div><div>15. Fencing:<div><div>(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:</div><div><table><tr><td>Material</td><td>Colour</td></tr><tr><td></td><td></td></tr></table></div></div></div></div>	Material	Colour		
Material	Colour						

No	Description of Land	Special Use	Conditions						
			<table><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table> <p>(b) Fencing Height as follows:</p> <p>i. Side: maximum 1.8 metres with the exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height.</p> <p>ii. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances.</p> <p>iii. Fencing to the front boundary or forward of the building line on the side boundaries is not permitted under any circumstances.</p> <p>16. Buildings within the 3 metres no load zone behind the secondary retaining wall shall be certified a structural engineer.</p> <p>17. No development shall be permitted within 6 metres of the secondary retaining wall below the finished ground level at the time of subdivision.</p> <p>18. Jetty structures shall be located wholly within the Jetty envelope, and the mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope, as approved by the Department of Transport.</p> <p>19. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 2 – Vertical Canal Lots</p> <p>Site requirements:</p> <p>1. Setbacks:</p> <p>(a) Primary Street:</p> <p>i. 5 metres for garages and carports; and</p> <p>ii. 4 metres for the building envelope.</p> <p>(b) Rear:</p> <p>i. 4.3 metres from the canal set out line with the exception of a 0.5 metre cantilever which is permissible over the secondary retaining wall for 50% of the width of the lot.</p>	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Colorbond Steel	Terrace or Similar								
Painted / Rendered Masonry	Limestone or Similar								
Limestone	Natural								

No	Description of Land	Special Use	Conditions
			<p>ii. Upper floor rear balconies may project up to 1 metre into the rear setback but must be setback 0.5 metre from a side boundary.</p> <p>iii. Ground floor rear balconies shall have a minimum setback of 2.3 metres to the canal setout line and are permitted to be built against the side boundary provided a 1.65 metre high screen is provided.</p> <p>(c) Side:</p> <p>i. Ground floor: Nil.</p> <p>ii. 1st Floor: Single residential lots with a primary street frontage of 13 metres or greater – in accordance with the R Codes;</p> <p>OR</p> <p>Single residential lots with a primary street frontage of less than 13 metres – at the discretion of the local government.</p> <p>iii. Where side boundaries abut Public Open Space a side setback of 1 metres shall apply to 50% of the dwelling envelope, the balance may have a nil setback.</p> <p>Development requirements:</p> <p>1. The following land use is classified as having a P designation:</p> <ul style="list-style-type: none"> • Aged or Dependent Persons Dwelling. <p>2. The following land uses are classified as having a D designation:</p> <ul style="list-style-type: none"> • Dwelling; • Grouped Dwelling; • Multiple Dwelling; • Holiday Accommodation; • Holiday House; • Bed and Breakfast; • Guesthouse; • Serviced Apartment; and • Home Occupation. <p>3. The following land uses are classified as having an A designation:</p> <ul style="list-style-type: none"> • Industry – Cottage; • Residential Building; and • Telecommunications Infrastructure. <p>4. All other land uses are classified as having an X designation.</p> <p>5. All residential development shall comply with the R40 Density Code, unless otherwise provided by the Scheme.</p>

No	Description of Land	Special Use	Conditions				
			<div>6. The finished ground level at the time of subdivision shall not be raised.</div> <div>7. The maximum wall height shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum wall height is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above.</div> <div>8. Crossovers shall not exceed 4.5 metres in width and shall be setback a minimum of 0.75 metres from the side boundary.</div> <div>9. The area of private open space shall have a minimum dimension of 3.3 metres and a minimum area of 16m².</div> <div>10. Weather protection shall be provided to entrances of residential buildings.</div> <div>11. External Materials:<div>(a) At least two different materials must be featured on external walls and shall be selected from the following:<div><div>i. Rendered brickwork (light, flat, bagged texture).</div><div>ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber).</div><div>iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber).</div><div>iv. Painted timber or fibre cement weather boarding.</div><div>v. Painted flat fibre cement sheet.</div><div>vi. Custom orb (for walls).</div><div>vii. Limestone blocks (natural or reconstituted).</div><div>viii. Tilt concrete or precast concrete with textured and painted finishes.</div></div></div></div> <div>12. Minimum pitch to conventional roof forms shall be 35 degrees for single storey dwellings, excluding carports and patios. Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey dwellings.</div> <div>13. Landscaping is not permitted within 2.2 metres of the secondary retaining wall.</div> <div>14. Fencing:<div>(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:</div><table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr></table></div>	Material	Colour	Colorbond Steel	Terrace or Similar
Material	Colour						
Colorbond Steel	Terrace or Similar						

No	Description of Land	Special Use	Conditions				
			<table><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table> <p>(b) Fencing Height as follows:</p> <p>i. Side: maximum 1.8 metres with the exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height.</p> <p>ii. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances.</p> <p>iii. Fencing to the front boundary or forward of the building line on the side boundaries is not permitted under any circumstances.</p> <p>15. A store may be permitted on the lower terrace of a lot provided it complies with the following requirements:</p> <p>(a) The building occupies a maximum of 50% of the block width;</p> <p>(b) It shall be setback a minimum of 2.3 metres from the canal setout line;</p> <p>(c) The store shall be constructed at the 1.875 metre AHD level;</p> <p>(d) The store shall have a concrete slab with a minimum finished level of 1.975 metres AHD;</p> <p>(e) The height of the store shall not exceed the height of the existing retaining wall;</p> <p>(f) It shall be constructed of lightweight materials and clad in a weatherboard-style material or similar, provided that the finished presentation has a similar profile effect;</p> <p>(g) The construction of the store shall be certified by a structural engineer;</p> <p>(h) Signage shall be attached to store door or adjacent to store door to read “Residents to ensure all chemicals and petroleum products are securely stored at least 1.3 metres above the floor level to avoid contamination in the event of a flood”; and</p> <p>(i) Doors shall be designed and constructed such that in the event of a flood, the door will remain in the closed position.</p> <p>16. Buildings within the 3 metre ‘no load’ zone behind the secondary retaining wall shall be certified a structural engineer.</p>	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Painted / Rendered Masonry	Limestone or Similar						
Limestone	Natural						

No	Description of Land	Special Use	Conditions
			<p>17. No development shall be permitted within 6 metres of the secondary retaining wall below the finished ground level at the time of subdivision.</p> <p>18. The mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.</p> <p>19. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 3 – Residential Dry Lots</p> <p>Site requirements:</p> <p>1. Setbacks:</p> <p>(a) Primary Street:</p> <p>i. 5 metres for garages and carports; and</p> <p>ii. 4 metres for the building envelope.</p> <p>(b) Rear: In accordance with the R40 Density Code.</p> <p>(c) Side:</p> <p>i. Ground floor: Nil.</p> <p>ii. 1st Floor: Single residential lots with a primary street frontage of 13 metres or greater – in accordance with the R-Codes;</p> <p>OR</p> <p>Single residential lots with a primary street frontage of less than 13 metres at the discretion of the local government.</p> <p>iii. Where side boundaries abut Public Open Space or a Public Road not more than 50% of the building may be positioned on the boundary. The balance shall be setback a minimum 1 metre.</p> <p>iv. Upper floor rear balconies shall have a minimum side setback of 0.5 metres.</p> <p>Development requirements:</p> <p>1. The finished ground level at the time of subdivision shall not be raised.</p> <p>2. The following land use is classified as having a P designation:</p> <ul style="list-style-type: none"> • Aged or Dependent Persons Dwelling. <p>3. The following land uses are classified as having a D designation:</p> <ul style="list-style-type: none"> • Dwelling; • Grouped Dwelling; • Multiple Dwelling;

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> • Holiday Accommodation; • Holiday House; • Bed and Breakfast; • Guesthouse; • Serviced Apartment; and • Home Occupation. <p>4. The following land uses are classified as having an A designation:</p> <ul style="list-style-type: none"> • Industry – Cottage; • Residential Building, and • Telecommunications Infrastructure. <p>5. All other land uses are classified as having an X designation.</p> <p>6. The maximum wall height shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum wall height is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above.</p> <p>7. Where access from the rear of a lot is available, on-site car parking for residents may be accessed from the rear.</p> <p>8. Crossovers shall not exceed 4.5 metres in width and shall be setback a minimum of 0.75 metres from the side boundary.</p> <p>9. The area of private open space shall have a minimum dimension of 3.3 metres and a minimum area of 16m².</p> <p>10. Weather protection shall be provided to entrances of residential buildings.</p> <p>11. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>12. Minimum pitch to conventional roof forms shall be 35 degrees for single storey dwellings, excluding carports and patios.</p>

No	Description of Land	Special Use	Conditions								
			<p>Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey dwellings.</p> <p>13. Fencing:</p> <p>(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:</p> <table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table> <p>(b) Fencing Height as follows:</p> <p>i. Side: maximum 1.8 metres with the exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height.</p> <p>ii. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances.</p> <p>iii. Fencing to the front boundary or forward of the building line on the side boundaries is not permitted under any circumstances.</p> <p>Area B – Precinct 4 – Icon Site A and B</p> <p>Site requirements</p> <p>1. Setbacks:</p> <p>(a) Primary Street:</p> <p>i. 5 metres for garages and carports; and</p> <p>ii. 4 metres for the building envelope.</p> <p>(b) Rear:</p> <p>i. to the North a minimum of 5 metres from the canal set out line.</p> <p>ii. 0.5 metre cantilever is permissible over the secondary retaining wall for 50% of the length of the secondary retaining wall that faces North.</p> <p>iii. The minimum setback to the canal setout line is 3.8 metres.</p> <p>iv. Balconies/decks minimum setback (to the North) 2.3</p>	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Material	Colour										
Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

No	Description of Land	Special Use	Conditions
			<p>metres from the canal set out line.</p> <p>(c) Side:</p> <ol style="list-style-type: none"> i. Nil. ii. Third level roof gables facing common side boundaries are to have a minimum setback of 2.5 metres. <p>Development requirements</p> <ol style="list-style-type: none"> 1. The following land uses are classified as having a P designation: <ul style="list-style-type: none"> • Grouped Dwelling; and • Serviced Apartment. 2. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> • Multiple Dwelling; • Holiday Accommodation; • Holiday House; and • Home Occupation. 3. The following land uses are classified as having an A designation: <ul style="list-style-type: none"> • Residential Building; and • Telecommunications Infrastructure. 4. All other land uses are classified as having an X designation. 5. The building envelope is to be a minimum of two storeys high and a maximum of three storeys, above natural ground level. 6. The finished ground level at the time of subdivision shall not be raised. 7. Buildings within the 3 metre 'no load' zone behind the secondary retaining wall shall be certified by a structural engineer. 8. No development shall be permitted within 6 metres of the secondary retaining wall below the finished ground level at the time of subdivision. 9. Car Parking: <ol style="list-style-type: none"> (a) Car parking areas shall be located on site and screened from public view. (b) Basement parking may be permitted subject to certification from a structural engineer and having appropriate drainage management with due regard for the waterways flood level. (c) A minimum of 2 car bays is to be provided per dwelling with 2 or more bedrooms. 10. Store(s) may be approved on the lower terrace of a lot provided they comply with the following requirements: <ol style="list-style-type: none"> (a) The store shall be non-habitable and constructed at the 1.875 metre AHD level;

No	Description of Land	Special Use	Conditions								
			<p>(b) The height of the store(s) shall not exceed the height of the existing retaining wall;</p> <p>(c) The store shall be setback a minimum of 2.3 metres from the canal setout line;</p> <p>(d) Stores are only permitted in Canal Arm 4A;</p> <p>(e) The store shall have a concrete slab with a minimum finished level of 1.975 metres AHD;</p> <p>(f) The maximum cumulative width of the stores shall be limited to 50% width of the secondary retaining wall;</p> <p>(g) The store shall be constructed of lightweight materials and clad in the Primeline Weatherboard or similar material, provided that the finished presentation has a similar profile effect;</p> <p>(h) The construction of the store shall be certified by a structural engineer;</p> <p>(i) Signage shall be attached to store door or adjacent to store door to read “Residents to ensure all chemicals and petroleum products are securely stored at least 1.3 metres above the floor level to avoid contamination in the event of a flood”;</p> <p>(j) Store doors shall be designed and constructed such that in the event of a flood, the door will remain in the closed position;</p> <p>(k) Stores shall not be used actively in the event of a cyclone or significant rainfall event.</p> <p>11. Fencing:</p> <p>a. Fencing on side boundaries shall be constructed in one or a combination of the following materials:</p> <table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table> <p>b. Fencing height shall be as follows:</p> <p>i. Side: maximum 1.8 metres with the exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height.</p>	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
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Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

No	Description of Land	Special Use	Conditions
			<p>c. Fencing may be permitted at the entry of the lot by way of a combination of the following:</p> <ul style="list-style-type: none"> i. Permeable powder coated aluminium or steel vehicle entry gate maximum 1.8 metres high. ii. Permeable powder coated aluminium or steel pedestrian entry gate maximum 1.8 metres high. iii. Low masonry wall, rendered and painted (up to 0.6 metres high) with panels of permeable powder coated aluminium or steel between rendered masonry piers to a total maximum height of 1.8 metres. Maximum pier spacing of 3 metres. iv. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances. v. No solid fence wall panels are permitted forward of the building setback of the adjoining lot, or across the front boundary. <p>12. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</p> <p>13. Development shall provide bin storage areas that can be serviced by rubbish trucks within the property or the verge immediately adjoining the property.</p> <p>14. Weather protection shall be provided to entrances of residential buildings.</p> <p>15. External Materials:</p> <ul style="list-style-type: none"> (a) At least two different materials must be featured on external walls and shall be selected from the following: <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted).

No	Description of Land	Special Use	Conditions
			<p>viii. Tilt concrete or precast concrete with textured and painted finishes.</p> <p>16. Landscaping is not permitted within 2.2 metres of the secondary retaining wall.</p> <p>17. For all design criteria other than density, the provisions of the R60 Density Code shall apply, unless otherwise provided for in the Scheme.</p> <p>18. Density shall be R70 calculated as an average of the R60 and R80 Density Codes.</p> <p>19. Jetty structures shall be located wholly within the Jetty envelope and the mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope, as approved by the Department of Transport.</p> <p>20. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 5 – Icon Site C</p> <p>Site requirements:</p> <p>1. Setbacks:</p> <ul style="list-style-type: none"> (a) 3.6 metres to the East boundary. (b) Nil setback to Northern boundary permitted, at the discretion of the local government. (c) 3 metres setback to Western boundary. (d) Nil setback permitted to South boundary for 50% of the building with the balance setback a minimum of 1.5 metres. (e) Balconies are permitted to encroach into Eastern setback by 1.5 metres. <p>Development requirements:</p> <p>1. The following land uses are classified as having a P designation:</p> <ul style="list-style-type: none"> • Grouped Dwelling; and • Serviced Apartment. <p>2. The following land uses are classified as having a D designation:</p> <ul style="list-style-type: none"> • Grouped Dwelling; • Multiple Dwelling; • Holiday Accommodation; • Holiday House; • Serviced Apartment; and • Home Occupation. <p>3. The following land uses are classified as having an A designation:</p> <ul style="list-style-type: none"> • Residential Building; and • Telecommunications Infrastructure. <p>4. All other land uses are classified as having an X designation.</p>

No	Description of Land	Special Use	Conditions								
			<div>5. The building envelope is to be a minimum of two storeys high and maximum three storeys high.</div> <div>6. Ground floor areas shall provide an outlook to the Public Boulevard and canal to the East.</div> <div>7. The finished ground level at the time of subdivision shall not be raised.</div> <div>8. For all design criteria other than density the provisions of the R60 Density Code shall apply, unless otherwise provided for in the Scheme.</div> <div>9. Density shall be R70 calculated as an average of the R60 and R80 Density Codes.</div> <div>10. Fencing:<div><div>(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:<table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table></div><div>(b) Fencing Height shall be as follows:<div>Side: maximum 1.8 metres.</div></div><div>(c) Fencing may be permitted to the Western & Southern boundary and at the entry into the lot for the purpose of providing security by way of a combination of the following:<div><div>i. Permeable powder coated aluminium or steel vehicle entry gate maximum 1.8 metres high.</div><div>ii. Permeable powder coated aluminium or steel pedestrian entry gate maximum 1.8 metres high.</div><div>iii. Low masonry wall, rendered and painted (up to 0.6 metres high) with panels of permeable powder coated aluminium or steel between rendered masonry piers to a total maximum height of 1.8 metres. Maximum pier spacing of 3 metres.</div><div>iv. Balustrading to the Eastern boundary shall be a maximum of 1 metre high, constructed as above, where constructed above a retaining wall.</div></div></div></div></div>	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Material	Colour										
Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

No	Description of Land	Special Use	Conditions
			<p>11. Car Parking:</p> <ul style="list-style-type: none"> (a) Car parking areas shall be located on-site and screened from public view. (b) Basement parking is allowed subject to certification from a structural engineer having due regard for waterways flood levels and adequate drainage design. (c) A minimum of 2 car bays is to be provided per dwelling with 2 or more bedrooms. 1 car bay shall be provided for one-bedroom apartments. <p>12. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</p> <p>13. Development shall ensure that it is capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and / or the verge immediately adjoining the property.</p> <p>14. Weather protection shall be provided to entrances of residential buildings.</p> <p>15. External Materials:</p> <p>At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>Area B – Precinct 6 and 6A – Horwood Quays and Landing Park Tourist Commercial</p> <p>Site requirements</p> <p>1. Setbacks:</p> <ul style="list-style-type: none"> (a) A nil front setback to Horwood Quays and Landing Park shall be required to ground level tourist-commercial development.

No	Description of Land	Special Use	Conditions
			<p>(b) Nil setback to 50% of upper floor setback to Landing Park, Horwood Quays. Balance to be a minimum of 1.5 metres.</p> <p>(c) Where apartments are to face away from Horwood Quays (only allowed subject to an apartment being built on the same level and vicinity facing Horwood Quays) upper floor setbacks shall be nil for 50% of the boundary with the balance to be a minimum of 1.5 metres.</p> <p>(d) Nil setback permitted to side boundaries adjoining another lot.</p> <p>(e) Where the side boundary fronts a public road / access way, a nil setback is permitted for 50% of the building, the balance shall be set back a minimum of 1 metre.</p> <p>(f) Canal setback to be a minimum 3.8 metres from canal setout line for a maximum of 50% of the lot the remaining canal setback shall be a minimum of 4.3 metres from the canal setout line.</p> <p>Development requirements</p> <ol style="list-style-type: none"> 1. Residential use shall not be permitted on the ground level any development. 2. Upper floors shall be residential and the local government may consider applications for home occupation or home business at its discretion. 3. Development shall comprise both commercial and residential uses to take advantage of the Landing Park. 4. The following land use is classified as having a P designation: <ul style="list-style-type: none"> • Serviced Apartment. 5. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> • Grouped Dwelling; • Multiple Dwelling; • Mixed Development; • Holiday Accommodation; • Holiday House; • Home Occupation, • Consulting Room; • Dwelling; • Office; • Restaurant/Café; • Fast Food Outlet; and • Shop. 6. The following land uses are classified as having an A designation: <ul style="list-style-type: none"> • Residential Building; • Liquor Store - Small; • Bulky Goods Showroom; • Tavern; and • Telecommunications Infrastructure.

No	Description of Land	Special Use	Conditions
			<p>7. All other land uses are classified as having an X designation.</p> <p>8. Horwood Quays and canal frontage: office, retail and café uses are required to provide ground level frontage activation.</p> <p>9. A shop shall be no greater than 300m² in net lettable area.</p> <p>10. Car Parking:</p> <p>(a) Car parking areas shall be located on-site and screened from public view.</p> <p>(b) A minimum of 2 car bays is to be provided per dwelling with 2 or more bedrooms. 1 car bay shall be provided for single-bedroom dwellings.</p> <p>(c) Commercial development car parking for Ground Floor Commercial has been provided in adjoining public car parking facilities with the exception of the lots to the West of both North and South finger canals on Horwood Quays. Subject to the local government at its discretion approving first floor home business use, then car parking related to that use must be provided on-site.</p> <p>11. Fencing:</p> <p>(a) Rear boundary and side boundaries to corner lots to be fully fenced/ screened to a maximum height of 1.8 metres with the exception of fences at canal lots.</p> <p>(b) All fencing to these areas shall be non-permeable.</p> <p>(c) Side boundary fences shall be 1.8 metres rendered masonry or paint finish to complement the building at the local government's discretion.</p> <p>(d) Fences or barriers facing canals up to but not beyond the secondary retaining walls are to be a maximum of 1.1 metres high and be constructed of masonry block work, concrete panel, aluminium and glass or permeable steel.</p> <p>12. The finished ground level at the time of subdivision shall not be raised.</p> <p>13. Buildings within the 3 metres 'no load' zone behind the secondary retaining wall shall be certified a structural engineer.</p> <p>14. No development shall be permitted within 6 metres of the secondary retaining wall below the finished ground level at the time of subdivision.</p> <p>15. The building envelope is to be a minimum of 2 storeys and maximum 3 storeys, above natural ground level.</p>

No	Description of Land	Special Use	Conditions
			<p>16. The maximum wall height shall be 9.75 metres above natural ground level.</p> <p>17. Dwellings may be built over parking garages.</p> <p>18. Buildings must address Landing Park, Horwood Quays, secondary road and canals.</p> <p>19. Where possible, outdoor living areas associated with residential dwellings shall have a minimum dimension of 3 metres and address Landing Park, Horwood Quays or the Canal.</p> <p>20. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</p> <p>21. Development shall ensure that it is capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and / or the verge immediately adjoining the property.</p> <p>22. Weather protection shall be provided to entrances of residential buildings.</p> <p>23. External Materials:</p> <p style="padding-left: 40px;">At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>24. Store(s) may be approved on the lower terrace of a lot provided they comply with the following requirements:</p> <ul style="list-style-type: none"> (a) The store(s) shall be non-habitable and constructed at the 1.875m AHD level; (b) The store shall have a concrete slab with a minimum finished level of 1.975 metres AHD; (c) The store(s) shall be setback a minimum of 2.3 metres from the canal setout line;

No	Description of Land	Special Use	Conditions
			<p>(d) The maximum cumulative width of the store(s) shall be limited to 50% width of the secondary retaining wall;</p> <p>(e) The store(s) shall be constructed of lightweight materials and clad in Primeline Weatherboard or similar material, provided that the finished presentation has a similar profile effect;</p> <p>(f) The construction of the store(s) shall be certified by a structural engineer;</p> <p>(g) Signage shall be attached to store(s) door or adjacent to store door to read "Residents to ensure all chemicals and petroleum products are securely stored at least 1.3 metres above the floor level to avoid contamination in the event of a flood";</p> <p>(h) Store(s) doors shall be designed and constructed such that in the event of a flood, the door will remain in the closed position;</p> <p>(i) Store(s) must not be used actively in the event of a cyclone or significant rainfall event;</p> <p>(j) The height of the store(s) shall not exceed the height of the existing retaining wall.</p> <p>25. The minimum height from ground level for a canopy or awning overhanging a footpath is 2.75 metres. Signage suspended beneath a canopy should have a minimum clearance of 2.4 metres.</p> <p>26. Awnings shall project into the pedestrian area of a street space by 1.5 metres. Awnings shall be designed to appear as thin, lightweight elements. Bull nose verandahs shall not be permitted.</p> <p>27. Where access from the rear is available all on-site car parking for residents and/or employees is to be accessed from the rear.</p> <p>28. Where commercial buildings have a nil front setback, the provision of weather protection to the public footpath in the form of a verandah, canopy or awning is required.</p> <p>29. Residential awnings are permitted to project 1 metre into the street and Lot 77 (POS).</p> <p>30. The mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.</p> <p>31. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p>

No	Description of Land	Special Use	Conditions
			<p>Area B – Precinct 7 – Tourist Commercial Mixed Use</p> <p>Site requirements:</p> <p>1. Setbacks:</p> <p>(a) Nil setback: to Landing Park boundaries on ground floor, permitted to 50% of upper floors fronting Landing Park, with the balance a minimum of 1.5 metres; and to side boundaries adjoining other lots.</p> <p>(b) Eastern Boundary (public boulevard) setbacks to both lots to be as follows:</p> <p>i. Ground floor: 3.6 metres from boundary.</p> <p>ii. First floor and above: 50% of the building may project 1 metre into the Ground floor setback by way of cantilever only. The balance to be a minimum of 3.6 metres from the boundary.</p> <p>iii. The façade of buildings facing the eastern boundary are to be designed to minimise large areas of wall/glass on the same plane. To break up this façade, no more than 50% of the area of the façade is permitted to be built at the same setback. The balance is to be constructed at a minimum of 1 metre forward or back from the façade.</p> <p>Development requirements</p> <p>1. Commercial uses shall occupy the ground floor of any development.</p> <p>2. Development shall comprise both commercial and residential uses to take advantage of the park frontage and canal views.</p> <p>3. Upper floors use shall be residential and the local government may consider applications for Home Occupation or Home Business at its discretion.</p> <p>4. The following land use is classified as having a P designation:</p> <ul style="list-style-type: none"> • Serviced Apartment. <p>5. The following land uses are classified as having a D designation:</p> <ul style="list-style-type: none"> • Grouped Dwelling; • Mixed Development; • Multiple Dwelling; • Holiday Accommodation; • Holiday House; • Serviced Apartment; • Home Occupation; • Consulting Room;

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> • Dwelling; • Office; • Restaurant/Café; • Fast Food Outlet; and • Shop. <p>6. The following land uses are classified as having an A designation:</p> <ul style="list-style-type: none"> • Industry – Cottage; • Residential Building; • Liquor Store - Small; • Tavern; and • Telecommunications Infrastructure. <p>7. All other land uses are classified as having an X designation.</p> <p>8. A shop shall not be greater than 300m² in net lettable area.</p> <p>9. The minimum height from ground level for a canopy or awning overhanging a footpath is 2.75 metres. Signage suspended beneath a canopy shall have a minimum clearance of 2.4 metres.</p> <p>10. Awnings shall project into the pedestrian area of a street space by 1.5 metres. Awnings shall be designed to appear as thin, lightweight elements. Bull nose verandahs shall not be permitted.</p> <p>11. Where access from the rear is available all on-site car parking for residents and/or employees is to be accessed from the rear.</p> <p>12. Where commercial buildings have a nil front setback, the provision of weather protection to the public footpath in the form of a verandah, canopy or awning shall be required.</p> <p>13. Residential awnings are permitted to project 1 metre into the street and Lot 77 (POS).</p> <p>14. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</p> <p>15. Development shall ensure that it is capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and / or the verge immediately adjoining the property.</p> <p>16. Weather protection shall be provided to entrances of residential buildings.</p> <p>17. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber).

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>18. Buildings must address the Landing Park, Horwood Quays, secondary street and the canals.</p> <p>19. Car Parking:</p> <ul style="list-style-type: none"> (a) Residential: <ul style="list-style-type: none"> i. Car parking areas shall be located on site and screened from public view. ii. A minimum of 2 car bays is to be provided per dwelling with 2 or more bedrooms. 1 car bay shall be provided for single-bedroom dwellings. (b) Commercial development car parking has been provided either at car parking facilities north and south of Horwood Quays. <p>20. The building envelope is to be a minimum of 2 storeys and maximum of 3 storeys.</p> <p>21. Fencing:</p> <ul style="list-style-type: none"> i. Rear boundary and side boundaries to corner lots to be fully fenced/screened to a maximum height of 1.8 metres. ii. Garage doors will be permitted to the rear boundary. All fencing to these areas to be non-permeable. iii. Side boundary fences in these locations to be rendered masonry/paint finish – complimenting the building at the local government's discretion. <p>Area B – Precinct 8 – Murat Road</p> <p>Site requirements</p> <p>1. Setbacks:</p> <ul style="list-style-type: none"> (a) Murat Road and Horwood Quays: 6 metres. (b) Rear: commercial use – at the discretion of the local government. (c) Rear: residential use – as per the R40 Density Code. (d) Canal arm 4: 5 metres from canal setout line. Setback to 50% of canal frontage can be reduced to 4.5 metres from the canal setout line.

No	Description of Land	Special Use	Conditions
			<p>(e) Nil setbacks permitted to side boundaries at the discretion of the local government.</p> <p>(f) Canal arm 5: minimum 4.3 metres from canal setout line. 0.5 metres cantilever permitted to 50% of canal frontage into setback.</p> <p>Development requirements</p> <ol style="list-style-type: none"> The following land use is classified as having a P designation: <ul style="list-style-type: none"> Serviced Apartment. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> Multiple Dwelling; Grouped Dwelling; Holiday Accommodation; Holiday House; Home Occupation; Motel; Consulting Room; Dwelling; Restaurant/Café; Service Station; Fast Food Outlet; and Shop. The following land uses are classified as having an A designation: <ul style="list-style-type: none"> Industry – Cottage; Residential Building; Liquor Store - Small; Bulky Goods Showroom; Tavern; and Telecommunications Infrastructure. All other land uses are classified as having an X designation. A shop shall be no greater than 300m² in net lettable area, with the exception of Lot 30 where a shop of up to 350m² net lettable area is permitted for retail use other than a supermarket. The finished ground level at the time of subdivision shall not be raised. Buildings within the 3 metre 'no load' zone behind the secondary retaining wall shall be certified a structural engineer. No development shall be permitted within 6 metres of the secondary retaining wall below the finished ground level at the time of subdivision. The maximum wall height shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum wall height is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above.

No	Description of Land	Special Use	Conditions
			<p>10. Store(s) are not permitted to be built on the lower level in canal arm 4.</p> <p>11. Fencing:</p> <ul style="list-style-type: none"> (a) No fencing permitted on boundaries fronting Horwood Quays. (b) Fencing to be in accordance with the general intent of fencing in adjoining precincts. (c) Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances. <p>12. Parking:</p> <ul style="list-style-type: none"> (a) Car parking to be contained on site and screened from public view where possible. (b) For non-residential development, parking shall be in accordance with the Scheme. (c) Where a rear lane is available, vehicle access must be from this lane. (d) Residential parking shall comply with the R Codes. <p>13. Where short-term tourism uses and permanent residential uses are combined, no more than 20% of the total accommodation units shall be approved for permanent residential uses, unless otherwise approved by the local government.</p> <p>14. The maximum residential density shall be R40. Strata subdivision may be permitted.</p> <p>15. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</p> <p>16. Development shall ensure that it is capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and / or the verge immediately adjoining the property.</p> <p>17. Weather protection shall be provided to entrances of residential buildings.</p> <p>18. External Materials:</p> <p style="padding-left: 40px;">At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber).

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>19. Buildings must address the Landing Park, Horwood Quays, secondary road and canals.</p> <p>20. Minimum pitch to conventional roof forms shall be 35 degrees for single storey development, excluding carports and patios. Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey development.</p> <p>21. The mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope, as approved by the Department of Transport.</p> <p>22. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 9 – Southern Revetment Lots</p> <p>Site requirements</p> <p>1. Setbacks:</p> <ul style="list-style-type: none"> (a) 5 metres for garages and carports. (b) 4 metres for the main dwelling. (c) The southern boundary setback is 13.5 metres from the cadastral boundary for 50% of the length of the boundary. The setback for the balance of the boundary to be a minimum of 16.5 metres from the cadastral boundary. (d) The eastern boundary setback is 5 metres from the canal setout line for a maximum of 50% of the envelope. The balance to be setback a minimum of 7 metres from the canal setout line. (e) Side setbacks: Nil. Lots with a primary street frontage of 13 metres or greater are restricted to zero side setbacks to the ground floor only. First floor side setbacks must comply with the R Codes. (f) Upper floor rear balconies may project up to 0.5 metres into the rear setback but must be setback 0.5 metres from a side boundary. (g) Ground floor rear balconies and decks shall have a minimum setback of 2.3 metres to the canal setout line.

No	Description of Land	Special Use	Conditions
			<p>(h) Where side boundaries abuts a public road the minimum setback from the common boundary shall be 1 metre for a minimum of 50% of the length of the building and a nil setback for the remainder.</p> <p>(i) Ground floor rear decks / terraces are permitted to be built against the side boundary provided a 1.65 metre high screen fence is constructed on the boundary. The screen fence shall be constructed of materials that complement the dwelling.</p> <p>Development requirements</p> <ol style="list-style-type: none"> The following land use is classified as having a P designation: <ul style="list-style-type: none"> Aged or dependant persons dwelling. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> Grouped Dwelling; Multiple Dwelling; Holiday Accommodation; Holiday House; Serviced Apartment; Home Occupation; and Dwelling. The following land uses are classified as having an A designation: <ul style="list-style-type: none"> Industry – Cottage; Residential Building; and Telecommunications Infrastructure. All other land uses are classified as having an X designation. The maximum wall height shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum wall height is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above. The finished ground level at the time of subdivision shall not be raised. Buildings within the 3 metre 'no load' zone behind the secondary retaining wall shall be certified a structural engineer. No development shall be permitted within 6 metres of the secondary retaining wall below the finished ground level at the time of subdivision. Parking: <ol style="list-style-type: none"> Car parking areas shall be located on site. A minimum of 2 car bays are to be provided per dwelling. Stores(s) may be approved on the lower terrace of a lot within canal arm 5 provided

No	Description of Land	Special Use	Conditions								
			<p>they comply with the following requirements:</p> <p>(a) The store(s) shall be non-habitable store, constructed at the 1.875m AHD level;</p> <p>(b) The store shall have a concrete slab with a minimum finished level of 1.975 metres AHD;</p> <p>(c) The store(s) shall be setback a minimum of 10.8 metres from the cadastral boundary;</p> <p>(d) The maximum width of the store(s) shall be limited to 50% width of the block width;</p> <p>(e) The store(s) shall be constructed of lightweight materials and clad in Primeline Weatherboard or similar material, provided that the finished presentation has a similar profile effect;</p> <p>(f) The construction of the store(s) shall be certified by a structural engineer;</p> <p>(g) Signage shall be attached to store(s) door or adjacent to store door to read “Residents to ensure all chemicals and petroleum products are securely stored at least 1.3 metres above the floor level to avoid contamination in the event of a flood”;</p> <p>(h) Store(s) doors shall be designed and constructed such that in the event of a flood, the door will remain in the closed position;</p> <p>(i) Store(s) must not be used actively in the event of a cyclone or significant rainfall event;</p> <p>(j) The height of the store(s) shall not exceed the height of the existing retaining wall.</p> <p>11. Landscaping is not permitted within 2.2 metres of the secondary retaining wall.</p> <p>12. Fencing:</p> <p>(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:</p> <table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table> <p>(b) Fencing Height as follows:</p> <p>i. Side Boundaries: maximum 1.8 metres with the</p>	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Material	Colour										
Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

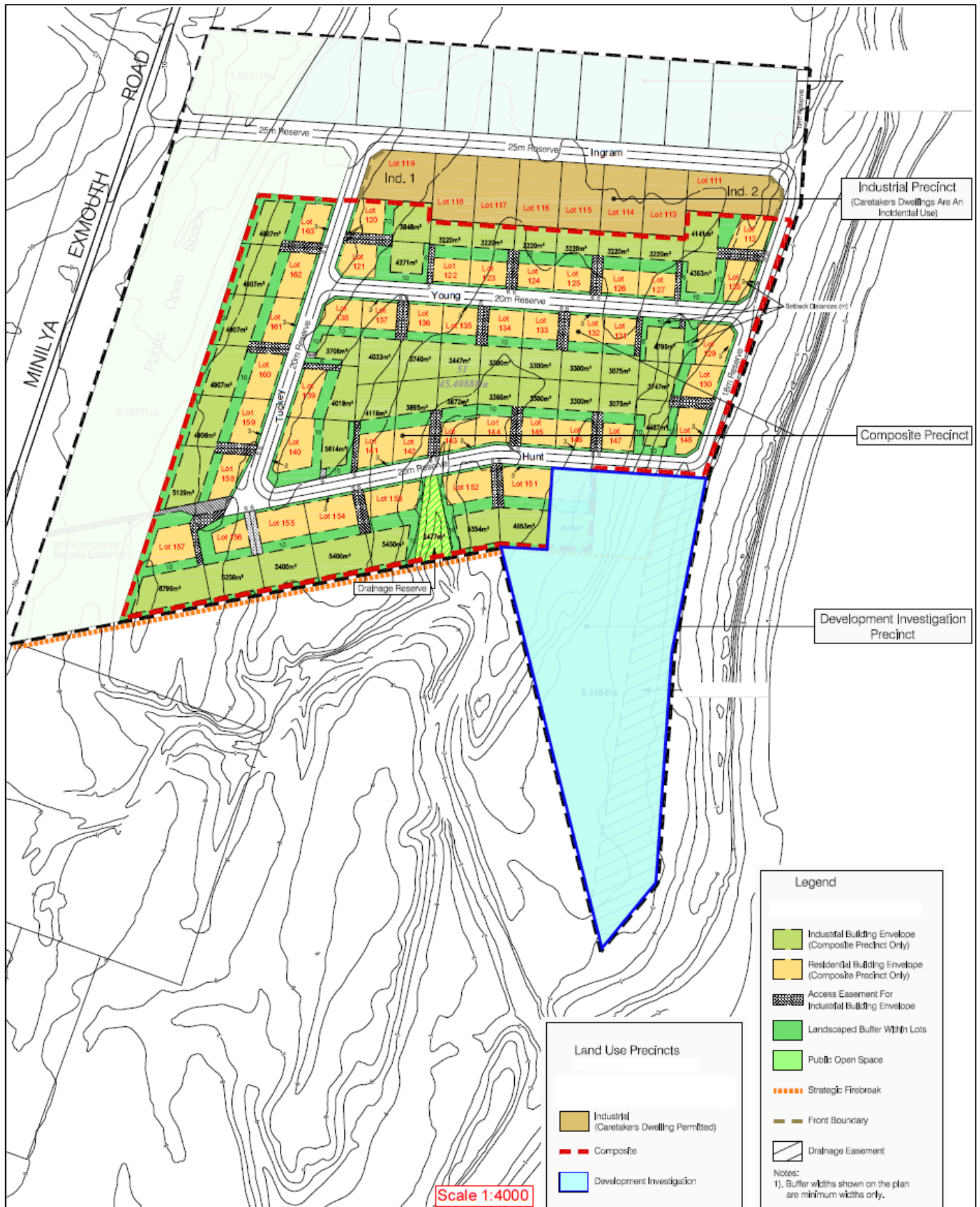
No	Description of Land	Special Use	Conditions
			<p>exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height.</p> <ul style="list-style-type: none"> ii. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances. iii. No fencing is permitted to the front boundary or forward of the building line on the side boundaries. iv. Fencing above Eastern secondary retaining wall and to the North boundary of the Eastern lot must be constructed as one of the following: <ul style="list-style-type: none"> (i) 1 metre high powder coated aluminium and glass balustrading. (ii) 1 - 1.8 metre powder coated aluminium or steel permeable fence between rendered and painted masonry piers. (iii) 1.8 metre rendered and painted masonry wall. <p>13. Weather protection shall be provided to entrances of residential buildings.</p> <p>14. External Materials:</p> <p>At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>15. Minimum pitch to conventional roof forms shall be 35 degrees for single storey dwellings, excluding carports and patios.</p>

No	Description of Land	Special Use	Conditions
			<p>Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey dwellings.</p> <p>16. Jetty structures shall be located wholly within the Jetty envelope and the mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope, as approved by the Department of Transport.</p> <p>17. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 10 – Private Moorings</p> <p>Development requirements</p> <p>1. The following land use is classified as having a P designation:</p> <ul style="list-style-type: none"> • Jetty. <p>2. The development shall be piles, jetty, gangway and signage frame with all other development classified as having an X designation.</p> <p>3. Locations of gangways and signage structures to each mooring is fixed and determined by the existing concrete footing blocks.</p> <p>4. Jetty structures shall be located wholly within the Jetty envelope and the mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope, as approved by the Department of Transport.</p> <p>5. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>6. Car Parking:</p> <p>(a) One service vehicle parking space shall be provided adjacent to each mooring for use by the lessee / operator only.</p> <p>(b) Vehicle access to the road serving the moorings shall be restricted to the lessee / operators only and shall not be accessed to deliver passengers or customers from buses and charter operators.</p> <p>Area C</p> <p>Area C consists of the Residential precinct and Built Strata Permanent Residential as defined in Figure C1 – Area C.</p> <p>Area C – Residential</p> <p>Site requirements</p> <p>Setbacks shall be in accordance with Figure C2 – Area C.</p> <p>Development requirements</p>

No	Description of Land	Special Use	Conditions
			<ol style="list-style-type: none"> 1. Subdivision and development shall be in accordance with Figure C2 – Area C. 2. The following land use is classified as having a P designation: <ul style="list-style-type: none"> • Aged or dependant persons dwelling. 3. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> • Dwelling; • Grouped Dwelling; • Holiday Accommodation; • Holiday House; • Bed and Breakfast; • Guesthouse; • Serviced Apartment; and • Home Occupation. 4. The following land use is classified as having an A designation: <ul style="list-style-type: none"> • Telecommunications Infrastructure. 5. All other land uses are classified as having an X designation. 6. Single dwellings may be constructed on duplex lots in accordance with Figure C2 – Area C. 7. The maximum wall height shall be 6.2 metres above natural ground level. 8. The minimum finished floor level for all habitable rooms shall be 5.25m AHD. 9. A minimum of 35% open space is required within each lot. 10. Vehicle crossovers shall be in accordance with Figure C2 – Area C. 11. Fencing shall be in accordance with Figure C2 – Area C. 12. Fencing in the street setback area which includes the street front lot boundary and side lot boundary, shall be a maximum 0.9 metres high above natural ground level. <p>Area C – Built Strata Permanent Residential</p> <p>Site requirements</p> <p>Setbacks shall be in accordance with the R30 Density Code.</p> <p>Development requirements</p> <ol style="list-style-type: none"> 1. The following land use is classified as having a P designation: <ul style="list-style-type: none"> • Grouped Dwelling. 2. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> • Holiday Accommodation; • Holiday House; • Bed and Breakfast; • Guesthouse; • Serviced Apartment; and • Home Occupation.

No	Description of Land	Special Use	Conditions
			<p>3. The following land use is classified as having an A designation:</p> <ul style="list-style-type: none"> • Telecommunications Infrastructure. <p>4. All other land uses are classified as having an X designation.</p> <p>5. All residential development shall comply with the R30 Density Code.</p> <p>6. Building Heights shall be a maximum of 12 metres, above natural ground level.</p> <p>7. Roof form shall be complementary to the existing resort development at the discretion of the local government.</p> <p>8. Boundary fencing shall be 2x courses of reconstituted limestone blocks with intermittent dividing limestone pylons, separated by visually permeable uniform fencing. Internal fencing shall be at the discretion of the local government.</p> <p>9. A high standard entry statement sign shall be installed between Madaffari Drive and the Built Strata Permanent Residential.</p> <p>10. Building design shall provide a clear expression of the architectural style envisaged for the overall site including height, colour, texture, external material, roof pitch and character to existing development.</p> <p>11. Pedestrian paths shall be provided within the development to provide internal pedestrian connectivity to the resort.</p> <p>12. A consistent landscaping theme shall be adopted throughout the development to provide visual consistency with the existing resort.</p> <p>Area D</p> <p>Development requirements</p> <p>The local government will not:</p> <ul style="list-style-type: none"> (a) recommend approval to any subdivision application; or (b) approve any development application, <p>unless the Exmouth Marina Village Outline Development Plan Including Broad Design Guidelines have been amended to the satisfaction of the local government, pursuant to Part 4 of the deemed provisions. The application shall be generally in accordance with the amended Exmouth Marina Village Outline Development Plan.</p>

Special Use Zone SU1 **Structure Plan – Lot 51 Minilya-Exmouth Road**



**Special Use Zone SU3
Exmouth Aerodrome Locality Site Plan**

(Insert modified A4 plan here to include the minimum required finished floor levels, and add text stating minimum 5 metre side setback to building envelope)

**Special Use Zone SU5
Boat Harbour - Precincts P1 and P2**

(Insert modified A4 plan here indicating the extended P1 and P2 areas)

Special Use Zone SU6

Figure A1 – Area A

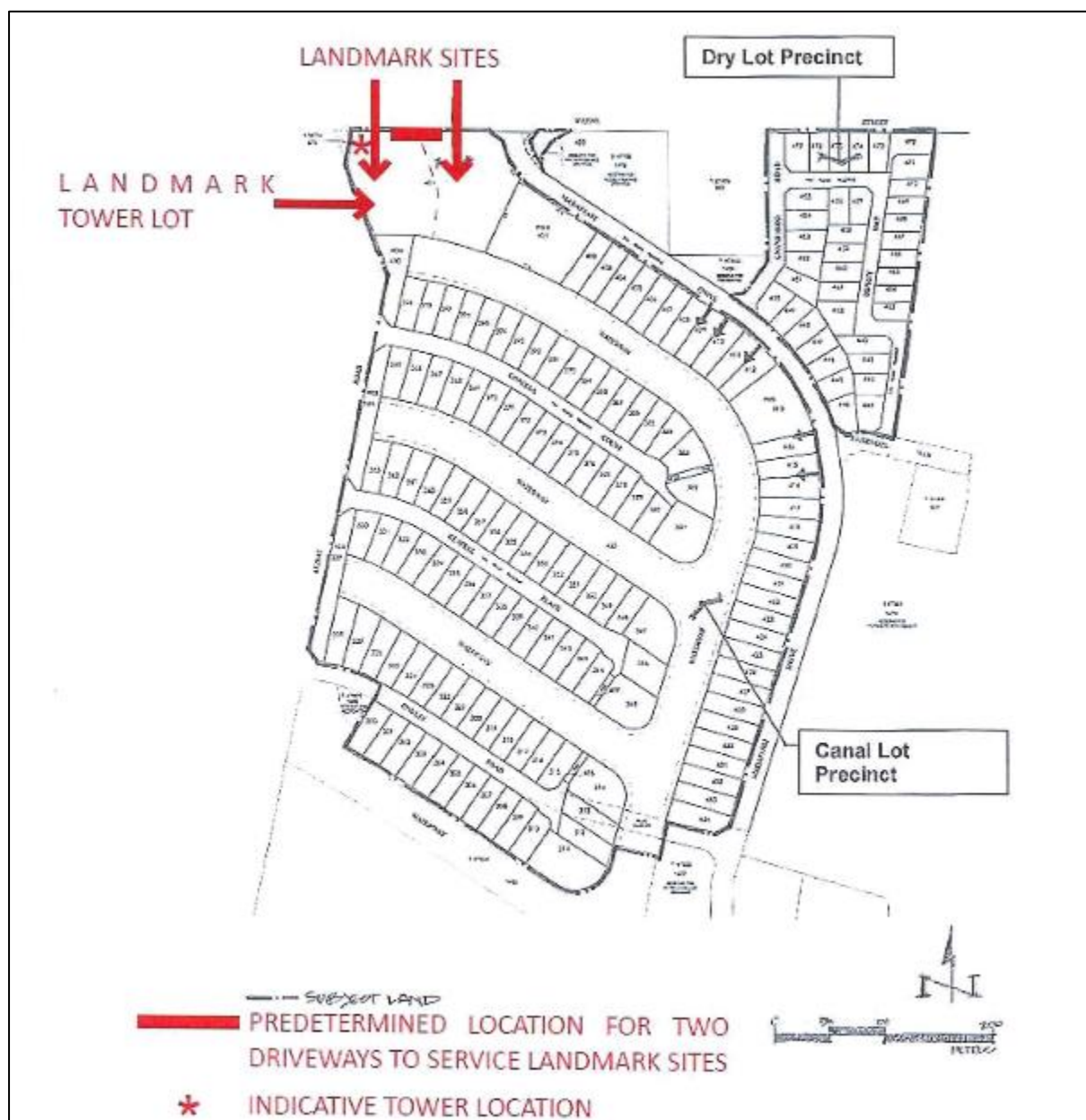
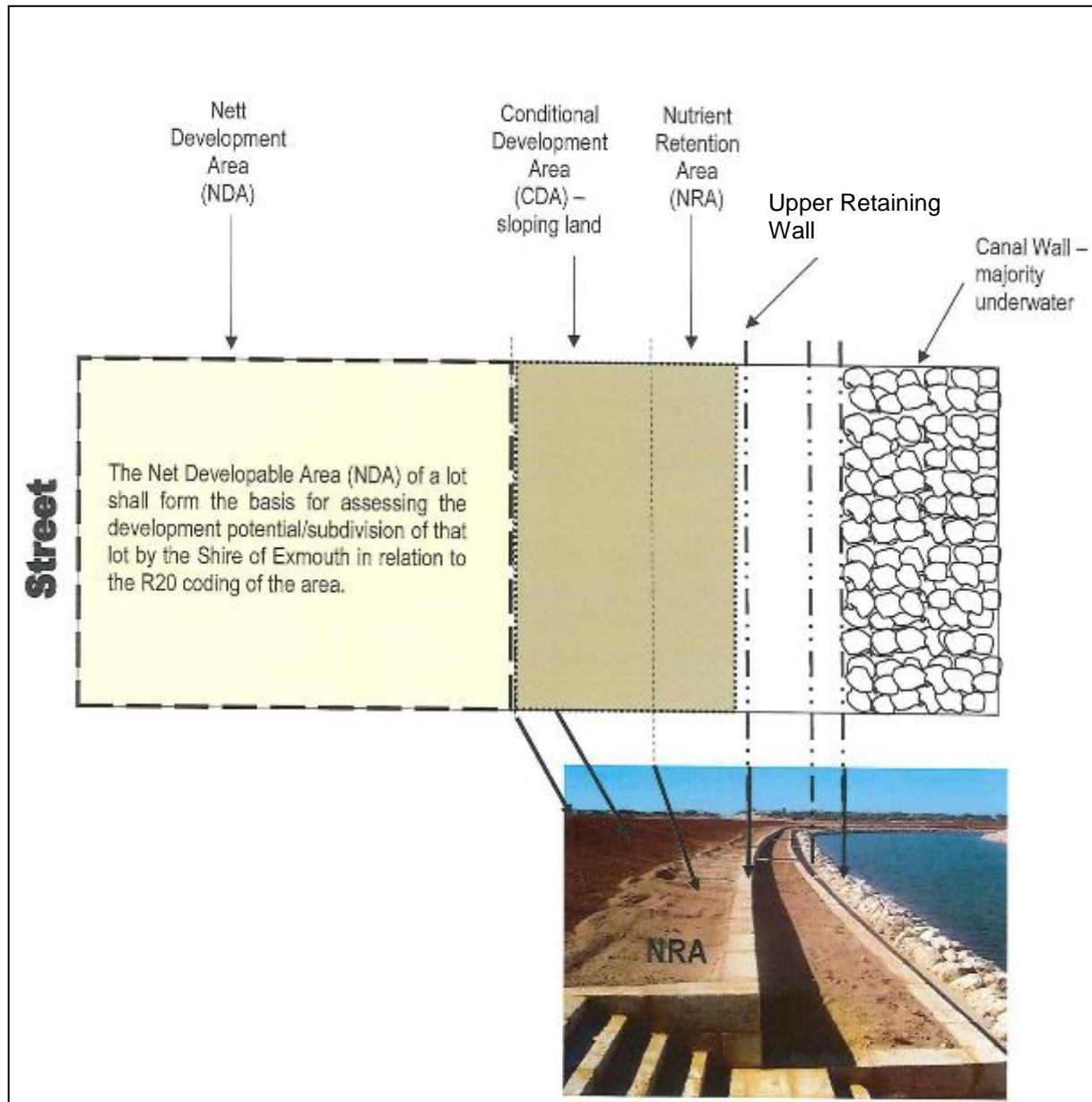


Figure A2 – Canal Lots



LEGEND

- PRECINCT 1
- PRECINCT 2
- PRECINCT 3
- PRECINCT 4
- PRECINCT 5
- PRECINCT 6
- PRECINCT 6A
- PRECINCT 7
- PRECINCT 8
- PRECINCT 9
- PRECINCT 10

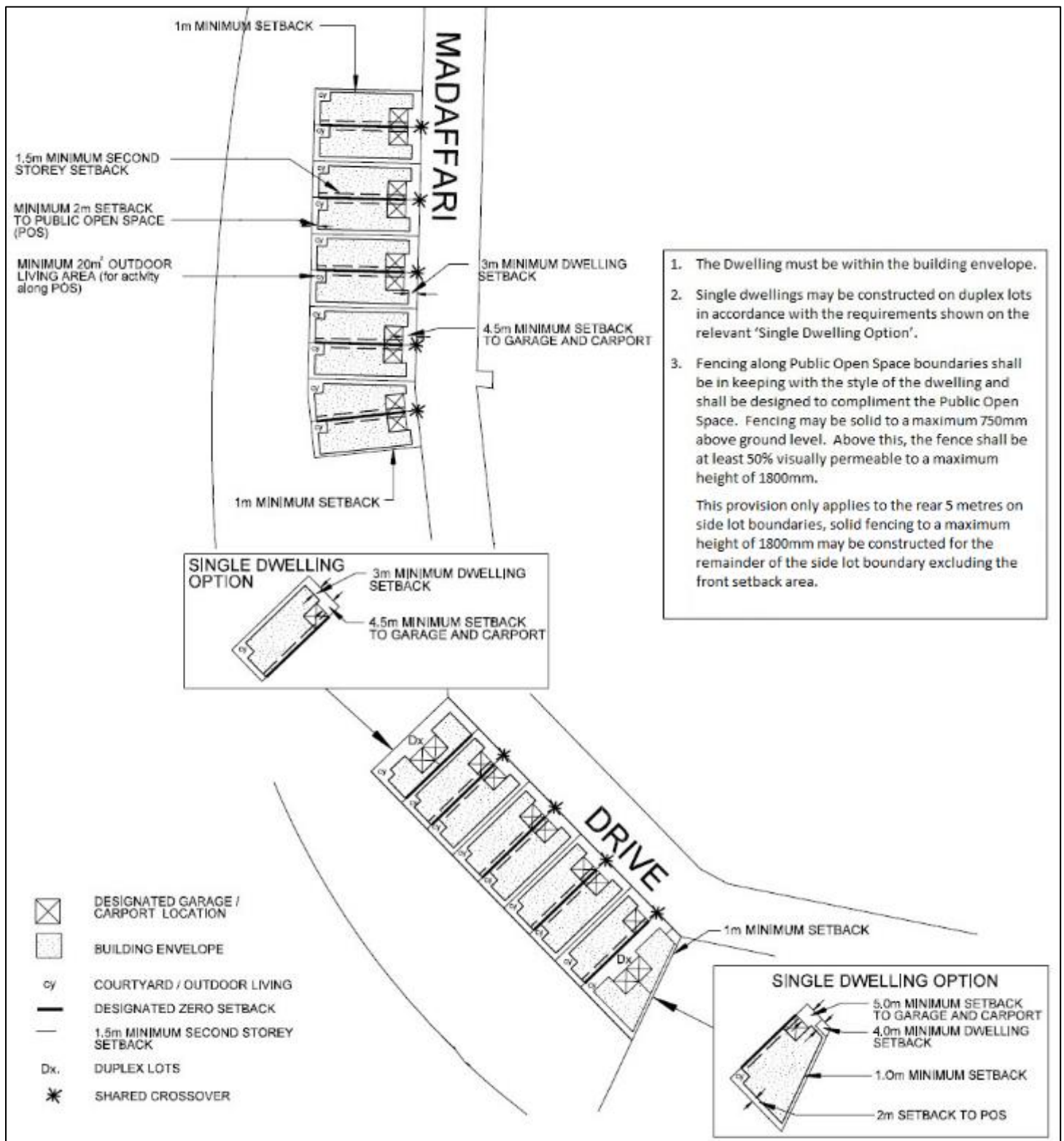
Figure B2 – Area B

(Insert A4 plan here indicating Area B Canal Setout Line, No Load Zone, Lower Terrace, and Secondary Retaining Wall)

Figure C1 – Area C



Figure C2 – Area C



COUNCIL ADOPTION FOR ADVERTISING

Adopted for advertising by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the 29th day of October 2015.



SHIRE PRESIDENT



CHIEF EXECUTIVE OFFICER

COUNCIL ADOPTION FOR FINAL APPROVAL

Adopted for submission to the Minister for Planning for approval by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the day of 20 and the Common Seal of the Shire of Exmouth was hereunto affixed by the authority of a resolution of the Council in the presence of:

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDED/SUBMITTED FOR APPROVAL

DELEGATED UNDER S.16 OF
THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE

APPROVAL GRANTED

MINISTER FOR PLANNING
S.87 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE



*Please note certain images and figures may have been removed and/or not updated from Revision 7. Therefore, for all figures and images please view Revision 7 in conjunction with the Schedule of Modifications adopted on the 15 December 2016 and the modifications proposed in this agenda.

LOCAL PLANNING STRATEGY

2015-2025

Prepared by
Taylor Burrell Barnett

Prepared for
Shire of Exmouth

DOCUMENT STATUS

Local Planning Strategy 2015 – 2025		13/013	Revision	Reviewer	Date Issued
Prepared By:	Taylor Burrell Barnett Town Planning and Design 187 Roberts Road SUBIACO WA 6008 Phone: 9382 2911 Fax: 9382 4586 admin@tbbplanning.com.au	1	LB	Feb 2014	
		2	SB	April 2014	
		3	SB	Sept 2014	
		4	STH	Nov 2014	
		5	STH	Jan 2015	
In association with:	Terra Rosa Cultural Resource Mapping Hyd2o Hydrology	6	MW	Oct 2015	
		7	MW	May 2016	
		8	Shire	December 2016	

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LIST OF ACRONYMS

ABS	Australian Bureau of Statistics
ANEF	Australian Noise Exposure Forecast
DPaW	Department of Parks and Wildlife
ExPS	Exmouth Power Station
LPS	Local Planning Strategy
LPS 4	Local Planning Scheme No. 4
ODP	Outline Development Plan (Local Structure Plan in LPS 4)
OLS	Obstacle Limitation Surface
RAAF	Royal Australian Air Force
R-Codes	State Planning Policy 3.1 <i>Residential Design Codes of Western Australia</i>
UCL	Unallocated Crown Land
WA	Western Australia
WAPC	Western Australian Planning Commission
WWTP	Waste Water Treatment Plant

ADVERTISING

The Shire of Exmouth Local Planning Strategy certified for advertising on 2nd day of June 2016.

an officer of the Commission duly authorised by the Commission
(pursuant to the *Planning and Development Act 2005*)

Date: _____

ADOPTED

Adopted by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the
..... day of 20....

.....
Shire President

.....
Chief Executive Officer

ENDORSEMENT

Endorsed by the Western Australian Planning Commission on the day of 20....

an officer of the Commission duly authorised by the Commission
(pursuant to the *Planning and Development Act 2005*)

Date: _____

EXECUTIVE SUMMARY

The Shire of Exmouth is in a period of growth that is driven in part by tourism, lifestyle, industrial and regional development. In preparing the Shire of Exmouth *Strategic Community Plan* (2011), the community reflected their support for progress, but not at the expense of their natural environment, relaxed lifestyle or small town values. This is seen as achieving balanced growth, with small town values and a positive community spirit, increasing the town centre's commercial and retail opportunities and protecting and enhancing the natural environment. The Local Planning Strategy draws extensively on the Strategic Community Plan and will assist in the sustainable growth of Exmouth.

The Strategy is not a stand-alone document, but forms part of an integrated suite of documents that collectively form the Shire's planning framework, consisting of the *Strategic Community Plan*; the Local Planning Strategy; and the Local Planning Scheme. The Strategy is a guiding document that can be amended as needed in response to changes in policy and factors influencing the Shire's growth and development over time. By its nature it is dynamic and provides flexibility rather than prescription to achieve the Shire's, and ultimately the community's, aspirations.

The **Part 1** outlines the Strategic Aims, Objectives and Actions applicable to the Shire of Exmouth local government area. These are divided into each of the applicable reserve and zones that will be introduced in the Shire of Exmouth Local Planning Scheme No. 4, cross-referenced to detailed Spatial Plans covering the full extent of the Study Area.

The **Part 2** analysis identifies that the Shire of Exmouth:

- Has sufficient land within the Exmouth Townsite to accommodate predicted population growth;
- Whilst sufficient land is available within the Exmouth Townsite, the Exmouth Power Station and Wastewater Treatment Plant in their current locations represent constraints to growth, due to buffer distances to sensitive uses being required;
- The economy of Exmouth will need to diversify to maintain job growth commensurate with population growth;
- The environmental and natural values of the Shire of Exmouth are directly conducive to maintaining the small-town atmosphere that is highly desirable to existing and future residents;
- The natural environment is a large drawcard for tourism to the Shire;
- It will be important to introduce planning controls to ensure a high quality of urban form and development outcomes, particularly within the Exmouth Marina Village and the Exmouth Town Centre.

The **Part 3** provides the rationale for the classification of land within the Strategy including the examination of issues, identification of planning considerations and action statements to be addressed within the statutory framework of LPS 4. Part 3 presents Strategic Plans for each of the land uses identified by the Strategy.

There are numerous Shire and other agency reference documents that informed the Strategy. Those which have WAPC endorsement are:

- *Exmouth-Learmonth (North West Cape) Structure Plan* (1998);
- *Ningaloo Coast Regional Strategy Carnarvon to Exmouth* (2004);
- State Planning Policy 6.3 *Ningaloo Coast* (2004);
- *Exmouth Townsite Structure Plan* (2011); and
- *Exmouth South Structure Plan* (2013).

INTRODUCTION

BACKGROUND

All local government authorities in Western Australia are required to prepare a Local Planning Strategy (LPS) as a pre-requisite to undertaking a review of an existing Local Planning Scheme. The *Planning and Development (Local Planning Schemes) Regulations 2015* require a LPS to set out the strategic planning directions for the local government area, apply state and regional planning policies and provide the rationale for the zones and other provisions of the Scheme.

The LPS provides an overarching non-statutory planning framework that is to guide sustainable growth and development within a local government area over a 10 year period. It expresses the vision of the community, promotes economic activity and community development and ensures the protection of the natural and built form environment unique to a particular local government area.

The LPS together with the Shire's local planning scheme, will provide clear guidance for land use and development permitted within different sectors of the Shire. The LPS will provide the rationale for the zones and provisions to be incorporated into the statutory framework of the Shire of Exmouth Local Planning Scheme No 4 (LPS 4).

PURPOSE OF THE LOCAL PLANNING STRATEGY

The purpose of the LPS is to:

- Provide strategic planning direction over a 10 year period for the Shire of Exmouth, as distinct from the local planning scheme which will manage growth within a statutory framework.
- Set out the direction for economically, healthy, socially and environmentally sustainable development based on an assessment of state, regional and local planning policy.
- Provide strategic direction for the Shire of Exmouth, the Department of Planning, Western Australian Planning Commission and the Minister for Planning in the assessment of amendments and applications for subdivision and development.
- Provide the context for coordinated planning and programming of physical and social infrastructure at the local level.
- Provide the rationale for the zoning and reservation of land and for the provisions of the Scheme to inform all stakeholders.
- Identify the need for further studies or investigation within the Shire to address longer term strategic planning and development issues.

The LPS will also provide a platform to initiate discussions with State and Federal Government, noting that the implementation of strategies and actions will need to extend beyond realm of land use planning. Coordinated and collective funding arrangements between organisation delivering infrastructure and services will also be required.

STUDY AREA

From a regional context, Shire of Exmouth is located within the Gascoyne Region of Western Australia along with the Shire's of Carnarvon, Upper Gascoyne and Shark Bay. Exmouth Townsite is the principal settlement area of the North West Cape and is designated as the sub-regional centre servicing the Gascoyne Region.

From a local context, the study area comprises an area 6,503 km² and applies to all land and waters within the Shire of Exmouth Local Government boundary. The study area is shown on **Figure 1**. The extent of the study area differs from that of the Shire of Exmouth Town Planning Scheme No 3 given the inclusion of the Ningaloo Marine Park (State Waters, including Muiron Islands) and portion of the waters of Exmouth Gulf.

Originally established as a support town for the Naval Communications Station Harold E. Holt, the Exmouth Townsite remains as the main settlement and administrative centre within the Shire. In addition to the townsite, the LPS study area importantly contains the World Heritage Listed Cape Range National Park and Ningaloo Marine Park (State Waters). The balance of the study areas comprises Department of Defence landholdings (including the Naval Communications Station Harold E. Holt and the Learmonth RAAF Base), Unallocated Crown Land (UCL), expansive pastoral leases and mangrove areas of the Exmouth Gulf.

FORMAT OF LOCAL PLANNING STRATEGY

The LPS has been formatted with regard to the Western Australian Planning Commission *Local Planning Manual – A guide to the preparation of local planning strategies and local planning schemes in Western Australia* (March 2010) and is presented as three parts as follows:

- Part 1 Summary of the *Objectives, Strategies and Actions* required to implement the overall Strategy, cross-referenced to detailed Spatial Plans (Sheets 1-6) covering the full extent of the Study Area.
- Part 2 *Background Information* examining the Planning Context and Local Profile of the Shire including the identification of Planning Implications.
- Part 3 *Planning Analysis* providing the rationale for the classification of land within the Strategy including the examination of issues, identification of planning considerations and action statements to be addressed within the statutory framework of LPS 4. Part 3 presents Strategic Plans for each of the land uses identified by the Strategy.

FIGURE 1 STUDY AREA

PART 1

THE STRATEGY



1 VISION

The Shire's Community Vision is expressed in the *Shire of Exmouth Strategic Community Plan* (2011) which is:

To be welcoming custodians embracing our past, valuing our present and planning for the future.

The *Shire of Exmouth Local Planning Strategy 2015–2025* builds upon this overall Community Vision and in ‘planning for the future’, articulates that Exmouth will continue to be a thriving tourist-based town of the Gascoyne Region supported by a strong community spirit, robust and diversified economy, efficient movement network, appropriate community services and infrastructure, with sustainable protection of the environmental values of the local area. This vision is supported by the community’s strategic objectives identified in the 2011 *Strategic Community Plan* as follows:

- **ECONOMIC:** To be a diverse and innovative economy with a range of local employment opportunities.
- **ENVIRONMENT:** To have a balanced respect for our environment and heritage, both natural and built.
- **SOCIAL:** To be a dynamic, passionate and safe community valuing natural and cultural heritage.
- **CIVIC LEADERSHIP:** To work together as custodians for now and the future.

These strategic objectives are the underlying planning principles of both the Local Planning Strategy and LPS 4. **Part 1** of the Strategy has regard to these objectives in the formulation of specific strategies and actions for each land use category analysed by the LPS 4. **Part 1** specifically sets out the Strategy objectives for eleven (11) land use categories including Residential, Rural Residential, Industrial, Tourism, Town Centre, Community and POS, Conservation, Pastoral, Restricted Rural, Movement and Land Use Buffers. Corresponding Strategies and Actions are also outlined to provide strategic direction for Council decision making. **Part 2** of the Strategy provides a planning context and local profile and sets an important framework for **Part 3** – Planning Analysis which identifies planning issues, planning considerations and actions statement for specific areas within the townsite and region which will guide the assessment of rezoning, structure planning, subdivision and/or development applications over time.



SOURCE: SHIRE OF EXMOUTH STRATEGIC COMMUNITY PLAN 2011

2 RESIDENTIAL

2.1 OBJECTIVE

To reinforce Exmouth Townsite as the only settlement area within the Shire, and ensure the delivery of sustainable and well planned residential living areas having regard to the efficient provision of infrastructure and services.

2.2 STRATEGIES

The strategies to be adopted to meet the objective for residential land use are as follows:

- 1) Ensure that residential growth areas are identified within the townsite which are capable of supporting town's projected population growth overtime.
- 2) Ensure future structure planning of residential land provides for a range of housing densities to accommodate the lifestyle expectations of existing and future communities, and not support spot rezoning.
- 3) Consider Future Residential Areas (Long term) for rezoning only once less constrained and more viable residential development opportunities have been realised.
- 4) Ensure the population capacity of the Exmouth Townsite informs the provision of servicing, in particular water supply.
- 5) Preserve the amenity of existing and proposed residential areas by limiting 'non-residential' activities to those which create self-employment or creative activities, provided such activities do not adversely affect the residential amenity of a locality.
- 6) Facilitate the relocation of the Waste Water Treatment Plant (WWTP) and the Exmouth Power Station to unlock the development potential of future residential growth areas to be realised.

2.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Existing Residential' where identified appropriate, 'Future Residential' and 'Future Residential (Long Term)' areas to address the planning considerations detailed within Part 3, Section 3.0.
- b) Include a 'Residential' zone within LPS 4 for existing residential development and land that does not require Structure Plan prior to the local government recommending approval to any subdivision.
- c) Include an 'Urban Development' zone within LPS 4 for future residential development where a Structure Plan is required prior to recommending approval to any subdivision.
- d) Include a 'Special Use - Marina' zone within LPS 4, transfer the development requirements of detailed design guidelines of the Exmouth Marina Village Outline Development Plan (ODP) for Precincts A, B and C (TPS 3) and refer to the land as 'Areas A, B and C'.
- e) Include 'Future Residential' - Area 1 (portion) and 2 within the 'Residential' zone under LPS 4 with associated provisions.
- f) Include 'Future Residential' - Area 1 (portion) and Areas 3 to 6 within the 'Urban Development' zone under LPS 4 with associated provisions.
- g) Include 'Future Residential' - Area 7 within the 'Special Use - Marina' zone under LPS 4 with associated provisions, refer to the land as 'Area D' and requires a Structure Plan to be prepared that reviews the design vision and development requirements of the approved broad and detailed design guidelines of the Exmouth Marina Village Outline Development Plan (ODP).
- h) Review Murat Street Design Guidelines to include development requirements for the Special Use - Marina Zone.
- i) Include 'Future Residential (Long Term)' – Areas 1 and 2 within the 'Urban Development' zone under LPS 4 with associated provisions.
- j) Include 'Future Residential (Long Term)' - Areas 3 to 4 within the 'Rural' zone under LPS 4 with associated provisions and support future rezoning of this land only upon less constrained and more viable land being progressively developed within the townsite.
- k) Review and consolidate existing Scheme provisions to address:

- i) development control issues within the existing residential and marina village area (Precincts A, B, C and D);
 - ii) development requirements applicable to the Urban Development Zone; and
 - iii) permitted uses within the Zoning Table.
- l) Investigate future funding arrangements for:
- i) the longer term implementation of the Neighbourhood Connector Road network.
 - ii) the upgrade of the Market Street bund.
- m) Investigate the longer term relocation of the Exmouth Power Station and Broadcast Australia infrastructure.
- n) Support staged subdivision within 'Future Residential' - Area 3 in accordance with the approved Nimitz Street ODP.
- o) Liaise with the Department of Lands to coordinate the forward clearance of Native Title of UCL within the Exmouth Townsite, assisting the Shire to implement the release of future residential land in a timely and efficient manner.

3 RURAL RESIDENTIAL

3.1 OBJECTIVES

To promote sustainable low density development that provides lifestyle choices and responds appropriately to the visual and environmental attributes of the locality.

3.2 STRATEGIES

The strategies to be adopted to meet the objective for rural residential land use are as follows:

- 1) Ensure that rural residential areas are planned and developed in an efficient and coordinated manner by being located within or in close proximity to the Exmouth Townsite.
- 2) Ensure that the design of future rural residential areas have regard to the protection of the environment, including remnant vegetation, water resources, view sheds of the Exmouth Gulf and setbacks to Minilya-Exmouth Road.
- 3) Facilitate and promote the retention and sustainable growth of the Preston Street Rural Residential area within environmental constraints.
- 4) Ensure development within the Cape Wilderness Estate is limited to the extent of the approved subdivision guide plan.

3.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Rural Residential' and 'Future Rural Residential' and 'Future Residential (Long Term)' areas to address the planning considerations detailed within Part 3, Section 4.0.
- b) Introduce a 'Rural Residential' zone within LPS 4 by rezoning the existing 'Special Rural' and 'Special Use Area 2: Cape Wilderness Estate' zones within TPS 3.
- c) Include 'Existing Rural Residential' - Areas 1 and 2, and 'Future Rural Residential' - Area 2 within the 'Rural Residential' zone and refer to the Preston Street Rural Residential Area as 'Area A' and the Cape Wilderness Estate as 'Area B' with associated provisions.
- d) Rationalise the boundary (immediately adjacent to the Future Rural Residential Area 2 and Cameron's Cave) between the existing 'Special Rural' zone and the 'Recreation and Open Space' reserve, under TPS 3 by:
 - i) Including portions of land currently zoned 'Special Rural' zone under TPS 3 within the 'Environmental Conservation' reserve under LPS 4.
- e) Define the extent of the rural zoning of 'Future Rural Residential' - Area 3 by:

Including that portion of Area 3 currently reserved 'Recreation and Open Space' under TPS 3 within the 'Rural' zone under LPS 4.
- f) Review and consolidate existing Scheme provisions to facilitate:
 - i) A minimum lot size of 1.0ha in the Existing Rural Residential Zone - Area A given the availability of reticulated water.
 - ii) Retain as per current lot sizes in the Existing Rural Residential Zone - Area B and the conservation objectives of the estate.
- g) Include the existing scheme provisions in a revised and updated format for Existing Rural Residential Area 2 from Special Use Zone No. 3 (TPS 3) within LPS 4.

4 INDUSTRIAL

4.1 OBJECTIVES

Provide an adequate supply of appropriately located service, light, general and marine based industrial land encouraging diversification of industrial activity to strengthen employment opportunities and broaden the economic base of the Shire.

4.2 STRATEGIES

The strategies to be adopted to meet the objective for industrial land use are as follows:

INDUSTRIAL LAND WITHIN TOWNSITE

- 1) Consolidate the location of service and light industrial land uses to existing industrial areas located within the townsite (Mixed Use and the Welch Street Industrial areas respectively).
- 2) Identify additional land suitable for service and light industrial development on land within the townsite boundary abutting the Welch Street locality to the south and west respectively.
- 3) Promote the continuation of composite residential/industrial development on land identified as existing and future service industry to enable business ventures to more easily establish within an affordable live-work environment.
- 4) Allow the establishment of Caretaker Dwellings within the existing and proposed light industrial areas.
- 5) In the event that compliance with EPA Guidance Statements cannot be achieved, facilitate the relocation of the Exmouth Power Station to remove the constraint upon the establishment of composite residential/industrial development and caretaker's dwellings on land identified for service and light industrial use where impacted by the noise buffer of the Exmouth Power Station.
- 6) Consolidate marine-based light industrial development on land contiguous with the Exmouth Boat Harbour recognising synergies of land use.
- 7) Encourage the ongoing relocation of general industry uses and land use activity incompatible with sensitive land uses, to appropriately zoned industrial land south of the Exmouth Townsite where larger land take requirements and land use impacts can more easily be accommodated.

INDUSTRIAL LAND OUTSIDE TOWNSITE

- 1) Promote industrial development identified by the Strategy in locations south of the townsite corresponding with the location of existing industrial nodes within the Exmouth Gulf coastal corridor.
- 2) Promote the creation of new industrial lots to the west of the Ingram Street Industrial area and to the north of the Kailis Site on Minilya-Exmouth Road to cater for general industrial development and potential lay down facilities for the resource sector, subject to detailed reporting and rezoning processes.
- 3) Limit the expansion of industrial development outside the industrial nodes identified by the strategy, acknowledging the community values for retaining and protecting important view sheds and areas of natural or ecological importance.
- 4) Reinforce the status of the existing strategic industrial, industrial and composite land use precincts within the Ingram Street Industrial Area (Lot 51) through the recognition of the approved Subdivision Guide Plan for the locality and environmental management plan.
- 5) Promote the development of the existing zoned land north of Ingram Street (Lot 50) as a 'marine based' general industrial area acknowledging existing environmental approvals for a causeway and wharf associated with a barge loading facility immediately adjacent to the land.

- 6) Protect the economic opportunities of general industrial development by prohibiting caretaker's dwellings within the future general industrial development areas.
- 7) Ensure that new industrial land development incorporates adequate buffers and are landscaped appropriately to minimise visual impact.
- 8) Support aquaculture development within the Exmouth Gulf coastal corridor having regard to best-practice environmental management principles and relevant environmental approvals.

4.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Existing and Future Industry' areas to address the planning considerations detailed within Part 3, Section 5.0.

Industrial Land within the Townsite

- b) Include a 'Service Commercial' zone within LPS 4 to replace the 'Mixed Use' zone within TPS 3.
- c) Include a 'Light Industry' zone within LPS 4 to replace the 'Light Industrial' zone within TPS 3.
- d) Include 'Existing Mixed Use' – Area 1 and 'Future Industry - Service' – Area 1 within the 'Service Commercial' zone and 'Public Open Space' reserve under LPS 4 with associated provisions.
- e) Include 'Existing Light Industry' – Area 2 and 'Future Industry - Light' – Area 2 within the 'Light Industry' zone, and 'Public Purposes' reserve under LPS 4 with associated provisions.
- f) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change.
- g) Acknowledge that existing land uses, inconsistent with the proposed zoning change will continue to operate as non-conforming uses.
- h) Insert provisions within the 'Service Commercial' and 'Light Industry' zones within LPS 4 to require the preparation of a Structure Plan prior to the local government recommending approval to any subdivision, with the exception of where small-scale subdivision is proposed.
- i) Finalise the relocation of the existing WWTP infrastructure and investigate the relocation of the Exmouth Power Station to remove any impediment to the approval of a residential/caretaker use within portion of the 'Existing and Future Industry - Service' zone and 'Existing and Future Industry - Light' zone.
- j) Review the Murat Road Design Guidelines to include development requirements for the 'Service Commercial' zone.
- k) Include 'Existing Marine based Light Industry' – Area 6 (Precinct E) in an appropriate infrastructure type classification under LPS 4 and transfer the development requirements of the broad and detailed design guidelines of the Exmouth Marina Village Outline Development Plan (ODP) for Precinct E within LPS 4.
- l) Work collaboratively with the Department of Transport to achieve a high standard of development within that portion of Area E located within the Exmouth Boat Harbour Reserve.
- m) The local government to amend the Exmouth Marina Village ODP and associated Broad Design Guidelines.

Industrial Land Outside the Townsite

- n) Include a 'General Industry' zone within LPS 4 to replace the 'Industrial' zone within TPS 3.
- o) Transfer 'Existing Special Use' – Area 3 (Lot 51) to the 'Special Use' zone under LPS 4 and include the approved subdivision guide plan for Area 3 and associated scheme provisions in a revised and updated format from Special Use Zone No 5 (TPS 3) within LPS 4.
- p) Include 'Existing General Industry' – Area 4 (Lot 50) and Area 5 within the 'General Industry' zone under LPS 4 with associated provisions.
- q) Include 'Future General Industry' – Area 3 within the 'Rural' zone and 'Environmental Conservation' reserve under LPS 4 with associated provisions.
- r) Include 'Future General Industry' – Area 4 within the 'Industrial Development' zone under LPS 4 with associated provisions.
- s) Insert provisions within the 'General Industry' zone under LPS 4 to require the preparation of a Structure Plan prior to the local government recommending approval to any subdivision where 5 or more lots are proposed.
- t) Shire to undertake further liaison with the appropriate state authorities regarding the investigation of options and due diligence regarding the potential development for a marine support facility within the Shire of Exmouth.
- u) Liaise with the Department of Lands to coordinate the forward clearance of Native Title of UCL within the Exmouth Townsite, assisting the Shire to implement the release of future industrial land in a timely and efficient manner.

5 TOURISM

5.1 OBJECTIVES

To acknowledge tourism as a vital economic growth industry for Exmouth where the sustainable growth of tourism and tourism related opportunities throughout the Shire is to be encouraged balanced against the conservation values of the environment upon which the tourism industry is based.

5.2 STRATEGIES

The strategies to be adopted to meet the objective for tourism are as follows:

- 1) Facilitate best practice tourism development by encouraging a high standard of built form, landscaping and presentation for all new tourism uses that reflect the Exmouth environment.
- 2) Encourage a diverse range of accommodation based on the projected tourism demand when assessing proposals for short stay accommodation, tourism/residential, caravan park and camping grounds, and nature-based parks.
- 3) Encourage development within the Shire that provides a tourism experience unique to Exmouth adding to the competitive advantage of Exmouth in comparison to other tourist destinations, subject to environmental and cultural management and appropriate levels of infrastructure.
- 4) Protect existing and future tourism sites from the encroachment of incompatible use or development to ensure their tourism potential is not compromised.
- 5) Encourage affordable holiday accommodation through the retention of existing and identification of future sites specifically for caravan park and camping grounds in appropriate locations.
- 6) Assist the establishment of new tourism development by considering a proportion of permanent residential being permitted within new tourist developments (or substantial refurbishments to existing tourism developments) in select locations within the townsite where certain criteria is met.
- 7) Establish appropriate signage that identifies Shire and other tourist related activities within the Shire.

5.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Existing and Future Tourism' areas to address the planning considerations detailed within Part 3, Section 6.0.
- b) Introduce a 'Tourism' zone and 'Special Use - Caravan Park and Camping' zone within LPS 4 to replace the 'Tourist' zone under TPS 3.
- c) Include existing sites zoned 'Tourist' within TPS 3 with the 'Tourism' zone and 'Special Use - Caravan Park and Camping' zone under LPS 4 with associated provisions.
- d) Include 'Future Tourism' – Areas 1 to 6 and Area 10 within the 'Tourism' zone within LPS 4.
- e) Include 'Future Caravan Park and Camping' – Areas 11 and 12 within the 'Special Use - Caravan Park and Camping' zone under LPS 4 with associated provisions.
- f) Include provisions within LPS 4 to Include and update interpretations for tourism uses within Schedule 1 - Dictionary of Defined Words and Expressions.
- g) Include provisions with LPS 4 to:
 - i) Limit the proportion of permanent residential permitted within new tourist developments within the townsite (or substantial refurbishment to existing tourism developments) to no greater than 40% of the gross floor area; Apply a density coding of R40 to residential use within the 'Tourism' zone where applicable.
 - ii) Reinforce the tourism component as the predominant use within the 'Tourism' zone in assessing the extent of commercial activities within the 'Tourism' zone and 'Special Use - Caravan Park and Camping' zone.
 - iii) Require management plans and site plans to be prepared in support of development applications for Nature-Based Parks.

- h) Review the Vlamingh Head Master Plan to re-assess the limitations on the scale of development permitted in the context of overall sustainability objectives and the changing supply and demand characteristics of the tourism market.
- i) Investigate the prospect of additional informal camping areas within Jurabi Coastal Park in consultation with management authorities.
- j) Finalise the relocation of the existing Waste Water Treatment Plant (WWTP) infrastructure to remove any impediment for the approval of 'sensitive land uses' within 'Future Tourism' – Areas 1, 2 and 5 and 'Future Caravan Park and Camping' – Areas 11 and 12.
- k) Investigate the longer term relocation of the Exmouth Power Station infrastructure to remove the impediment for the approval of 'sensitive land uses' within 'Future Tourism' – Areas 6 and 7.

6 TOWN CENTRE

6.1 OBJECTIVES

To consolidate retail and commercial activity within the Exmouth town centre, to maintain the town centre as the principal retail, commercial, community, civic and administrative activity centre for the Shire.

6.2 STRATEGIES

The strategies to be adopted to meet the objectives for the town centre are as follows:

- 1) Implement the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) to consolidate the primacy of town centre in its present location above other townsite locations.
- 2) Facilitate the consolidation of retail floorspace in the short to medium term around the primary structural axis of the Ross Street Mall and Kennedy Street, with expansion opportunities to accommodate a 'supermarket and associated sleeved development' only contemplated on land assembled east of Maidstone abutting Federation Park.
- 3) Support the transitional upgrading of Kennedy Street as an activated Main Street environment with shared space for pedestrians and slow moving traffic, ultimately transformed into a pedestrian mall when sufficient commercial retail growth has occurred.
- 4) Prioritise the implementation of landmark sites, landscape and signage initiatives to strengthen the entry to the town centre.
- 5) Ensure town centre car parking is located on the periphery of the Retail Core to enable buildings to improve their relationship to the public realm and further, promote the provision of reciprocal car parking arrangements where shared access between sites will reduce the burden of parking provision.
- 6) Promote mixed use development (activated ground floor with upper level residential) (west side of Learmonth Street and north side of Maidstone Crescent) to provide a transition between town centre uses and surrounding residential areas.
- 7) Prioritise vehicular, pedestrian and cycleway infrastructure to improve legibility of the movement system within the town centre.
- 8) Facilitate the relocation of town centre uses not critical to maintaining the vibrancy of the town centre (where suitable alternative premises can be secured) to assist in the land assembly and early delivery of viable development sites.
- 9) Preserve the important community function of Federation Park as reinforced through the realignment of Payne Street and associated landscape upgrades, and ensure an ongoing maintenance programme is actioned.
- 10) Maximise the opportunity for short stay tourism/residential development within the Town Centre along the Murat Road frontage.

6.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Town Centre Precinct' Areas 1-5 to address the planning considerations detailed within Part 3, Section 7.0.
- b) Introduce a 'Commercial' zone within LPS 4 to replace the 'Town Centre' zone within TPS 3.
- c) Define Precincts 1 to 3 (Retail Core, Mixed Use, and Mixed Business), include within the 'Commercial' zone within LPS 4 and set out objectives, site and development requirements for each Precinct within the Scheme.
- d) Include Precinct 4 (Short Stay Tourism/Residential) within the 'Tourism' zone under LPS 4.
- e) Rezone Precinct 5 (Recreation) from 'Town Centre' to 'Public Open Space' reserve under LPS 4.
- f) Include 'supermarket and sleeved commercial development' as a 'Restricted Use' within Schedule 3 – Restricted Use of LPS 4 to guide land use and development within Precinct 1A.
- g) Forecast and budget ongoing works to implement the initiatives of the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- h) Progress feasibility assessments of town centre redevelopment opportunities to assist in the land assembly and early delivery of viable development sites.
- i) Review the design of the existing car park adjacent to Ross Street Mall to allow periodic conversion of the space to a town square with the potential to accommodate community events.
- j) Review the statutory framework for the control of advertising that achieves effective identification of businesses, but does not detract from the character of the Town Centre.
- k) Prepare and progressively update an audit of car parking within the town centre to monitor car parking demand and supply.
- l) Prepare a Retail Activation Strategy consistent with the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* for improving development fronting streets, improving the retail mix and offer, implementation via management and governance, to create a more value-added experience.

7 COMMUNITY AND PUBLIC OPEN SPACE

7.1 OBJECTIVES

To recognise the need for appropriate provision, development and maintenance of high quality community facilities and public open spaces that have regard to local climatic conditions and achieve positive community and social outcomes.

7.2 STRATEGIES

The strategies to be adopted to meet the objective for community facilities and public open space are as follows:

Community

- 1) Promote the ongoing and timely delivery of superior community facilities to meet community expectations.
- 2) Promote innovative design of community facilities which acknowledge the regional setting environment of Exmouth.
- 3) Ensure that structure planning of future residential growth areas adequately provide land for future community facilities in locations accessible to the community.
- 4) Promote the intensification of activity around the Town Centre, Town Beach and the Exmouth Marina to optimise usability and accessibility to existing and proposed community facilities and open space areas.
- 5) Recognise the strategic importance of the Ningaloo Centre as a community focal point to be reinforced through ongoing investment.
- 6) Work closely with community groups to establish flexible multi-purpose facilities that can cater for a range of community needs and user-groups.
- 7) Support the establishment of a Wellness Centre on the existing hospital site promoting the sensitive design and planning of aged and disabled care facilities.
- 8) Encourage the establishment of shared government offices within the Town Centre where purpose built facilities are unavailable.

Public Open Space

- 9) Promote the rationalisation and reconciliation of public open space provision as population growth occurs.
- 10) Ensure that structure planning of future residential growth areas adequately addresses public open space provision through the subdivision process, having primary regard to the protection of landscape features and provision of accessible and safe neighbourhood parks.
- 11) Endorse the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) in relation to improvements to streetscapes, public spaces and events space within the Town Centre; upgrades to the existing Town Beach; and implementation of a new Town Beach and associated infrastructure.
- 12) Promote landscaping upgrades to Town Creek and associated drainage lines within the Town Centre to improve ecological habitat values and drainage functionality.
- 13) Incorporate townsite creeks and their floodplains within public open space areas where applicable.
- 14) Consider environmental and public access requirements in the definition of coastal foreshore and waterway reserves.
- 15) Maximise the presentation and water-wise design of open space areas to reflect climatic conditions of Exmouth.

7.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting 'Community and Public Open Space' to address the planning considerations detailed within Part 3, Section 8.0.

Community

- b) Include various community facilities as 'Civic and Community' and 'Public Purposes' reserves within LPS 4.
- c) Forecast and budget ongoing works to implement the town centre community facility initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)*.
- d) Investigate the rationalisation and relocation of existing community facilities and assets within the Town Centre following the development of the Ningaloo Centre.

Public Open Space

- e) Include various public open space areas within the townsite as 'Public Open Space' reserves within LPS 4.
- f) Include the existing foreshore reserve within the Exmouth Townsite within the 'Public Open Space' reserve under LPS 4.
- g) Prepare and progressively update an audit of Public Open Space provision within the townsite to monitor surpluses or deficiencies in supply.
- h) Investigate opportunities to reconcile the overprovision of public open space (existing and proposed) within the townsite.
- i) Forecast and budget ongoing works to implement the foreshore and public open space initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)*.

8 CONSERVATION

8.1 OBJECTIVES

Protect and enhance the natural characteristics of the Shire that are of local, regional, national and international significance.

8.2 STRATEGIES

The strategies to be adopted to meet the objective for conservation are as follows:

- 1) Adopt a co-operative management approach with relevant government agencies and community groups to promote sustainable land management and protection of terrestrial and marine based conservation areas throughout the Shire.
- 2) Reinforce the conservation and recreational objectives of the *Cape Range National Park Management Plan* and encourage the State Government implementation of best management practices.
- 3) Support the inclusion of portion of Exmouth Gulf Station within the Public Conservation Estate as an addition to the Cape Range National Park upon the expiry of the pastoral leases in 2015.
- 4) Support the inclusion of portion of Exmouth Gulf Station within a Conservation and Landscape Protection area upon the expiry of the pastoral leases in 2015, managed by the Department of Lands and Shire.
- 5) Ensure activity within the Jurabi and Bundegi Coastal Parks and Muiron Islands is compatible with the management plan objectives of the *Jurabi and Bundegi Coastal Parks and Muiron Islands Management Plan* prepared by the Department of Parks and Wildlife in consultation with the Shire.
- 6) Manage public access and visitor numbers to recreational areas where increased human activity may potentially impact on conservation values.
- 7) Acknowledge the ecological importance of the critically endangered Troglobitic Community within Cameron's Cave.
- 8) Acknowledge the ecological values of Exmouth Gulf for habitat and as breeding grounds noting the importance of the recommended marine protected areas south of Wapet Creek.
- 9) Protect sites of indigenous cultural significance and celebrate both indigenous and non-indigenous cultural heritage associated with the Exmouth Region.
- 10) Limit the extraction of basic raw materials to areas where it is assessed to be appropriate and, based on advice from relevant authorities, is understood to not impact on internationally significant flora or fauna or areas of high conservation value.
- 11) Encourage the State Government to implement best management practices for Giralia UCL, in the event that the Department of Parks and Wildlife obtain care and control via Management Order.
- 12) Ensure a 40m setback (landward of the high water mark) is implemented where land abuts the Ningaloo Marine Park and/or Exmouth Gulf.
- 13) Apply the 'precautionary principle' in regards to coastal setbacks and the siting of permanent development or high-value infrastructure adjacent to the coast.

8.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting conservation areas to address the planning considerations detailed within Part 3, Section 9.0.
- b) Introduce a 'Environmental Conservation' reserve within LPS 4.
- c) Include:
 - i) The Cape Range National Park, Jurabi and Bundegi Coastal Parks and Muiron Islands, Exmouth Water Reserve, Cameron's Cave and buffer, and land along the coastal strip of Exmouth Gulf (to reflect a 40m setback landward of the high water mark) within the 'Environmental Conservation' reserve under LPS 4.
 - ii) Giralia Pastoral Station and portion of 2015 Pastoral Lease Exclusion Area within the 'Rural' zone under LPS 4.
 - iii) Land abutting the coastal strip of the Ningaloo Marine Park and/or Exmouth Gulf (to reflect the 40m setback landward of the high water mark,) within the 'Environmental Conservation' reserve under LPS 4.
- d) Include the Exmouth Water Reserve as a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.
- e) Work collaboratively with the DPaW:
 - i) in the investigation of future community uses on unallocated Crown Land on the peninsula to the north and north-west of the Exmouth Townsite as need arises.
 - ii) to investigate the prospect of additional informal camping areas being designated within the Jurabi Coastal Park.
- f) Require structure planning, subdivision and development applications to have regard for 'Registered Aboriginal Heritage Sites' and 'Other Aboriginal Heritage Places' as identified on the LPS Mapping and undertake investigatory reporting where required.
- g) Support the protection sites of indigenous cultural significance and celebrate both indigenous and non-indigenous cultural heritage associated with the Exmouth Region.
- h) Support the extraction of basic raw materials where it is assessed to be appropriate and, based on advice from relevant authorities, is understood to not impact on internationally significant flora or fauna or areas of high conservation value.
- i) Acknowledge the World Heritage Listing of land where located within the Scheme area.

9 PASTORAL

9.1 OBJECTIVES

To recognise the economic benefit of the pastoral industry to the Shire by protecting and promoting the continuation of sustainable pastoral activities on lands within the Pastoral Stations of Exmouth including the diversification of activities.

9.2 STRATEGIES

The strategies to be adopted to meet the objective for pastoral land uses are as follows:

- 1) Protect the pastoral land use activity on the Exmouth Gulf, Bullara and Ningaloo Pastoral Stations from incompatible land uses, development and land management practices.
- 2) Encourage sustainable land management practices on pastoral lands.
- 3) Facilitate the diversification of land use for eco-tourism purposes on Exmouth Gulf, Bullara and Ningaloo Stations in locations where identified as being compatible with the established pastoral activities.
- 4) Support Nature-Based Camping within pastoral land subject to suitability of the site.
- 5) Reinforce the outcome of the 2015 Pastoral Exclusion process administered by the Department of Lands where it may impact the extent of pastoral leases for Exmouth Gulf Station and Ningaloo Station.
- 6) Reinforce the 40m development setback where development is proposed within pastoral leases adjacent to Ningaloo Coast and/or Exmouth Gulf.

9.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting 'Pastoral' areas to address the planning considerations detailed within Part 3, Section 10.0.
- b) Introduce a 'Rural' zone within LPS 4 including objectives, site and development requirements to replace the 'Pastoral' zone under TPS 3.
- c) Include the majority of land currently zoned 'Pastoral' under the existing TPS 3 within the 'Rural' zone within LPS 4 and associated scheme provisions.
- d) Review the range of permitted uses within Table 1 – Zoning Table for the 'Rural' zone under LPS 4 to reflect the predominant pastoral activities, including opportunity for diversification of uses within the zone.
- e) Support subdivision of the 'Existing Restricted Rural Area 1' in liaison with the Department of Lands.
- f) Include 'Existing Restricted Rural Area 1' and 'Future Restricted Rural Area 1' within the 'Rural' zone under LPS 4, with a restricted use of 'Agriculture – Extensive' and include site and development requirements within the Restricted Use Table.
- g) Initiate future scheme amendments to LPS 4 to reflect the outcome of the 2015 Pastoral Exclusion process.
- h) Include within the pastoral leases abutting the coastal strip of the Ningaloo Marine Park and/or Exmouth Gulf (to reflect the 40m setback landward of the high water mark,) within the 'Environmental Conservation' reserve under LPS 4.

10 MOVEMENT

10.1 OBJECTIVES

To ensure movement networks are maintained and managed to accommodate future growth of the Exmouth Townsite and the requirements of the region for residents, tourism and industry.

10.2 STRATEGIES

The strategies to be adopted to meet the objective for movement infrastructure are as follows:

Pedestrian and Vehicular

- 1) Identify improvements and prioritise upgrades to the pedestrian and vehicular movement within the townsite.
- 2) Prioritise a pedestrian movement network within the Town Centre.
- 3) Endorse the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)* and the refinements proposed in the LPS in relation to improved pedestrian and vehicular connectivity between Exmouth Gulf and key destinations within the Exmouth Townsite, including upgrades to coastal trails and infrastructure.
- 4) Maximise the use of natural drainage lines as a movement corridor asset through landscape maintenance, planting, lighting and safe pedestrian and cyclist access.
- 5) Develop a sustainable coastal route connecting Coral Bay with Exmouth, a hierarchy of Primary and District Distributor Roads for Minilya-Exmouth and Murat Roads respectively, and a network of neighbourhood connector roads within the townsite.
- 6) Ensure management responsibilities are defined where public roads (not defined by reservations) and public infrastructure (Bundegi boat ramp) traverse Commonwealth Lands.

Air

- 7) Develop a strategy to develop improved air transport connections to the Exmouth Region including the expansion of airport infrastructure.
- 8) Ensure sufficient planning controls are in place to maintain operational requirements and future expansion opportunities of the Learmonth Airport and Exmouth Aerodrome.
- 9) Ensure the orderly and progressive development of airport related activities within the Exmouth Aerodrome to benefit the retention and future viability of the facility.
- 10) Ensure formalisation of Australian Noise Exposure Forecasts (ANEF) for the Learmonth Airport and Exmouth Aerodrome by the Department of Defence and the Shire of Exmouth, respectively.

Marine Infrastructure

- 11) Support the Department of Transport initiatives to expand the Exmouth Boat Harbour where industry objectives are balanced against with the needs of the community.
- 12) Maintain existing points of boat ramp access to the Indian Ocean and Exmouth Gulf for tourists, recreational vessels and commercial operators.

10.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting 'Movement Infrastructure' to address the planning considerations detailed within Part 3, Section 12.0.

Pedestrian and Vehicular

- a) Forecast and budget ongoing works to implement the town centre and foreshore pedestrian, cycleway and vehicular movement initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)*.
- b) Include 'Primary Distributor Road' and 'Local Distributor Road' reservations within LPS 4.
- c) Provide for the planned future neighbourhood connector road linking Murat Road with Kennedy Street.
- d) Consult with Main Roads WA to ensure an ongoing works and maintenance program for Minilya-Exmouth Road is implemented.
- e) Establish management agreements to address the land tenure anomalies of Murat Road, public access roads and the Bundegi Boat Ramp on Commonwealth land, in consultation with the Department of Lands and Department of Defence.
- f) Consult with Main Roads WA, Department of Parks and Wildlife (DPaW), Department of Lands and Department of Defence to establish a sustainable coastal route connecting Coral Bay with Ningaloo Coast via Yardie Creek Road, as an alternative route to Ningaloo Road.
- g) Consult with the DPaW, Department of Lands and Department of Defence in relation to the formalisation of the Sandy Bay 4WD track between Minilya-Exmouth Road and the west coast.
- h) Prepare a Trails Masterplan to identify trails/areas which may be suitable for Mountain Bike Riding, Walking, Hiking and other similar activities.

Air

- i) Include the Learmonth Airport as a 'Public Purposes' (Government Services) reserve under LPS 4.
- j) Include the Exmouth Aerodrome as a 'Special Use' zone under LPS 4.
- k) Advocate increased frequency of Regular Public Transport (RPT) aircraft movements to the region and connectivity with northern Australian tourist markets.
- l) Implement the airport layout and design guidelines of the Exmouth Aerodrome Master Plan and include as provisions within LPS 4 where applicable.
- m) Identify the indicative noise buffer of the Exmouth Aerodrome as a Special Control Area within LPS 4.

Marine Infrastructure

- n) Include the proclaimed Exmouth Boat Harbour within an appropriate 'Strategic Infrastructure' type classification in LPS4.
- o) Consult with the Department of Transport to facilitate Exmouth Boat Harbour expansion initiatives including ongoing community consultation.
- p) Consult with the Department of Transport in regard to the assessment of subdivision and /or development applications within the Boat Harbour Reserve.

11 LAND USE BUFFERS

11.1 OBJECTIVES

To protect key infrastructure and areas of conservation value within the Exmouth Region from land use conflict and sensitive land uses through the identification of land use buffers.

11.2 STRATEGIES

- 1) Ensure appropriate buffers are identified within the Strategy to protect key infrastructure and areas of conservation value.
- 2) Safeguard public drinking water resources through the protection of the Exmouth Water Reserve.
- 3) Recognise floodplain mapping of significant waterways in the assessment of structure planning, subdivision and development applications.
- 4) Recognise the need to protect the view corridors of the Cape Range and Exmouth Gulf from Minilya-Exmouth Road.
- 5) Safeguard the continued operations of the Learmonth RAAF Base and the Exmouth Aerodrome.
- 6) Protect the important view shed of the Cape Range and Exmouth Gulf (which significantly contribute to the tourism values of the Shire) through the implementation of a development setback from Minilya-Exmouth Road.
- 7) Ensure that impediments on land constrained by the Waste Water Treatment Plant and Exmouth Power Station are progressively removed through the relocation of infrastructure.

11.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting 'Land Use buffers' to address the planning considerations detailed within Part 3, **section 13.1**.
- b) Include the Exmouth Water Reserve within a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.
- c) Prioritise negotiations with the Department of Defence and Water Corporation to progress the relocation of the WWTP to Commonwealth land by 2016/2018.
- d) Include the Exmouth Power Station and associated noise buffer within a Special Control Area within LPS 4 requiring any development proposed within the buffer to be approved by the local government upon receiving advice from the EPA.
- e) Require the operators of the power station to undertake revised noise modelling of the power station upon the commissioning of additional engines and/or assuming the operation of the power station at full capacity (10,000kW).
- f) Investigate the longer term relocation of the existing Exmouth Power Station Infrastructure to remove the impediment for development of sensitive land uses within the power station buffer.
- g) Include Cameron's Cave and 500m buffer within the 'Environmental Conservation' reserve under LPS 4 and support its inclusion within an 'A Class' reserve under the *Land Administration Act 1997*.
- h) Include the land within the Minilya-Exmouth Road 100m area within a Special Control Area within LPS 4 to protect view corridors of the Cape Range and Exmouth Gulf.
- i) Adopt the boundary of the indicative noise buffer of the Exmouth Aerodrome as a Special Control Area within LPS 4 requiring development proposed within the buffer to be approved by the local government upon the advice of the Airport Manager.
- j) Adopt the boundary of the indicative noise buffer of the Learmonth Airport as a Special Control Area within a local planning scheme requiring development proposed within the buffer to be referred to the Department of Defence prior to determination.
- k) Include a provision within a local planning scheme to control development heights within the Learmonth Airport Obstacle Limitation Surface.
- l) Monitor the capacity of the existing landfill site to accommodate the current rate of landfill activity and consider the longer term relocation of the facility.

12 ADMINISTRATION AND IMPLEMENTATION

12.1 ADOPTION OF THE STRATEGY

The adoption of the Local Planning Strategy will be undertaken in accordance with the procedures within the *Planning and Development (Local Planning Schemes) Regulations 2015*, summarised as follows:

- 1) The Local Planning Strategy is prepared and forwarded to the WAPC;
- 2) WAPC certification of Local Planning Strategy for advertising;
- 3) Advertising in a locally circulating newspaper for two consecutive weeks and for an advertising period of not less than 21 days;
- 4) Shire of Exmouth review of Local Planning Strategy in light of submissions made and advice received;
- 5) Shire of Exmouth adoption of the Local Planning Strategy with such modifications as it thinks fit, to give effect to the submissions and advice;
- 6) Submit an advertised copy and adopted copy of the Local Planning Strategy to the WAPC for its endorsement; and
- 7) Once endorsed, publication of a notice of the Local Planning Strategy in a locally circulating newspaper.

12.2 MONITORING, REVIEW AND MODIFICATIONS TO THE STRATEGY

The preparation of the LPS4 has been undertaken and follows the procedures contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The procedures outlined in **section 12.1** apply to an amendment to the Local Planning Strategy in the same way as it applies to the preparation of a Local Planning Strategy.

In this instance, it is desirable to continually monitor and review the Part 2 - Background Information and Part 3 - Planning Analysis of the Local Planning Strategy, in order for efficient administration of the document for when it is reviewed and/or modifications are sought.

The Shire will aim to update the background information for this Strategy on an as needs basis.

12.3 SHIRE OF EXMOUTH LOCAL PLANNING SCHEME NO. 4

The Shire of Exmouth will implement the Local Planning Strategy through the new LPS 4. The Scheme Text has been prepared in conjunction with the Local Planning Strategy.

The preparation of the LPS 4 has been undertaken and will follow the procedures contained in the *Planning and Development (Local Planning Schemes) Regulations 2015* as they relate to the preparation, advertising, consideration of submissions, and ultimately consideration by the WAPC and approval by the Minister for Planning.

LPS 4 will continue to have regard to local planning policies previously adopted by the Shire. Several local planning policies are identified for modification, commensurate with provisions within these policies being incorporated into the LPS 4 scheme text. **Part 2 – section 1.3.7** provides a Local Planning Policy Schedule for a holistic review of the existing local planning policies to ensure consistency with the LPS 4.

SPATIAL PLANS



PART 2

BACKGROUND INFORMATION



1 STATE, REGIONAL AND LOCAL PLANNING CONTEXT

The Shire of Exmouth Local Planning Strategy is prepared within the context of the State, Regional and Local policies where these policies are applicable to the Shire of Exmouth.

1.1 STATE PLANNING CONTEXT

1.1.1 STATE SUSTAINABILITY STRATEGY (2003)

The *State Sustainability Strategy* sets out a framework to respond to the sustainability agenda by adopting key principles, visions and goals supporting a transition to a more sustainable future for the State. The Strategy seeks to ensure that sustainability is considered in all levels of government as part of decision making and actions affecting the future of Western Australia. It should underpin the future planning for the Shire of Exmouth.

1.1.2 STATE PLANNING STRATEGY (2014)

The *State Planning Strategy* (SPS) document is a vision for Western Australia to 2050 and beyond, and replaces the previous *State Planning Strategy* (1997) to be the overarching strategic document informing State, regional and local planning strategies, policies and approvals.

The six inter-related principles of the SPS are applicable to all regions within the State:

- **Community:** enable diverse, affordable, accessible and safe communities;
- **Economy:** facilitate trade, investment, innovation, employment and community betterment;
- **Environment:** conserve the State's natural assets through sustainable development;
- **Infrastructure:** ensure infrastructure supports development;
- **Regional development:** build the competitive and collaborative advantages of the regions; and
- **Governance:** build community confidence in development processes and practices.

The SPS spatially divides the State into three sectors – North West, Central and South West. The Shire of Exmouth is positioned within the Central Sector which includes the Gascoyne, Mid West and Goldfields-Esperance Regions. This sector contributes significantly to the State economy underpinned by mining, agriculture, fisheries and tourism.

Specifically the SPS continues to recognise Exmouth's status as a sub-regional centre servicing the Gascoyne Region attracting "*investment by the State's Royalties for Regions program into major infrastructure, headworks and community priority projects over the five years commencing 2010-11*" (WAPC 2014, 31). The SPS also identifies the following elements as being strategically important:

- Planning for economic development – Exmouth's location within an economic activity area and petroleum resource province.
- Planning for tourism and the environment – Exmouth's location within a world heritage area and marine conservation area.
- Planning for agriculture and food – Exmouth's focus on pastoral; sheep and/or cattle grazing.
- Planning for movement – Exmouth's major transport infrastructure includes major roads connecting with regional centres such as Carnarvon and Karratha and a port facility (managed by others).

- Planning for security – Exmouth is located within a defence training area. In addition, air force and navy infrastructure is located within Exmouth, including the Naval Communication Station Harold E. Holt, Learmonth RAAF Base and the Learmonth air weapons range.

1.1.3 STATE PLANNING POLICIES

State Planning Policies (SPP) are prepared and adopted by the Western Australian Planning Commission (WAPC). The WAPC and local government must have due regard for these policies when making planning decisions. The following SPPs are relevant to the Shire of Exmouth.

SPP 2 – ENVIRONMENT AND NATURAL RESOURCES POLICY

SPP 2 seeks to ensure environmental and natural resource considerations are integrated with planning decisions and actions and the conservation of important areas. The policy identifies a series of general measures to achieve this goal including avoiding development that may result in unacceptable environmental damage; actively seeking opportunities for improved environmental outcomes; protecting significant natural, indigenous and cultural features; ensuring coastal development is sustainable; and taking into account the impact of environmental change.

The environment is of particular importance to the Exmouth community, as identified within the *Shire of Exmouth Strategic Community Plan* (2011) and during community and stakeholder consultation undertaken as part of the preparation of the Local Planning Strategy.

Balancing environmental and natural resource management objectives within Exmouth are underpinned by the following areas of interest:

- Ningaloo World Heritage Area;
- Cape Range National Park;
- Jurabi, Bundegi and Muiron Islands Coastal Parks;
- Ningaloo Marine Park (State and Commonwealth);
- Limestone and Conservation Reserve (s. 5 of CALM Act);
- Exmouth Water Reserve Water Source Protection Area;
- Floodplains;
- Aboriginal Heritage and European Heritage areas; and
- Mining tenements.

SPP 2.5 – LAND USE PLANNING IN RURAL AREAS

SPP 2.5 seeks to ensure the protection of rural land from incompatible uses, promote regional development through provision of ongoing economic opportunities on rural land. Development on land zoned for rural or agricultural purposes should promote sustainable settlement in and adjacent to, existing urban areas and protect and improve environmental and landscape assets. A strong emphasis is placed on the need to provide economic opportunities for rural communities and to protect the State's primary production and natural resource assets.

The predominant tenure for rural land within the Shire is in the form of Pastoral Leases as defined by Part 7 of the *Land Administration Act 1997*. This tenure is applicable to Ningaloo Station, Bullara Station and Exmouth Gulf Station. Pastoral Leases stipulate what can occur on the land and how the land is to be managed and as such the Department of Lands as the lessor should have regard to SPP 2.5.

The Local Planning Strategy expresses the vision for the rural/pastoral components of the Shire, protecting existing land use opportunities and key natural resources (water, ecosystems, minerals and basic raw materials).

SPP 2.6 – STATE COASTAL PLANNING POLICY

SPP 2.6 was gazetted on 30 July 2013 and is supported by guidelines. The purpose of the policy is to manage development and land use change within the coastal zone, establish foreshore reserves and protect coastal values. SPP 2.6 requires adequate coastal hazard risk management and adaptation planning to be undertaken where developments or landholdings are in an area of risk of being affected by coastal hazards over time.

This policy guides the recommendations of the Local Planning Strategy in regard to identifying sustainable use of coastal locations for housing, tourism, recreation, foreshore access and maritime industry purposes. Coastal foreshores are already established within the Exmouth Townsite.

SPP 2.7 – PUBLIC DRINKING WATER SOURCE PROTECTION POLICY

SPP 2.7 was gazetted on 10 June 2003 and outlines the importance of ensuring that land use and development within Public Drinking Water Source Areas (PDWSAs) protects and manages water resources for long-term supply. Competing land use activities such as urban development often place pressure on surface water and groundwater catchments, therefore appropriate decision-making and management should be adopted in order to protect public water supply.

The Department of Water's Land Use Compatibility Table identifies the suitability of various land uses within Priority 1, Priority 2, or Priority 3 PDWSAs. Priority 1 (P1) areas offer the highest level of protection, allowing for no degradation of public drinking water sources to be caused by the development of incompatible land use activities. The Exmouth Water Reserve is classified as a Priority 1 area.

SPP 2.7 recommends that Public Drinking Water Source Areas be shown as a Special Control Area in local planning schemes, with scheme provisions having regard to the approved *Exmouth Water Reserve drinking Water Source Protection Review 2011* and the *Exmouth Water Reserve Water Source Protection Plan 2000*.

SPP 2.9 – WATER RESOURCES

SPP 2.9 presents a number of objectives relating to protecting, preserving, managing and improving the state's water resources through land use planning. An integrated management approach, focused on achieving sustainable outcomes will ensure that economic, social, cultural and/or environmental values are considered and enhanced.

SPP 2.9 refers to the Department of Water's *Better Urban Water Management* (2008) as a means of promoting integrated water cycle management to achieve more efficient use of water resources and sustainable outcomes for the environment and urban form.

The identification of water resources such as groundwater catchments, floodplains and foreshores will in particular inform the Local Planning Strategy and LPS 4, with the aim of managing the total water cycle as sustainably as possible.

SPP 3 – URBAN GROWTH AND SETTLEMENT

SPP 3 sets out requirements for well planned and coherent settlements. Planning should ensure that settlements have a strong, diversified and sustainable economic base to provide employment; sufficient and capable land in suitable locations for housing, employment, commercial, recreational and other purposes; co-ordination of various land uses; a choice of housing and lifestyle opportunities; and proper consideration of the environment. Importantly for Exmouth, the policy requires that in regional areas, growth should be accommodated through consolidation and expansion of existing settlements rather than creation of dispersed new settlements.

SPP 3 will underpin the planning of future urban uses within Exmouth Townsite.

SPP 3.1 – RESIDENTIAL DESIGN CODES

The Residential Design Codes (R-Codes) detailed in this policy assist with planning for residential development. The R-Codes were recently updated in August 2013, and are also currently subject to a review process. SPP 3.1 is incorporated in all Western Australian local planning schemes, requiring local governments to have regard to its content when considering approvals for residential development. The Policy provides the Shire with the scope to amend or modify R-Code provisions.

SPP 3.4 – NATURAL HAZARDS AND DISASTERS

SPP 3.4 addresses a number of natural hazards which should be taken into consideration in the preparation of statutory and non-statutory planning documents, particularly as natural elements may contribute to the occurrence of natural hazards including climate, geology, soils, vegetation cover, slopes, landforms and hydrology.

Of particular relevance to Exmouth is the potential for natural hazards such as floods, cyclonic activity, storms and storm surges. The risk and frequency of such hazards needs to be considered in relation to the built environment, long-term risks from climate and land use change, and community awareness.

The Local Planning Strategy and LPS 4 will be informed through floodplain management, built form controls through Building Code of Australia, and coastal processes via SPP 2.6.

SPP 3.7 – PLANNING FOR BUSHFIRE MANAGEMENT

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas.

SPP 3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. It applies to all higher order strategic planning documents, strategic planning proposals, subdivision and development applications located in designated bushfire prone areas (unless exemptions apply). The policy also applies where an area is not yet designated as bushfire prone but the proposed development is planned in a way that introduces a bushfire hazard (e.g. revegetation).

The *Australian Standard for the Construction of buildings in bushfire-prone areas* AS3959 would apply in areas which have been formally designated as bushfire-prone areas.

SPP 4.1 – DRAFT STATE INDUSTRIAL BUFFER (AMENDED, 2009)

A draft SPP 4.1 *State Industrial Buffer* (prepared in 2004 and amended in July 2009) has not been finalised, with the current SPP 4.1 gazetted in May 1997. The purpose of the policy is to protect and provide long-term security of new industrial areas and uses (including infrastructure), sensitive land uses in proximity to existing industrial areas and the expansion or change in the operations of existing industry and infrastructure.

The Policy outlines the importance of defining appropriate buffers to ensure that encroachment of sensitive land uses is managed, minimised and/or avoided. Strategic planning direction, subdivision and land use controls are mechanisms to prevent encroachment having regard to the principles and policy requirements of SPP 4.1. SPP 4.1 is directly applicable to the determination of an appropriate buffer to the Exmouth Power Station and waste water infrastructure. The definition of the respective buffers must have due regard for the draft version of the SPP.

SPP 5.2 – TELECOMMUNICATIONS INFRASTRUCTURE

SPP 5.2 *Telecommunications Infrastructure* (September 2015) identifies the need to ensure effective telecommunications services and the visual character – both issues identified particularly on the western coastline

of the North West Cape where coverage is not reliable. On the western side of the North West Coast, efforts to minimise the visual impact of telecommunications infrastructure should be strongly considered through careful siting and design, to maintain the remoteness of the area, which in turn would be conducive to positive tourism experiences. Further improvements to telecommunications coverage within the local government area would have regard to the SPP 5.2.

SPP 5.4 – ROAD AND RAIL TRANSPORT NOISE AND FREIGHT CONSIDERATIONS IN LAND USE PLANNING

SPP 5.4 seeks to minimise the adverse impact of transport noise, without placing unreasonable restrictions on noise-sensitive residential development. The policy applies to proposals for new noise-sensitive development, new major roads (including redevelopment of existing major roads) and new freight handling facilities.

Within the Shire of Exmouth, SPP 5.4 identifies the Minilya-Exmouth Road (and extension as Murat Road to the Exmouth Townsite) and Burkett Road as state freight roads. The SPP 5.4 potentially will be applicable in assessing the progressive upgrade of the Minilya-Exmouth Road.

SPP 6.3 – NINGALOO COAST

SPP 6.3 was prepared to accompany the *Ningaloo Coast Regional Strategy* and has the following key objectives: of direct relevance to land use planning within the Shire of Exmouth:

- Provide state agencies, local government, community and proponents with clear guidance regarding acceptable and sustainable development on the Ningaloo coast.
- Maintain the Ningaloo coast as an all-seasons recreation and nature-based tourism destination and limit growth with managed staged development, to ensure that the community continues to enjoy a remote and natural experience.
- Preserve and protect the natural environment and enhance and rehabilitate degraded areas within the environment.
- Consolidate future residential, commercial, higher-impact tourism and industrial development in the towns of Carnarvon and Exmouth and provide strategic directions for their future growth.

1.1.4 OTHER

STATE GOVERNMENT STRATEGY FOR TOURISM IN WESTERN AUSTRALIA 2020

The *State Government Strategy for Tourism in Western Australia 2020* sets the direction for WA's tourism industry over the next decade, including detailing how Tourism WA's strategic goal to double the value of tourism in Western Australia (from \$6 billion to \$12 billion by 2020), can be achieved. To achieve its 2020 goal, the strategy focuses on seven strategic pillars of growth (as identified in the graphic opposite).

A whole-of-government strategy, the document outlines a phased approach, with work up to the end of 2014 focussing on Government and tourism industry working together to set the foundation to enable the required growth to occur, from 2015 through till the end of 2020. State Government and Shire of Exmouth initiatives will need to continue to have regard for this Strategy.



VISUAL LANDSCAPE PLANNING IN WESTERN AUSTRALIA (WAPC, 2007)

This manual includes a detailed outline of a process for assessing the visual impacts of development proposals, for use by those decision makers who are responsible for recommending the acceptance or otherwise of specific development proposals. The manual assists in identifying measures to address the potential negative impacts and constraints related to development proposals, and to facilitate positive impacts and opportunities. Development proposals should meet visual character objectives through careful siting, planning and design. Serious constraints should be identified and avoided early in the design process, by undertaking a visual impact assessment. The outcome of this visual impact assessment process should be a recommendation that is based only on visual impacts, the proposed development should be accepted as proposed, accepted with modifications or rejected.

1.2 REGIONAL PLANNING CONTEXT

1.2.1 EXMOUTH-LEARMONTH (NORTH WEST CAPE) STRUCTURE PLAN 1998

The focus of the *Exmouth-Learmonth (North West Cape) Structure Plan* is to “promote sustainable uses that enable diversification of the economy while protecting the fragile environment of the North West Cape”. Spatially, the Structure Plan recommends that urban, commercial and tourism development should be confined to the east coast of the North West Cape and more specifically within the boundary of the Exmouth Townsite.

Land use recommendations for the study area include:

- Proposed eastwards extension to the Cape Range National Park;
- Promotion of diversification of uses on pastoral land such as small-scale/low impact tourism and creation development in keeping with local environmental constraints;
- Support for development of aquaculture projects;
- Preparation of visual amenity plan to address the interface on land either side of the Minilya-Exmouth Road between Learmonth RAAF Base and Exmouth Townsite;
- Residential (including marina) – to supply sufficient land in appropriate locations to meet future housing needs within environmental constraints;
- Identification of discrete cells for future residential creating a sense of local identity. Native vegetation greenways and public open space to be identified to assist delineation the extent of these cells;
- The high costs of providing services and the limited supply of potable water should be taken in account when planning future growth;

- Provision of potable water identified as a priority issue with recognition given to the importance of investigating options for sourcing water, such as an expanded borefield, water efficiency measures, and desalination;
- Provision is made for a population of up to 5,200 persons (excluding rural residential lots), exceeding projected 2027 population of 3,800;
- Long-term urban growth to occur with infill development, creating opportunities for variety of housing supply and choice; and
- All planning within the study boundary to be guided by guidelines established via research into the karst system, and should maintain ongoing consultation with relevant Aboriginal agencies.

1.2.2 NINGALOO COAST REGIONAL STRATEGY CARNARVON TO EXMOUTH 2004

The *Ningaloo Coast Regional Strategy Carnarvon to Exmouth* was prepared in conjunction with the Ningaloo Coast SPP 6.3, and provides the strategic framework for sustainable tourism and land use on the Ningaloo Coast for a 30 year timeframe. The Strategy was split into separate sections, the first of which dealt with regional scale issues, particularly providing the guidelines for coastal tourism and regional land use. The second section established individual Structure Plans for the three main settlements in the region – Carnarvon, Exmouth, and Coral Bay.

Exmouth and Carnarvon are identified as the regional centres for high-order developments with both centres to serve as the gateways to the Ningaloo coast, with coastal development in other areas limited to small-scale, low-impact development. The Regional Strategy established the following environmental principles for development which continue to be relevant in the Exmouth context.

1. Sustainable development: must meet the needs of current and future generations.
2. Community Aspirations: consistent with vision for Ningaloo Coast and providing equity of access and a range of experiences.
3. Aboriginal Heritage: protection of heritage and opportunities for culturally appropriate tourism.
4. Economic Development: planning should actively assist the creation of regional wealth.
5. Interdependence: no significant interference with ecological processes.
6. Limits of Acceptable Change: as defined by environmental, social and economic concerns.
7. Precautionary Principle: no development without thorough scientific study.
8. Cumulative Impacts: all development to be considered in this context.
9. Protection of high-conservation values: natural assets to be protected.
10. Protection of remoteness values: remote values to be identified and protected.
11. Protection of biodiversity.

A Coastal Tourism Framework within the *Ningaloo Coast Regional Strategy* in particular states that Exmouth is one of three key destinations in the Gascoyne Region for new tourism development.

1.2.3 OTHER STUDIES

GASCOYNE REGIONAL DEVELOPMENT PLAN 2010-2020

The *Gascoyne Regional Development Plan* (RDP) was circulated in 2009 for local government and State Government input and agreement. The nineteen outcomes are accompanied by priority lists for achieving these goals. Of relevance to planning are:

- Outcome 1: Substantial increase in population – coordinated planning for attracting the retiree and young demographics.

- Outcome 3: Balanced urban and coastal development – phased urban development of Exmouth; townscape and urban architectural theming; provision of residential and industrial land supply.
- Outcome 8: Improved regional infrastructure – improved roads system; improved communication technology and services.

GASCOYNE REGIONAL INFRASTRUCTURE REVIEW (2010)

The *Gascoyne Regional Infrastructure Review* was prepared by the Gascoyne Development Commission to provide information on infrastructure within the Gascoyne Region which could be updated on an ongoing basis. The review provides the following information in regard to key infrastructure items of relevance to Exmouth:

Sustainable Water Supply – water supplies will be through bores located in the Cape Range Limestone Aquifer, with future extensions occurring towards the south of the existing bore field. A possible desalination plant, or south of the town along Murat Road, potentially powered by wind and solar power may also be considered by the Water Corporation. It has also been identified that the original waste water treatment plant is proposed to be relocated to the Area B of Naval Communications Station Harold E. Holt, north of the Exmouth townsite.

Road Infrastructure – investigations on the feasibility of constructing a bridge at Lyndon River crossing have been completed, allowing all-weather access to Coral Bay, Learmonth and Exmouth. These investigations also identified a need for causeway upgrades between Learmonth and Exmouth and an upgrade of Yardie Creek Road.

Power infrastructure – upgrades and undergrounding of power throughout Town; wind farm on Cape Range (subject to Department of Parks and Wildlife (DPaW) consideration of National Park issues); solar power generation potentially in conjunction with developing extended University campus activities in Exmouth.

Transport facilities such as the Learmonth RAAF Base and Exmouth Boat Harbour have also been investigated as part of this review. A review of the Learmonth RAAF Base determined a need for additional capacity for emergency landings (large aircraft), and access between Exmouth and Learmonth in heavy rain and/or cyclonic activity. In addition to this, a 2008 *Exmouth Harbour Development Community Consultation Report* stated that there is substantial support for expanding the harbour. Commensurate with the expansion of the Harbour, an Exmouth Light Industrial Area was also recommended for industrial expansion.

A significant amount of mining activity has been identified in the review and is of direct relevance to the Exmouth area. Exmouth Limestone Pty (EXL), Woodside, BHP Billiton and Apache Corporation all have interests in oil and gas explorations within the Exmouth area.

GASCOYNE REGIONAL DEVELOPMENT AND INFRASTRUCTURE FRAMEWORK

The objectives of the *Draft Gascoyne Regional Planning and Infrastructure Framework* are to:

- provide the regional context for land-use planning in the Gascoyne;
- provide an overview of the major regional economic, social, cultural and environmental issues;
- identify priority actions to enable comprehensive regional planning and guide local processes; and
- identify regional infrastructure priorities to facilitate economic and population growth.

EX1	Prepare local planning strategy and review local planning scheme.
EX2	Provide the requisite hard and social infrastructure to facilitate and support future growth of Exmouth's population and local economy.
EX3	Undertake flood management and mitigation works.
EX4	Identify sufficient and appropriately located land to accommodate growth.

The document identifies Exmouth as a Regional Centre, whose significance in the Gascoyne is growing as a result of rising population (due primarily to continued expansion in the tourism sector) and its important contribution to the regional economy over recent decades.

Within the Growth Management Strategy (Section 3.6), the document identifies four select strategies for Exmouth that respond to key drivers and opportunities, as depicted opposite.

The framework identifies the area's diverse economy as providing numerous opportunities for growth in Exmouth. Identified drivers for growth include economic activities associated with the marina boat harbour (primarily tourism, fishing and the oil and gas sector), with upgraded infrastructure likely to accommodate expansion of these economic activities and generate demand for additional industrial land. Flood management and mitigation, and seasonal population influxes are also identified in the document as requiring consideration when planning for future infrastructure provision.

1.3 LOCAL PLANNING CONTEXT

1.3.1 SHIRE OF EXMOUTH STRATEGIC COMMUNITY PLAN 2011

The *Shire of Exmouth Strategic Community Plan 2011* sets out a ten-year vision for the Shire. The Plan presented four thematic sets of strategic outcomes, which have been considered as part of the preparation of the Local Planning Strategy and Local Planning Scheme No. 4.

Through zoning, land use and development provisions of the Local Planning Scheme No. 4, the Local Planning Strategy can contribute to achieving the following strategic outcomes of the *Strategic Community Plan 2011*:

Economic – to be a diverse and innovative economy with a range of local employment opportunities.

- 1.1.1 *Maintain and review town planning strategies to ensure a diversity of land use options.*
- 1.1.6 *Facilitate and assist innovative industries including research, marine, environment, aquaculture.*
- 1.1.7 *Lobby to expand the capacity of the Exmouth Boat Harbour.*
- 1.1.8 *Lobby for improved telecommunication services.*
- 1.1.10 *Facilitate the development of coastal commercial assets at the industrial estate.*
- 1.2.1 *Plan to encourage balanced growth.*
- 1.5.1 *Advocate for the provision of infrastructure and utilities to facilitate economic growth.*
- 1.5.3 *Adopt and implement a plan for expansion of the airports and operations.*

Environment – to have a balanced respect to our environment and heritage, both natural and built.

- 2.1.1 *Develop and implement the initiatives that address access and connectivity in the Town Centre Revitalisation and Foreshore Development Plan, and the Structure Plan.*
- 2.4.1 *Investigate and consider preparation of local planning policies and/or design guidelines to integrate environmentally sustainable design principles in all industrial, commercial and residential development.*
- 2.5.1 *Implement the outcomes of the Town Centre Revitalisation and Foreshore Development Plan.*
- 2.5.3 *Advocate for relocation of key infrastructure in line with the Gascoyne Infrastructure Plan (i.e. power house, power network and sewerage ponds).*
- 2.5.5 *Install flood mitigation measures to protect the town centre and future land developments.*
- 2.6.2 *Consider the effects of climate change in all future land development, planning and policy.*

Social – to be a dynamic, passionate and safe community valuing natural and cultural heritage.

- 3.1.1 *To engage the community in decision making and a shared responsibility to achieve our goals.*
- 3.1.4 *Incorporate 'designing out crime principles' in planning for new developments.*

3.2.3 *Develop, implement and regularly review a recreational, cultural facilities and public open space plan.*

3.2.4 *Develop tourism and recreational infrastructure at the Exmouth Marina development.*

3.7.2 *Advocate for health and support services that meet the needs of the local community.*

3.8.1 *Advocate for State Government to release more land.*

3.8.2 *Council to investigate opportunities to acquire crown land for development.*

3.8.3 *Develop affordable service workers accommodation.*

Civic Leadership – to work together as custodians of now and the future.

4.1.1 *To engage the community in decision making and a share responsibility to achieve our goals.*

4.1.2 *To facilitate better engagement with government agencies and key stakeholders.*

4.2.4 *Ensure compliance with all relevant legislation and regulation.*

1.3.2 EXMOUTH TOWNSITE STRUCTURE PLAN (2011)

The *Exmouth Townsite Structure Plan* provides an overarching framework for the future development of the Exmouth Townsite. The Exmouth Townsite Structure Plan built upon the strategic planning direction provided by previous structure plans for Exmouth, however was based on a more comprehensive and detailed understanding of the regional and local planning and environmental issues affecting the study area.

The Structure Plan provides a framework for sustainable development within the Exmouth Townsite that has regard to Exmouth's role as a sub-regional tourism and service centre, while also respecting the unique environmental and aesthetic fragility of the environment in which it is situated.

The following objectives are supported through the Local Planning Strategy.

- Ensure that the goals of environmental protection, social advancement and economic prosperity are given equal priority in establishing Structure Plan outcomes.
- Acknowledge and ensure consistency with the townsite's existing land uses, built form and natural features in formulating the future development framework.
- Respond to and incorporate the outcomes of the Exmouth Flood Management Study in determining locations for future developable land and in managing growth within the constraints of the identified floodplain.
- Plan for an appropriate intensity, diversity and type of land use, reflecting Exmouth's particular character and development objectives.
- Encourage the mixing of uses across the Townsite, to create a well functioning and economically sound community, whilst appropriate managing relationships between different uses.
- Improve the circulation and legibility of the movement network, and providing suitable movement systems for all vehicle and pedestrian needs.
- Facilitate upgrading and improvement of the quality of public realm, civic spaces, cultural and community facilities across the townsite.
- Improve the street structure and street environment to ensure integration with the existing land uses, and ensure the creation of safe, attractive, friendly, efficient and climatically appropriate public spaces.
- Facilitate the development of a diversity of lot sizes and housing types, to improve the choice of product in the local housing market.

1.3.3 EXMOUTH SOUTH STRUCTURE PLAN (2013)

In 2012 the Shire of Exmouth commissioned the preparation of the *Exmouth South Structure Plan* covering an area south of the Exmouth Townsite, east of the Cape Range National Park and south to the Department of Defence Communication Tower (south of Learmonth RAAF Base). The Structure Plan provides a framework for the coordinated provision and arrangements of future land use for the study areas and will inform the Local Planning Strategy and LPS 4.

The key initiatives of the Exmouth South Structure Plan have been summarised in **Table 1** below:

TABLE 1 INITIATIVES OF THE EXMOUTH SOUTH STRUCTURE PLAN

Summary of Actions	
Beachside bridle trail	Opportunity for creating a beachside bridle trail from existing equestrian area to Mowbowra Creek day-use site
Special Rural Eco Estate	Identify low density rural residential area with detailed investigations into feasibility and suitability, having regard to floodways and flood fringe mapping and sensitive area separation distances to industry.
Creek Corridors	Identify drainage, conservation, heritage implications in conserving the values of the corridors.
Rural landscape	To assist in retaining the amenity of the landscape, identify rural-conservation and landscape protection reserves in the Scheme.
Limestone Mining precinct	Drinking water quality identified as a priority to limestone mining, with this objective also applying to the Cape Range National Park Management Plan in regard to retaining the values of the park.
Strategic Industrial Area	Strategic Industrial Area zoning and planning framework for a Marine Support facility warrant detailed investigation.
Future Power Station Site	Power transmission alignments, buffers, height limits, air pollution on Learmonth Solar Observatory, reservation of land, visual impacts to be considered in confirming a relocation site.
Exmouth Aerodrome	Increase the land take for aerodrome for runway extension, all-weather access, ANEF and height limits to be determined, which will be controlled through a Special Control Area. Rubbish tip relocation – investigation is long-term.
Minilya-Exmouth Road	Minilya-Exmouth Road 100m setback (both sides of road) for landscape protection is supported by the Strategy. The MRWA is investigating road widening for a 9.0m road pavement and all-weather access.
Pastoral Land	Support for land uses – grazing, nature-based/eco tourism, and aquaculture to be reflected in the Scheme.
Kailis Site	Marine Support facility investigation for lay-down and general industry should be part of the scope for industry investigations.
Cape Range National Park	Expansion via exclusions to 2015 Exmouth Station Pastoral Lease supported by the Strategy, together with the Limestone resource extraction area.
Military Heritage Precinct	Support for Heritage Inventory and Tourism investigation
Learmonth RAAF Base and Airport	ANEF and Building Heights and all-weather access are of importance.
Marine Protection Area	Wapet Creek – SPP6.3 Ningaloo Coast ‘significant environmental area’
Marine Based Industry Reserve (Heron Point)	Heron Point - Identification of areas for Aquaculture, marine-based industry Aboriginal heritage; Marine Protection Area
Waste water	Development within Strategy area to connect to WWTP.
Rubbish Tip	Investigate merits of relocating existing Rubbish Tip site
Drainage and Flood Management	Recommends DWMS, floodway and flood fringe mapping as part of detailed investigations for subdivision or development, within creeklines or identified floodplains.

1.3.4 EXMOUTH TOWN CENTRE AND FORESHORE REVITALISATION PLAN (2012)

The *Exmouth Town Centre Revitalisation Plan and Foreshore and Open Space Development Plan* are two projects initiated by the Shire of Exmouth to provide necessary amenities for local residents and visitors and to accommodate future growth and development.

Of particular importance, the plan allowed for the expansion of retail floor space to meet the demand for the expected growth in population and also considered the connections between existing coastal nodes and how these can assist in improving connections to the town centre. The objectives for the town centre and foreshore were established through community engagement, which enabled the Shire to consider any future development proposals with respect to the expectations of the community.

The town centre and foreshore plans have been developed with regard to the existing conditions, the aspirations of the Shire and the through the feedback received from the community consultation process. These objectives have ensured that the design quality is evident in all future development.

1.3.5 MANAGEMENT, MASTER AND OUTLINE DEVELOPMENT PLANS

CAPE RANGE NATIONAL PARK MANAGEMENT PLAN (2010)

The *Cape Range National Park Management Plan* recognises the importance of the Cape Range National Park ecology and provides for protection of these natural, cultural and scientific values.

The Management Plan recognises the value in consolidating the pastoral lease exclusion areas (i.e. Exmouth Gulf Station lands) as additions to the public conservation estate, into the national park.

Managing visitor use is essential to maintaining the values of the national park. The Management Plan applies Visitor Management Settings to preserve the conditions and character of the various areas of the park. Consistent with the *Ningaloo Coast Regional Strategy*, potential development of one eco-lodge accommodation is contemplated; the remainder of accommodation is via camping sites (refer to Table 6 and Maps 7 and 8 of the Management Plan).

Mineral and Petroleum exploration and development and use of basic raw materials is contemplated insofar as this does not compromise the values of the park or any areas proposed for addition to it.

JURABI AND BUNDEGI COASTAL PARKS, AND MUIRON ISLANDS MANAGEMENT PLAN (1999-2009)

The *Jurabi and Bundegi Coastal Parks, and Muiron Islands Management Plan* is jointly managed by DPaW and the Shire of Exmouth. Jurabi Coastal Park lies on the western side of the Cape Range, north of the Cape Range National Park and west of Yardie Creek Road. Bundegi Coastal Park lies on the east side of Cape Range and east of Murat Road and Commonwealth landholdings. The Muiron Islands comprise two islands located approximately 16km north-east of Point Murat. The Management Plan outlines the conservation management directions for the Park identifying both recreation and special conservation zones. Key environmental strategies focus on information, interpretation and education, restriction of access to authorised areas and control of camping.

NINGALOO MARINE PARK AND MUIRON ISLANDS MARINE MANAGEMENT AREA 2005-2015

This plan outlines a suite of management strategies to protect the special marine plants and animals found in the region, as well as to ensure there is opportunity for sustainable recreational and commercial uses. The major thrust of management of the reserves will include:

- Implementation of a zoning scheme for the Park that includes sanctuary zones that are representative of the Park's marine habitats, flora and fauna, comprising 34 per cent of the Park. This will provide a high degree of protection for representative areas throughout the Park.

- Implementation of a zoning scheme for the marine management area that includes conservation areas that provide a high level of protection to representative marine habitats in the marine management area.
- Implementation of comprehensive research and monitoring programs to improve the understanding of the marine environment and to assess the impacts of human activities.
- Implementation of comprehensive education and information programs to support the management of the reserves.
- Development of detailed recreational management plans and implementation of management strategies throughout the Park to facilitate the sustainable management of recreational activities.
- Close integration of management of the adjoining coastal lands and the Park.
- Close cooperation with other agencies, particularly the Department of Fisheries, in achieving integrated management of the marine environment in this area.

The implementation of this management plan will be regularly reviewed by CALM and audited by the MPRA every three years to ensure the management objectives are being met, and to ensure that the management regime for the reserves is still appropriate to meet these objectives.

VLAMINGH HEAD MASTER PLAN

Vlamingh Head is located 18km north-west of Exmouth Townsite on northern extremity of the North West Cape and is accessed via Yardie Creek Road. The *Vlamingh Head Master Plan* study area focused on the development envelope of the existing Vlamingh Head tourist node (the Lighthouse Caravan Park and associated tourism uses) which immediately abuts the heritage listed Vlamingh Head lighthouse. The *Master Plan* was prepared by the WAPC to establish a clear framework for future development of the tourist node. The *Master Plan* set out the principles for land use and development based on the recommendations of the *Ningaloo Coast Regional Strategy Carnarvon-Exmouth* (2004) and the Ningaloo Coast SPP 6.3. In particular the scale and extent of physical development was assessed wherein support was given for low-impact tourism only, with limitations being place on the sites capacity for accommodation (1,020 beds maximum). A land exchange formally negotiated between State Government and the Proponent was implemented via TPS 3 Amendment 25 in which the extent of physical development was made statutory.

EXMOUTH MARINA VILLAGE OUTLINE DEVELOPMENT PLAN (2003)

The Exmouth Marina Village Outline Development Plan (ODP) was prepared by LandCorp and Taylor Burrell Barnett on behalf of the Exmouth Development Steering Committee to facilitate a marina village consisting of tourist, residential, commercial and marine based industrial development around the existing Exmouth Boat Harbour. Five precincts were developed with differing characters and built form typologies:

- Precinct A (North) – Canal based and dry lot residential incorporating a landmark development site (tourist complex, holiday accommodation etc) entrance site
- Precinct B (Central) – Canal based and dry lot residential, commercial/mixed used (cafe/restaurant/tourism), short stay accommodation and landmark development site.
- Precinct C (East of Madaffari Drive) – Resort site, permanent residential, residential R30 strata development to north of resort site.
- Precinct D (South) – Canal based and dry lot residential, caravan park, recreation, mixed use residential/low key marine based uses.
- Precinct E (South-East) – Marine based light industrial.

Development within each Precinct is to comply with the approved ODP and have regard to the Broad and Detailed Development Guidelines that are contained within the document.

NIMITZ STREET OUTLINE DEVELOPMENT PLAN (2012)

The Nimitz Street Outline Development Plan (ODP) was prepared by LandCorp to facilitate the provision of residential development and public open space on land identified for this purpose by the *Exmouth Townsite Structure Plan* (2011) and predominantly zoned Residential Development under TPS 3. The ODP was adopted by the WAPC on 23 July 2012.

The ODP area covers approximately 44 hectares and two stages containing 70 residential lots were granted subdivision approval by the WAPC between 2012 and 2013. In June 2013, a modified ODP was lodged with the Shire commensurate with Amendment No 29 to TPS 3, seeking to reclassify a portion of the ODP area from the 'Recreation and Open Space' reserve to the 'Residential Development' zone. Amendment No. 29 was approved by the Minister for Planning on 30 January 2013 and published in the Government Gazette on 12 February 2013.

The modified ODP will guide subdivision and development for the subject land. The anticipated dwelling yield from the ODP is approximately 453 lots, comprising 305 lots at R17.5 density, 98 lots at R20 density and 4 lots at R30 density (pers. comm. RPS, 5 November 2013).

MORTISS STREET OUTLINE DEVELOPMENT PLAN

The Lot 11 and 12 Mortiss Street Outline Development Plan "Seaside Estate" was prepared by Koltasz Smith to facilitate the provision of residential development and public open space. The ODP has been adopted by the WAPC. The ODP covers approximately 2.7ha of land. The subject land has since been subdivided with the creation of 43 lots at 'R20' density and a parcel of coastal reserve. Development is subject to Design Guidelines.

1.3.6 TOWN PLANNING SCHEME NO. 3

The local government currently makes planning decisions within the statutory framework of the Shire of Exmouth Town Planning Scheme No 3. This Scheme was gazetted in 3 September 1999 and currently provides the statutory control for the whole of the Shire of Exmouth. The existing scheme provides the statutory regulation and framework for the provision of various land uses and development, controlled through the creation of reserves and zones.

The Scheme will be replaced by proposed Local Planning Scheme No 4 which will have specific regard for the recommendations of the Local Planning Strategy. A Resolution deciding to prepare Local Planning Scheme No 4 was noted by the WAPC in June 2013.

1.3.7 LOCAL PLANNING POLICIES

The Shire of Exmouth's Local Planning Policies (LPPs) have been reviewed as part of the preparation of the Local Planning Strategy and LPS 4. A schedule summarising the LPPs is contained in **Table 2**.

TABLE 2 LOCAL PLANNING POLICY SCHEDULE

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
6.1 Home Occupation 21 February 2013 Whole of District	Provide for and promote the different types and scale of home occupations, and ensure these uses do not compromise the amenity of existing residential areas.	<ul style="list-style-type: none"> • Benefits of promoting work-from-home opportunities. • Defines difference between Home Office & Business. • Sets limits on scale and hours of operation. • Outlines Approval Process, need for annual Home Occupation Permit and the local government's ability to rescind approval where it becomes a nuisance to locality. 	Incorporate relevant provisions into LPS 4 Scheme Text, and revoke current Policy.
6.2 Colour Palette 21 February 2013 Whole of District	Strengthen town identity and ensure high quality visual streetscapes by adopting a colour palette for all new development, excluding the residential zone (using colours from the existing natural environment).	<ul style="list-style-type: none"> • Palette applies to all new development, excluding the residential zone including street furniture and public buildings. • Requests to deviate must be documented and adequately justified. 	Retain. Suggest updated to reflect colour palettes as opposed to a limited selection of colours as presented in the policy. Otherwise policy will require development to be generally in accordance with the current colour palette.
6.3 Ancillary Accommodation 21 February 2013 Residential Special Rural Cape Wilderness (S/U) Pastoral	Provide guidance/regional variations to Part 5.5.1 – Ancillary Dwellings, of the Residential Design Codes.	<ul style="list-style-type: none"> • Replicates outdated standards of the R-Codes. • Limits use to member of family occupying Main Dwelling. • Section 70A Notification required. • Allows for up to 100m² (including garage, carports etc.) • Design and materials must complement Main Dwelling. • 21 day Advertising Period prior to determination. 	Recommend revocation of policy, with Scheme provisions and R-Codes provisions to be in place.
6.4 Caretaker's Dwelling 21 February 2013 Town Centre Tourist Mixed Use Light Industrial Industrial Pastoral	Provide for caretaker's dwelling where full-time or permanent residency is warranted by a person responsible for the care of buildings, plant and equipment or grounds.	<ul style="list-style-type: none"> • Avoid proliferation and/or de facto residential settlement pattern lacking appropriate community and social services. • Protect employment areas from limiting land uses and maintain the integrity of the Local Planning Scheme. • Must be incidental to primary use and suitably justified. • Excludes use of caravans or park home. • Maximum 100m² floor space and screened from street. • Signed statement required from occupier acknowledging potential lesser environmental health standards. 	Incorporate relevant provisions into LPS 4 Scheme Text and revoke policy.

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
6.5 Bed & Breakfast Accommodation 21 February 2013 Residential Special Rural Marina Town Centre	Provide appropriate development standards and guidance on the processing of Bed & Breakfast accommodation applications as an important part of a diverse tourist accommodation base.	<ul style="list-style-type: none"> Currently "Use Class Not Listed" in most zones. Maximum of 4 Bedrooms / 6 guests (at one time). Physically connected and complimentary to Main Dwelling. 1 on-site payed bay per room (no on-street parking). On-site and directional sign limitations. Highlights key Building & Environmental Health standards. Annual fee for inspection and permit issued by the local government. Management Plan and Code of Conduct required to minimise impact on surrounding land uses. 21 day Advertising Period prior to determination. 	Review in light of "Bed & Breakfast" use class being introduced into the Scheme. Incorporate relevant provisions into LPS 4 Scheme Text, and revoke current Policy.
6.6 Outbuildings 21 February 2013 Whole of District	Provide guidance on the location, size and scale of outbuildings.	<ul style="list-style-type: none"> Specifies triggers for Development Approval for lots in specific zones and/or above 60m² in floor area. Allowance for larger outbuildings on larger lots. Limitations on wall length/height on higher R-Coded land. Outlines specific circumstances (only) where outbuilding will be permitted on vacant land (prior to a dwelling). Additional standards/limitations apply within the Wilderness Estate, Special Rural and Pastoral zones. 	Review in light of updated provisions of the Residential Design Codes. Consider inclusion of development requirements in Scheme, as variation to R-Codes, in lieu of policy.
6.7 Murat Road Development Guidelines 21 February 2013 Town Centre Tourist Mixed Use Public Purpose <i>(Development that addresses or is clearly visible from Murat Rd between Maidstone Cres & Mortiss St)</i>	Provide guidance and encourage diverse architectural presentation and an enhanced streetscape presentation along the main arterial road.	<ul style="list-style-type: none"> Varying setback, landscaping, access, parking, roof pitch, fencing requirements as they relate to each zone. Allowance to claim 2m strip of an adjoining road reserve. 12 month landscaping maintenance bond. Maximum Building Height of 2 x storeys. High standard of building materials, colours from palette. 1.8m tall fencing (with 2.1m piers), 50% visually permeable. External lighting to meet CPTED standards. 	Review in light of provisions inserted into LPS 4 Scheme Text. Remove all development standards/requirements from policy. Introduce principles behind the development standards of Scheme Text. Insert reference to the Urban Development Zone in the Policy.
6.8 Signs 21 February 2013 Whole of District	Provide guidance on how the Shire will control signage in order to safeguard the visual amenity of the district and safe use of thoroughfares.	<ul style="list-style-type: none"> Exemption of pre-existing signs. Categories of signs, and applicability based on TPS zones. Safety requirements/standards. Total Site Signage Plan required when variations proposed. Complex Total Site Signage Plan required in some instances. Defined standards/limitations for each sign type. Approval process, fees and enforcement regulations. 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.
6.9 Use of Sea Containers 21 February 2013 Light Industry Industry Composite Industry (S/U) Strategic Industry Mixed Use Pastoral	Establish standards for the placement and use of sea containers for the storing of goods and equipment in a manner that does not detract from the amenity of the locality.	<ul style="list-style-type: none"> Limitations on number and size (based on relevant zone). Excluded from residential use. Requirement to upgrade or remove where unsightly or in a state of disrepair. Screened from public view. External colour to confirm to Town palette. Site location determined by Residential Design Codes. 	Introduce development standards in LPS 4 Scheme Text and revoke policy.
6.10 Landscaping 21 February 2013 Whole of District	Ensure a consistent, equitable and fair approach to landscaping that protects the landscape character of the district.	<ul style="list-style-type: none"> Landscaping plan submitted with all D/A's. Landscaping to be reticulated (inclusive of conduits). 1 tree per 4m of road frontage / every 7 car parking bays. 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy. Suggest inclusion of a landscape species list.

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
6.11 Parking 21 February 2013 Whole of District	Consolidate parking requirements of the Scheme and clarify the Shire's approach to assessing development and subdivision within non-residential areas.	<ul style="list-style-type: none"> Location and accessibility requirements. Incorporation of landscaping for amenity and shading. Access and manoeuvrability standards. Provision of and loading bay standards. Special purpose bay provision (where appropriate). Construction standards. Refined parking bay numbers based on varying forms of Tourist Accommodation. 	Consider inclusion of refined parking standards in Scheme in lieu of policy.
6.12 Holiday Accommodation 21 February 2013 Residential Tourist Special Rural Marina	To provide an effective management strategy to guide the nature and extent of holiday accommodation (particularly in Residential areas), in a manner that protects adjoining amenity.	<ul style="list-style-type: none"> Permissibility of Holiday Accommodation within zones. Defines various forms of accommodation. Protect Skipjack Circle Estate for long-term residential. Sign and parking limitations. Management and refuse collection arrangements. Code of Conduct & Emergency Response Plan required. Annual fee for inspection and permit issued by the local government. 21 day Advertising Period prior to determination. Compliance and enforcement arrangements. 	Incorporate development standards/requirements into LPS 4 Scheme Text and revoke policy. Some information can be generated as a public information brochure in lieu of being a policy.
6.13 Temporary Workers Accommodation 21 February 2013 Whole of District	Provide a framework and guide the provision of Temporary Workers Accommodation to accommodate the current shortage, offset increasing cost of accommodation and retain local individuals and families, without compromising local amenity.	<ul style="list-style-type: none"> Adaptable infrastructure to facilitate favourable end-use. Preference for each unit to contain own bathroom, kitchenette only, and have access to communal laundry. Management statement detailing transport, catering, emergency management, security and occupant conduct. Likely conditions include 3 year max. time limitation. 21 day Advertising Period prior to determination. 	Incorporate relevant provisions into LPS 4 Scheme Text, and revoke current Policy.
6.14 Naming of Roads, Public Places & Streets 21 February 2013 Whole of District	Provide a framework, identify limitations, exclusions and clarify information requirements for the inclusion of names on the public reserves and road names register.	<ul style="list-style-type: none"> Geographic Names Committee standards specified. Preference for Locality Names to have an Australian emphasis. 	Query the legitimacy of this local planning policy, State Government procedures are in place for naming of streets and localities. Suggest the policy be revoked.
6.15 Construction of Shed/Barn Style Dwelling 21 February 2013 Whole of District	Establish development standards for shed/barn style dwellings and provide guidance on acceptable locations.	<ul style="list-style-type: none"> Form of development triggers Development Approval. Excluded from Residential and Marina zones on aesthetics. Verandas, balconies and external treatments required to improve visual appearance. Limitations on external materials and roof pitch. 	Review in light of updated provisions of the Residential Design Codes. Consider inclusion of development requirements in Scheme, if applicable, as variation to R-Codes, in lieu of policy.
6.16 Design Guidelines for the Exmouth Marina Village Precinct 'A'	Design guidelines to ensure a high standard of residential construction and amenity.	<ul style="list-style-type: none"> Permissible land uses Building form, Minimum Dwelling Size, Building height, Minimum Finished Floor Level, Climate responsive design, External colours and materials, Site layout Guidelines for dry lots, canal lots and landmark lots 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.
6.17 Design Guidelines Lot 11 and 12 Market Street Exmouth – Seaside Estate	Design guidelines to ensure a high standard of residential construction and amenity.	<ul style="list-style-type: none"> Permissible land uses General guidelines – building form, minimum dwelling size, density, services, building height, external colour and materials, site layout 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.
6.18 Town Planning Fees 21 February 2013 Whole of District	Provide guidance on the applicability of fees for planning services, how they are determined and when they are due.	<ul style="list-style-type: none"> Reference to Planning & Development Regulations 2009. Payment of fees due upon application. No refund for refusals. Guidelines for partial refunds upon withdrawal. 	Review in relation to content of LPS 4 Scheme Text, refine and remove duplication from policy.

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
		<ul style="list-style-type: none"> Waivering of fees for not-for-profit organisations. Forecasting, up-front payment and final auditing of TPS Amendment, ODP and Structure Plan fees. Permit renewal occurs on anniversary of first approval. Subdivision clearance fee based on resultant lots (irrespective of original number). 	
6.19 District Water Management Strategy 21 February 2013 Whole of District	Provide a broad level stormwater management framework and water conservation strategy necessary to support future townsite expansion.	<ul style="list-style-type: none"> Details pre-development environment (geotechnical conditions, environmental assets, potable and wastewater, contamination and heritage land uses). Outlines water management design criteria and objectives (total water cycle management for water conservation, stormwater and groundwater management). Details proposed water management strategy (Potable, wastewater and stormwater design principles & strategies). Outlines requirements for Local Water Management Strategies and Urban Water Management Plans (design and management objectives, monitoring, reporting, staging, technical review and roles and responsibilities). 	Retain. Strengthen through incorporation of standards into Scheme where appropriate. Consider replacing with a short policy advising of an intent to implement the DWMS under the Better Urban Water Management framework.
6.20 Design Guidelines for Exmouth Marina Village Precinct 'B' 21 February 2013 Exmouth Marina – Precinct B	Precinct specific guidelines to ensure a high level of residential construction and amenity, reinforcing its unique coastal location.	<ul style="list-style-type: none"> Variations discouraged and must be approved by the Shire. Specified list of land uses and site specific built form development standards for 10 sub-precincts. Urban edge to public open space where provided. Landscaping species taken from Council Landscaping Policy. Public Domain cannot be altered (unless higher standard). Minimise crossovers (with maximum widths). Resident/Employee parking and access from rear, street embayments reserved for visitors. Prioritise pedestrian access and movements. Verandas and awnings mandated for commercial, encouraged for residential. High standard of private signage expected. CPTED principles and Public Art encouraged. 2 Storey height limit (3 storeys for iconic mixed use). Strong emphasis on streetscape & architectural character. High level of articulation in building facades. Zero side setbacks commonly promoted. Private open space (ground, 16m², 3.3m min. dimension). Buildings and internal fencing to cyclone standard. Murat Rd fencing (limestone base/pillars permeable insert). Services sensitively located and screened from view. Specified external building materials (Maritime Theme). Minimum roof pitch of 35 degrees, unless 2-3 storeys. No discharging stormwater into or painting of canal walls. 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.
6.21 Design Guidelines for Exmouth Marina Village Precinct 'C' 21 February 2013 Exmouth Marina – Precinct C	Precinct specific guidelines to ensure a high level of residential construction and amenity, reinforcing its unique coastal location.	<ul style="list-style-type: none"> Variations discouraged and must be approved by the Shire. Limited number of tourist/hospitality land uses specified. Strong emphasis on streetscape & architectural character. 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
		<ul style="list-style-type: none"> Two-storey development encouraged, particularly where view corridors are accommodated between buildings. 0-40 degree roof pitches. High level of articulation in building facades. Creation of private outdoor spaces. 5m street & beach setback (with allowance for protrusions). Central facilities building to include landmark feature. Use of water efficient landscaping in a themed manner. Specified, limited crossovers for aesthetics and safety. Integrated, safe path network to be established. Parking conveniently located but screened from view. External fencing to be semi-permeable, no internal fencing (other than for safety). 	
6.22 Sand & Dust Control on Private Property 21 February 2013 Whole of District	Provide guidance to ensure works, subdivisions and significant developments are carried out in such a way as to minimise dust and sand nuisance.	<ul style="list-style-type: none"> Dust Management Plan required prior to Building Licence (where land area exceeds 2000m², close to urban area, likely to generate dust in adverse conditions and significant development – ground floor area 300m²+). Standards to meet DEC guidelines – Land Development Sites and Impacts on Air Quality – A guideline for the Prevention of Dust and Smoke Pollution from Land Development Sites in WA (DEP 1996). 	Incorporate relevant provisions into LPS 4 Scheme Text, and revoke current Policy.
6.23 Secondhand Buildings & Secondhand Building Materials 21 February 2013 Whole of District	Provide guidance for the relocation of second-hand buildings and use of second-hand building materials to ensure development is sympathetic to neighbourhood character.	<ul style="list-style-type: none"> Local government inspection or structural certification required. Building Licence supplemented by plans and photos. Bond/Bank Guarantee of \$10,000 to ensure completion. Likely conditions of approval. Exclusion of second hand materials within Town Boundary. Shire permission required outside Town Boundary. 	Review in light of provisions inserted into LPS 4 Scheme Text.

Following the gazettal of LPS 4, the Shire's Local Planning Policy Manual will need to be updated, given the inclusion of various elements of existing LPPs as Scheme text provisions. This can be undertaken by the Shire as an omnibus modification, with the modified Policy Manual able to be adopted *en bloc* for advertising and consideration for final adoption by the Council under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Regulation 79 of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that all planning instruments made under the *Planning and Development Act 2005* continue in force as an instrument of the same type under the new *Regulations*, including local planning policies.

2 LOCAL PROFILE

2.1 THE EXMOUTH ENVIRONMENT

2.1.1 CLIMATE

Exmouth experiences a semi-arid climate, with hot summers between 30C and 40C and cooler winters, approximately 25C.

Exmouth is located in the most cyclone prone section of the Australian coast. Cyclone frequency and intensity is extremely variable from year to year, however cyclones are more frequent during the December to April period.

Based on the Bureau of Meteorology's Learmonth rainfall station (station 005007), the long term average rainfall is 258 mm/year; however, this is dependent on monsoon low pressure systems, thunderstorm activity and the passage of tropical cyclones.

The winds at Learmonth are dominated by the land/sea breeze effect, with southerly winds in the morning and north/north-easterly winds in the afternoon. This effect causes wind variations on a daily time scale and influences the wave climate.

2.1.2 LANDFORM AND GEOLOGY

The topography and landform of the Exmouth area is dominated by Cape Range anticline, a north south linear range that rises to approximately 300 mAHD. The range itself is composed of sandstone and limestone with the edges of the range falling away steeply into deep canyons, however the coastal terrain at the Exmouth Gulf is typically flat at the base of the range.

Surface geology within Exmouth consists mainly of alluvial, diluvial and colluvial deposits, predominantly sand.

The Cape Range drains to the Indian Ocean and Exmouth Gulf. The Exmouth Townsite is in a location where the geology consists of limestone and dunes, with several creeks flowing to Exmouth Gulf. The dunal system can cause floodwater to pool behind the dunes, resulting in floodplains within the Townsite.

The bedrock comprises mainly exposed Tulki Limestone, and contains sections of high-grade limestone. The Shire contains mineral resources including sand, aggregate, clay and limestone. Limestone and other basic raw material deposits occur within the Shire area, and are covered by granted mining tenements and pending tenements.

It is expected that there will be future proposals for access to limestone resources within and beyond existing lease areas. Any future application would need to take into account requirements under the *Environment Protection Act 1986* and the *Mining Act 1978*.

The area is prospective for hydrocarbons in the sedimentary rocks of the Northern Carnarvon Basin. The Cape Range and Rough Range anticlines are highly prospective.

2.1.3 FLORA AND FAUNA

2.1.3.1 FLORA

Despite its aridity, the Cape Range is very rich in flora with a range of habitat types found over the Peninsula. The Peninsula is situated in the Carnarvon Botanical District of the Eremacean Botanical Province, which extends from Shark Bay northwards to the Exmouth Gulf, and is dominated by arid, perennial shrub associations. The distribution of vegetation across the Peninsula generally varies with geology and geomorphology, and a number of unique minor vegetation complexes can be found in the areas that are confined to the Cape Range.

2.1.3.2 FAUNA

Terrestrial fauna is rich and diverse in the region, particularly the reptile species. There are fourteen species present which have been declared rare or are likely to become extinct.

Two types of subterranean fauna, troglobites (terrestrial) and stygofauna (aquatic) can be found in the area, inhabiting the extensive karst formations which have contributed to the possible identification of the region as a World Heritage Site. The stygofauna found in the Cape Range peninsula contains classes, orders, genera and species not otherwise found in the Southern Hemisphere. At least 55 species of troglobites also give the peninsula some of the most diverse karst fauna in the world.

Protection of the caves, karst formations and subterranean waterways of the Cape Range will be of critical importance in maintaining the biodiversity of fauna in the region.

2.1.4 HYDROLOGY

The groundwater of the Cape Range Peninsula occurs in confined and unconfined aquifers. The unconfined aquifer of porous limestone along the eastern slopes of Cape Range between Learmonth and Exmouth contains substantial potable groundwater resources. This aquifer supplies Exmouth's water supply and is replenished by direct infiltration of rainfall and runoff from storm events on the Range. The groundwater discharges into the Exmouth Gulf and, in addition to the effects of seasonal recharge, there is a natural variation in groundwater levels and the extent of saltwater intrusion due to tidal fluctuations in the Gulf.

The upper part of the aquifer is permeable karst, while the underlying limestone is less permeable. In general, a 20-30 m thick layer of fresh groundwater overlies a saltwater wedge, with the transition zone located about 5 km from the coast. The overlying fresh groundwater diffusion zone in the karstic aquifer is a major subterranean habitat (refer section 2.1.3.2).

The water supply for the Exmouth Townsite is drawn from the northern part of this aquifer. The Water Corporation has operated the borefield for an extended period of time and has not reported any evidence of reduced freshwater availability. In the northernmost sector of the borefield, there is evidence of increasing salinity in bores with high abstraction rates and in the vicinity of domestic bores.

The coastal dunes of the Cape Range retain runoff to capture ponded water behind the coastal dunes, providing a suitable environment in low lying areas for sparse vegetation species. The upper reaches of the catchments feature exposed, fractured limestone, allowing rainfall runoff to infiltrate directly into the groundwater aquifer, except in heavy rainfall events.

2.1.5 FLOODPLAINS

Exmouth Townsite and North West Cape generally are significantly impacted by the drainage catchments originating from the Cape Range. The Exmouth region generally is subject to cyclones, which cause strong winds and storms leading to inundation of the coastal zone. More frequently, flooding of the coastal plain occurs as a result of the combination of rain, high tides and low lying landform. Flooding associated with run-off from the Cape Range and storm/cyclone events is of particular concern, with the Exmouth Townsite having experienced two recent flood events that have dominated the records of major flood events for Exmouth. These events included severe Tropical Cyclone Vance in March 1999 and significant winter rain events that occurred in June 2002 and April 2014. Damage to property, roads and the boat harbour was notable during both flood events.

To date, development in the context of flood management within Exmouth, has been guided by recording evidence of past flooding events, hydraulic modelling undertaken to support the development of the Exmouth Marina Village and the hydrologic and hydraulic modelling undertaken by the Department of Water (DoW) to inform the recommendations of the *Exmouth Floodplain Management Study* (SKM, 2007). In 2014, Hyd2o with advice from the DoW, investigated the surface water catchments generally south of the Exmouth Townsite and east of the Cape Range and provided floodplain mapping of the 100year ARI event for four key catchments. A summary of the 2007 and 2014 report recommendations is outlined below.

Department of Water guidelines for acceptable floodplain development recommends that proposed development has:

- (i) Adequate protection from a 100 year ARI flood; and
- (ii) Does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.

EXMOUTH FLOODPLAIN MANAGEMENT STUDY (SKM, 2007)

The *Exmouth Floodplain Management Study* maps the 100 year ARI floodplain within the Exmouth Townsite area. Detailed hydrologic and hydraulic modelling delineates the high flood hazard area (floodway) and the low flood hazard area (flood fringe). The 'floodway' has no development potential; whilst the future landuse decisions/development potential within the 'flood fringe' is subject to DoW assessment to ensure there is no detrimental impact on the existing 100 year ARI flooding regime. A series of non-structural and structural flood mitigation measures are also outlined by the study, as shown **Table 3**, which have been or are to be implemented by the Shire of Exmouth such as the upgrading of the Market Street Bund and associated development setbacks and minimum finished floor levels.

TABLE 3 FLOODPLAIN MANAGEMENT STRATEGY RECOMMENDATIONS

Flood Mitigation Measure	Description	Recommendation
Structural	LIA Creek Improvements	The improvement of drainage structures where LIA Creek crosses Reid Street and the extension and upgrade of floodway levees to contain the 100 year ARI flow in bank for conveyance to the east of Murat Road.
	Replacement / Upgrading of Market Street Bund	Engineering assessment of the Market Street Bund for adequacy. Raising and extending the levee and potentially replacing/upgrading the existing structure to convey Market St Creek across Murat Road.
	Murat Road Causeways	<ul style="list-style-type: none">Initial work to upgrade the crossing of Mortiss Street Creek over Murat Road to allow for the increased flow due to the Market Street bund.The gradual replacement of floodways along Murat Road with culvert or bridge structures to increase accessibility along Murat Road to the town centre during flood events.

Flood Mitigation Measure	Description	Recommendation
Non-Structural	Land Use Planning	Identify 'floodway' (high hazard) and 'flood fringe' (low hazard) areas in the Shire's planning documentation (Townsite Structure Plan, Local Planning Strategy, Local Planning Scheme, Local Structure Plans) to promote appropriate planning and development controls for future development with due regard to 100 year Recurrence Interval (ARI) floodplain mapping.
	Building Development Controls	Setting of minimum floor levels for future developments to ensure adequate 100 year ARI flood protection.
	Flood Emergency Response Planning	Planning for flood emergencies by ensuring plans are in place for evacuating isolated communities and avoiding damage or isolation of critical Council and emergency services infrastructure.
	Streamflow / rainfall gauging, data collection and ongoing review	Installation of streamflow and rainfall gauging to provide ongoing data. This will enable the finding of this study to be monitored and reviewed.

(Source: SKM 2007)

EXMOUTH HYDROLOGICAL STUDY (HYD20, 2014)

The *Exmouth Hydrological Study* was undertaken by Hyd2o to inform the Local Planning Strategy recommendations for floodplains between the Exmouth Townsite and Learmonth RAAF Base. Water catchment mapping was undertaken by Hyd2o for watercourses identified in **Figure 2** flowing from Cape Range to the Gulf of Exmouth with catchment sizes ranging from 150ha to 16.6ha, catchment sizes significant larger than modelled by the SKM 2007 Study.

Hyd2o provided estimates of peak flows from four key catchments identified in **Figure 2** namely Unnamed Creek, Shothole Creek, Badjirrajirra Creek and Wapet Creek using available watercourse mapping datasets from the DoW and 5m elevation contours. The resulting Estimated 100 year ARI floodplain mapping is viewed as a guide to development setbacks with more detailed survey and hydrological investigations being required if development is proposed immediately abutting a defined floodplain. The floodplain mapping has been referenced onto the Strategy plans.

The recommendations of the study are set out in **Table 4** discussing the main conclusions and recommendations for the four key catchments as well as recommendations for future detailed planning or development.

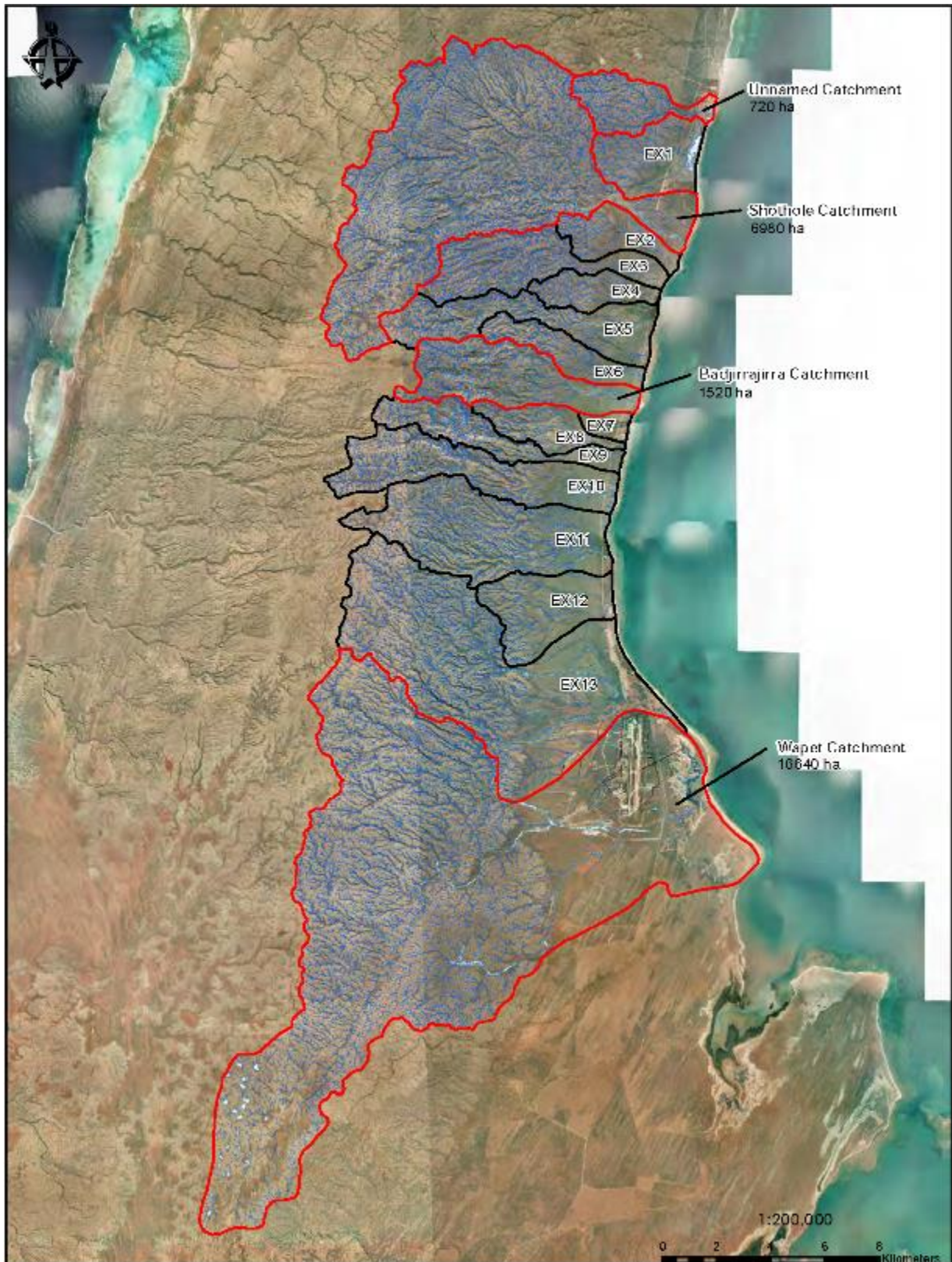


FIGURE 2 LOCATION OF HYDROLOGICAL STUDY FLOODPLAINS (SOURCE: HYD20 2014)

TABLE 4 HYDROLOGICAL STUDY CONCLUSIONS AND RECOMMENDATIONS

Study Area of Interest	Conclusions and Recommendations
Unnamed Creek	The area of inundation at downstream end was influenced by the modelled tidal condition. The floodplain width was narrowest (60m) near the coast where the channel banks are incised. Near the Minilya-Exmouth Rd the estimated flood width was 350 m, which resulted from a shallow right bank that allows for overtopping and inundation of a comparatively wide, low-lying area.
Shothole Creek	<p>Shothole Creek is difficult to model due to the coarse topography and the use of a 1D model due to the geometry of the channel. This flow behaviour is best modelled using 2D flood modelling. Shothole Creek may cause some flooding to the existing Exmouth Aerodrome.</p> <p>Depending on the extent of proposed development in the Shothole Creek area it is recommended for more detailed 2-D modelling be undertaken to define the extent of the floodplain and establish suitable flood levels to inform development.</p>
Badjirrajirra Creek	The modelled flood width for Badjirrajirra Creek downstream of the Minilya-Exmouth Rd is reasonably constant ranging from 90 to 110 m. Its widest section is upstream of the powerline corridor with an estimated flood width of 320 m. In this area there are a number of ephemeral stream tributaries, which would appear to receive floodwaters from the main channel during large events.
Wapet Creek	The Wapet Creek is a large catchment with only a single outlet to the coast which results in a large low lying area being inundated as shown in [Figure 7 of the Hyd2o Study]. This is similar to the Exmouth townsite where limited outlets exist and ponding of floodwater between Murat Rd and the Coastal dunes occurs. Modelling indicates that Minilya-Exmouth Rd would be inundated over a very wide area in this catchment.
100 year ARI floodplain mapping	<p>The 100 year ARI floodplain mapping resulting from the Hyd2o Study is considered a best estimate given the coarse scale of currently available topographic data for the study area, and the application of the modelling techniques described in the report.</p> <p>All flood heights and widths should be considered indicative only, subject to more detailed local modelling as/if required to inform more detailed stages of planning. For any proposed development located in proximity to the areas defined in the Hyd2o Study, a detailed survey and hydrological investigations are undertaken to inform future planning and design.</p>

(Source: Hyd2o 2014)

2.1.6 COASTAL ENVIRONMENT

2.1.6.1 COAST AND FORESHORE SOUTH OF TOWNSITE

The *Exmouth South Structure Plan* provides the following summary for the coast and foreshore:

“The coast and foreshore within the area is characterized by lengthy beaches separated intermittently by low and exposed limestone bedrock along the western gulf shoreline, and by low beaches and mangrove tidal flats in the southern portion. The beaches are typically backed by low vegetated sand dunes which are occasionally broken by creek mouths. Landward of the dunes contains some low-lying areas where the flood fringe spreads during high rainfall events or periods of inundation from storm surge events” (TME 2013, 18).

2.1.6.2 EXMOUTH TOWNSITE

A single linear dune parallel to the coastline and narrow beaches are evident along the coastline in this locality. Littoral drift occurs in two directions: from Exmouth north to Point Murat; and from Exmouth south towards Learmonth. This regime helps maintain the dune system, however this does not have much impact as little change in the shape of the coastline has occurred over the past 25 years (CoastWise 2001, 25). Dunes have heights up to 15 metres in vicinity to the Townsite, and become lower moving southwards to the Bay of Rest. These dunes serve as important barriers to high sea events and provide protection for the coastal plain (CoastWise 2001, 25).

Rainfall can cause overland flows within the creek system draining the coastal plain, and large quantities of sediment can be injected into the nearshore zone.

The beach is generally not impacted by normal wave conditions, however storm surge and waves associated with cyclones are of high energy and act by scouring sand from the beach face and dunes, leaving exposed rock platforms and creating sandbars (CoastWise 2001, 45). Severe cyclones can create sufficient storm surge and waves to wash over small dunes and destabilise larger dunes. The re-stabilisation processes following cyclones are slow for repairing eroded dunes and damaged vegetation.

The eastern coastline in proximity to the Exmouth Townsite is popular for swimming, fishing, boating and diving by virtue of the typical low energy wave climate of the Gulf (CoastWise 2001, 45). Vehicles are permitted to access the beach by way of informal tracks from roads.

Key nodes on the foreshore include the golf club house, the yacht club and adjacent town beach, and the Exmouth Boat Harbour. There is no footpath or boardwalk along the foreshore, and most foot traffic occurs informally along the beach.

2.1.6.3 COASTLINE NORTH

Vlamingh Head is the northerly point of the Cape Range and is characterised by a dominant ridgeline, with dramatic gradient changes to the coastline. The coastline is dominated by shore-parallel beach ridges often immediately adjacent to the shoreline and typically backed by parabolic dunes (WAPC, n.d.). Many beaches fringing the reef on the north and west coast, particularly within the Jurabi Coastal Park, are nesting sites for several species of marine turtles and seabird rookeries.

The Jurabi Coastal Park dune ridges are noted to be unstable and DPaW would continue to study the reasons for the instability.

Some Samphire flats are within Lyndon Location 44 and are subject to tidal influences. Samphire flats are of considerable significance to migratory birds. Vegetation is mostly a shrub steppe dominated by acacias, Spinifex and stunted eucalypts (CALM 1999).

The coastline north of Exmouth is under the care of the State and Commonwealth governments. DPaW manages the coastline contained in the Jurabi Coastal Park and Bundegi Park.

2.1.6.4 WEST COAST

The west coast is fringed by the Ningaloo Reef, with small gaps in the reef only in the northern part. Wave energy is diminished at the coast because the reef terraces protect the coastline. Mangroves as a result are found in some locations.

Storm surge of many metres may develop during cyclone events. The storm surge can result in higher waves reaching the coast and creating ridges along the coastline formed out of coral, rock, sand and other fragment materials (Scheffers et al 2008).

Over geological time the North West Cape has been subject to water level rise and inundation of areas, as a result of tsunamis. Tsunamis may occur on the northern WA coast every 10 to 20 years due to earthquakes in the Indonesian region (TME 2013, 19).

2.1.7 NATURAL HERITAGE

The natural environment of the North West Cape has been recognised as being of significant importance as acknowledged by its part inclusion on the National Heritage List and as a World Heritage site. **Figure 3** illustrates the World Heritage Boundary which includes the Ningaloo Coast and the Cape Range National Park. Existing national, state and local laws, regulations and plans for the Ningaloo Coast will remain in place and continue to guide management and decision making in the area. The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides legal protection for World Heritage values. The EPBC Act requires referral of proposals if they will significantly impact World Heritage values, even if the proposal is located outside of the World Heritage Area.

From a regional perspective, the Cape Range itself is a significant natural feature providing a prominent backdrop to the coastal plain of the study area surface expression extending for approximately 80km, 10-20km wide and up to 300m in height. It comprises ancient weathered gorges dissected by creeks and drainage channels that flow through to the coastal plain. The Cape Range Peninsula and associated fringing Ningaloo Reef constitutes an extensive karst system of national and international significance. From a State Heritage perspective, other notable physical features within the study area include:

- Shothole Canyon and Charles Knife Canyon;
- Jurabi and Bundegi Coastal Park and Muiron Islands Park;
- Vlamingh Head and the Vlamingh Lighthouse;
- Yardie Creek; and
- Extensive mangrove areas along the Exmouth Gulf.

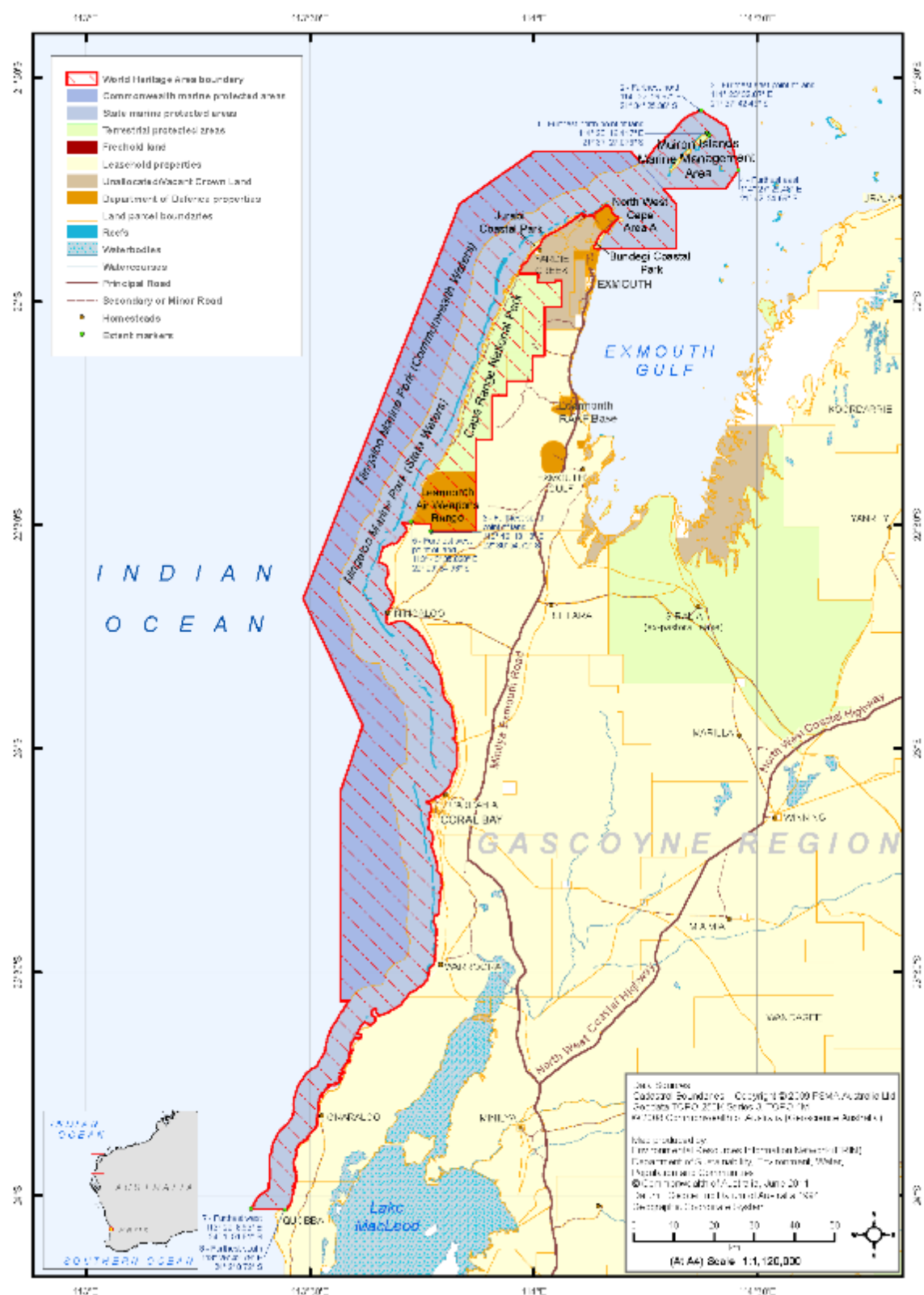


FIGURE 3 WORLD HERITAGE AREA BOUNDARY (SOURCE: GEOSCIENCE AUSTRALIA 2008)

2.1.8 ABORIGINAL HERITAGE

The Cape Range peninsula has significant archaeological heritage. It provides the earliest confirmed evidence of Pleistocene marine resource use in Australia, and it has an important role in the conservation of Indigenous culture. Aboriginal habitation of the North West Cape and Exmouth area is thought to have commenced at least 38,000 years before the present, and it continues to the present day. The North West Cape area is of ongoing cultural significance to Aboriginal people and to the Gnulli Native Title Claimants Group, recognised by the Aboriginal community as custodians of Aboriginal culture for the area. Archaeological surveys undertaken in the area, and the wealth of material uncovered, indicate that the peninsula is also important because it provides unique opportunities for increasing contemporary understanding of traditional Aboriginal life.

Terra Rosa CRM was commissioned to prepare a *Desktop Report of Known Aboriginal and European Heritage Places and Values within the Shire of Exmouth LPS Area* (2013). To inform the desktop analysis, consultation with the Yamatji Marlpa Aboriginal Corporation (YMAC) as the agents of the Gnulli Traditional Owner Group, was also undertaken. The report provides an overview of the extent and nature of any known heritage places and has considered the potential for a community engagement process for the development of heritage protocols (such as a Cultural Heritage Management Plan) or interpretation strategies within tourism developments.

A summary of recommendations of the Terra Rosa CRM (2013) desktop report is set out in **Table 5**.

TABLE 5 TERRA ROSA CRM DESKTOP REPORT RECOMMENDATIONS

Recommendation	Discussion
1. Any future planning should take into account the heritage places, sites and constraints identified within the Desktop report.	The Shire of Exmouth should ensure that the findings of the desktop reporting be forwarded as baseline data to any prospective developments, in order to inform the initial conceptual and planning stages of projects.
2. There is considered to be a high potential for any development on the Exmouth peninsula to have significant impact upon heritage places both known and unknown.	The desktop research identified there are numerous and varied heritage sites throughout the Shire of Exmouth. These sites include Indigenous, historic and maritime heritage sites, as well as the World Heritage Site. These sites represent an incomplete record as there has not been a systematic survey of the entirety of the shire, but are indicative that there is a rich cultural, historic and natural heritage within the area. The Aboriginal heritage sites in particular are widespread, complex and in many cases fragile; with the majority consisting of sites within coastal dunes and mangrove environments.
3. In area where development it proposed, the Shire of Exmouth should ensure a heritage survey to further “ground truth” areas of particularly high significance is undertaken to assist forward planning.	The mapping illustrating the cultural sensitivities within the areas detailed in the desktop report, should be used for planning purposes only. It represents the heritage information that is available to the author at this time, and has not been assessed in great detail in the field. A small survey / site verification could be conducted focusing on the highly significant sites in order to ascertain the likely impact.
4. Should development be proposed to utilise areas in which heritage places have been identified, it is advised the developer consult with the Gnulli Traditional Owners and arrange assessment of heritage places to a site identification standard prior to applying to disturb the areas under s18 of the Act.	At the planning stage proponents should first contact YMAC in order to establish an arrangement / agreement to conduct heritage surveys and formally assess the proposed development areas. Unless this is conducted under an existing heritage agreement, this process may need to be instigated. The method of survey will require a detailed level of recording of heritage sites within the area, and will enable the proponent to lodge permission to disturb these sites as needed. (It is an offence to disturb an Aboriginal heritage place without prior written permission to do so under s16 or s18 of the Act. Heavy financial penalties can be applied against individuals or corporations who disturb a heritage place, whether knowingly or unknowingly).

Recommendation	Discussion
5. Should development be proposed that is likely to impact on any artefact or area protected under the <i>Shipwrecks Act 1976</i> , it is advised that approval from the Minister for Environment, Heritage and the Arts be obtained.	Refer requirements of the <i>Shipwrecks Act 1976</i> .
6. Should development be proposed which may impact on any heritage place listed on the State Heritage Register, it is advised that the developer contact the State Heritage Office for further advice.	Refer requirements of the <i>State Heritage Act 1990</i> .
7. It is advised that any person who proposes to take an action which may impact on the World Heritage values of a UNESCO World Heritage site should consult the Environment Minister who will assess if the action requires approval under the EPBC Act.	Refer requirements of the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> .
8. It is advised that a comprehensive review of the Municipal Inventory be undertaken.	<p>During this review it is recommended that all non-Aboriginal heritage places and Aboriginal heritage places of state significance within the Shire of Exmouth are reviewed and assessed for inclusion. This should be conducted in accordance with the State Heritage Office publication <i>Basic Principles for Local Government Inventories</i> (2012a); State Planning Policy 3.5 (2007); the <i>Burra Charter</i> (2013) and the <i>State Heritage Act 1990</i>. Further, it is advised that the significance of these heritage places be graded based on the State Heritage Office publication <i>Criteria for the Assessment of Local Heritage Places and Areas</i> (2012a).</p> <p>Upon the completion review of the Municipal Inventory is completed, it is advised that it be updated annually and reviewed every four years in accordance with the <i>State Heritage Act 1990</i>.</p>

(Source: Terra Rosa CRM 2013)

2.1.8.1 ABORIGINAL HERITAGE RESEARCH RESULTS

The Aboriginal Heritage Inquiry System (AHIS) search identified 81 registered Aboriginal heritage places and 31 Other Heritage Places (OHP) within the study area. Of these sites, 20 registered sites and 17 OHPs are located in the eastern portion of the Exmouth Peninsula (area the focus of possible future development). The search also revealed that there are 28 registered reports relevant to the Shire of Exmouth. Following identification of the known Aboriginal and European heritage places, areas of cultural sensitivity were mapped with gradients of High, Medium and Low for the purposes of the Shire's risk assessment for future planning. In general terms the key overall conclusions from the research and the sensitivity mapping include:

- Largely the areas have a high potential for undiscovered sites to be present;
- Forward planning should consider the documented evidence of coastal dunes containing human burials;
- Several key sites of ethnographic importance have previously been identified; and
- The area represents a very rich history of occupation spanning 35,000 years, and any development should be designed where possible to conserve any heritage values identified.

Registered Aboriginal Heritage Places and OHPs have been mapped for inclusion on the Shire of Exmouth's Local Planning Strategy maps to guide future planning.

2.1.9 NON-ABORIGINAL HERITAGE

The North West Coast as an area has been referred to since 1618 when the first recorded landing by non-Aboriginals on the North West Cape was by the Dutch ship *Mauritius*. Two centuries later in 1801, French ships visited the area and named Cape Murat. In 1911 and 1912, two lighthouses were built on Point Cloates and Vlamingh Head coinciding with the establishment of the Point Cloates Whaling Station that operated intermittently until 1957. The Vlamingh Head lighthouse was de-commissioned in 1967. Pastoral lease were progressively acquired following WA being named a British Colony and covered the full extent of the North West Cape. In 1942 the US Navy established a submarine base in Exmouth and extensive facilities were built adjacent to where the Learmonth RAAF Base now operates. The facility was bombed by the Japanese in 1943 and finally closed in 1945 after extensive cyclone damage. Exmouth Townsite emerged as the principal settlement area on the North West Cape and in 1963 became a gazetted townsite to support the US Navy Harold E. Holt Naval Base and Communication Stations.

2.1.9.1 NON-ABORIGINAL HERITAGE RESEARCH RESULTS

The Register of Heritage Places is maintained by the State Heritage Office, which represents a statutory list of places of State cultural heritage significance. There are 40 places of local, state, national or international significance within the Shire of Exmouth which have been included on the State Heritage Register and fully recorded in the Terra Rosa CRM (2014) desktop report. Consultation with the WA Maritime Museum also confirmed 39 shipwrecks have been identified and registered along the Exmouth coastal area. In addition, the Museum highlighted the high potential for unrecorded shipwrecks and maritime heritage to be present on the eastern side of the Exmouth peninsula.

Built heritage within Exmouth is recorded in the Shire's Municipal Inventory produced in 1998. The State Heritage Act 1990 requires that a municipal inventory be updated annually and reviewed every four years. Whilst the inventory is in need of review, important heritage buildings and places have been listed (inclusive of state registered heritage) as follows:

- Point Cloates Lighthouse & Quarters (ruins)
- Tantabiddi Well
- Yardie Creek
- Cape Range National Park
- Residence, 72 Allen Street
- Bundegi-Cape Well
- Fairy Queen Shipwreck
- Naval Communications Station (Harold E. Holt)
- Vlamingh Head Radar
- Yardie Creek Homestead
- VLF Towers, Harold E. Holt Naval Communication Stn
- Staff House
- Cape Range No. 1 Oil Well
- Cape Range No. 2 Oil Well
- Transit House
- Exmouth War Memorial
- First Trees planted in Exmouth
- Shire Library
- Community Hall
- Exmouth Police Station, Lockup & Quarters
- Exmouth Fire Station
- Vlamingh Head Lighthouse Quarters
- F J Reddy's Grave
- Vlamingh Head Lighthouse Group
- Vlamingh Head Lighthouse
- Wapet Jetty (ruin)
- RAAF Base Learmonth
- Learmonth Air Weapons Range Facility
- Operation Potshot – Site
- Pier – Pt Murat
- Shothole Canyon and Road
- Giralia Station
- Charles Knife Road
- Ningaloo Marine Park
- Norwegian Bay Whaling Station
- Fin Shipwreck
- Perth Shipwreck
- Rough Range No. 1 Oil Well
- Zvir Shipwreck

2.1.10 PLANNING IMPLICATIONS

- The dry climatic conditions of Exmouth will mean the provision of a suitable water supply is likely to be limited to groundwater resources, requiring continued protection of this resource. In addition, the occurrence of tropical cyclones and major storm events will impact decisions regarding the location and design of buildings and infrastructure.
- The ongoing pressure for basic raw materials and petroleum exploration will have a bearing on the environmental attributes within the Shire, which have an aesthetic, landscape and tourism value which contributes to the lifestyle qualities of the town. It will be important for limestone mining and hydrocarbon exploration to be weighed against the economic value of the natural environment, which could be irreversibly damaged. The World Heritage Listing of the Ningaloo Coast and Cape Range provides a level of protection.
- The hydraulic and hydrological modelling undertaken for the Exmouth Townsite and south to Learmonth indicates that development will need to have regard to the flood regimes of the locality, together with undertaking detailed modelling where required to ensure development does not create downstream or upstream impacts on existing floodplains. The recommendations within the *Exmouth Floodplain Management Strategy* (SKM, 2007) and the *Exmouth Hydrological Study* (Hyd2o, 2014) should be considered in relation to any proposed use or development of land, including subdivision. The recommendation have been reflected by the Strategy mapping including the definition of:
 - a) High hazard (floodway) and low hazard (flood fringe) areas, assuming the implementation of structural flood mitigation measures within the townsite boundary, (refer **Table 3 section 2.1.5**), where future land use decisions/development potential is subject to hydraulic modelling and assessment by the Department of Water (DoW).
 - b) Estimated 100 Yr Floodplain of creeklines within four key catchments south of Exmouth Townsite (refer **Table 4 section 2.1.5**), where detailed survey and hydrological investigations will be required inform future planning and design.
- Future development along the coast will need to have regard to risk management and adaptation to mitigate coastal hazards, to define the level of acceptable risk, and be prepared in accordance and consistent with SPP2.6.
- Future planning and development should take into account the recommendations of the *Desktop Report of Known Aboriginal and European Heritage Places and Values within the Shire of Exmouth* (2013) to ensure the protection and management of known Aboriginal and European heritage places. Further archaeological and ethnological surveys will be required to accompany development applications give the high potential for heritages places (both known and unknown) to be impacted on the North West Cape.
- The Shire's Municipal Inventory of important heritage buildings and places was prepared in 1998, and consistent with legislative requirements is in need of review. This review will provide the opportunity to consider adding or removing places or locations, and to ensure that heritage protection is undertaken in accordance with best practice.

2.2 SOCIAL PROFILE

2.2.1 POPULATION CHARACTERISTICS

2.2.1.1 EXISTING POPULATION

The Gascoyne region is comprised of the Shires of Exmouth, Carnarvon, Upper Gascoyne and Shark Bay, and at the 2011 Census (usual place of residence) had a total population of 9,288. The Shire of Exmouth accounts for a quarter of the regional population, being 2,393 in 2011.

There is a significant seasonal population increase in Exmouth not represented in population forecasts, as a result of a visiting population such as tourists and seasonal workforces. The population of the Shire swells to an estimate 6,000 persons at the height of the tourist season and it is estimated that one-fifth of the visiting population is in Exmouth for work purposes. For example, of the 4,606 persons counted on Census Night 2011, 2,393 persons were enumerated as residents.

2.2.1.2 POPULATION GROWTH FORECASTS

WA Tomorrow (WAPC 2012) documents population projections for each of the LGAs in WA as a tool for forward planning. For the purposes of the Local Planning Strategy, *WA Tomorrow's* 'medium' population forecast range has been adopted (Band C) in extrapolating population figures for Exmouth, as per **Table 6** below. Band E (high) forecasts have been referenced for comparison purposes.

TABLE 6 SHIRE OF EXMOUTH POPULATION AND DWELLING FORECASTS FOR 2011-2025

2011 Population	Annual Average Growth Rate	2025 Population	2025 Households	No. of additional dwellings
2,393 (ABS)			2.4 average	-
Band C – Exmouth (WA Tomorrow 2012) - medium	0.7%	2,500	1,042	170
Band E – Exmouth (WA Tomorrow 2012) - high	1.8%	3,100	1,292	420
Aspirational 5,000 target	6.3%	5,050	2,105	1,233

(Source: ABS 2012, WAPC 2012)

Table 6 above shows that, adopting a 'medium' growth rate prediction of 0.7 percent (which would mean a population increase between 2011-2025 of 353 persons), approximately 170 new dwellings would be needed to achieve the percentage growth in population of 2,500 predicted. Assuming a 'high' rate of growth (Band E) the number of dwellings would increase to 420 with an associated population of 3,100 persons over the same time period.

2.2.1.3 POPULATION CHARACTERISTICS

In terms of age structure, the 2011 Census (refer **Table 7**) shows that the Shire of Exmouth has a marginally higher percentage of children aged 0-9 years compared with WA. The population for Exmouth is well represented between the 25-29 years to 45-49 year cohorts, with an average age of 38. Exmouth is under-represented in the 10-14 to 20-24 year cohorts and the 75-79 and 85+ age cohorts.

TABLE 7 EXMOUTH SHIRE POPULATION (2011 CENSUS USUAL PLACE OF RESIDENCE)

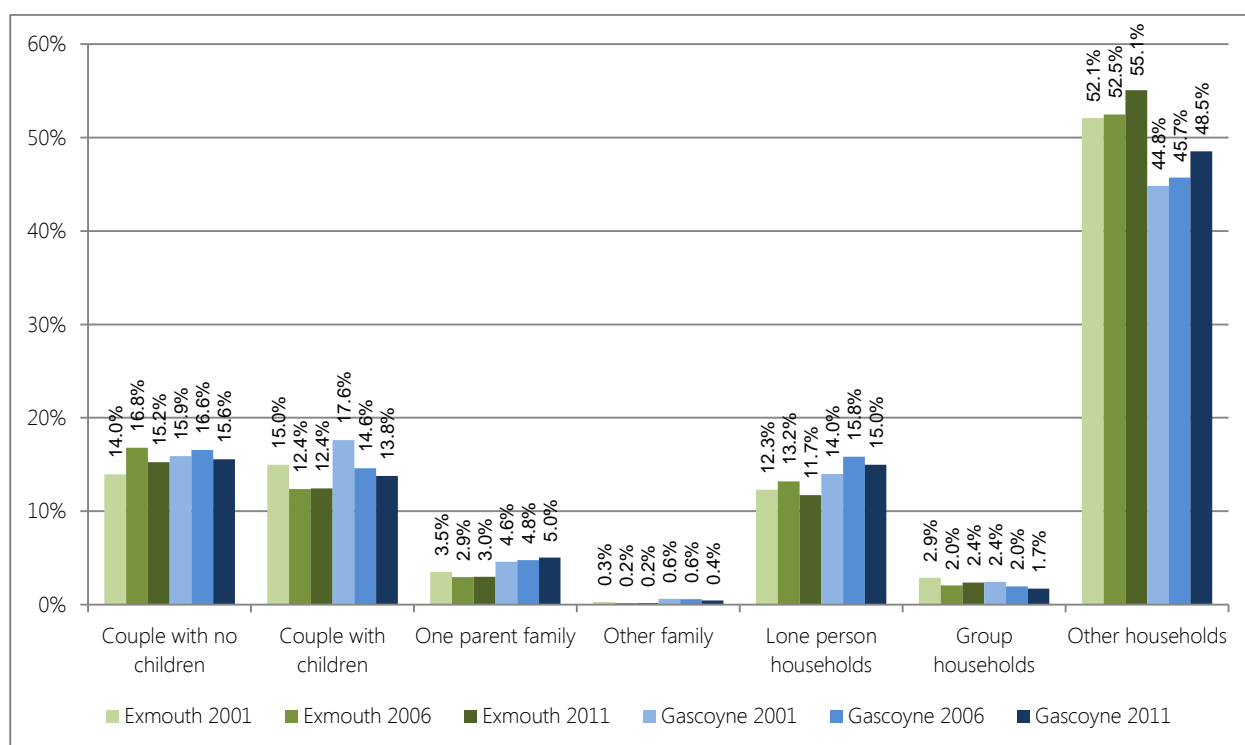
	Males (2011)	Females (2011)	Persons (2011)	Persons (2006)	Persons (2001)
TOTAL PERSONS	1,285	1,108	2,393	2,062	2,231
AGE GROUPS:					
0-4 years	84	85	169	136	168
5-14 years	160	141	301	275	186
15-19 years	49	38	87	82	351
20-24 years	51	58	109	104	114
25-34 years	198	198	396	317	377
35-44 years	238	194	432	392	436
45-54 years	186	165	351	315	322
55-64 years	175	137	312	245	179
65-74 years	98	68	166	137	118
75-84 years	39	21	60	55	45
85 years and over	7	3	10	4	3

(Source: ABS 2002, ABS 2007, ABS 2012)

Further, **Table 7** indicates the Exmouth population has recovered over the last decade. The decline in population was partly due to the closure of the US Navy Base operations.

Patterns in household composition as a percentage of the total number of households, reflects the trends of the Gascoyne Region (refer **Graph 1**). 'Other Households', for visitors and other non-classified households, are dominant, weighted by the number of tourists/visitors in the region counted on Census night. The remaining categories of household compositions fairly represent the characteristics of Exmouth's permanent resident population, including 'Couple with No Children', 'Couple with Children' and 'Lone Person households'. This statistic has a bearing on the housing product to be provided to cater for the diversity of households within the town.

Median Mortgage Repayments in Exmouth have increased from \$800 (2001 Census), \$1,235 (2006 Census) to \$2,167 (2011 Census), representing an overall increase of 271%. These are higher than increases for Carnarvon during the same census periods, which saw an overall increase of 233%. Rentals in Exmouth increased 126% during 2001-2006 and 186% during 2006-2011 with an overall increase of 235% (Carnarvon experienced 133% during 2001-2006, 137% during 2006-2011 and 185% overall).



GRAPH 1 SHIRE OF EXMOUTH AND GASCOYNE REGION HOUSEHOLD COMPOSITION CHANGES 2001-2011
(SOURCE: ABS 2012)

The following **Table 8** outlines a ‘snapshot’ of demographic characteristics for Exmouth. Approximately 58 per cent of the population is in the local labour force (ABS 2012), with an average income of \$737 per week (or \$3,204 per month). Pracsys in its reporting for the *Exmouth Town Centre and Foreshore Revitalisation Plan* indicates a sustainable labour force ratio of 42-45 percent might be reasonably expected as part of a long-term strategy for population growth.

TABLE 8 SELECTED SHIRE OF EXMOUTH DEMOGRAPHIC CHARACTERISTICS

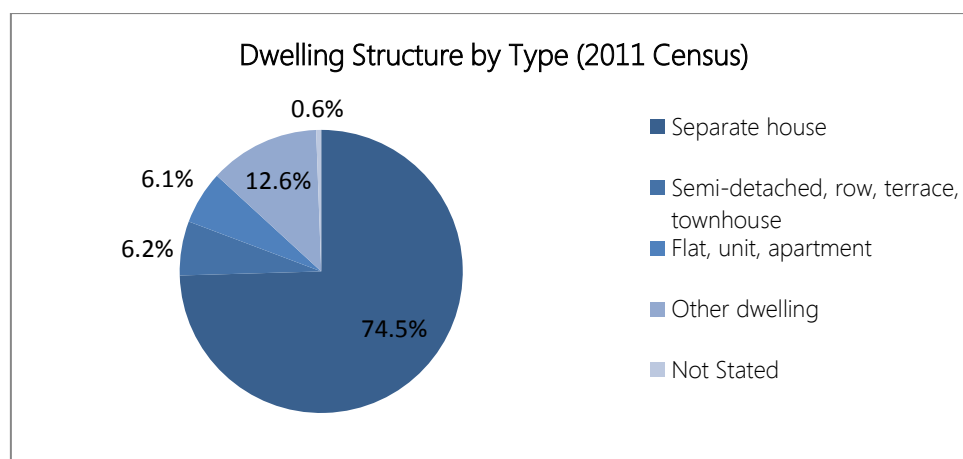
EXMOUTH DEMOGRAPHICS	
POPULATION	2,393
FAMILIES	1,624
LABOUR FORCE	1,312
AVERAGE AGE	38
AVERAGE INCOME	\$737 per week
TOTAL PROPERTIES	2,116
AVERAGE MORTGAGE	\$2,167 per month
AVERAGE HOUSEHOLD SIZE	2.4
AVERAGE HOUSE PRICE	\$543,000 (WA Average \$500,000)
AVERAGE RENTAL	\$480 per week (WA Average \$450 per week)

(Sources: ABS 2012, RealEstate.com.au 2014)

The average house prices and average rental prices within Exmouth are higher than the WA average (Realestate.com.au 2014). Average mortgage repayments are also commensurately high when considered against the average house price. To measure housing stress, the Australian Housing and Urban Research Institute (AHURI) identifies two methods– the 30:40 rule (where the bottom 40% of the income distribution levels who pay 30% or more of their income in housing costs as being in housing stress); and the Residual Income Method (which calculates how much is left over for housing, such as rent, mortgage or other housing costs, after paying for a standard budget of household goods and services). Simplistically using data from **Table 8**, with an average income of \$737 per week, this represents a ratio of approximately 65% spent on average rent (\$480 per week), or approximately 73% spent on an average mortgage (\$2,167 per month). Whilst more detailed analysis of data would be required, it can be extrapolated that housing stress would be evident within Exmouth.

2.2.2 DWELLING STRUCTURE AND TENURE

Based on the 872 occupied dwellings recorded in the 2011 Census, the dwelling structure types are outlined in **Graph 2**. The predominant dwelling type is detached housing (75 percent) and the most common form of tenure is rental (46 percent). Nearly one-quarter of dwellings are owned outright, with another quarter being owned with a mortgage (ABS 2012).



GRAPH 2 DWELLING STRUCTURE BY TYPE (SOURCE: ABS 2012)

These ratios are comparable to the Gascoyne Region however differ to the WA average as per **Table 9** below with regards to outright ownership, ownership with a mortgage and rentals.

TABLE 9 DWELLING TENURE COMPARISON SHIRE OF EXMOUTH, GASCOYNE REGION AND WESTERN AUSTRALIA

Dwelling Tenure	Shire of Exmouth			Gascoyne Region			Western Australia		
	2011	2006	2001*	2011	2006	2001	2011	2006	2001
Owned outright	24.9%	25.3%	45.5%	27.9%	26.5%	42.6%	29.5%	31.4%	35.9%
Owned with a mortgage	25.3%	24.6%	12.2%	21.8%	22.3%	12.1%	37.8%	37.6%	31.7%
Rented	45.6%	46.5%	27.7%	44.3%	45.7%	28.7%	29.2%	27.2%	24.9%
Other Tenure	1.3%	0.8%	7.8%	1.2%	1.3%	7.9%	1.1%	1.0%	3.1%
Tenure not stated	2.9%	2.8%	6.8%	4.8%	4.2%	8.7%	2.4%	2.8%	4.4%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

(Source: ABS 2012; ABS 2007; ABS 2002)

*Note: 2001 Census for Exmouth also counts households for visitors, which raises a discrepancy for comparison to the 2006 and 2011 Census.

For Exmouth, there is a trend for declining outright home ownership, a slight increase in ownership with a mortgage, yet high rates of renting. The seasonality of tourism and workers together with higher than State average house prices, may contribute to the higher than average rate of renting.

2.2.3 POPULATION CAPACITY

The *Exmouth Townsite Structure Plan* (2011) spatially assessed the extent of existing residential areas within the Exmouth Townsite adopting gross land areas, in addition to identifying land that had the potential to support residential development unconstrained by landform, floodways and/or the water protection reserve. It was concluded that the areas identified could support a potential population of approximately 5,500 people. When compared to the estimated maximum permanent population of 2,500 projected through to 2028 by the WAPC (2005) at the time, sufficient land for urban development was identified by the *Exmouth Townsite Structure Plan* (2011) to accommodate the town's growth well into the future.

With regard to Local Planning Strategy's commentary of population capacity, a review of the *Exmouth Townsite Structure Plan* analysis has been undertaken to provide updated context to the population capacity of the Townsite. **Table 10** below provides a summary of potential dwelling and population yields.

TABLE 10 POTENTIAL DWELLING AND POPULATION YIELDS: EXMOUTH TOWNSITE

Land Use	Gross Developable Area ⁵	Estimated Residential Density	Dwelling/Lot Yield	Total Population
TOTAL EXISTING RESIDENTIAL LOTS (developed and undeveloped)			1,260 ¹	3,024 ²
FUTURE RESIDENTIAL (Unconstrained)	140.5ha	10.3 lots per hectare ³	1,447	3,472
FUTURE RESIDENTIAL (Land constrained by Exmouth Power Station Buffer)	54ha	10.3 lots per hectare ³	556	1,334
FUTURE RESIDENTIAL (Long Term)	107ha	6 lots per hectare ⁴	642	1,541
ESTIMATED TOTAL LOT YIELD and POPULATION for FUTURE RESIDENTIAL (Unconstrained Land, Land Constrained by ExPS and Long Term Areas)			2,645	6,347
ESTIMATED TOWNSITE POPULATION CAPACITY (Existing Residential + Future Residential)				9,371

Notes:

1. Existing number of residential lots (including vacant lots) within Exmouth Townsite (2012).
2. A household size of 2.4 persons has been applied to calculate the total population capacity.
3. Dwelling/Lot Yield Ratio Assumed: 1ha GDA = 10.3 lots/du. The estimated dwelling density calculation has been extrapolated from the approved Nimitz Street ODP.
4. A residential density of 6 dwelling units per hectare has assumed for the Development Investigation Areas where environmental factors may constrain lot size.
5. The Gross Developable Area (GDA) excludes the high hazard floodplain.
6. A description of Future Residential Areas 1 to 7 is referenced in section 3.2.
7. A description of Future Residential (Long Term) Areas 1 to 4 is referenced in section 3.3.

Based on the calculations in **Table 10**, it is anticipated that of the areas identified as 'Future Residential' on the spatial plans, approximately 300 hectares (gross developable area) have been identified for residential development of which 107ha is identified as 'Long Term'. It is estimated that land unconstrained by the buffer of the Exmouth Power Station, could yield 1,447 lots and commensurate population of 3,472 persons, which, added to the potential population of 3,024 persons generated by existing lots (including vacant lots), results in a townsite population of 6,496 persons.

If the future residential land constrained by the Exmouth Power Station buffer becomes available for development, a further 556 lots yielding an additional population of 1,334 persons would apply, amounting to a potential townsite population of 7,830 persons.

Furthermore, **Table 10** confirms that if all Future Residential Areas (Long Term) were developed (assuming a lesser density due to landform), the yield increases to 2,645 dwellings and commensurate population of 6,347 persons. Adding this number to the existing lots potential population of 3,024 persons, results in a population capacity for the townsite of 9,371 persons.

The above assessment confirms that within the life of the LPS, there is sufficient unconstrained land available to provide for a population well in excess of the estimated permanent population projected through to 2025 (WAPC 2012) of 2,500, as well as the overall aspirational population target of 5,000 persons for the Exmouth Townsite. Spatially this assessment will guide the extent of land to be zoned for residential development by LPS 4.

2.2.3.1 AVAILABLE 'RESIDENTIAL DEVELOPMENT' ZONED LAND

The assessment below confirms the extent of land currently zoned 'Residential Development' in the existing Town Planning Scheme 3 (TPS 3) and available for development subject to areas of review identified by the LPS.

LEARMONTH STREET/KING PLACE

Land near Learmonth Street and King Place is identified by LandCorp for residential development. At Learmonth Street, a plan of subdivision has been approved by the WAPC for the portion of the site south of Town Creek comprising 23 lots. The land will be reflected in the LPS for future residential purposes.

NIMITZ STREET ODP

The Nimitz Street ODP is approved, with subdivision approvals in place, and has been identified to have the potential for 453 dwelling units (pers. comm. RPS, 5 November 2013) and a commensurate population of 1,087 at a rate of 2.4 persons per household. When compared to the medium and high growth scenarios for population growth (refer **section 2.2.1.2**), it is demonstrated that this ODP area could potentially supply the necessary dwelling stock without areas defined for future residential in the southern area of the townsite being contemplated for development, including land constrained by the Exmouth Power Station indicative buffer. The LPS will define this ODP area for existing and future residential purposes.

MURAT ROAD

This land was identified through the *Exmouth Learmonth Structure Plan 1998* (refer **section 1.2.1**) as part of the land supply for a potential population of 5,200 persons. The subject land was zoned 'Residential Development' in Town Planning Scheme No. 3 at that time comprising of approximately 110 hectares. The 'Residential Development' zoned land is bound by Murat Road, between the Market Street Bund to the south and Welch Street and Reid Street to the north (not including the Water Corporation or Broadcast Australia sites). Approximately 7 hectares of the 'Residential Development' zoned land is to be identified on the Exmouth Townsite Spatial Plan as 'Future Tourism'. Portion of the 'Residential Development' zoned land is also earmarked for 'future Light Industry' and high hazard floodplain. The extent of the existing 'Residential Development' zoned land in this locality therefore, will be adjusted by the LPS to exclude these areas.

2.2.4 LAND TENURE

Land tenure within the Shire of Exmouth is exhibited in **Figure 4**, **Figure 5** and **Figure 6**.

2.2.4.1 EXMOUTH TOWNSITE

A percentage of residential lots within the townsite are owned by the Department of Defence, reflecting the historical origins of the town. 14 houses are built on properties identified as UCL corresponding to Department of Housing landholdings. The majority of properties are freehold.

The 'horse grazing lots' (Lots 851, 853-857 Murat Road and Lots 852, 858-862 McLeod Street) and an aquaculture site (south of Exmouth Townsite boundary) are Crown Leases. These leasehold lots, comprising approximately 4 hectares, are currently used for grazing and rural activity. The **Exmouth Townsite Spatial Plan** recognises that this area is constrained by the floodplain of Mortiss Street Creek. No residential dwellings are permitted on these lots due to their location within the high and low hazard floodplain. The Shire and Department of Lands are seeking to subdivide the 'horse lots' into one hectare land parcels for grazing purposes.

Lot 851 Murat Road is leased and has a caretaker's dwelling. The Shire supports the free holding of this land subject to the residential portion being subdivided to form its own lot, with the balance of Lot 851 to be retained for grazing and horse riding purposes.

The majority of the undeveloped areas within the Exmouth Townsite are UCL. Native Title is in the process of being cleared from UCL within the Exmouth Townsite, coordinated by the Department of Lands.

FIGURE 4 OVERALL LAND TENURE

FIGURE 5 LAND TENURE TOWNSITE

Insert 13/013/046

FIGURE 6 LAND TENURE PLAN - INSETS

Insert 13/013/047

2.2.4.2 LANDS OUTSIDE OF EXMOUTH TOWNSITE

Outside of the Exmouth Townsite the Lighthouse Caravan Park, Exmouth Limestone and Kailis properties, and properties located within the Ingram Street industrial area and the Wilderness Estate, are freehold. Yardie Homestead Caravan Park is Crown Land subject to a General Lease.

The Department of Defence owns and maintains various landholdings which together comprise of the Areas A-C of Naval Communications Station Harold E. Holt; Learmonth RAAF Base; Learmonth Air Weapons Range; and historical or disused Commonwealth landholdings.

Pastoral leases for Exmouth Gulf Station, Bullara Station and Ningaloo Station exist over UCL. Pastoral Leases do not extinguish Native Title over this land. The 2015 Pastoral Lease Exclusion Areas are being considered by the State for inclusion into the public conservation estate, with a preference by DPaW and the Conservation Commission for such land to be included into the Cape Range National Park. The Pastoral Lease for Giralia was surrendered and this land is managed by DPaW.

The remainder of the North West Cape is Crown Reserve (consisting of the Cape Range National Park and the Jurabi and Bundegi Coastal Parks and Muiron Islands), and UCL.

2.2.5 PLANNING IMPLICATIONS

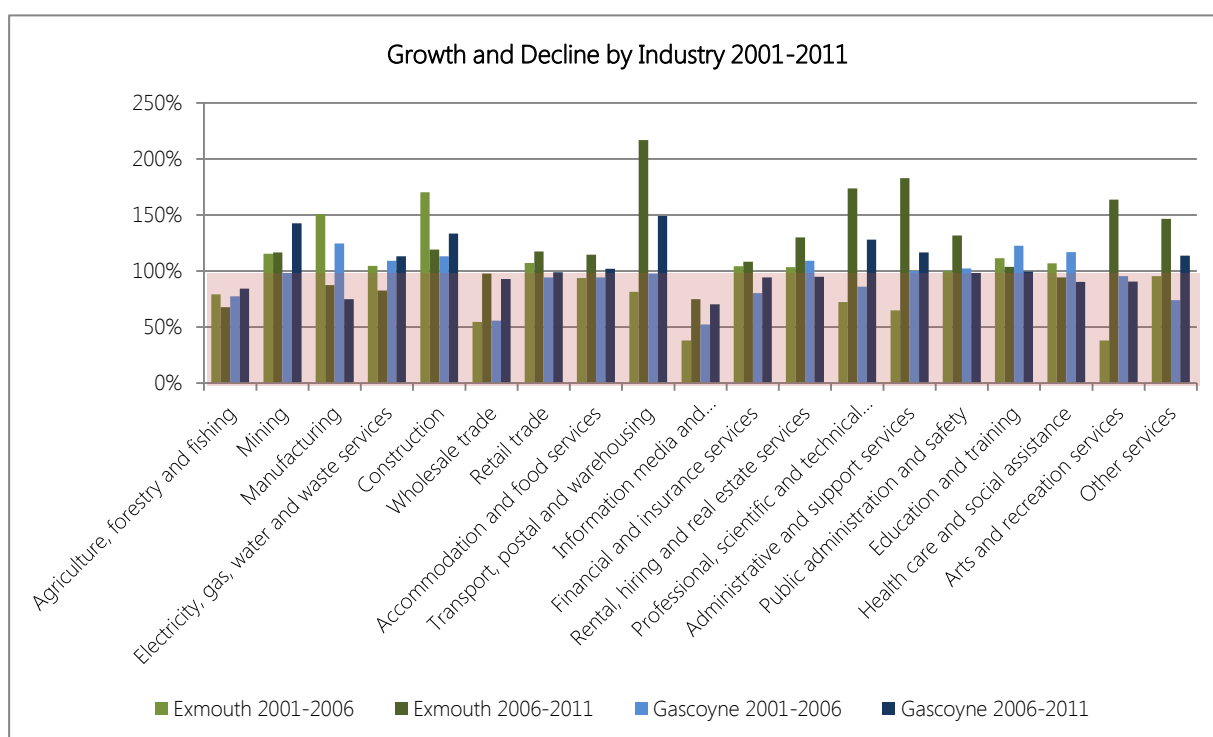
- The population of Exmouth has historically remained relatively stable; any growth or decline in population from each census period has not necessarily shown a significant population increase of the permanent residential population.
- The population forecasts (WAPC 2012) have been assessed such that, for a medium growth (0.7% per annum) scenario indications suggest future demand for 170 dwellings to accommodate a population of 2,500 by the year 2025; for a high growth (1.8% per annum) scenario suggest future demand for 420 dwellings to accommodate a population of 3,100 by the year 2025.
- The Nimitz Street ODP has a yield of 453 dwelling units. The future supply of lots in this locality, in addition to the development of vacant lots within the townsite, will be sufficient to achieve both the medium and high population growth scenarios.
- Housing affordability and land availability will be key factors in mitigating housing stress on the population of Exmouth. Population growth and associated demand for housing, needs to be balanced against land supply and the availability of a diversity of housing types.
- High levels of employment are anticipated to continue trending as the population grows, which will create an impetus for new business being created, growth of existing businesses, and strategic investment and economic development to support existing or new industry sectors.
- The calculation of the potential population capacity of the Exmouth Townsite demonstrates that the extent of available unconstrained land is sufficient to provide for either a population of 2,500 as projected through to 2025 by the WAPC (2012), or the Shire's overall aspirational population target of 5,000 persons for the Townsite. In this context, the Longer term Development Investigation Areas defined by the LPS do not need to be targeted as residential development areas, assuming the unconstrained land is developed in a manner consistent with the residential densities incorporated into the Nimitz Street ODP.

2.3 ECONOMIC PROFILE

2.3.1 OVERVIEW

The *Ningaloo Coast Regional Strategy* (WAPC 2004) identified Exmouth's economic drivers as tourism (fastest growing), fishing, aquaculture, pastoralism and mining. The industry sectors employing the local labour force can be analysed in **Graph 3**. This Graph identifies which industries are stable (i.e. 100%), declining (i.e. below 100%) or growing (i.e. above 100%). Exmouth is the second largest town in the Gascoyne and a significant service provider. The population is predominately urbanised, residing in the Exmouth Townsite.

The work undertaken by Pracsys for the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) supports the basis that population-driven job growth will occur without significant intervention. However, to support population growth above what has historically occurred, employment generation will be key. There is a need for intervention by the Shire, agencies and other organisations for creating quality jobs and a quantum of jobs that will support medium, high or aspirational population growth in Exmouth. The strategic intervention for job creation would likely need to be focused on attracting export-oriented industries and/or supporting the oil and gas industry development into the Shire.



GRAPH 3 EXMOUTH EMPLOYMENT GROWTH AND DECLINE BY INDUSTRY 2001-2011 (SOURCE: ABS 2012)

2.3.2 COMMERCE AND RETAIL

The *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) provides a structure for the long-term sustainable retail growth of the town that ensures town centre activity is consolidated within the town centre retail core area. The *Revitalisation Plan* identifies land the Shire can aim to protect for this long-term retail expansion, which is recommended to be supported by a Retail Activation Strategy. Growth in retail and consumer services is anticipated in the *Revitalisation Plan*, which considers 1,000 jobs in this sector with a commensurate townsite population of 4,000 people.

The work undertaken by Pracsys Economics for the *Exmouth Town Centre and Foreshore Revitalisation Plan* indicated that:

- Using the 2006 baseline population of 1,800, Pracsys put forward the proposition that the total floorspace (including convenience retail, comparison retail, and restaurant, bar and café floorspace) that could be sustained by the Exmouth population was estimated to be 9,950-11,210m² NLA;
- At a population of 3,500 the total floorspace demand estimate is between 13,490-15,150m² NLA (approximately 35% more than the 2006 baseline retail floorspace estimate); and
- At a population of 5,000 the total floorspace demand estimate is between 16,710-18,740m² NLA (approximately 67% more than the 2006 baseline retail floorspace estimate).

Pracsys notes that the largest increase will be in comparison retail, which would warrant a major increase in floorspace commensurate with attraction of a large floor-plate retailer such as a discount department store. Convenience retail demand with a population of 5,000 will start to create sales turnover required to attract a major retailer such as Coles or Woolworths, with some cannibalism of retail from IGA stores existing in Exmouth.

SPATIAL DISTRIBUTION OF SHOWROOM AND BULKY GOOD RETAIL

The provision of land for bulky goods retail, large format retail and showroom development is currently limited to the 'town centre', 'mixed use', light industrial and industrial zoned areas of TPS 3. A land use audit was conducted in July 2013 and broadly identified the types of land uses evident in each of Exmouth's existing industrial precincts (refer **section 5**).

The audit identified that there are few existing showrooms or bulky good retail within Exmouth. However, currently the land take requirement of this land use is unlikely to be met within the existing composite residential and service industrial area without assuming re-development or amalgamation of lots. Accordingly, the LPS explores other opportunities with suitable accessibility. It is recognised that the land immediately south of Welch Street, east of the Exmouth Power Station, whilst currently zoned residential development and identified for service industrial purposes within the *Exmouth Townsite Structure Plan* (2011), would be suitably placed to accommodate such land uses as driven by demand.

2.3.3 TOURISM

Tourism is a vital and growing industry for Exmouth and is the town's major economic contributor with eco-tourism experiencing significant growth in recent years. Hospitality, accommodation and retail activity associated with tourism represents a considerably portion of the Shire's economy and job market. The Exmouth region as a tourist destination benefits from its unique natural landscape and biodiversity, such as the Ningaloo Reef within the Ningaloo Marine Park and rugged gorges of the Cape Range National Park both with World Heritage status, fishing opportunities, and marine and wild/life tours.

The significance of tourism to Exmouth is illustrated in the seasonal nature of the resident population. The population of the Shire swells to 6,000 people at the height of the tourist season and it is estimated that one fifth of the visiting population is in Exmouth for work purposes.

Exmouth attracts a mix of intrastate, interstate and international visitors for holidays and leisure purposes, with a significant majority seeking outdoor, nature and adventurous pursuits attributable to the natural beauty of the region (refer **Table 11**).

TABLE 11 VISITOR REASONS FOR VISIT, BY SHARE OF TOTAL VISITATION, EXMOUTH LGA, YEAR ENDING DECEMBER 1990-2013

Average Share of total Visitation	Holiday/Leisure	Visiting Friends and Relatives	Business	Other
Year Ended Dec 1999-2005	77.1%	4.7%	7.3%	10.9%
Year Ended Dec 2006-2012	78.0%	6.5%	10.0%	5.4%
Year Ended Dec 1999-2012	77.6%	5.6%	8.6%	8.2%

(Source: Tourism Research Australia 2013)

Visitor numbers by type is summarised in **Table 12** below. There is evidence of a recent spike in visitor numbers in 2010 – 2012, however otherwise the trend in visitation over the last decade has been volatile and in slight decline, indicative of overall economic trends. With regard to caravan park visitation, there was a 45% increase in domestic overnight stays in 2011/2012 with this demand profile likely to continue into the future given Exmouth's strong characteristic of leisure travellers comprising older married couples with children under the age of 15. The greatest proportion of visitors comes from within Western Australia (77%), with 14% of the total visitors originating from Perth. Whilst the region is accessible by road and air all year round, domestic visitors have a bias towards road transport. International holiday/leisure visitors similarly favour road transport, whilst there has been an increase in international business visitors arriving by air of 66% over the last ten years (TRA, 2013).

TABLE 12 OVERNIGHT VISITOR NUMBERS AND AVERAGE LENGTH OF STAY 2002-2012

	Annual Average 2002-2004	%	Annual Average 2005-2007	%	Annual Average 2008-2010	%	Annual Average 2010-2012	%
NIGHTS								
Domestic	486,000	79%	643,000	86%	572,700	78%	-	-
Intrastate	435,000	71%	519,000	69%	-	-	1,008,000	68%
Interstate	51,000	8%	124,000	16%	-	-	172,000	12%
International	123,900	20%	108,800	14%	160,600	22%	298,500	20%
TOTAL	609,900	100%	751,800	100%	733,300	100%	1,478,900	100%
Average Length of Stay (Nights)								
Intrastate	7.4		10.6				8.5	
Interstate	2.8		5.6		8.4 (combined)		5.5	
International	4.2		4.2		5.4		7.1	
TOTAL	5.7		7.8		7.5		7.7	

(Source: Shire of Exmouth Local Government Area Fact Sheet; Tourism Western Australia 2012)

A wide range of tourist accommodation options are available within the Shire of Exmouth. These include Caravan Park and Camping Grounds (establishments comprising a diversity of caravan and camping sites, chalet/cabin and back packer accommodation); tourism resort, hotel and motel accommodation (including the Novotel Ningaloo Resort), and Other - (back packers accommodation, luxury eco-safari experiences and wilderness camping along the west coast within the Cape Range National Park and/or within Pastoral Station). **Table 13** outlines an audit of the accommodation categories available.

TABLE 13 ACCOMMODATION AUDIT, EXMOUTH LGA, JUNE 2013

Accommodation Supply by Type of Establishment	Establishments	Number of Rooms/Sites
Hotels/Resorts	7	208
B&Bs/Backpackers/Other	4	69
Caravan Parks	4	934
Total	15	1,211

Note: Total number of rooms/sites includes number of beds in backpackers/dorms for some establishments.

Source: AAA Tourism (2013), Exmouth Ningaloo Caravan & Holiday Resort (2006), Marina Beach Retreat (n.d.), Ningaloo Bed and Breakfast (2013), Ningaloo Lighthouse Caravan Park (n.d.), Ningaloo Reef Resort (2013), Sal Salis Ningaloo Reef Wild Bush Luxury (2013), Trip Advisor (2013), Wilderness Island Safari Holidays (2013), YHA Australia (2013)

Table 14 and **Table 15** summarise the total number of rooms available, occupancy rate and projected demand between 2005-2022 (ABS 2010 & 2013). The demand for accommodation is seasonal by nature with the occupancy rate for hotel/motel and serviced apartments ranging from 60% to 90% and 30% to 90% for caravan parks. This has implication in terms of sustainability and profitability of business operators and also the availability of permanent staffing.

TABLE 14 SUMMARY STATISTICS AND FORECASTS, HOTELS, MOTELS AND SERVICED APARTMENTS OF 15+ ROOMS, EXMOUTH LGA, YEAR ENDING DECEMBER 2005-2022

Year	Room Nights Occupied	Rooms	Room Occupancy Rate
2005	49,282	179	75.5%
2006	45,999	246	51.3%
2007	59,557	314	52.0%
2008	58,905	292	55.4%
2009	54,740	339	44.2%
2010	52,780	318	45.4%
2011	60,501	340	48.8%
2012	61,989	265	64.1%
2013	64,055	265	66.3%
2014	66,189	265	68.4%
2015	68,394	265	70.7%
2016	70,672	265	73.1%
2017	73,027	265	75.5%
2018	75,460	265	78.0%
2019	77,974	265	80.6%
2020	80,571	265	83.3%
2021	83,256	265	86.1%
2022	86,029	265	88.9%

Note: ABS information used as base of supply.

Source: ABS (2010 - Caravan Parks and 2013 –Hotels, Motels and Serviced Apartments) TRA(2013, AEC Group)

TABLE 15 SUMMARY STATISTICS & FORECASTS, CARAVAN PARKS, EXMOUTH LGA, YEAR ENDING DECEMBER 2005-2022

Year	Site Nights Occupied	Total Capacity	Site Occupancy Rate
2005	146,337	910	44.1%
2006	155,569	899	47.4%
2007	167,680	882	52.1%
2008	179,947	883	55.8%
2009	188,629	923	56.0%
2010	190,372	973	53.6%
2011	155,198	958	44.4%
2012	184,186	945	53.4%
2013	190,313	935	55.8%
2014	195,284	934	57.3%
2015	199,760	934	58.6%
2016	204,062	934	59.9%
2017	207,922	934	61.0%
2018	211,689	934	62.1%
2019	215,351	934	63.2%
2020	218,877	934	64.2%
2021	222,240	934	65.2%
2022	225,400	934	66.1%

Note: ABS ceased its survey of Caravan Parks in June 2010. TRA data has been 'forecasted'.

Source: AEC Group, ABS (2013), TRA (2013)

The projected demand highlights there is capacity in both caravan and hotel markets for future supply. Demand for both hotel/motels and serviced apartments and caravan parks have been growing at 4% and 4.7% respectively (TRA (2013)). If no other new supply is added by 2017, the annual occupancy rate for caravan parks is likely to exceed 60% and 75% for the hotel market. The planning implication of this forecast is that during peak time, Exmouth will have difficulty accommodating large number of additional visitors, highlighting the need for the LPS to address the future supply of tourism land.

Key tourism findings/issues identified by the Shire of Exmouth in conjunction with Tourism WA and TRA statistics for the tourism industry to address include:

- The proposed developments of a five star hotel, resort, apartment accommodation in Exmouth would increase the level of fly/drive visitors and package tour activity and could potentially stimulate more tourism product and services in Exmouth and the region;
- With a wider range of accommodation, more tourism product and increased marketing of packages and the destination it is expected that visitation during low and shoulder periods will continue to increase, extending the visitor season; and
- A distinct change in visitor profiles may occur with an increase in high-budget visitors as 'high order' accommodation is provided.
- Exmouth is one of eight active WA cruise ship destinations, noting the regional industry contributes \$21 million in direct expenditure to the State economy.
- Strata titling refurbishment policies and procedures should be written into management agreements to ensure that the tourism product reflects the design 'era' and promotes the image of Exmouth as a tourist destination.
- Pressure from developers for an increased percentage of permanent residential development in tourist developments to improve the viability of projects and likelihood of delivery.

2.3.4 MINING AND PETROLEUM RESOURCES

The Geological Survey of Western Australia (GSWA) advise that the Shire of Exmouth area is located within the Northern Carnarvon Basin and is underlain by sedimentary rocks. The bedrock, particularly land south of Exmouth Townsite, comprises mainly exposed Tulki Limestone. There is also minor Exmouth Sandstone in the central south of the Shire area. The Tulki Limestone contains sections of high-grade limestone. The sediments provide a source of additional basic raw materials such as aggregate, gravel, sand and clay.

The GSWA maintains a database of mines, minerals deposits, and prospects. This information has been used in preparing **Figure 7**, **Figure 8** and **Figure 9**.

It is expected that there will be future proposals for access to limestone resources within and beyond existing lease areas. Any future applications would need to take into account requirements under the *Environment Protection Act 1986* and the *Mining Act 1978*.

The area is also prospective for hydrocarbons in the sedimentary rocks of the Northern Carnarvon Basin. The Shire area includes parts of the Cape Range and Rough Range anticlines (elongated domes), which are highly prospective for hydrocarbons. The principal targets for drilling are Cretaceous sandstones (approximately 120 million years old) overlain by Cretaceous shales, at depths greater than about 1,000 metres. Targets have also been identified beneath the coastal plains surrounding the anticlinal ranges.

In addition to land based exploration, Exmouth has the potential to benefit from its proximity to the significant off shore oil and gas operations of the North West Shelf. Exmouth has the opportunity to be a logistical hub for the marine service industry, FIFO workers and residential lifestyle choice for resource sector workers and their families. Exmouth is geographically well placed to service the offshore industry, although upgrading of infrastructure will be required to receive larger vessel requiring fuelling and loading facilities either via increased capacity of the Exmouth Boat Harbour or the approved offshore loading facility further south at Ingram Street. There is an opportunity for mutual benefit economically to both Exmouth local business and the industry with careful management.

2.3.5 FISHING AND AQUACULTURE

The Department of Fisheries is responsible for the management and regulation of fishing, aquaculture and pearling in all State Waters under the *Fish Resources Management Act 1994* and the *Pearling Act 1990*. To fulfil this responsibility, the Department of Fisheries maintain a District Office in Exmouth.

Exmouth has a historical and highly respected reputation in fishing and aquaculture with active involvement in fish farming and trawling activities since the 1960's. Commercial fishing activities are controlled within the Exmouth Gulf and are also limited to the 'general use zone' within the Ningaloo Marine Park (State Waters). Stock levels and spawning stock levels are monitored by Department of Fisheries to ensure a sustainable fishery and industry is maintained. In 2008, the Exmouth prawn fishery caught 1170 tonnes, worth an estimated \$12 million.

Small-scale aquaculture operations occur in Exmouth Gulf for pearl production and finfish hatcheries in Exmouth supply spat to pearl farms in the north-west and several hatcheries supply juveniles of the black-lip pearl oyster to developing black pearl farms in the region. Pearl production is carried out on a small scale in Exmouth Gulf. Two sites are zoned for Aquaculture purposes within the Shire with various proposals in the past having been assessed by the EPA. The Department of Fisheries and Gascoyne Development Commission recognise opportunities for diversifying and expanding aquaculture pursuits in the region given that Exmouth encompasses outstanding water and land environments to facilitate aquaculture developments. Exmouth is poised to be a leader in new investment in large, sustainable aquaculture industries.

FIGURE 7 PETROLEUM TENURE AND WELLS

Insert Plan 13/013/049

FIGURE 8 MINING TENEMENTS

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FIGURE 9 MINEDEX AND GEOLOGY

Insert 13/013/052

2.3.6 PASTORAL ACTIVITIES

The Gascoyne pastoral industry was established on wool, and over time as the reserve price scheme was abolished and the wool market experienced a downturn, pastoralists have diversified with tourism, cattle, meat sheep, goats, horticulture and wool becoming typical products (Gascoyne Development Commission, 2010). Industry indications consider the greatest economic development potential is in beef, sheep meat and livestock export industries.

Pastoralists have become knowledgeable and skilled over time in the management of land. Drought is a normal occurrence and pastoralists have attempted to drought proof their farms, however there are costs and other limitations in this approach (GDC 2010). Livestock tends to be raised largely on natural pasture and are watered through a variety of sources including artesian bores, permanent water holes, windmills and dams.

All Western Australian pastoral leases expire in 2015. The pastoral lease system is being reviewed with an objective to improve conditions for diversification and further business investment on pastoral land. Diversification has begun to occur with wilderness style camping experiences emerging as a tourism activity on pastoral stations, such as the facilities existing at Bullara and Ningaloo Stations. New tourism activities not directly associated with pastoral activities are likely to be identified as separate parcels subject to diversification permits under the *Land Administration Act 1997*.

Within the Shire, pastoral leases apply to the Exmouth Gulf, Bullara and Ningaloo stations. The pastoral lease for Giralia was surrendered by the previous lessees, and the land, as UCL, is managed in the interim by DPaW.

2.3.7 PLANNING IMPLICATIONS

- Key industries within the Shire of Exmouth include tourism, fishing, pastoral activities, aquaculture, oil, gas and limestone mining, economics and planning, industrial activities, light engineering and government agency business. Continual investment and strategic economic development will be of importance for growth in industry sectors to support future employment.
- As an initiative of the GDC, a report on the *Economic Development Opportunities for the Gascoyne Region Associated with Resource Sector Investment and Expansion* (SGS 2012) identified further opportunities that can be explored to maximise the economic and social benefits for Exmouth, arising from existing and proposed mining and resource investment in the Gascoyne, Pilbara and Mid West regions:
 - Exmouth Boat Harbour Expansion;
 - Market / promote Exmouth as a Logistics Hub;
 - Development of Exmouth Gulf Marine Supply Base;
 - Exmouth Fly In – Fly Out / Drive In – Drive Out Initiatives; and
 - Exmouth Tourism Initiatives.
- Seasonal variation in expenditure and sales will lead to adaptability in the retail sector to ensure there is not an undersupply in peak season nor oversupply in the low season. Temporary floorspace and adaptable premises are seen as being adaptable to demand. However with a larger permanent population, the seasonal variations will over time be less pronounced for overall expenditure.
- The rapid spike in population, attributed largely to the tourism industry, is significant when considering full capacity requirements of services within the townsite and the demand for land and infrastructure. Continued promotion and growth within the tourism industry will further accentuate this trend in coming years. Ongoing collection of tourism data will assist the Shire to plan for the impact of tourism growth and associated land requirements for tourism sites.

- The floorspace estimates of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) will guide the spatial definition of the retail core area of the Town Centre assuming a population of 5,000 will be required to attract a larger floor-plate retailer to Exmouth.
- Mining and basic raw material industries are attracted to the Shire of Exmouth by virtue of its prospects and known material wealth. New application for resource extraction within or beyond existing mining leases and petroleum exploration licences will require appropriate levels of environmental assessment prior to being supported by approval authorities.
- Investment in oil and gas is linked to the potential for suitable land being available for a marine supply base and industrial land supporting the marine supply base. A marine supply base would be best considered as a nodal facility that supports other industry and facilities located within the Pilbara.
- Recreational and commercial fishing activities contribute to the local economy. Recreational fishing has social value and can form part of the tourism experience when visitors stay in Exmouth. Commercial fishing is a low-volume, high value industry and careful ongoing management of stocks is seen as a priority. It is noted, however, that the prawn fishery in Exmouth is a recognised ecological sustainable industry.
- Aquaculture has the potential to form part of a strategic food bowl plan supported by government with Exmouth offering attractive water and land environments to facilitate investment in the industry.
- Pastoral leases expire in 2015, with the Department of Lands and DPaW indicating that the Exmouth Gulf pastoral lease will be reduced in land area commensurate with the proposed additions to the public conservation estate.
- The Department of Lands indicates that the extent of the Ningaloo Station pastoral lease may be subject to re-negotiation beyond 2015. The future management of the land within Ningaloo Station is yet to be confirmed, in terms of the extent of private leaseholders operating under general leases, verses land under the care and control of DPaW.
- Rangeland and other diversification leases for pastoral land are seen as opportunities for improving the economic diversification of pastoral land. The Shire will need to contemplate land use and development provisions within LPS 4 that support, as opposed to hinder, the ongoing viability of pastoral stations and their diversification of activities.

2.4 EMPLOYMENT PROFILE

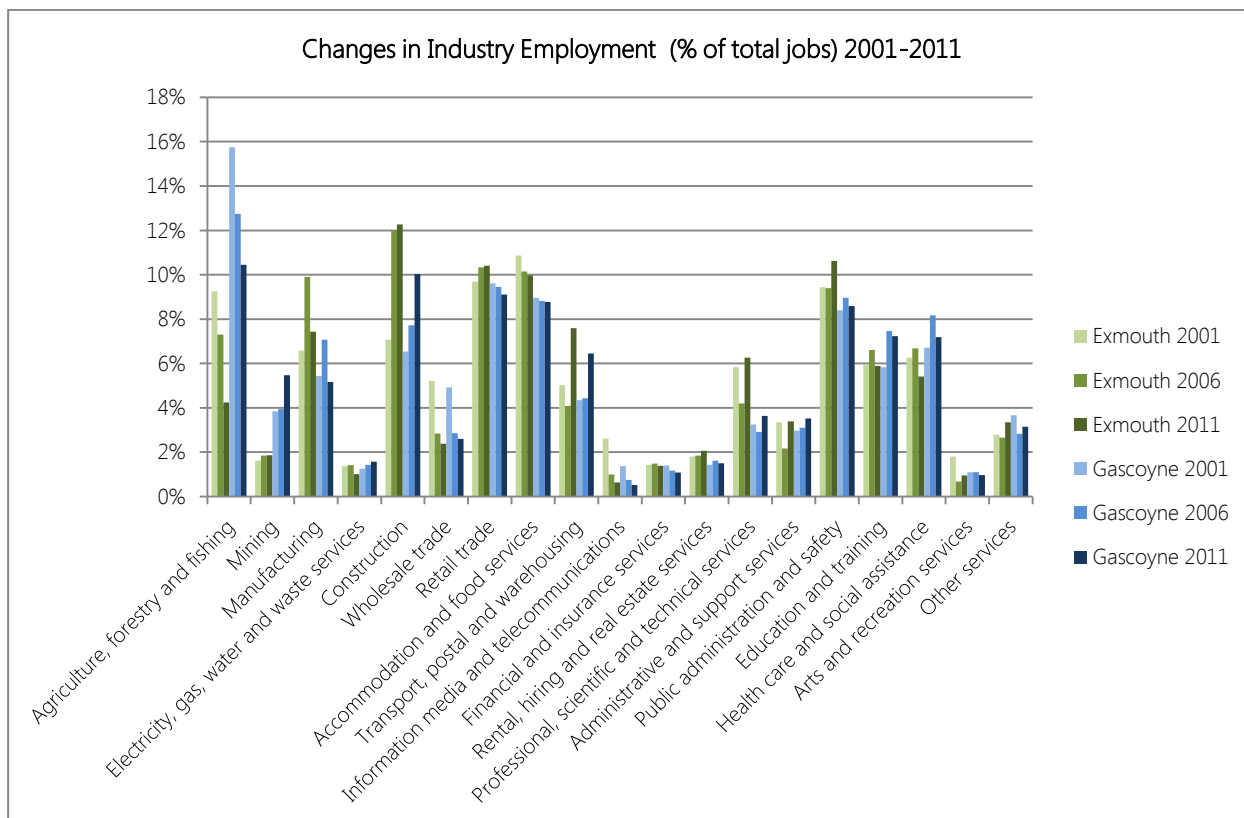
2.4.1 EMPLOYMENT

As referred to in **section 2.2.1**, 58 per cent of the population is in the local labour force. Further to **section 2.3.1**, population growth is incumbent on the strategic creation of quality jobs as well as the organic growth in population-driven jobs.

Based on the 2011 Census data (refer **Table 16** and **Graph 4**), Construction; Transport; Postal and Warehousing; Other Service; Mining; Rental; Hiring and Real Estate Services; Manufacturing; and Public Administration and Safety are growth sectors for employment. This Table identifies which industries are stable (i.e. 100%), growing (i.e. above 100%) or declining (i.e. below 100%).

TABLE 16 EMPLOYMENT GROWTH RATE OF CHANGE 2001-2011 (SOURCE: ABS 2013)

Growing Employment rate by Industry (2001-2011)	Percent	Contracting Employment rate by Industry (2001-2011)	Percent
Construction	202.63%	Health care and social assistance	100.99%
Transport, postal and warehousing	176.54%	Electricity, gas, water and waste services	86.36%
Other services	140.00%	Arts and recreation services	62.07%
Mining	134.62%	Agriculture, forestry and fishing	53.69%
Rental, hiring and real estate services	134.48%	Wholesale trade	53.57%
Manufacturing	132.08%	Information media and telecommunications	28.57%
Public administration and safety	131.58%		
Retail trade	125.64%		
Professional, scientific and technical services	125.53%		
Administrative and support services	118.52%		
Education and training	115.63%		
Financial and insurance services	113.04%		
Accommodation and food services	107.43%		



GRAPH 4 CHANGES IN INDUSTRY EMPLOYMENT (PERCENTAGE OF TOTAL JOBS 2001-2011)
(SOURCE: ABS 2012)

Retail Trade, Professional, scientific and technical services, Administrative and support services, Education and training, Financial and insurance services, and Accommodation and food services have also been growth areas for employment, but to a lesser extent.

Health care and social assistance has remained steady over the ten year period. In contrast, Electricity, Gas, Water and Waste Services, Arts and Recreation Services, Agriculture, Forestry and Fishing, Wholesale Trade and Information Media and Telecommunications have been shedding the number of persons employed within these industry sectors.

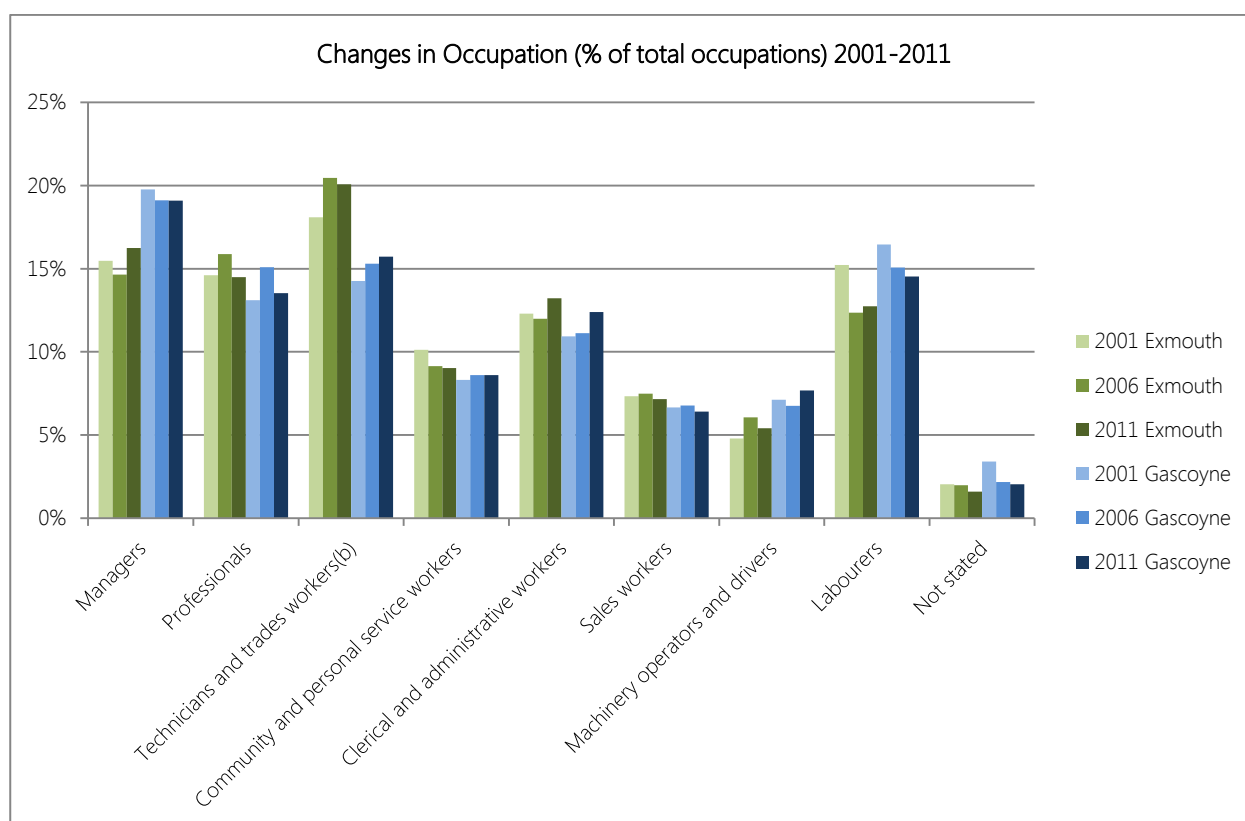
Exmouth isn't necessarily acknowledged as a mining town, compared to Newman, Karratha, Port Hedland and Onslow. It does have relationships to Mining through fly-in fly-out workers using Learmonth RAAF Base and Exmouth Aerodrome for flights between Perth and connecting helicopter transfers to offshore platforms.

2.4.2 INDUSTRY BY EMPLOYMENT SECTORS

Graph 5 outlines the changes in occupations over a ten year period from 2001 to 2011. Compared to the Gascoyne region, Exmouth has comparable numbers of persons in professional, community and personal service, clerical and administrative, and sales. Exmouth is below the Gascoyne average for managers, machinery operators and drivers, and labourers. It also has higher than average technicians and trade workers.

Exmouth follows similar patterns in changes in occupation that reflect the experiences across the Gascoyne region.

It is likely that if strategic or interventionist policies are introduced into bringing in high quality jobs to drive population growth, the changes in occupations are likely to move towards more managerial, professional, technical and trade occupations, supported with growth in other sectors.



GRAPH 5 CHANGES IN OCCUPATION (PERCENT CHANGE OF TOTAL OCCUPATIONS 2001-2011)
(SOURCE: ABS 2012)

2.4.3 PLANNING IMPLICATIONS

- Utilising the population growth forecasts and job numbers discussed in section 2.2.1, some assumptions can be made in relation to forecasted number of businesses that could generate employment growth for the town. WA Tomorrow's Bands C, and E population forecasts, (refer section 2.2.1) together with the Shire's aspirational population target of 5,000 people by 2025 have been used to extrapolate business number forecasts.
- Table 17** below demonstrates the extent of the economic development task required to generate employment (at the current rate of 0.8524 jobs per person) for a population of 5,000. The ratio of jobs is likely to be lower as the permanent population grows in relation to the tourism population, taking into account a larger ratio of permanent residents as employees versus seasonal or non-resident employees. However for extrapolation purposes the current ratio has been utilised. The small business creation task is significant, yet would not be unrealistic, if sufficient support and education is provided for the potential for home-based and micro businesses associated with diversified economic development in Exmouth. Of greater significance is the implication for larger employers (20+ to 200+) which may only be achievable if a marine support facility and associated industry was introduced into the Shire, or there is a substantial industry or business that wishes to move into the Shire.

TABLE 17 FORECAST OF BUSINESS NUMBERS (BUSINESS AS USUAL AND ASPIRATIONAL)

Staff Size	Number of Businesses (2011)	Ratio	Band C 2025	Band E 2025	Aspirational 2025
Non employing	218	55.19%	254	280	513
1-4	85	21.52%	99	109	200
5-19	70	17.72%	82	90	165
20-199	22	5.57%	26	28	52
200+	0	0.00%	0	0	0
Total	395	100.00%	460	507	929
Workforce <i>*assumption</i>	1,830		2,131*	2,349*	4,304*
Growth Assumption	100%		16.45%	28.35%	135.19%

(Source: WAPC 2012, ABS 2012)

- Trends in occupations in the Shire of Exmouth are reflective of Gascoyne averages. Strategic intervention into creation of high quality jobs, if such intervention occurs, would likely see increases in occupations such as managers, professionals, technical and trade workers as it is likely these jobs would be higher paying than other sectors.

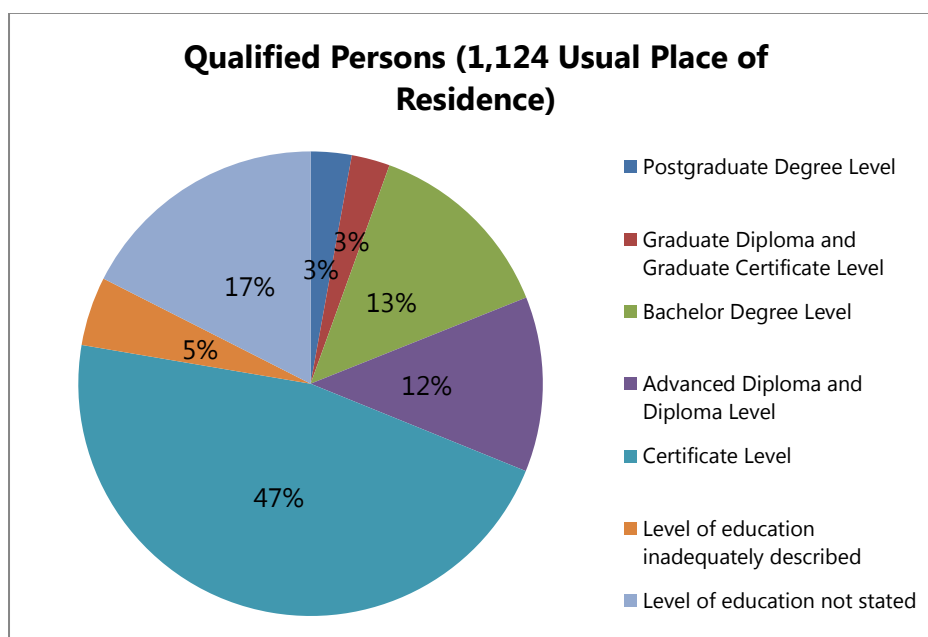
2.5 COMMUNITY SERVICES

2.5.1 EDUCATION

Education serves an economic, social and cultural role in society. Education facilities and services are of importance for supporting a growing population, to ensure that residents have access to schools, tertiary education and lifelong learning. Educational facilities and services within Exmouth include:

- Exmouth District High School – at July 2013 the school had 413 students enrolled between kindergarten and year 12 with demographic data indicating a consistent level of enrolments of school aged student in the foreseeable future. The Department of Education does not have proposals to further upgrade facilities, noting significant on-site infrastructure improvements have recently occurred. The school is currently not at its accommodation capacity and hence there is no requirement to relocate the current district high school site. The Department of Education has advised that an additional primary school site would be required in the event that an additional 1,500 lots are developed within the townsite.
- Durack Institute of Technology – the Exmouth campus offers training in Art, Marine, Business Administration, Retail, Horticulture, Teacher's Assistant, Hospitality, Tourism and Information Technology. In addition, the campus operates a Video Conferencing Facility offering two-way video and audio communication to other locations. Facilities include a student amenities area, computer classroom, and classrooms for delivery of marine and art courses.
- Childcare – child care services in Exmouth include Exmouth Play Group and Bernice McLeod Childcare Centre. A toy library is provided for hiring of new and used toys.
- Ningaloo Centre – the proposed multi-purpose community facility is designed for scientific research and a central location for education and community engagement.

In regard to the census data, that takes into account only persons aged over 15 years and that have a qualification (refer **Graph 6**), approximately 45 percent of the population (1,124 persons counted in the Census) has a tertiary qualification.



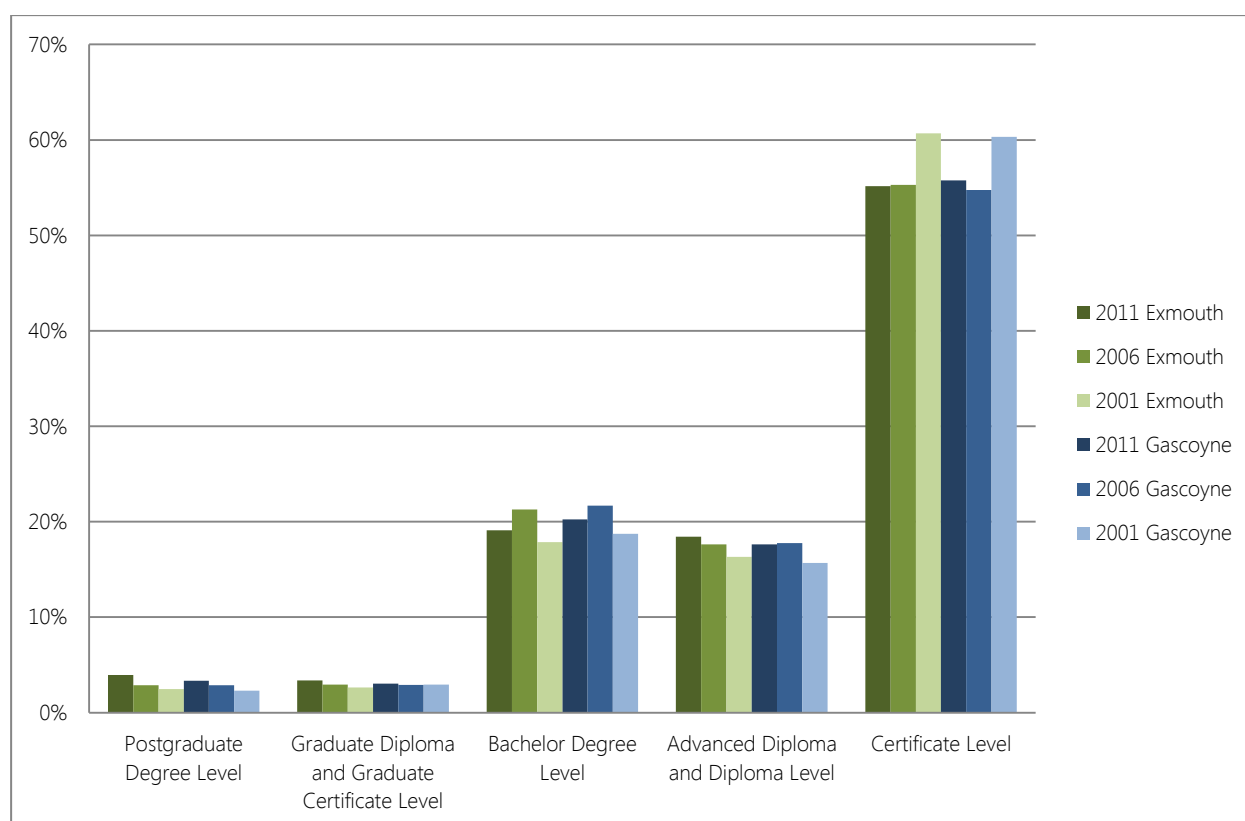
GRAPH 6 NUMBER OF QUALIFIED PERSONS (AGED OVER 15 YEARS WITH A QUALIFICATION)
(SOURCE: ABS 2012)

TABLE 18 TRENDS IN CHANGES OF QUALIFICATIONS (2001-2011 CENSUS)

Qualification	2011 Census	% Change	2006 Census	% Change	2001 Census
Postgraduate Degree Level	3.9%	1.0%	2.9%	0.4%	2.5%
Graduate Diploma and Graduate Certificate Level	3.4%	0.5%	2.9%	0.3%	2.6%
Bachelor Degree Level	19.1%	-2.2%	21.3%	3.4%	17.9%
Advanced Diploma and Diploma Level	18.4%	0.8%	17.6%	1.3%	16.3%
Certificate Level	55.1%	-0.2%	55.3%	-5.4%	60.7%
	100%		100%		100%

(Source: ABS 2012)

The nature of employment within Exmouth has a relationship with the types of qualifications obtained by people, with Certificates and Diplomas being the predominant form of qualification amongst persons in the workforce. The census data also indicates that tertiary qualifications are comparable between Exmouth and the Gascoyne Region (refer **Graph 7** below). Minimal change in the ratios of qualifications being obtained (refer **Table 18** and **Graph 7**), noting a slight drop between 2001 and 2006 in Certificate level qualifications.



GRAPH 7 TERTIARY QUALIFICATIONS 2001-2011 (SOURCE: ABS 2012)

This growth in qualifications in the community may either be due to migration of qualified people into Exmouth, or the acquiring of tertiary qualifications by the permanent population. It is evident that jobs in the predominant employment sectors represented in Exmouth would only require or benefit from such qualifications.

2.5.2 HEALTH

The Department of Health indicates that there are two facilities providing services within the Shire of Exmouth:

- Exmouth Multipurpose Service (District Hospital), Lyons Street – dental, emergency, home and community care, medical, general, nursing, outpatients, pathology, radiology, triage, wound management.
- Exmouth Community Health Service, Payne Street – child development, child health, community health, community nursing, diabetes management and education, health promotion, nursing education, positive parenting program, primary health, school health, women’s health.

A pharmacist, physiotherapist, chiropractor, and a variety of massage and beauty therapists are available within the Exmouth townsite. When required, the Royal Flying Doctor Service can access the Shire area for transporting patients to Perth.

The District Hospital is located on a land parcel of 3.9495 hectares bounded by Lyon and Fyfe Streets adjacent to the town centre. This land area is considered adequate for future expansion of the facility over time. The community health centre currently located on Payne Street will be relocated to the district hospital once current upgrades are completed.

2.5.3 RECREATION AND COMMUNITY FACILITIES

From a lifestyle perspective, Exmouth presents a diverse range of recreational opportunities for residents and visitors. The landscape is conducive towards camping, hiking and related activities, which generally are focussed within the Cape Range National Park. Camping as a tourism component is discussed further within **sections 2.3.3** and **section 6**.

Water-based recreation is also popular with swimming, snorkelling, fishing and boating as common activities. The popularity of recreational boating is reflected in the number of people on a waiting list for registrations of interest for boat pens in the Exmouth Boat Harbour.

Within the Exmouth Townsite, facilities for indoor and outdoor passive and active recreation are provided for amenity and enjoyment. The **Public Domain Strategic Plan** illustrates the extent of recreational land and community facilities that are available, predominately within the Exmouth Townsite. The Townsite incorporates the majority of recreation and community facilities as listed below:

- | | |
|--|--|
| • Federation Park | • Rifle Range |
| • Barbecue areas – Town Beach and Federation Park | • Squash Courts |
| • Boat Ramps – Exmouth Boat Harbour, Bundegi Beach, Tantabiddi Boat Ramp | • Tennis Courts |
| • Cricket Nets | • Yacht Club |
| • Undercover Hard Court facility | • Talanjee, Koobooroo and Niblett Ovals |
| • Bowling greens | • Recreation Centre |
| • Community Club rooms | • Shire Hall |
| • Exmouth Game Fishing Club facility | • Paltridge Memorial Swimming Pool (50m) with separate toddlers pool |
| • Go Kart Track | • Skate Park |
| • 18-hole Exmouth Golf Club | • Parks with playgrounds throughout the town |
| • Motorcross Track | • Walk and bike trails that circumnavigate the town |

Based on feedback from the Community Workshops and the Shire, there is also the intention to investigate opportunities for a horse racing facility to be located at Reserve 29066 (currently reserved for the purposes of drainage and recreation). Investigations are ongoing.



The Shire of Exmouth has secured funding through Royalties for Regions to deliver a premier community, tourism and research facility - *the Ningaloo Centre*. The multi-purpose facility will emerge as an iconic entry statement to the town adjacent to Niblett Oval on the corner of Murat Road and Truscott Crescent. The site comprises approximately 2.7 hectares with a building area of approximately 4,700m². The Ningaloo Centre is to comprise four core components – community, visitors, research/education and galleries/exhibitions space for education, research, art galleries and exhibitions. The centre will provide ongoing training and employment opportunities for Exmouth and the Gascoyne region, and state-of-the-art interpretative displays for local, domestic and international visitors.

The Shire of Exmouth has also developed a programme for the relocation, rationalisation and subsequent redevelopment of community and government services within the Exmouth Townsite, as illustrated in **Figure 10**. Whilst this programme will take a period of time to effectively budget for works, there is support for the logical progression of community facilities to be vacated, upgraded as required and/or relocated. The relocation of town centre land uses such as the WA Police, St John's Ambulance and Department of Fire and Emergency Services will enable the re-distribution of land uses to occur in line with plans to revitalise the town centre (refer Hassell 2012)

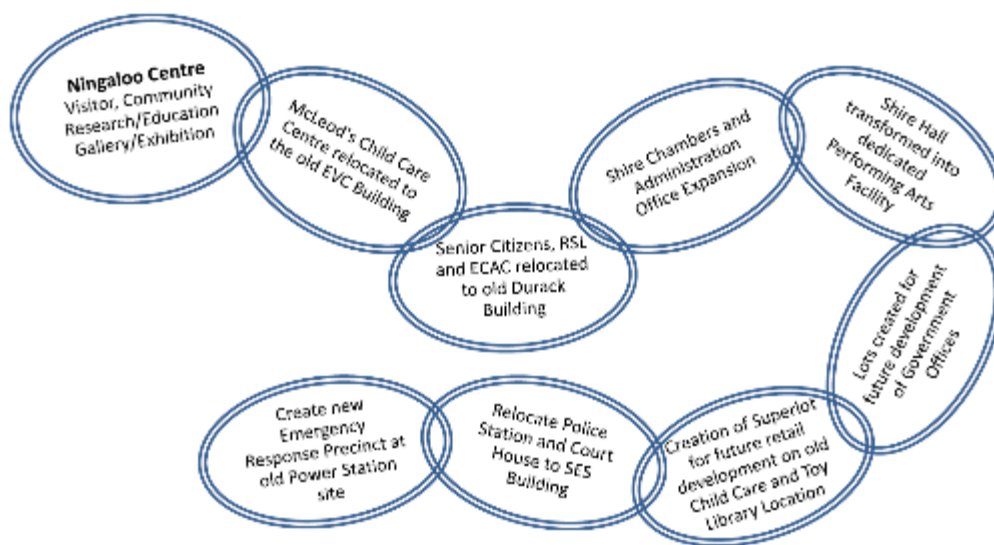


FIGURE 10 PROPOSED RATIONALISATION OF COMMUNITY AND SHIRE FACILITIES
(SOURCE: SHIRE OF EXMOUTH 2013)

The site of the previous power station on Nimitz Street has been identified as a potential Emergency Response Precinct facilitating the relocation of emergency services from the town centre. In turn, the potential relocation of the Police Station and Court House to the existing SES site would facilitate the freeing up additional landholdings for future retail, community and government offices.

2.5.3.1 PUBLIC OPEN SPACE

An audit of existing public open space has been undertaken for the existing reserves within the Exmouth Townsite to support the LPS land use recommendations.

The audit indicates that, currently, in excess of the WAPC's 10% public open space requirement is set aside for public open space. In addition, the coastal foreshore along the Exmouth Gulf serves a recreation function specifically Town Beach, walking trails within the dunes and Surf Club and Sailing Club activities.

In accordance with DC Policy 2.3 *Public Open Space in Residential Areas*, the audit has excluded foreshore reserves in calculating the 10 percent gross subdivisible area to be contributed as POS. The inclusion of 'activated' foreshore reserves may be supported by the Western Australian Planning Commission in calculating POS, where because of inconsistencies in *Liveable Neighbourhoods* and DC Policy 2.3. Section 154 of the *Planning and Development Act 2005*, however, provides scope for the Minister regarding cash-in-lieu expenditure on "recreation grounds or open spaces generally of any land in that locality".

2.5.3.2 PLACES OF WORSHIP

A number of places of worship are located within the Exmouth Townsite, including:

- Exmouth Christian Fellowship Church – 30 Payne Street;
- St John's Catholic Church – 15 Kennedy Street; and
- Exmouth Anglican Community Church – 8 Pelias Street; and

A place of worship is a defined land use, which will be permitted subject to planning approval within various zones within the scheme including the Residential zone.

2.5.3.3 CEMETERY

The Exmouth cemetery is located at 40 Warne Street, south-east of the town centre adjacent to the Exmouth Marina Village. The cemetery is 1.0854 hectares in area and is assessed to be adequate for the time period of the LPS.

2.5.3.4 EMERGENCY SERVICES

Emergency service providers within the Shire include:

- Exmouth Police Station – Maidstone Crescent;
- St John Ambulance Sub Centre – Maidstone Crescent;
- State Emergency Services – Payne Street;
- Exmouth Volunteer Marine Rescue Group; and
- Exmouth Volunteer Bushfire Brigade – Maidstone Crescent.

As per **section 2.5.3** and **Figure 10** the emergency services within the Exmouth town centre have been identified by the Shire for ultimate relocation consistent with rationalisation of community and Shire facilities. The size of the previous power station on Nimitz Street has been recognised as an appropriate location to enable a more efficient facility to operate on what will be a purpose-built site.

2.5.4 PLANNING IMPLICATIONS

- The demographic data available indicates a consistent level in enrolments of school aged students in the foreseeable future. The Department of Education indicate the provision of education facilities within the Townsite are considered to be adequate.

- Future population growth in particular could warrant one (or more) additional schools, with Department of Education advising that one primary school caters for a catchment of an additional 1,500 lots.
- The Durack Institute of Technology Campus in Exmouth is proposed to be relocated from Maidstone Crescent premises to the Ningaloo Centre, with future growth of education and research facilities expected to be in within this locality.
- Given the remote nature of Exmouth, increased accessibility to education lies in both the delivery of educational facilities as well as digital accessibility to education resources. Online learning is emerging with services already available through Durack Institute of Technology and the advent delivery of the National Broadband Network.
- Health services are provided within the District Hospital, Community Health Service at Payne Street, and private practitioners within the townsite. Accommodation for workers in health services may need to be investigated as population growth in Exmouth requires an increase in health worker numbers.
- Future expansion of facilities on the existing hospital site may need to accommodate a nursing home, hospice and related aged care facilities.
- Places of worship within Exmouth will be considered as land uses within relevant zoning in the Scheme.
- The Shire's planning for the provision of community facilities includes the rationalisation of existing facilities and assets, following the development of the Ningaloo Centre.
- As new residential development unfolds, additional public open space reserves will be ceded to the Crown for management by the Shire of Exmouth. The cost of managing these new spaces rests with the Shire and will need to be factored into operational budgets.
- As development occurs, public open space will be ceded in accordance with current legislation and State policy. In turn, the Shire has the opportunity for spending cash-in-lieu contributions on upgrading recreational areas in the immediate locality. The Shire will accept cash-in-lieu contributions for shortfalls in open space, as open space provision within the townsite is in excess of the 10% WAPC requirement.

2.6 INFRASTRUCTURE AND BUFFERS

2.6.1 WATER SUPPLY

Water availability is one of the key considerations influencing the extent of appropriate land use activity within the region. Exmouth's water supply comes from the Cape Range Group superficial aquifer. Recharge is by direct infiltration of rainfall events, and indirectly through the beds of ephemeral streams that also come about through rainfall events. Private drinking water supplies are guided by the *Australian Drinking Water Guidelines 2011*. Brouchers for bore and rainwater sources are available from the Department of Health. The Department of Water has a water quality information sheet for private water supplies.

The Shire of Exmouth's ground water supply is secured through a Priority 1 Water Reserve (proclaimed in 2002 under the Country Areas Water Supply Act 1947) and wellhead protection zones (500m) around each production bore. The Water Protection Reserve consists of 34 bores and is located immediately west of the Exmouth Townsite. It is approximately 7km to 11km in width and extends approximately 20km to the south of the Townsite. Water is provided by bores with the volume extracted from each bore configured to maintain water balance between the freshwater and saline water lenses. Strict limitations on land use apply in areas defined and managed as P1 water reserves to ensure there is no degradation of the quality of the drinking water source, using the principle of risk avoidance. Land development is generally not permitted.

The Department of Water is responsible for the allocation of water licenses and the Water Corporation is the largest licensee of groundwater allocated from the superficial aquifers in the Cape Range. The Department of Water reviewed the *Exmouth Water Reserve Water Source Protection Plan* in 2011 which complements the existing Exmouth Water Reserve source protection plan 2000. No changes were made to the water reserve boundary as part of the review. The review found that the existing reserve adequately reflected the recharged area and management objectives for drinking water source protection. It also identified specific land uses that have the potential to contaminate drinking water sources (i.e. livestock grazing, limestone mining, unauthorised use of unsealed tracks and activities associated with exploration/production connected with geothermal/petroleum leases).

Licensing of all wells in the Cape Range is required. In terms of water availability, the Exmouth West sub area is set at the current level of use and no further licenses should be issued. Exmouth Town and North are over-allocated and similarly, no further licences should be issued. Exmouth Central and South have groundwater available for allocation, with new applications to be considered on local availability.

2.6.2 POWER SUPPLY

Power is generated within the Shire of Exmouth via the operation of a gas-fired power station situated on Lot 1467 Welch Street, centrally located within the Exmouth Townsite. The generation of power for distribution by Horizon Power is subject to a power purchase agreement executed in November 2005 between Exmouth Power Station Pty Ltd (ExPS) and Western Power (now Horizon Power). The agreement expires in November 2024.

Since the power station became operational in 2007, there have been ongoing discussions between the Shire and ExPS overtime and corresponding noise assessment undertaken to ensure the noise footprint of the power station is minimised and compliant with the *Environmental Protection (Noise) Regulations 1997* and *Draft SPP 4.1 – State Industrial Buffer (Amended)*. Six noise assessments have been undertaken over a ten year period with the latest assessment being conducted in December 2012. The requirement to undertake noise assessments was a condition of the original development approval and has been necessary given the close proximity of a number of existing approved sensitive land uses, in addition to the land to the north and south-east being zoned under the provisions of the Shire of Exmouth Town Planning Scheme No 3 for residential development since the gazettal of the Scheme in 1999.

ExPS currently has approval for the operation of 8 engines. The latest noise assessment (2012) was undertaken by Lloyd George Acoustics for ExPS following noise attenuation measures being implemented by the ExPS to achieve a reduction in noise levels as far as practical (installation of 8 exhaust mufflers). This assessment identified a reduction in the noise footprint in comparison to previous assessments, and provided an updated compliance contour for the existing operating conditions of the power station (Day time – 8 engines; Night time – 4 engines) with a peak load of just below 6,500kW occurring for short durations in the late afternoon. The 2012 noise assessment also mapped a compliance contour assuming a full operating capacity of 13,000kW (Day time – 15 engines; Night time – 6 engines). Horizon Power, however, has since provided advice to the Shire that based on current power generation forecasts, the power station is unlikely to operate at a load of 13,000kW before the expiry of the power station agreement, with a full capacity operating load of 10,000kW being a more accurate figure upon which to define a land-use buffer.

To date, a noise assessment has not been undertaken to reflect the impact of the power station operating at 10,000kW. Adopting *Draft SPP 4.1 (section 5.3)* as guidance, in the absence of modelling and technical analysis to identify the impact of the power station operating at full capacity, the ability for the Local Planning Strategy to accurately map a land use buffer representative of an accurate worst case scenario is limited. In the interim, proposals will be individually assessed, and the LPS will identify a land use buffer based on the existing operating conditions permitted by the existing approval i.e. 8 engines (Refer **Exmouth Townsite Spatial Plan – Sheet 3**). The planning process and requirements for technical analysis to support land use proposals adjacent to the power station are further discussed in **section 13.1**.

2.6.3 WASTE WATER TREATMENT PLANT

The Exmouth Waste Water Treatment Plant (WWTP) is located within Crown Lot 368 Willersdorf Road and is currently reserved for public purposes in the Shire of Exmouth Town Planning Scheme No. 3. The Exmouth WWTP has been previously identified within the Exmouth Townsite Structure Plan as requiring a 500m odour buffer, measured from the outer boundary of the facility. There are existing and proposed sensitive land uses located within the 500m buffer and it is understood that under certain weather/climatic conditions odour issues are experienced and occasionally during the use of recycled water on the town's irrigated ovals. The following **Table 19** and **Figure 11** identify the properties within the 500m buffer.

TABLE 19 PROPERTIES IDENTIFIED WITHIN 500M WWTP BUFFER

Property Address	Land Use	Property Address	Land Use
Lot 368 Willersdorf Road	Exmouth Waste Water Treatment Plant (to be decommissioned) Future Pump Station	Various Nimitz Pelias, Pellew and Maley Streets (Mixed Use Zone)	Service Industry /Residential Composite Development Government Office,
Lot 1431 Willersdorf Road Reserve 50807	Exmouth Golf Club (fairways and greens) Future Ningaloo Centre	Lot 8 Murat Road	Vacant
Lot 1432 Willersdorf Road	Exmouth Visitor Centre	Lot 77 Murat Road	Service Station

Property Address	Land Use	Property Address	Land Use
Lot 1419 Willersdorf Road Reserve 50807	Recreation Playing Fields and Vacant	Lot 829 Murat Road	Tavern
Lot 1407 Willersdorf Road	Vacant	Lot 30 Pelias Street	Place of Worship
Lot 1112 Nimitz Street	Ningaloo Caravan & Holiday Resort	Lot 37 Pelias Street	Private Recreation
Lot 1 Truscott Crescent	Exmouth Cape Holiday Park	Lot 36 Murat Road	Private Recreation
Lot 1455 Truscott Crescent Reserve 29066	Future recreation (potentially racecourse)	Lot 33 Pellew Street	Commercial
Lot 1404 and Lot 1403, Truscott Crescent	Future tourism (proposed caravan park)	Lot 832 Nimitz Street	Vacant

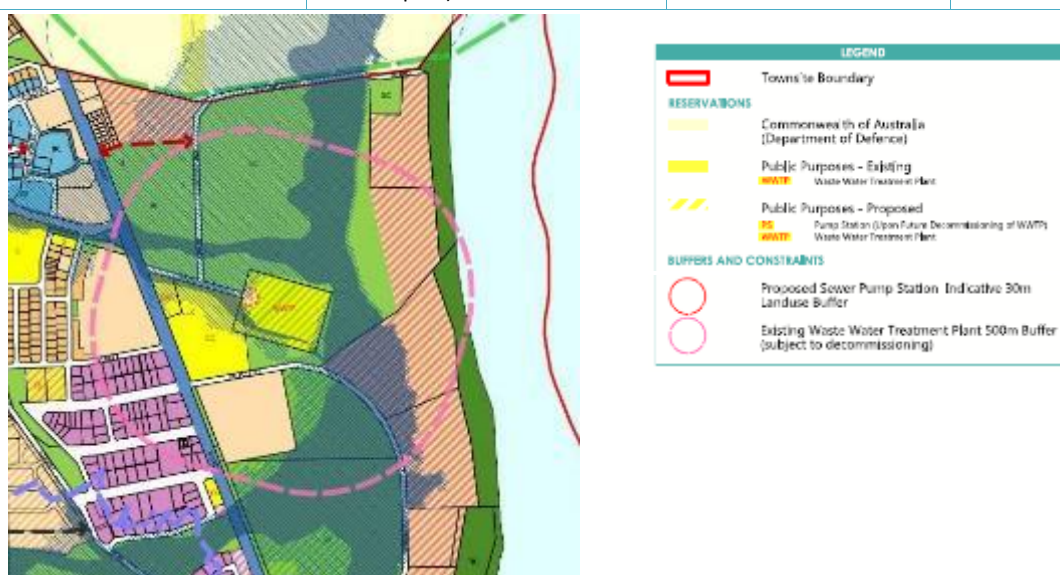


FIGURE 11 EXISTING WASTE WATER TREATMENT PLANT 500M BUFFER (SUBJECT TO DECOMMISSIONING)

The Water Corporation has previously advised that the existing WWTP has short-medium term capacity for population growth, subject to the Shire of Exmouth's re-use system being operated at a high level of performance. However, with consideration to improving the amenity of surrounding land uses, negotiations are currently taking place with the Department of Defence to enable the facility to be relocated on Commonwealth Land immediately to the north of the Townsite. The proposed relocation of the waste water treatment plant was first recommended by the *Exmouth Structure Plan* (2004) with a preferred site being reinforced by the *Exmouth Townsite Structure Plan* (2011). Water Corporation has proceeded to undertake detailed site assessment to confirm the suitability of a 40.8ha site located within 'Area B' of the Naval Communications Station Harold E Holt, including archaeological and ethnological reporting, geotechnical assessment and odour modelling. The modelled buffer impacts upon 'Area B' and a small portion of the Exmouth Gulf foredune but otherwise does not impact on landholdings within the Exmouth Townsite. The preferred site supported by site analysis has formed the basis on continuing negotiations with the Department of Defence in advance of funds being committed for the infrastructure design phase. The Water Corporation's current budgetary programme makes provision for the relocation of infrastructure before the year 2016-18.

It is understood that, notwithstanding the relocation of the WWTP, a pump station will be established within portion of the existing reserve. Water Corporation proposes to commission a Pump Station at Lot 368 Willersdorf Road, which indicatively will pump 180 litres per second to the relocated WWTP. Water Corporation has confirmed a Pump Station with a rate of 180 litres per second would require a 30 metre buffer, measured from the centreline of the facility, which in this instance could be contained within the Pump Station's proposed lot dimensions. The Pump Station site is subject to detailed design by Water Corporation and its ultimate location will be confirmed.

It is necessary for the Department of Defence and Water Corporation to finalise negotiations regarding the relocation of the Exmouth WWTP, in order to proceed with its ultimate construction of new WWTP infrastructure and decommissioning of existing WWTP infrastructure.

The licensing of the new infrastructure will require the Water Corporation to ensure disposal of waste water takes place in a sustainable manner with it being feasible that a high proportion of treated output from the facility will have the potential to be recycled by the Shire of Exmouth in line with current practice.

2.6.4 WASTE LANDFILL SITE

The existing landfill site is located at Lot 219 Minilya-Exmouth Road on Crown Reserve 43252 north of the Exmouth Aerodrome and south-west of the Ingram Street industrial area. The *Exmouth South Structure Plan* (2013) identified that the site had potential land use issues including the risks of aircraft bird strikes given that the facility is generally within the flight path of the at aerodrome, visual impacts evident by the air when arriving to Exmouth as a tourist town, and potential environmental impacts on subterranean waterways that underlay the site. Whilst the landfill site is not at capacity and meets the rubbish disposal needs of the Exmouth Townsite within the life of the LPS, the facility may need to be relocated in the longer term.

2.6.5 TELECOMMUNICATIONS

Broadcast Australia owns and operates the critical communications infrastructure at the sites known as North West Cape (6021) & Exmouth MF (6022). The sites provide the greater Exmouth area with radio and television services.

Broadcast Australia maintain and upgrade the sites to ensure the greater Exmouth area benefits from the latest technology and are likely to be operational over a long term timeframe.

For site Exmouth MF (6022) within the Exmouth Townsite located on Lot 869 Murat Road, Broadcast Australia imposes a buffer of 150m from the mast for any additional structures greater than 25m in height as this can affect the radiation pattern of the services. For site North West Cape (6021) the existing site boundary/fence is sufficient. If there are any developments adjacent to the fence boundary, the height of the developments would need to be further investigated with regard to potential coverage impacts.

The LPS identifies a possible longer term conflict with the location of the Broadcast Australia site on Murat Road given future proposals for future residential development and the desire for an improved land use interface with Murat Road.

It is recognised that there is incomplete telecommunications coverage along the West Coast. This has been identified as an issue that has implications for tourism and the community. It is anticipated that over time, additional telecommunications infrastructure would be required to provide more continuous coverage. Given the high value placed on the physical landscape, careful consideration of sites for telecommunications infrastructure will be important in order to minimise disruption of view-sheds and amenity for tourists.

2.6.6 PLANNING IMPLICATIONS

- Consultation with the Department of Water and Water Corporation will be necessary to ensure an adequate water supply is provided that anticipates population growth. Monitoring of the population growth of Exmouth will be important to predict and provide sufficient water availability for industry, domestic and civil use.

- The modelled buffer of the existing power station, for the interim, places constraints and limitations on the otherwise logical, southerly progression of development of the Townsite. In the absence of revised noise assessment reporting that accurately models the power station operating at full capacity (10,000kW), subdivision and development within close proximity to the power station will need to be assessed on a case by case basis.
- Best practice for management of the Power Station may lead to a reduced buffer, however the costs of ongoing improvements to the Power Station may be prohibitive towards providing an affordable supply of power to the townsite.
- The *Exmouth South Structure Plan* (2013) and the LPS supports the relocation of the existing power station upon the expiration of its lease. The *Exmouth South Structure Plan* identified a site north of the Exmouth Landfill Site as a possible relocation site, however further economic and environmental investigations are required. Appropriate amenity and safety buffers would need to be maintained in considering any location for the new power station as well as essential service infrastructure. It is understood that Exmouth Power Station Pty Ltd does not have intentions to relocate. The Shire does not intend to grant planning approvals for further works at the site.
- It is also understood that Broadcast Australia does not intend to relocate its telecommunications infrastructure from 183 Murat Road, however the longer term relocation of the Broadcast Australia site should be investigated. The site currently occupies a significant portion of Murat Road frontage on land strategically earmarked for future residential development. The Shire does not intend to grant planning approvals for non-low impact telecommunications infrastructure works at the site.
- Further investigate opportunities for improvements to telecommunications coverage along the West Coast.
- The strategic relocation of the Exmouth WWTP will ensure that the proposed Ningaloo Centre, existing and proposed tourism sites within proximity to the town centre are unimpeded by odour buffers, noting that agreements to facilitate the planned relocation between the Department of Defence and Water Corporation are yet to be finalised. The LPS and zoning under LPS 4 will not provide any procedural impediment to the future relocation of the facility.
- The landfill facility is considered to be adequate for the duration of this Local Planning Strategy; however, in the longer term it may need to be relocated.
- Developments are required to connect to scheme water and reticulated sewerage (if available) in accordance with the draft Country Sewerage Policy.

2.7 MOVEMENT NETWORK

2.7.1 ROADS

MINILYA-EXMOUTH ROAD

Minilya-Exmouth Road is the responsibility of Main Roads WA, and is identified as part of the State Freight Network. Concerns surround the road width and the limited overtaking opportunities particularly given the 110km/h speed limit and shared use by passenger and freight traffic. In addition the road is susceptible to be closed or made temporarily impassable during flood events. Main Roads WA has identified opportunities to improve the Minilya-Exmouth Road with additional overtaking lanes.

BURKETT ROAD

Burkett Road is the responsibility of Main Roads WA. Burkett Road is not as significant for freight or passenger vehicle traffic as Minilya-Exmouth Road. However, it provides an east-west connection between the North West Coastal Highway (MRWA road) and Minilya-Exmouth Road. Bullara Station, Giralia Station, associated tourism locations and an Aquaculture site are accessible from Burkett Road.

MURAT ROAD

Murat Road is the responsibility of the Shire of Exmouth. Murat Road currently is the only north-south road within the Exmouth Townsite, and by virtue of the road network is most prone to traffic as the population grows and exacerbated during the tourism season. Murat Road is identified for enhancement, particularly at intersections to Maidstone Crescent and Truscott Avenue, with T-intersection treatments complemented with signage, landscape and street tree planting.

North of the Townsite, in two discrete sections, Murat Road is constructed on freehold lots (43 and 44, Areas A and B of Naval Communications Station Harold E. Holt) with no other tenure or legal description. Notwithstanding that the road is constructed on freehold land (Lots 43 and 44), is maintained by the Shire of Exmouth and acts as a public thoroughfare, the Commonwealth Government is legally responsible for the road.

During heavy rain events, water collects to the east of Murat Road and within the Townsite in particular, the coastal dunes prevent water from draining into the ocean. Improvements to bunds and creeklines have been investigated to mitigate flooding affecting road accessibility to the Townsite.

YARDIE CREEK ROAD

Yardie Creek Road is gazetted from the western boundary of Site A of Naval Communications Station Harold E. Holt, around Vlamingh Head to the western coast and in a south south-westerly direction to Yardie Creek. The road is constructed to the mouth of Yardie Creek and the Indian Ocean. Further south the road is unsealed to Ningaloo Station.

Yardie Creek Road continues from the western boundary, eastwards through Site A of Naval Communications Station Harold E. Holt. The Yardie Creek Road continues through to the Cape Range National Park. Yardie Creek Road is managed by the Shire in the National Park. The strategy recommends that the portion of Yardie Creek road located in the National park be the responsibility of DPaW. Over a longer period of time, a route avoiding encroachment into Commonwealth land may be more appropriate from a public safety perspective as well as minimising potential land use conflict with Defence operations. To address the issue of Yardie Creek road being part located in Defence land the strategy recommends that the Shire work on obtaining the road which could be achieved via a land exchange.

Yardie Creek Road is affected by limited and inconsistent telecommunications coverage along the west coast. Measures to improve telecommunications are required for increasing convenience and public safety.

2.7.2 AIR TRAVEL

LEARMONTH RAAF BASE AND AIRPORT

Learmonth RAAF Base is located approximately 40km south of Exmouth townsite on Commonwealth land and is the first point of arrival for many visitors to the Shire of Exmouth. Aviation is a significant economic driver for the Shire from the perspective of tourism and business sectors, in addition to servicing the local community for medical, leisure and other purposes. During 2002-2012 the number of flights has grown on average 9.3 percent with passenger numbers growing 19 percent for the same time period. The number of passenger movements in 2012 was 92,404 and in 2013 was 91,743 (BITRE 2013), with similar passenger movements being predicted for 2014. The Learmonth Domestic Airport and Heliport Facility is currently a significant transfer hub for FIFO workers to the oil and gas fields with an estimated 30,000 transfers occurring at the Heliport annually.

Learmonth is strategically important to the RAAF and Australian Government from a defence perspective and can become fully operational within 24 hours. The Shire has lease arrangements through to 2033 for the civilian terminal; however the airport can be declared a 'Military In-Use' area, leading to periods where civilian flights may be limited or restricted. Potentially the airport can also be declared a 'Military Active' airport with civil aircraft being completely excluded for periods of time. The *Exmouth South Structure Plan* (ESSP, 2013) identifies the need for the Exmouth Aerodrome to be suitably equipped for increased civil aircraft operations.

A Masterplan (Forte Airport Management 2014) has been adopted for the Learmonth RAAF Base which covers the Shire's civil lease area. The Masterplan identifies the proposed development within the 23.8 ha lease area, including a future lease expansion of 5.15 ha to the south of the existing lease boundary. The Masterplan documents proposed development including future apron development, hangars, long term car park, public car park and airport storage north of existing buildings. Proposed development including an expansion to the helicopter apron reserve, hangar reserve, new road and airport storage is proposed south of the existing buildings.

Building and structure height limits apply under the *Defence [Areas Control] Regulations 1989*. The ESSP identifies an indicative aircraft noise buffer for the Learmonth Airport, noting that existing Australian Noise Exposure Forecasts (ANEF) mapped for Learmonth are outdated. The buffer Identified by the ESSP will be adopted by the LPS and is viewed as an interim measure to avoid the encroachment of noise sensitive uses pending the preparation of ANEF mapping. The LPS has adopted the indicative noise buffer to guide future land use planning and will be identified as a Special Control Area.

EXMOUTH AERODROME

The Exmouth Aerodrome is located 15km south of Exmouth Townsite on Crown Lot 73 vested in the Shire of Exmouth for aerodrome purposes. The aerodrome is operated by the Shire with leases in place enabling the operation of five light aircraft/helicopter operators for pleasure and the transfer of FIFO workers to the oil and gas fields. To ensure the demand of general aviation activity within the Shire is catered for in the future, the Shire is undertaking the preparation of the Exmouth Aerodrome Master Plan. The Master Plan will provide strategic direction for the future allocation of lease areas to charters and other operators and will inform the upgrading of the runway catering for night operations. Such strategic planning is vital particularly given the constraints imposed by the Department of Defence on the ongoing operation of general aviation from Learmonth Airport. The relocation of all civil aviation activities from Learmonth RAAF Base to Exmouth Aerodrome is not envisaged, provided the Shire's lease is continued beyond the lease term of 2033.

The *Exmouth South Structure Plan* (2013) identifies an indicative aircraft noise buffer for the aerodrome. The buffer is viewed as an interim measure to avoid the encroachment of noise sensitive uses pending the preparation of ANEF mapping and more detailed planning of run-way extensions. The LPS has adopted the indicative noise buffer to guide future land use planning and will be identified as a Special Control Area.

A Masterplan and Design Guidelines have been prepared for the Exmouth Aerodrome by the Shire of Exmouth. The masterplan aims to ensure the Aerodrome is developed for operation of private, recreational and commercial aircraft or helicopter activities, and associated functions. The Aerodrome is separated into four precincts: general aviation, helicopter, large commercial and future aviation. The ongoing development and use within the Aerodrome will be subject to special use provisions for inclusion in LPS 4.

2.7.3 PEDESTRIAN AND CYCLING

Movement within Exmouth Townsite is dominated by the car as there is no public transport and a majority of residents choose to drive rather than walk or cycle due to the climate. In the cooler months however, walking and cycling is a realistic option. The Shire of Exmouth has supported, through the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012), to develop the existing pedestrian and cycle network to fully connect the town centre with the foreshore with the introduction of signage, wayfinding elements, low impact efficient night lighting, shade trees and shelter at key nodes along the movement system and general pathway maintenance. Within the town centre secure bike parking, new public toilets with shower and changeroom facilities, and bike hire facilities are planned to be introduced.

2.7.4 MARITIME

Exmouth Boat Harbour opened in September 1997 and is managed by the Department of Transport. The harbour is currently at capacity. According to the Department of Transport the Exmouth Boat Harbour contains 42 boat pens, eight moorings, jetties, two boat ramps, fish cleaning facilities and a service wharf. Facilities for the public include a fishing platform, toilets, showers and car park. There is demand for additional commercial and recreational berths, and Exmouth also has cruise ships infrequently visit which require tenders from ships to use wharfs within the Exmouth Boat Harbour. There is potential demand for oil and gas offshore support.

Upgrades to the Exmouth Boat Harbour have resulted in the release of new pens and an upgraded Wharf, with Stage 2 expansion and upgrades in a planning phase. The Department of Transport may in future determine whether future upgrades to the Exmouth Boat Harbour will be contemplated. The Gascoyne Development Commission (GDC), Regional Development Council, Department of Transport, Shire of Exmouth, Exmouth Chamber of Commerce and Industry and local operators work closely to develop an expansion plan to cater for current demands and anticipated growth. The GDC anticipates 130 jobs can be created through expansions to the Exmouth Boat Harbour. The Department of Transport has been working with various parties to draft a master plan for the future development of the boating facilities in Exmouth.

There are currently no guidance for use and development within the boat harbour. The Shire and Department of Transport are working towards preparing detailed design guidelines to assist in the assessment of future activity.

Tantabiddi Boat Ramp is contained within the Jurabi Coastal Park, which is jointly managed by the Shire of Exmouth and the Department of Parks and Wildlife for recreation and coastal management.

Bundegi Boat Ramp is contained within Site A of the Naval Communications Station Harold E. Holt. The land is owned by the Commonwealth Government. The Shire of Exmouth and Department of Parks and Wildlife manage the boat ramp.

2.7.5 PLANNING IMPLICATIONS

- It is important to retain road linkages and accessibility between Learmonth and Exmouth, during all climate conditions, to ensure suitable emergency access throughout the Shire is maintained.

- The anomalies regarding the status of Murat Road and Yardie Creek Road, where they are built on freehold land owned by the Commonwealth, should be further discussed and investigated with the Department of Lands to determine future tenure and gazettal of the roads.
- The gazetted road reserve for Yardie Creek Road should be investigated for re-survey in order to follow the physically constructed road.
- The Exmouth Aerodrome has capacity and land availability for an additional runway. Masterplanning is being undertaken by the Shire to improve the efficient use of land of the Aerodrome. Work is underway to upgrade the Aerodrome with relevant infrastructure for its registration under CASA.
- Learmonth RAAF Base is a military air force also used for civil aviation. During 'Military In-Use' and 'Military Active' periods, civilian flights to Learmonth RAAF Base can be restricted or excluded. Exmouth Aerodrome may potentially need to be upgraded to be a suitable substitute, should civil aviation continue to the limited/restricted or should the Shire's lease not be continued beyond the year 2033.
- Whilst the semi-arid climate can deter walking and cycling, such infrastructure will be essential to ensure residents and visitors can safely and easily move around the Townsite without relying on a motor vehicle. Pathway networks, way-finding and end of trip facilities can help to encourage walking and cycling, which can be relatively attractive during the cooler parts of the year.
- Upgrades to the Exmouth Boat Harbour are desirable as the boating facilities are at capacity. Improved facilities could improve tourism opportunities for the Exmouth Boat Harbour, as well as recreational and commercial vessel moorings. Harbour expansion is being investigated to potentially accommodate oil and gas vessels and recreational fishing vessels. However, this is dependent upon government funding and further planning, and from the community's perspective, whether economic outcomes can be balanced against conservation objectives.



PART 3

PLANNING ANALYSIS

Planning Analysis provides a framework for the evaluation of planning issues and opportunities that have informed the LPS Spatial Plans Sheets 1 – 6 and the supporting Objectives, Strategies and Action Statements set out in Part 1 of the LPS. Complementing the LPS Spatial Plans, Strategic Plans have been referenced in this section to support the discussion of the land use activity within the Study Area namely: Residential, Rural-Residential, Industrial, Tourism, Town Centre, Community & POS, Conservation, Pastoral, Restricted Rural, Movement and Land Use Buffers.

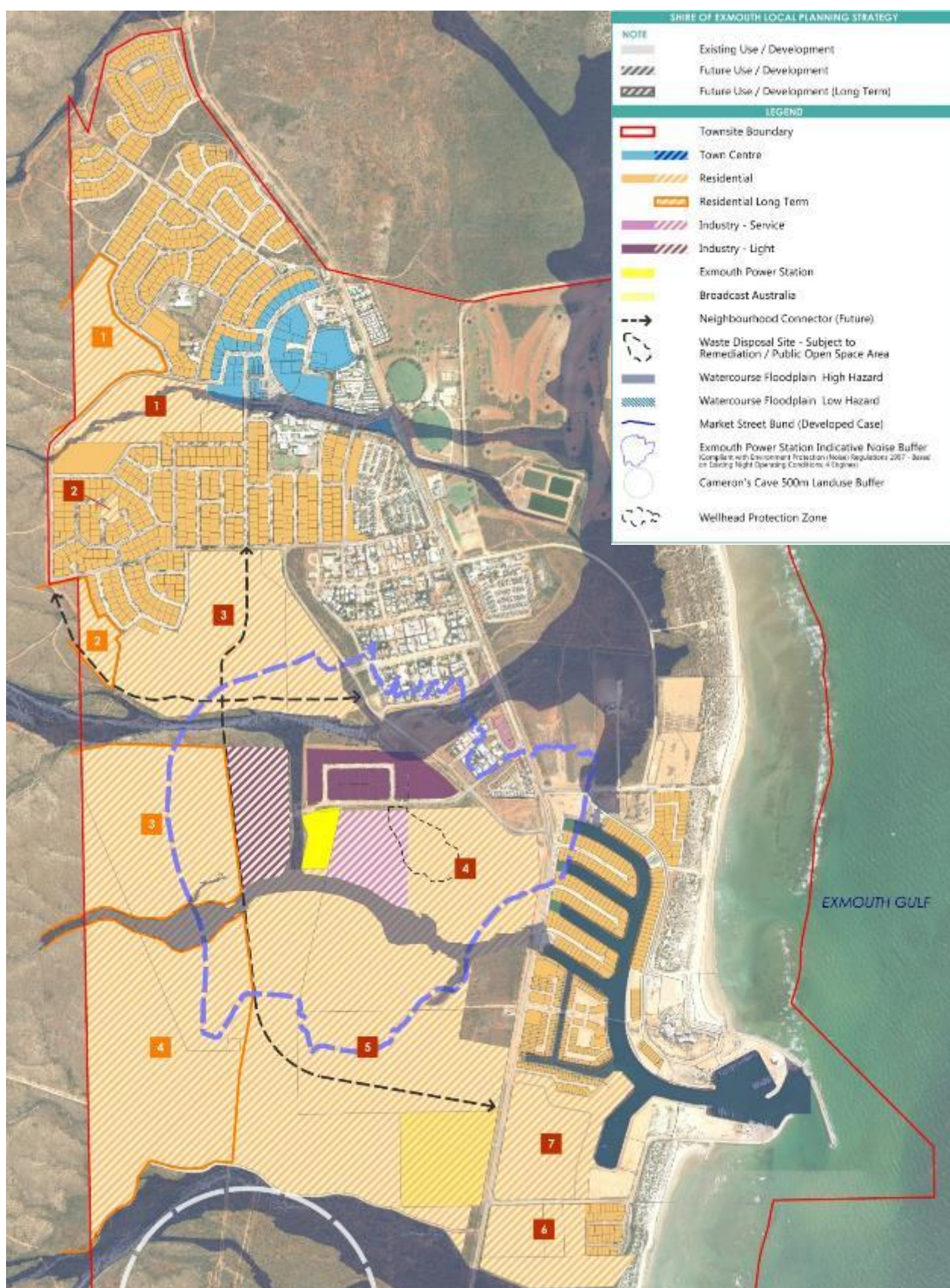


FIGURE 12 RESIDENTIAL STRATEGIC PLAN

The **Residential Strategic Plan (Figure 12)** identifies three categories of residential land within the Exmouth Townsite as follows.

EXISTING RESIDENTIAL

'Existing Residential' land comprise 'titled' lots that are zoned Residential, Residential Development or Marina Zone under the provisions of the existing TPS 3.

Within the 'Existing Residential' classification, the townsite has been divided into three discrete areas:

- Land north-west of the Town Centre;
- Land south-west of the Town Centre; and
- Exmouth Marina.

A more detailed description of 'Existing Residential' areas and the planning considerations and action statements that apply is provided in **section 3.1** and **Figure 13** to follow.

FUTURE RESIDENTIAL



'Future Residential' areas comprise land that is either zoned or has the potential to be zoned for residential purposes, but not as yet developed. Six (6) Future Residential Areas have been identified as residential growth areas by the Strategy and a detailed description of each 'Future Residential' area and the planning considerations and action statements that apply is provided in **section 3.2** to follow.

FUTURE RESIDENTIAL (LONG TERM)



'Future Residential (Long Term)' areas comprising land that has the potential to be zoned in the longer term subject to development investigation, upon less constrained and more viable land within the townsite being fully developed. The Strategy identifies four (4) Future Residential Areas (Long Term). A detailed description of each 'Future Residential' area and the planning considerations and action statements that apply is provided in **section 3.3** to follow.

3.1 EXISTING RESIDENTIAL

The three (3) areas identified as 'Existing Residential' within the townsite (North-West, South-West and Exmouth Marina) represent land currently zoned under the provisions of TPS 3 to accommodate various forms of residential development. There are 1,264 developed and undeveloped lots within this category, including 440 lots within the Exmouth Marina. The residential fabric principally comprises conventional single residential development coded R17.5 representing 797 lots or 63% of the total housing stock. As at February 2012, approximately 45% of the lots classified as 'Existing Residential' were undeveloped, with 89% of these undeveloped lots located within the Exmouth Marina. A more detailed description of each 'Existing Residential' area and the planning issues and action statements that apply is provided in **section 3.1.1** to follow.

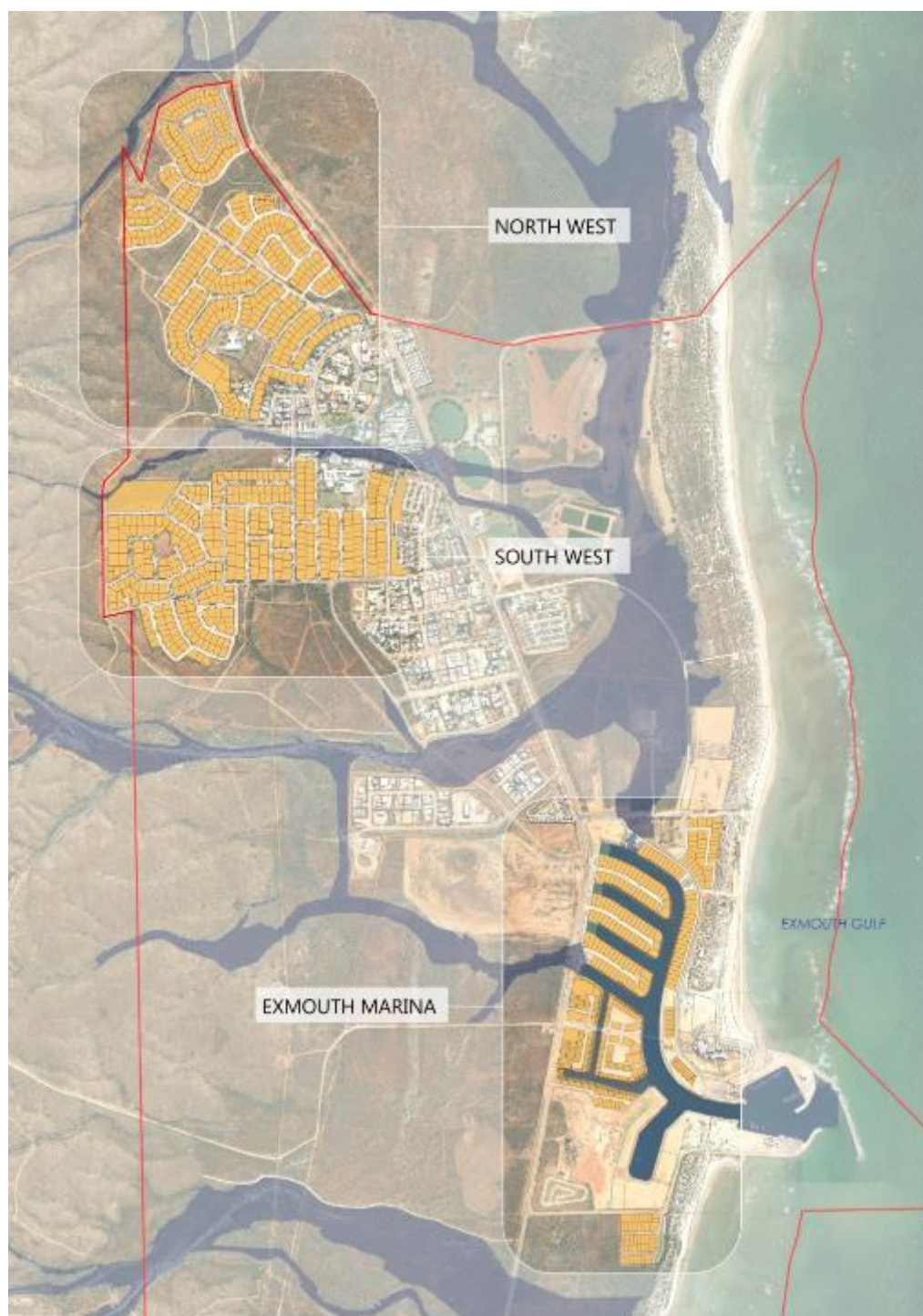


FIGURE 13 EXISTING RESIDENTIAL AREAS

3.1.1 DESCRIPTION

Location	<p>With reference to Figure 13, the townsite has been divided into three discrete areas:</p> <ul style="list-style-type: none"> • Land north-west of the Town Centre; • Land south-west of the Town Centre; and • Exmouth Marina – Residential.
Site Description	<p>North-West</p> <p>The residential precinct to the north-west of the Town Centre principally comprises conventional single residential development coded R17.5, representing 406 lots or 95% of the housing stock within the locality. An average lot size range of 770m² to 1,110m² applies. Diversity in existing housing stock is limited to three developed medium density sites: R30 coded lots on Sargot Court (14du's) and Rimau Way (15du's); and a R20 coded lot adjacent to the Exmouth Hospital site on Stoke-Hughes Street (37du's).</p> <p>South-West</p> <p>The locality south-west of the Town Centre comprises conventional single residential development coded R17.5 representing 391 lots or +95% of the total housing stock. An average lot size range of 770m² to 1,110m² applies. The diversity in existing housing stock is limited to two developed medium density sites – one R20 coded lot at the intersection of Learmonth and Ingleton Street (32du's) and a R30 coded lots on Lefroy Street supporting 16du's.</p> <p>Exmouth Marina - Residential</p> <p>Residential 'titled' lots within the Exmouth Marina are classified as 'Existing Residential' and have the potential to deliver greater housing product diversity than the established residential areas referenced above. This is due to the flexibility of the predominant R40 and R60 coding in this locality and the composition of dry, canal lots and mixed use lots permissible under the 'Marina' Zoning of TPS 3. Residential development within the Exmouth Marina is guided by the <i>Exmouth Marina Village ODP</i> (2003) specifically Precincts A, B and C and associated detailed design guidelines.</p> <ul style="list-style-type: none"> • Precinct A – Residential R20 Dry Lots north-west of Madafarri Drive and canal residential lots fronting three artificial waterways and a main canal between Murat and Madaffari Drive. Lots have 'frontage' to a two tier retaining wall constructed along the canal edge. • Precinct B – dry residential, canal residential and mixed use lots fronting artificial waterways of varying width. • Precinct C – canal residential lots adjacent to the Novotel Ningaloo Resort east of Madafarri Drive. The lots overlook the canal waterway, although are separated from the canal by POS. <p>The character and built form typologies within each precinct vary according to the stated objectives within the ODP. Of the 440 lots created 366 remain undeveloped (as at 2012).</p>
Existing Zoning	<ul style="list-style-type: none"> • Land north-west of the Town Centre – Residential Zone coded R17.5 and R30 • Land south-west of the Town Centre – Residential Zone coded R17.5, R20 and R30. • Exmouth Marina – 'Marina' zone coded R20, R40 and R60. The 'Marina' zone is further guided by the provisions of the Approved Exmouth Marina ODP (2003) Broad and Detailed Development Guidelines.

3.1.2 PLANNING ISSUES

Housing design, building setbacks, garages, fencing, landscaping, storage areas and use of the street verge collectively impact the quality of streetscapes within the residential areas of Exmouth. Guidance through planning policy and supporting statutory provisions where applicable, can encourage development within the residential precincts to be more site responsive and adopt creative design solutions to prevent the mass, bulk and scale of development from impacting on adjoining properties (specifically private open space) and streetscape amenity.

The assessment of streetscape amenity within the existing residential precincts of Exmouth, including Exmouth Marina has highlighted the need for a number of planning issues to be addressed – issues that are in some instances unique to Exmouth given its regional location and climatic conditions.

The issues summarised below are examples where land use activity and visually prominent structures potentially impact the openness and desired pattern of development. The implementation of new Scheme provisions within LPS 4 will assist to address these elements and allow a more consistent approach to the assessment of development applications.

GENERAL – STREETSCAPE AND AMENITY

1. **Storage Areas (Outbuildings/Sea Containers)** – The ‘industrial’ appearance and bulk of sea containers used for storage within residential areas, raises concerns about the impact they may have on visual residential amenity. Currently the location of sea containers are meant to be controlled under Local Planning Policy 6.9 *Use of Sea Containers* where the use is to be confined to industrial or rural areas provided certain criteria are met such as being of an acceptable condition; used in conjunction with an approved use; screened from the street or neighbouring property. Whilst a LPP is operational, enforcement is challenging and better dealt with under the statutory provisions of LPS 4.
2. **Verandah Size** – The size of verandahs defined as open space is currently restricted within the R-Codes to 40m². This limitation restricts the ability for housing in Exmouth to provide increased protection from the extreme climatic conditions. Consideration should be given to incorporating a specific provision in LPS 4 to vary this R-Code requirement.
3. **Screening of External Fixtures** – The inappropriate siting and location of plant and equipment can impact on visual streetscape amenity. Provisions should be included within LPS 4 to require the siting of external plant and equipment such as air-conditioning units, large water supply tanks etc. to be screened from public view, particularly if constructed of reflective material. Currently TPS 3 does not contain these provisions.
4. **Bulk of Carports and Shade Structures** – Whilst the need for shelter for boats, caravans, trailers etc. is acknowledged given the harsh climatic conditions, the inconsistency of construction type and inappropriate bulk and location of purpose built carports and shade structures raises issues in terms of streetscape amenity. Consideration should be given to formalising an approval process for the parking of boats and caravans (in addition to a carport permitted under the R-Codes) that requires structures to be located on one side of the dwelling, behind the front setback line and accessed through a carport or garage.
5. **Verge Parking / Parking of Commercial Vehicles** – Long term / permanent parking within the road verge has become prevalent in residential areas where verge parking has been formalised as hardstand areas without approval. Furthermore, the uncontrolled number and siting of commercial vehicles within the residential area also has the potential to affect visual and residential amenity. Consideration should be given to formalising an approval process that limits the length of verge and road side parking, including the location and method of screening commercial vehicles.
6. **Dwelling Form** – Inappropriate development applications comprising shed/barn style dwelling construction are conflicting with the achievement of high amenity residential streetscape in some areas of Exmouth, notwithstanding compliance with R-Codes. Built form design guidelines appropriate to the climatic conditions of Exmouth, would assist to establish an ‘Exmouth vernacular’ to guide lodgement and assessment of future development applications.
7. **Home Occupations** – Home Occupations are currently controlled via Local Planning Policy 6.1 which outlines an approval process and criteria to be met. The issue of concern is the balance between the regulation of home occupation activity so as not to compromise the commercial viability of town centre uses.

EXMOUTH MARINA – RESIDENTIAL

8. **Exmouth Marina Village Outline Development Plan (2003)** – As discussed in **section 1.3.5**, development within the Exmouth Marina is guided by the approved ODP. The marina is divided into five precincts as follows:
 - Precinct A (North) – Canal based and dry lot residential incorporating a landmark development site (tourist complex, holiday accommodation etc) entrance site.

- Precinct B – (Central) canal based and dry lot residential, commercial/mixed used (café/restaurant/tourism), short stay accommodation and landmark development site.
- Precinct C (East of Madaffari Drive) – Tourism Resort site incorporating a permanent residential component (R30 strata development).
- Precinct D (South) – Canal based and dry lot residential, caravan park, recreation, mixed use residential/low key marine based uses.
- Precinct E (South-East) – Marine based light industrial.

Specifically Precincts A, B and C support existing residential development having regard to the Broad and Detailed Development Guidelines that are contained within the ODP.



ODP - PRECINCT PLAN

9. **Application of Broad Design Guidelines** – The adopted Exmouth Marina ODP established Broad Design Guidelines for each Precinct. It is noted that discrepancies arise when detailed design guidelines are prepared for specific precincts, highlighting that the role of the broad design guidelines will need to be reviewed and potentially an ODP amendment prepared to remove the higher level application of these guidelines.
10. **Application of Detailed Design Guidelines** – Within Marina Precincts A, B, and C residential development is currently guided by detailed design guidelines adopted by Council as separate Local Planning Policies. As a planning policy, where appropriate justification is provided, the development standards can be varied at the discretion of the local government. The Shire is faced with frequent requests to vary the design guidelines which can

result in development standards not being uniformly applied across the zone. The Shire has a preference for the existing design guidelines to be refined and strengthened through incorporation of provisions for each precinct within the Scheme to address this issue.

11. **Jetty Style and Design** – Specifically within Precinct A residential canal lots, there is minimal guidance of the design and siting of jetties with setback provisions currently only controlled via Local Planning Policy. In addition, the siting and height of cyclonic mooring piles within the Shire managed canal waterway requires guidance with the potential for sharing of infrastructure to be considered. Currently the height of mooring piles is variable.
12. **Holiday Houses within the Marina Zone** – The LPS recognises that there are residences registered for Holiday Homes within the existing residential areas and within the Exmouth marina, with this element being an important aspect in the overall mix of accommodation available within the townscape. The Shire's Local Planning Policy 6.12 *Holiday Accommodation* effectively addresses the planning requirements for this activity and the approach adopted is consistent with other tourism towns within Western Australia where local planning policies under the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Laws under the *Local Government Act 1995* have been enforced. However, given the nature of this use, land use conflicts inevitably occur and will continue to require regulation within the parameters of available legislation. Noting the prevalence of short stay accommodation holiday makers to have a perceived lower concern with long term community relationships, appropriate property management plans and tenant behaviour expectations should continue to be enforced via the Shire's Local Planning Policy and the Scheme.

13. **Development within Conditional Development Area (CDA): Precinct A** – Variation to built form and basic development standards can create interesting and attractive urban areas, however when located within sensitive development areas such within a waterfront or coastal setting the effects of poor design are exaggerated and can lower subsequent community expectations. In regard the CDA – Precinct A, development outcomes could better address the following:

- *View Corridors and Screening* – visual obstruction of the waterways by private boundary fencing and visual privacy screening along decking and outdoor areas is evident and necessitates provisions to control maximum screening/balustrade heights. A 1m height limit would be sufficient in order to maintain view corridors, and where provided should be visually permeable and un-obstructive.
- *Consistent Building Setback* – the application and enforcement of consistent building setbacks on the

waterway edge is deemed required to create a sense of “openness”. Development envelopes established at time of subdivision stipulating a minimum setback distances to the waterway should be mandated rather than recommended.

- **Retaining Walls** – Highly visible from the waters edge, the propensity to create level building platforms, raise viewing areas and maximise net developable areas has often resulted in inconsistency between the developable area of adjoining lots and limitations on accessing the waterfront. Lots are created with the intention of an equal street/waterfront interface, however the overuse or unsuitable placement of retaining walls has resulted in dominant bulk and development platforms incompatible with the sensitive waterfront conditions.
- **Elevation Discrepancies** – The underneath of dwellings on the waterway is often exposed, which if treated poorly or left unscreened/unfinished, can result in unintended visuals for the balance of the precinct. Screening and the enforcement of this via Scheme provisions is necessary to ensure the high quality visual outcome is achieved, particularly given the high public access and community/developer expectations of the marina.

14. **Building Design – Precinct A** – Utilising the R-Codes as the predominant control of built form is unlikely to result in the delivery of the design outcomes envisaged for Precinct A. Hence, more stringent application and implementation of the Built Form Design Guidelines, already prepared, need consistent application in order to be successful and furthermore enforced through Scheme provisions where applicable. The following considerations warrant specific comment:

- Ensuring provisions address such issues as carport/garage street relationships, outbuilding sizes, materials and locations to ensure the street edge is not neglected in favour of the waterway edge.
- Making clear decisions with regards to building form and Building Code of Australia compliance requirements. Conversion of buildings, or temporary accommodation opportunities should be excluded where these have the potential to deviate away from the emerging dominant residential character.

- Dry lot development – a building hierarchy should be established, ensuring the most preferred land uses are established as a matter of priority (dwellings), with secondary consideration given to external structures such as outbuildings and later building additions/ancillary uses.

15. **Madaffari Drive Marina Lots/POS Frontage** – In response to a Council Resolution (November 2013), the opportunity for portion of Reserve 47803 (POS) to be amalgamated with existing marina residential Lots 6 to 24 Madaffari Drive is subject to investigation. The rationalisation of the existing public open space (Reserve 47803) will require the willingness of landowners to purchase and also the support of the Department of Lands to the de-vesting the existing POS. The subject land will be subject to the rezoning under LPS 4 subject to the outcome of the above negotiations, following which an application for amalgamation will need to be approved by the Western Australian Planning Commission.

The LPS also identifies that these lots are not located within either Precincts A, B or C and are therefore not specifically subject to either the Broad or Detailed Design Guidelines of the ODP. There is potentially a development control issue that will need to be addressed by the LPS 4.

16. **Dust Issue** – Where lots are created at the subdivision stage and development does not immediately follow, existing residential areas are often not sufficiently stabilised to ensure the control of dust over extended periods. Whilst this is an issue for individual development sites, it is particularly applicable to Precincts B and C where the interface of existing residential lots is exposed to land parcels that have yet to be developed. Whilst difficult to deal with in a statutory manner, encouraging a time limit for development being referenced in the contract of sale would assist to address this issue.

3.1.3 ACTION STATEMENTS

- Include provisions within LPS 4 to:
 - control the siting and size of residential outbuildings.
 - vary the R-Codes to enable an increase area of coverage by overhangs, verandahs or patios.
 - control the location and screening of plant and equipment.
 - control the size and location of carports and shade structures.
 - control commercial vehicle parking.
 - control maximum screening/balustrade heights, location and design of retaining walls, screening of under-croft areas within Precincts A, B and C within the Special Use - Marina Zone.
- Review existing policies in relation to Outbuildings, Shed/barn style dwelling construction and include as scheme text provisions where applicable.
- Transfer the development requirements outlined in the broad and detailed design guidelines (where applicable) of the Exmouth Marina Village ODP for Precincts A, B and C into the Special Use - Marina Zone within LPS 4 and refer to precincts as 'Area A', 'Area B' and 'Area C'.
- The local government to amend the Exmouth Marina Village ODP and associated Broad Design Guidelines.

3.2 FUTURE RESIDENTIAL

The **Residential Strategic Plan (Figure 12)** identifies *Areas 1 to 7* as future residential growth areas and accounts for a gross development area of approximately 195ha of land. The Strategy supports all future residential development being confined to the Exmouth Townsite. As discussed in **section 2.2.3**, land identified as future residential (excluding land currently constrained by the buffer of the Exmouth Power Station and Future Residential Areas – Long Term) yields approximately 1,445 lots. This translates into a potential additional population of approximately 3,470 persons assuming an estimated residential lot yield extrapolated from the Approved Nimitz Street ODP. A further 556 lots (yielding a population of 1,334 persons) become available assuming improvements in operating conditions, or the relocation, of the Exmouth Power Station. Whilst this population exceeds the current population projections under *WA Tomorrow* (WAPC 2012), the Strategy provides guidance for the future staged rezoning of residential land within the townsite to safeguard residential growth options above other land uses. This is of particular importance to Exmouth given that townsite expansion is significantly constrained by the Exmouth Water Reserve to the west, Commonwealth Land (Defence) to the north and Conservation and Pastoral Landholdings to the south.

For land identified as Future Residential, the following staging criteria are to apply:

Short to medium term development can occur where:

- Environmental requirements can be satisfactorily addressed;
- Development represents an extension to an adjacent existing residential area with economies in servicing provision;
- The cost of construction does not impact housing affordability; and
- The development area does not encroach within the P1 Water Protection Area (excludes delivery of the Learmonth Street extension west of the Nimitz Street ODP area).

Future Residential Areas 1 to 7 have been described in terms of location, site description and existing zoning following which detailed planning considerations have been outlined to guide the assessment of rezoning, subdivision and development applications. Action Statements summarise the manner in which the planning considerations are to be implemented under proposed LPS 4.

3.2.1 FUTURE RESIDENTIAL AREA 1

3.2.1.1 DESCRIPTION

Location	Area 1 comprises Lot 5000 (UCL) Learmonth Street and Reserve 27484 (Church Site) Kennedy Street and is located immediately south west of the Exmouth Town Centre.
Site Description	<p>Lot 5000 and Reserve 27484 have a combined area of 12.8ha. The site is currently vacant, with the exception of the Church located on Reserve 27484 (1.4ha) obtaining vehicular access from Kennedy Street.</p> <p>Area 1 is traversed by Town Creek with the central portion of the site impacted by the creek's low and high hazard floodplain. The portion of Lot 5000 north of Town Creek is relatively unconstrained by the flood plain however has an elongated land configuration constraining design options. Land to the south of Town Creek is impacted by the low hazard floodplain including small portion of Reserve 27484.</p> <p>Portion of Lot 5000 south of the creek is the subject of a WAPC Approved Subdivision layout (conditional) comprising 23 lots. The design provides for future internal road extensions to the west and to the east facilitating the potential for further development.</p>
Existing Zoning	'Residential' zone coded R20, 'Recreation and Open Space' reserve, and 'Public Purposes' reserve.



SITE PLAN - FUTURE RESIDENTIAL AREA 1

3.2.1.2 FUTURE RESIDENTIAL AREA 1 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development (R20) and public open space purposes. Future subdivision is to have regard to:
 - a) the extent of floodplain constraints;
 - b) the need for an appropriate interface with Learmonth Street (north of Town Creek);
 - c) the existing abutting single residential and R20 grouped development on Ningaloo and Sargent Streets respectively; and
 - d) the existing development of Reserve 27484.
- 2) Area 1 is partially zoned Residential R20 correlating with an approved subdivision layout obtaining access from Sargent Street. No further structure planning will be required over this portion, unless the current subdivision approval expires.
- 3) In assessing a structure plan to support the future subdivision of the balance of Lot 5000 and/or Reserve 27484, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The approved District Water Management Strategy (as amended).
- 4) The definition of Town Creek as a Recreation and Public Open Space Reserve, with the extent of the development area being informed by hydraulic modelling associated with the local hazard floodplain of Town Creek to ensure that:



- a) Proposed development has adequate protection from a 100 year ARI flood; and
 - b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- 5) The interface and access arrangements where development abuts Learmonth Street. In the longer term, the function of Learmonth Street will change from a local access street to a neighbourhood connector requiring control of access.
 - 6) The approved plan of subdivision north of Sargent Street, and the need to maintain internal road connectivity to the east and west as facilitated by the approved plan.
 - 7) Interface treatment of the common boundary between Lot 5000 and the existing Church site.
 - 8) Limiting road access from Kennedy Street to one point of entry with acceptable staggering of intersections.

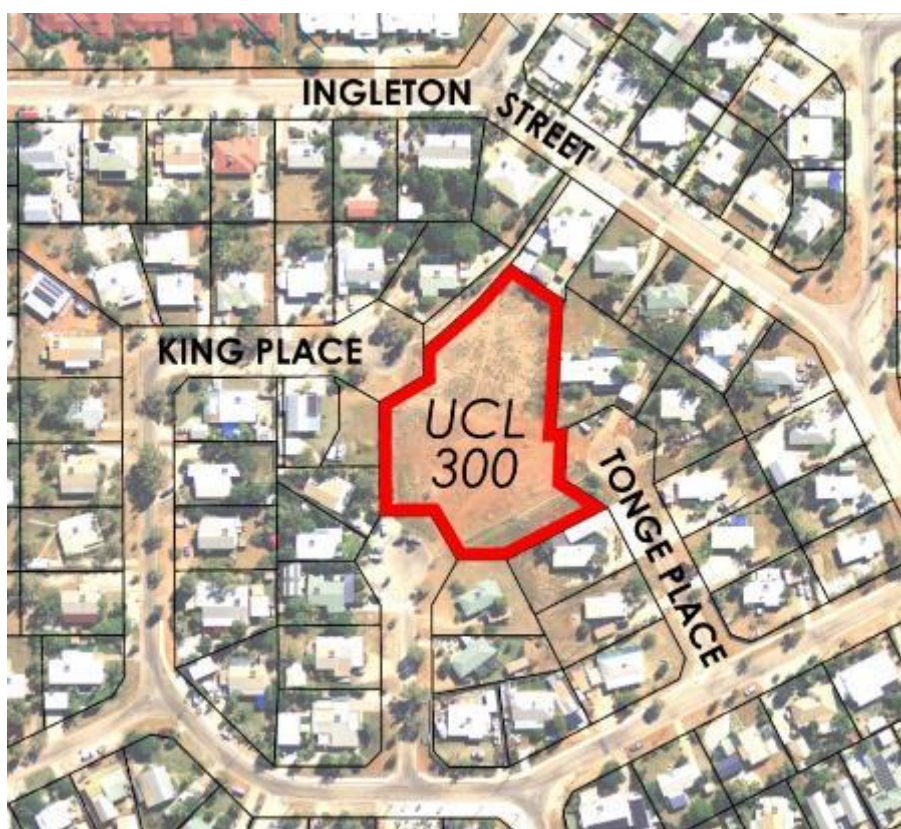
3.2.1.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential' with local public open space reserves to be defined by future structure planning.
- b) Include that portion of UCL Lot 5000, subject to an approved subdivision, within the 'Residential' zone coded R20 in LPS 4 consistent with the current zoning of the land under TPS 3.
- c) Include the balance of Lot 5000 within the 'Urban Development' zone under LPS 4 currently reserved 'Recreation and Open Space' under TPS 3.
- d) Include Reserve 27484 (Place of Worship) 'Urban Development' zone under LPS 4 currently reserved 'Public Purposes' in TPS 3.
- e) Amend the scheme text to ensure Place of Worship is listed as an 'A' Use within the 'Residential' zone of LPS 4 recognising the opportunity for future residential use of Reserve 27484.
- f) Require future structure plans to address the planning considerations detailed above.

3.2.2 FUTURE RESIDENTIAL AREA 2

3.2.2.1 DESCRIPTION

Location	Area 2 is located south-west of the Town Centre and comprises Lot 300 King Place surrounded by an existing built up residential precinct.
Site Description	<p>The site is currently vacant unallocated crown land (UCL) and is located at the junction of King, Jones and Tonge Places. It comprises 0.6307 ha.</p> <p>Excavation constraints are anticipated due to landform.</p>
Existing Zoning	'Residential' zone coded R20.



SITE PLAN - FUTURE RESIDENTIAL AREA 2

3.2.2.2 FUTURE RESIDENTIAL AREA 2 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for urban infill supporting single or grouped residential development. It has a potential to yield approximately 14 dwelling units assuming a density coding of R20.
- 2) In assessing a subdivision or development application within Area 2, the local government will have regard to:
 - a) The interface with the existing abutting residential development with the need for development to be oriented to the street frontages of King Place, Jones Place and Tonge Place.
 - b) Maintaining pedestrian connectivity between Area 2 and Ingleton Street.



3.2.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential'.
- b) Include the land within the 'Residential' zone coded R20 in LPS 4 consistent with the current zoning of the land under TPS 3.
- c) Investigate the feasibility of developing Lot 300 as a group housing site to promote housing diversity and possible 'key worker' accommodation in support of the tourism industry.

3.2.3 FUTURE RESIDENTIAL AREA 3

3.2.3.1 DESCRIPTION

Location	Area 3 comprises land generally bound by Reid Street to the east, Nimitz Street to the north, Cameron Street to the west and LIA Creek Recreation and Open Space Reserve to the south. The site is situated approximately 500m directly south of the Town Centre via Kennedy Street.
Site Description	Area 3 comprises portion of VCL Lot 555 (44ha). The site is currently vacant and represents the logical rounding-off of an existing residential precinct. LIA Creek, and its associated low and high hazard floodplain, flows west to east along the southern boundary of the subject land. The western boundary abuts a drainage and open space buffer separating the site from the existing 'mixed use' area to the east.
Existing Zoning and Approvals	'Residential Development' zone and 'Recreation and Open Space' reserve. Lot 555 (44ha) is subject to an approved Outline Development Plan (ODP) adopted by Council and endorsed by the WAPC. The WAPC has subsequently granted conditional subdivisional approval to Stages 1, 2 and 3.



SITE PLAN - FUTURE RESIDENTIAL AREA 3

3.2.3.2 FUTURE RESIDENTIAL AREA 3 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development and public open space consistent with the approved Nimitz Street ODP.
- 2) The Proponent (LandCorp) proposes to progressively release land within Area 3 for residential purposes as a means of addressing land supply requirements within Exmouth to meet prospective demand. The approved ODP area has an anticipated dwelling yield of 453du comprising lots coded R17.5, R20 and R30. A Plan of Subdivision for the first three stages (115 lots) has been approved by the WAPC.
- 3) Area 3 upon full development will account for an additional population of 1,087 persons (assuming 2.4 persons per dwelling unit). As discussed in **section 2.2.3**, this demonstrates that the staged release of land within Area 3 alone will cater for the growth requirements of Exmouth through to the year 2025 under both medium and high growth scenarios (WA Tomorrow, WAPC).
- 4) In assessing future subdivision applications or ODP variations, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme, where applicable to an ODP variation.
 - b) The approved Urban Water Management Plan (as amended).
 - c) The principles of the approved ODP, with future subdivision applications/structure plan variations being required to maintain the current provision for a north-south neighbourhood connector road system. This is viewed as an essential link between Kennedy Street / East West connector providing connectivity between future local neighbourhood areas to the south; also functioning as an important secondary link for emergency services during major flood events.
 - d) The need for future subdivision applications/ structure plan variations to consider the requirement to provide for road connectivity between East West Connector



(refer **Exmouth Townsite Spatial Plan - Sheet 3**), noting that infrastructure upgrades would be required to cross the existing north-south POS/drainage reservation.

- e) The staged provision, funding and implementation of the north-south and east-west neighbourhood connector road infrastructure (in consultation with the proponent) in the event that the road network is required to be implemented ahead of Area 3 development.
 - f) The extent to which future subdivision applications need to satisfy the requirements of SPP 4.1 *State Industrial Buffer* (Amended) given the southern portion of the structure plan is located within the buffer of the Exmouth Power Station (refer discussion in **section 2.6.2** and **section 13.1**).
- 5) The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:
- a) Proposed development has adequate protection from a 100 year ARI flood; and
 - b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.

3.2.3.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential'.
- b) Include the land within the 'Urban Development' zone in LPS 4 consistent with the current zoning of the land under TPS 3.
- c) Require future subdivision applications or structure plan variations to address the planning considerations detailed above.

3.2.4 FUTURE RESIDENTIAL AREA 4

3.2.4.1 DESCRIPTION

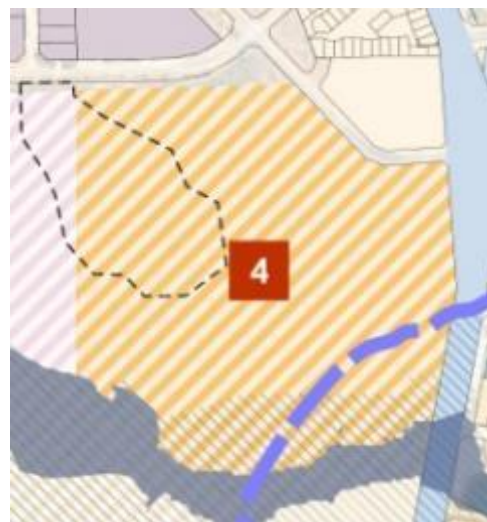
Location	Area 4 (UCL Lot 1391) is bounded by Murat Road, Welch and Reid Streets and is located immediately to the east of the Exmouth Power Station and west of the Exmouth Marina.
Site Description	<p>Area 4 comprises approximately 23ha and is currently vacant unallocated Crown Land. The site's southern boundary is defined by the floodplain of Marina Creek. Site levels over the full extent of the area have been raised due to the import of excess fill during the construction phase of Exmouth Marina, with exception of land within the low flood hazard floodplain of the Marina Creek. The western portion of the site has been previously used for waste disposal activity and may be subject to site contamination.</p> <p>The site has been subject to Native Title Agreement.</p>
Existing Zoning	'Residential Development' zone and 'Recreation and Open Space' reserve.



SITE PLAN - FUTURE RESIDENTIAL AREA 4

3.2.4.2 FUTURE RESIDENTIAL AREA 4 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development and public open space consistent with the existing zoning of the site under TPS 3 and the recommendations of the *Exmouth Townsite Structure Plan* (2011).
- 2) Area 4, upon full development has the potential to yield approximately 236 lots assuming an estimated residential density extrapolated from the Nimitz Street ODP area. The estimated yield is reduced to 25 lots if the constraints of the Exmouth Power Station buffer remain.
- 3) Land contained within the 'Urban Development' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision and development.
- 4) In assessing a structure plan to support the future subdivision of Lot 1391, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed Scheme.
 - b) The approved District Water Management Strategy (as amended).
 - c) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). Development of Area 4 for residential purposes is significantly constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. 20ha of the overall 23ha site is constrained.
 - d) The future configuration of land uses in this precinct is dependent upon improvements to the operating conditions of the Power Station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer to discussion in **section 2.6.2** and **section 13.1**).
 - e) The medium term consideration to the future relocation of the Exmouth Power Station to realise ultimate residential development potential of the area.
 - f) The extent of the low and high hazard floodplain of Marina Creek and the associated definition of Marina Creek as a Public Open Space reserve. The southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and



- ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- g) The development interface between future residential and future service industrial land uses on the western boundary of Area 4. The interface shall be designed as a north-south public open space buffer, predominantly informed by the extent of the existing waste disposal area.
- h) The need for the waste disposal site to be subject to remediation prior to residential or open space development taking place.
- i) The development interface between future residential use and the existing Welch Street light industrial land. The interface treatment is to adopt a landscaped edge to enhance the existing mature trees along Welch Street.
- j) The treatment of Murat Road frontage recognising its importance as a townscape entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.
- k) The development interface between future residential uses and future tourism to the north shall deliver frontage development to complement the proposed tourism frontage north of Reid Street consistent with the requirements of the Murat Road Development Guidelines.

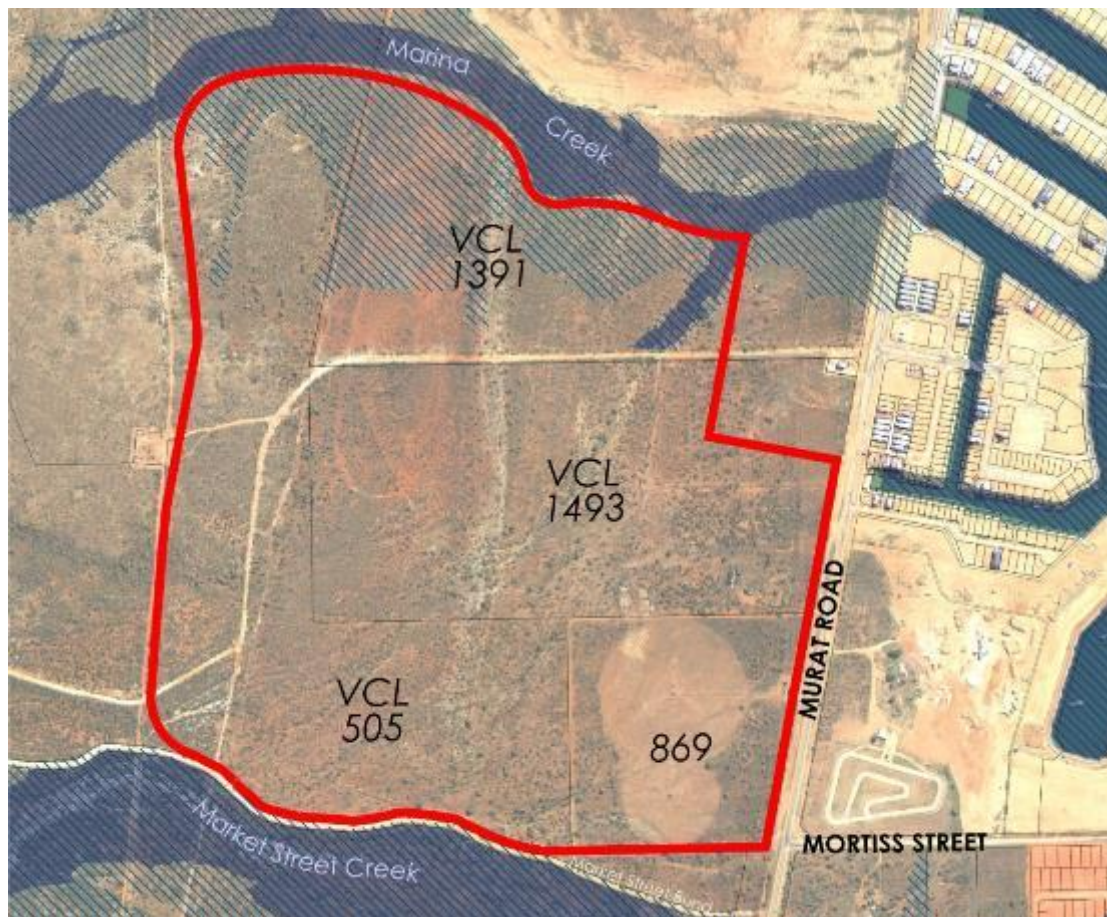
3.2.4.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential' and public open space.
- b) Include the land as 'Urban Development' zone in LPS 4 consistent with the current zoning of the land under TPS 3, with the exception of the proposed rezoning of the 'Parks and Recreation' reserve running parallel to Welch Street. This landscape buffer is to be addressed as part of future structure planning.
- c) Insert provisions into the 'Urban Development' zone to require the preparation of a structure plan.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Support the development of Area 4 as a Priority 2 area for residential development dependent upon the removal of the Exmouth Power Station buffer as a development constraint, and Native Title clearance.
- f) Investigate the longer term relocation of the existing Exmouth Power Station.

3.2.5 FUTURE RESIDENTIAL AREA 5

3.2.5.1 DESCRIPTION

Location	Area 5 is bounded by Marina Creek to the north, Murat Road to the east and the Market Street Bund to the south. The western boundary is generally defined by the existing north-south access track.
Site Description	<p>A majority of the site is vacant UCL (Portion Lot 1391, Lot 1493 and 505), with the exception of Broadcast Australia (phone and television service infrastructure) on Lot 869 Murat Road. The combined area of UCL and Lot 869 amounts to approximately 103 ha of which 33ha is within the buffer of the Exmouth Power Station (existing conditions). The Broadcast Australia site (12.5ha) accommodates its own buffer requirements. Marina Creek and the associated low and high hazard floodplain, impacts the northern portion of this area.</p> <p>The UCL is subject to Native Title Clearance and sale of interest of the Department of Lands.</p>
Existing Zoning	'Residential Development' zone, 'Recreation and Open Space' reserve and 'Public Purposes' reserve.



SITE PLAN - FUTURE RESIDENTIAL AREA 5

3.2.5.2 FUTURE RESIDENTIAL AREA 5 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development.
- 2) Area 5, upon full development has the potential to yield approximately 1,285 lots assuming an estimated residential density extrapolated from the Nimitz Street ODP area. The estimated yield is reduced to 740 lots if the constraints of the Exmouth Power Station buffer remain.
- 3) Land contained within the 'Urban Development' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision and development.
- 4) In assessing a structure plan to support the future subdivision of Area 5, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - g) The approved District Water Management Strategy (as amended).
 - h) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). The development of the northern portion of the site for residential purposes is currently constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. 33.6ha of the overall 103ha site is constrained. The future configuration of land uses in this precinct is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer to discussion in **section 2.6.2** and **section 13.1**).
 - i) The medium term consideration to the future relocation of the Exmouth Power Station to realise ultimate residential development potential of the area.
 - j) The future consideration of the relocation of the Broadcast Australia infrastructure to realise ultimate residential development potential of the site (Lot 869).
 - k) Murat Road frontage recognising its importance as a townsite entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.



- l) Provision of a future 4ha primary school site in consultation with the Department of Education and Council.
- m) The extent of the low and high hazard floodplain of Marina Creek and the associated definition of Marina Creek as a Recreation and Public Open Space Reserve. The northern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- n) The definition of flood relief areas and development setbacks associated with the upgrade of the Market Street bund. In this regard, consultation with the Department of Water will be required to determine the southern extent of development adjacent to the Market Street bund.
- o) Provision of a north-south neighbourhood connector road between Nimitz Street and Murat Road. This road will also function as an important secondary link for emergency services during a major flood event.
- p) The staged provision, funding and implementation of the north-south neighbourhood connector road infrastructure in consultation with the proponent.

3.2.5.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential' and public open space.
- b) Include the land within the 'Urban Development' zone in LPS 4 consistent with the current zoning of the land under TPS 3, with the exception that:
 - i) the western boundary of the zone has been adjusted to reflect a more regular survey alignment; and
 - ii) the Broadcast Australia site is to be rezoned from 'Public Purposes' reserve under TPS 3 to 'Urban Development' zone in LPS 4. The land use will continue to operate under the non-conforming use rights of the LPS 4.
- c) Insert provisions into the 'Urban Development' zone to require the preparation of a structure plan.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Investigate future funding arrangements available for the longer term implementation of the Neighbourhood Connector Road.
- f) Investigate funding arrangements available for the upgrade of the Market Street bund.
- g) Investigate the longer term relocation of the Exmouth Power Station and Broadcast Australia infrastructure.
- h) Support the development of Area 5 as a Priority 3 area for residential development dependent upon the removal of the Exmouth Power Station buffer as a development constraint, and Native Title clearance.

3.2.6 FUTURE RESIDENTIAL AREA 6

3.2.6.1 DESCRIPTION

Location	Area 6 is located immediately south of the Exmouth Marina (Precinct D) bounded by Mortiss Street to the north, Murat Road to the west and the extension of the Market Street bund to the south. The site is located to the west of the Seaside residential precinct (46 lots).
Site Description	The land is currently vacant and comprises Crown Lease landholdings Lot 946, 870 and portion of Lot 857 and Crown Reserve Lot 614. The area comprises a combined area of approximately 14ha portion of which is affected by the low hazard floodplain of the Mortiss Street creek. Lot 857 has frontage to the Exmouth Gulf foreshore area and contains portion of the primary dune system.
Existing Zoning	'Residential Development' zone.



SITE PLAN - FUTURE RESIDENTIAL AREA 6

3.2.6.2 FUTURE RESIDENTIAL AREA 6 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development consistent with the existing zoning under TPS 3 and as reinforced by the *Exmouth Townsite Structure Plan (2011)*.
- 2) Area 6, upon full development has the potential to yield approximately 144 lots assuming similar development assumptions to the Nimitz Street structure plan area.
- 3) Land contained within the 'Urban Development' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision and development.
- 4) In assessing a structure plan, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The approved District Water Management Strategy (as amended).
 - c) The extent of the low hazard floodplain of Mortiss Street Creek. The definition of the southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood;
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area;
 - iii) Flood relief areas and development setbacks associated with the upgrade of the Market Street bund are determined in consultation with the Department of Water.



- d) Murat Road frontage recognising its importance as a townsite entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.
- e) Preparation and implementation of a foreshore management plan and including the confirmation of an acceptable Foreshore Reserve, having regard to coastal processes and environmental protection requirements.
- f) Ensuring integration with the existing Seaside Estate ODP to the east including the extension of Crevalle Way, provision of internal road connectivity and consistency in approach to the definition and management of the foreshore reserve.
- g) The residential interface along Mortiss Street. Development addressing Mortiss Street is to be limited to residential development only, acknowledging the proposed residential interface within the Exmouth Marina Precinct D abutting Area 6 to the north.

3.2.6.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential'.
- b) Include the land within the 'Urban Development' zone in LPS 4, consistent with the existing zoning under TPS 3.
- c) Insert provisions into the 'Urban Development' zone to require the preparation of a structure plan.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Review Murat Street Design Guidelines to include development requirements for the 'Urban Development' zone.
- f) Investigate funding arrangements available for the upgrade of the Market Street bund.

3.2.7 FUTURE RESIDENTIAL AREA 7 – MARINA PRECINCT D

3.2.7.1 DESCRIPTION

Location	Area 7 is located within the southern portion of the Exmouth Marina Village ODP area, bounded by Murat Road to the west, Mortiss Street to south, canal waterway and portion of Precinct E (marine based light industry) to the east and the southern boundary of Precinct B (residential/mixed use) to the north.
Site Description	The land is currently vacant and comprises Lot 9510. The area comprises approximately 17.8ha. Area 7 is currently subject to the Exmouth Marina Village Outline Development Plan and Broad Design Guidelines for Precinct D. The Broad Development Guidelines of the Marina Village ODP identify Precinct D as having an evolving precinct character supporting “public recreation, short stay residential, caravan park, dry lot subdivision, semi-industrial live-work waterfront lots (where abutting Precinct E) through to residential waterfront lots (abutting Precinct A)”. This design vision is to be reviewed.
Existing Zoning	‘Marina’ zone.



SITE PLAN - FUTURE RESIDENTIAL AREA 7

3.2.7.2 FUTURE RESIDENTIAL AREA 7 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as 'Marina' consistent with the zoning under TPS 3.
- 2) The land use intent for Area 7 is for predominantly residential purposes comprising dry lot and waterfront lots incorporating public spaces between waterfront lots in select locations; and live-work mixed use development where lots overlook Precinct E.
- 3) The LPS supports a design review of the development vision for Area 7 (Precinct D). Specifically the existing structure plan references a caravan park land use and nominates a large public open space area adjacent to Murat Road. Given the Shire's *Tourism Strategy* does not support a caravan park in this location and the LPS identifies an excess provision of public open space, the local government does not support the inclusion of these land uses in future structure planning.
- 4) Land contained within Area 7 will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision and development.
- 5) In assessing a structure plan, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed Scheme.
 - b) The revised design vision for Area 7 (Precinct D) with reference to Planning Consideration 3) above.
 - c) The approved District Water Management Strategy (as amended).
 - d) The interface with local open space areas. Development is to address the public spaces and/or the canal to create an 'urban edge' and passive surveillance.
 - e) The need to maintain public access along the canal edge.
 - f) The Murat Road frontage recognising its importance as a townscape entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.



- g) The residential interface with Precinct B. Development addressing Cobia Close or backing onto lots fronting Cobia Close will be limited to residential development only, with provision made for the extension of Cobia Close either as a vehicular or pedestrian accessway.
 - h) The residential interface with Mortiss Street. Development addressing Mortiss Street will be limited to residential development only, acknowledging the proposed residential interface with Area 6 to the south, and the need for the Mortiss Street interface to deliver a high quality landscaped edge to the main entry road to the Boat Harbour.
 - i) Establishing a live-work mixed use interface with Precinct E. The interface is to be in the form of a tree lined landscaped edge to provide screening of the land use activity within Precinct E.
- 6) The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:
- a) Proposed development has adequate protection from a 100 year ARI flood; and
 - b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.

3.2.7.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Special Use - Marina' consistent with the existing 'Marina' zoning under TPS 3.
- b) Classify the land as 'Special Use - Marina' zone – Area D within LPS 4.
- c) Insert provisions into the 'Special Use - Marina' zone – Area D to require the amendment of the existing structure plan as a prerequisite to subdivision and development.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Review Murat Street Design Guidelines to include development requirements for the 'Special Use - Marina' zone.

3.3 FUTURE RESIDENTIAL (LONG TERM)

The **Residential Strategic Plan (Figure 12)** identifies *Areas 1 to 4* as Future Residential Areas (Long Term). These areas represent a longer term development scenario that identifies larger lot residential nodes west of the proposed local neighbourhood connector on land constrained by landform. Areas 1 to 4 are to be considered once less constrained more viable land is fully developed noting that detailed planning and environmental investigation will be required to confirm development potential. Future Residential (Long Term) land comprises approximately 107ha and when considered in conjunction with Future Residential Areas 1 to 7 discussed in **section 3.2**, reflects the overall population capacity of the Townsite.

For land identified as Future Residential (Long Term), the following staging criteria are to apply:

Medium to long term development can occur where:

- The pressure on the existing land supply within the 'Urban Development' zone is in decline.
- Environmental requirements can be satisfactorily addressed; and
- The cost of construction does not impact housing affordability.

A description of each 'Future Residential (Long Term)' area and the planning considerations and action statements that apply are provided in **sections 3.3.1-3.3.4** to follow.

3.3.1 FUTURE RESIDENTIAL (LONG TERM) AREA 1

3.3.1.1 DESCRIPTION

Location	Land on the western boundary of Exmouth Townsite abutting the Exmouth Water Reserve.
Site Description	Unallocated Crown Land north of Town Creek (10.8ha).
Existing Zoning	'Recreation and Open Space' reserve.

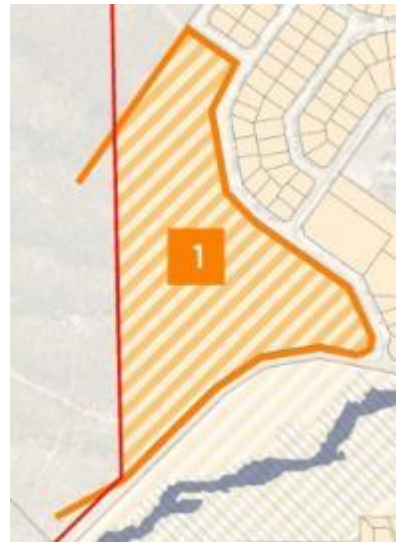


SITE PLAN - FUTURE RESIDENTIAL (LONG TERM) AREA 1

3.3.1.2 FUTURE RESIDENTIAL (LONG TERM) AREA 1 PLANNING CONSIDERATIONS

In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to:

- 1) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
- 2) The specific assessment of land capability to inform appropriate lots sizes and form of construction, (limiting factors of foundation soundness, ease of excavation), flora and fauna studies (including subterranean fauna), and ground and surface water hydrology.
- 3) The approved District Water Management Strategy (as amended).
- 4) The definition of the public open space edge abutting the northern boundary of Area 1 and the corresponding adjustment to the extent of the 'Public Open Space' reserve under LPS 4.



- 5) The residential interface and access arrangements for development abutting Learmonth Street. In the longer term, the function of Learmonth Street will change from a local access street to a neighbourhood connector requiring control of access.

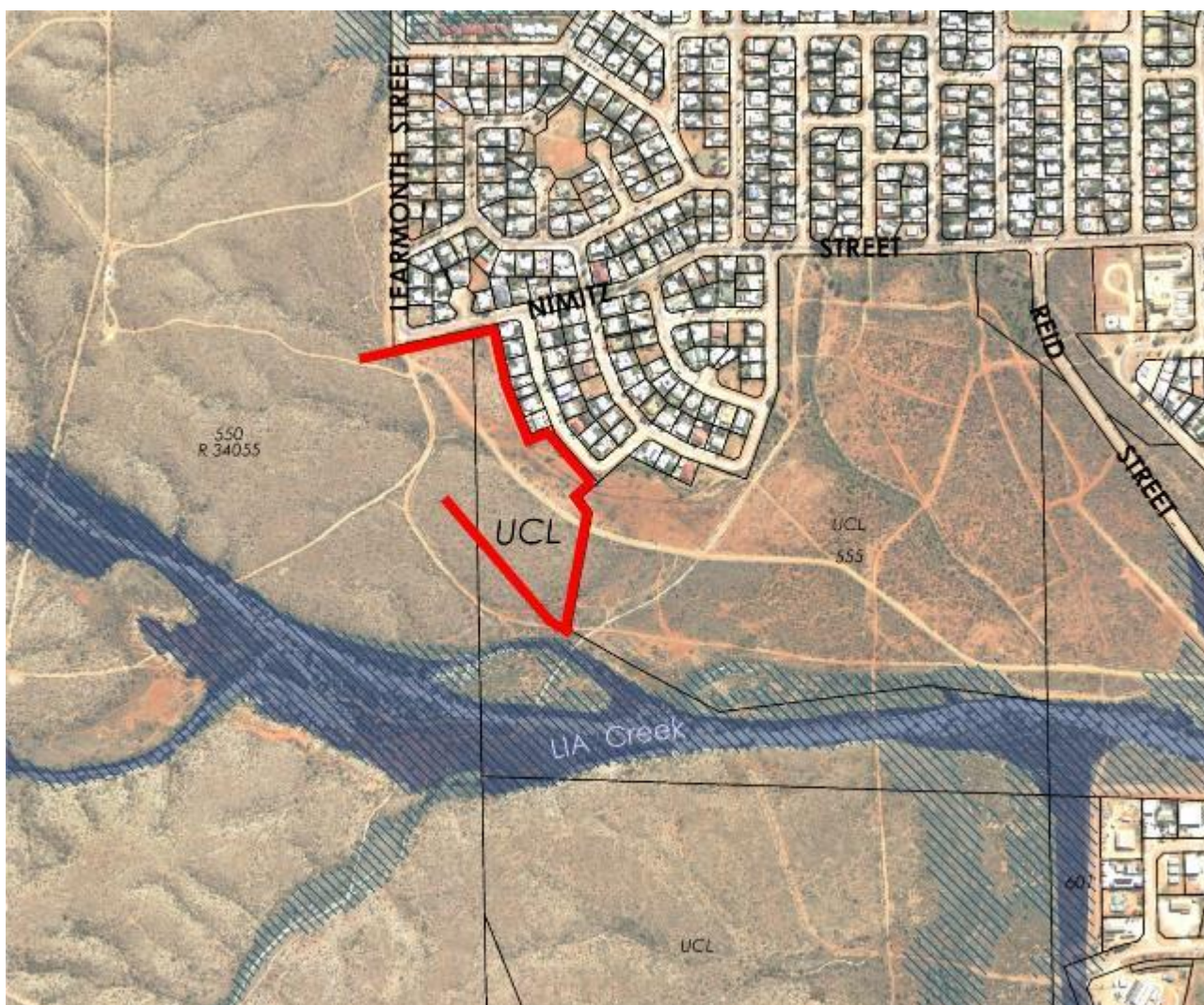
3.3.1.3 ACTION STATEMENTS

- a) The LPS identifies the land as a 'Future Residential – Long Term'.
- b) Include land currently reserved 'Recreation and Open Space' reserve under TPS 3 within the 'Urban Development' zone under LPS 4.
- c) Future rezoning proposals are to be accompanied by a Structure Plan that address the staging criteria and planning considerations detailed above.

3.3.2 FUTURE RESIDENTIAL (LONG TERM) AREA 2

3.3.2.1 DESCRIPTION

Location	Land west of Nimitz Street ODP Area abutting the Exmouth Water Reserve.
Site Description	Unallocated Crown Land west of Nimitz Street ODP area (5.9ha).
Existing Zoning	'Recreation and Open Space' reserve.



SITE PLAN - FUTURE RESIDENTIAL (LONG TERM) AREA 2

3.3.2.2 FUTURE RESIDENTIAL (LONG TERM) AREA 2 PLANNING CONSIDERATIONS

In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to:

- 1) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
- 2) The specific assessment of land capability to inform appropriate lots sizes and form of construction, (limiting factors of foundation soundness, ease of excavation), flora and fauna studies (including subterranean fauna), and ground and surface water hydrology.
- 3) The definition and northerly extension of the public open space edge abutting the southern boundary of Area 2 and the corresponding adjustment to the extent of the 'Public Open Space' reserve under LPS 4.
- 4) The residential interface with existing residential lots to the north and east to ensure frontage development to the existing road network is delivered.



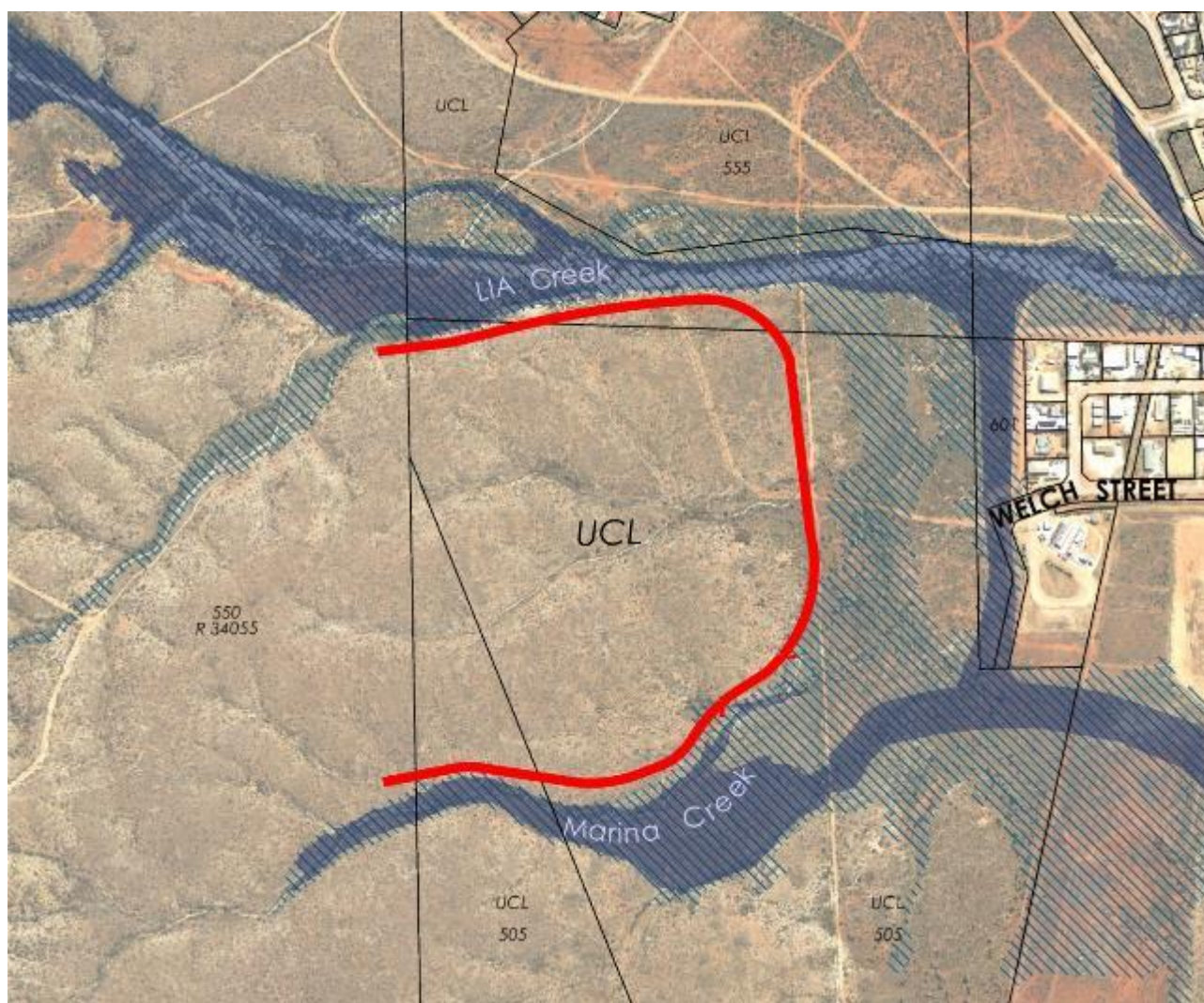
3.3.2.3 ACTION STATEMENTS

- a) The LPS identifies the land as a 'Future Residential – Long Term'.
- b) Include land currently reserved 'Recreation and Open Space' under TPS 3 within the 'Urban Development' zone under LPS 4.
- c) Future rezoning proposals are to be accompanied by a structure plan that address the staging criteria and planning considerations detailed above.

3.3.3 FUTURE RESIDENTIAL (LONG TERM) AREA 3

3.3.3.1 DESCRIPTION

Location	Land west of the power station abutting the Exmouth Water Reserve.
Site Description	Unallocated Crown Land west of Exmouth Power Station (33.3ha).
Existing Zoning	'Recreation and Open Space' reserve.



SITE PLAN – FUTURE RESIDENTIAL (LONG TERM) AREA 3

3.3.3.2 FUTURE RESIDENTIAL (LONG TERM) AREA 3 PLANNING CONSIDERATIONS

In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to:

- 1) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
- 2) The specific assessment of land capability to inform appropriate lots sizes and form of construction, (limiting factors of foundation soundness, ease of excavation), flora and fauna studies (including subterranean fauna), and ground and surface water hydrology.
- 3) The advice of the Department of Water given the proximity of Area 2 to the P1 Water Protection area and the Wellhead Protection Zones.
- 4) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). The development of land for residential purposes west of the power station and west of Area 5 is partially constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. The future configuration of land uses in this precinct is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/longer term relocation of the infrastructure (refer to **sections 2.6.2 and 13.1**).
- 5) Consideration of future relocation of the Exmouth Power station to realise the potential for residential development in the area.
- 6) The extent of the low and high hazard floodplain of Marina Creek and the associated definition of an adjusted 'Public Open Space' reserve to the north and the definition of the boundary of a new 'Public Open Space' reserve. The northern and southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - a) Proposed development has adequate protection from a 100 year ARI flood; and
 - b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- 7) Delivery of the north-south neighbourhood connector between Murat Road and Nimitz Street.



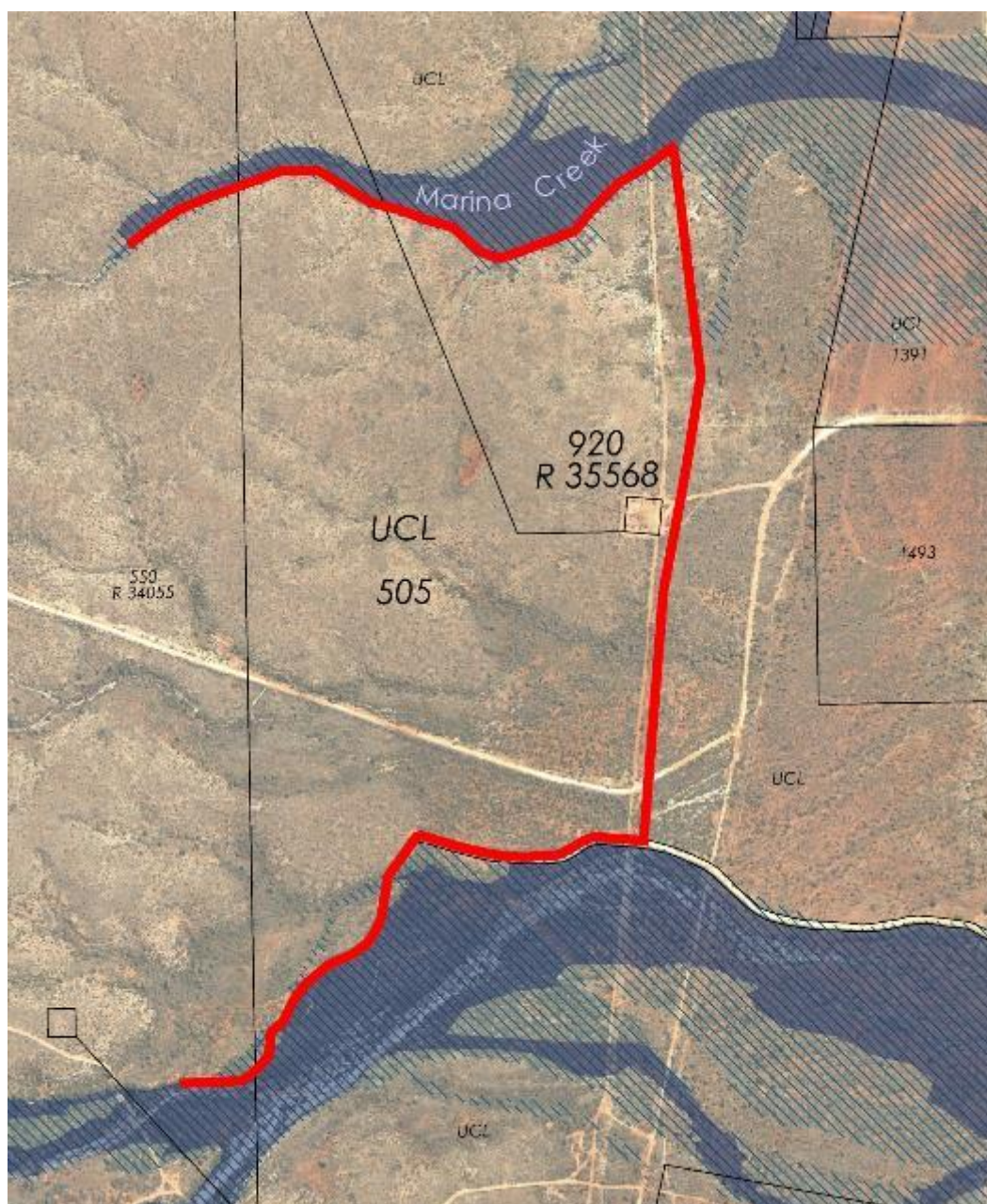
3.3.3.3 ACTION STATEMENTS

- a) The LPS identifies the land as a 'Future Residential – Long Term'.
- b) Include land currently reserved 'Recreation and Open Space' under TPS 3 within the 'Rural' zone under LPS 4.
- c) Future rezoning proposals are to be accompanied by a structure plan that address the staging criteria and planning considerations detailed above.
- d) Investigate the longer term relocation of the existing Exmouth Power Station infrastructure to remove the impediment for development of land within the power station buffer.

3.3.4 FUTURE RESIDENTIAL (LONG TERM) AREA 4

3.3.4.1 DESCRIPTION

Location	Land west of Area 5 abutting the Exmouth Water Reserve.
Site Description	Unallocated Crown Land west of Area 5 (57.3ha) including Reserve 35568 (disused tank site).
Existing Zoning	'Recreation and Open Space' reserve and 'Public Purposes' reserve.



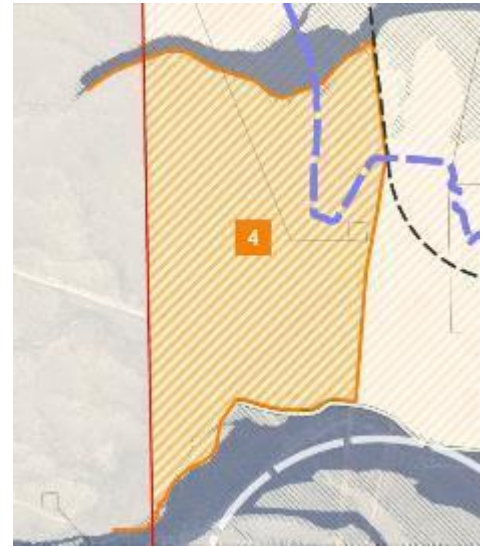
SITE PLAN - FUTURE RESIDENTIAL (LONG TERM) AREA 4

3.3.4.2 FUTURE RESIDENTIAL (LONG TERM) AREA 4 PLANNING CONSIDERATIONS

In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to:

- 1) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
- 2) The specific assessment of land capability to inform appropriate lots sizes and form of construction, (limiting factors of foundation soundness, ease of excavation), flora and fauna studies (including subterranean fauna), and ground and surface water hydrology.
- 3) The advice of the Department of Water given the proximity of Area 4 to the P1 Water Protection area and the Wellhead Protection Zones.
- 4) The advice of the Water Corporation to confirm the status of Water Corporation Reserve 34055 and setback requirements, if infrastructure overtime is still operational.
- 5) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). The development of land for residential purposes west of the power station is partially constrained by existing buffer requirements to the Exmouth Power Station as depicted on the Exmouth Townsite Spatial Plan – Sheet 3. The future configuration of land uses in this precinct is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/longer term relocation of the infrastructure (refer to **sections 2.6.2 and 13.1**).
- 6) Consideration of future relocation of the Exmouth Power station to realise the potential for residential development in the area.
- 7) The extent of the low and high hazard floodplain of:

a) LIA



Creek and the associated definition and ceding of an adjusted LIA Creek 'Public Open Space' reserve along portion of the northern boundary of Area 3; and

- b) Marina Creek along the southern boundary of Area 3 and the associated definition of the Marina Creek as a 'Public Open Space' reserve.
- c) In defining the low and high hazard floodplain, the northern and southern extent of development within Area 3 will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- 8) The definition of flood relief areas and development setbacks associated with the upgrade of the Market Street bund. In this regard, consultation with the Department of Water will be required to determine the southern extent of the development adjacent to the Market Street bund.
- 9) Delivery of the north-south neighbourhood connector between Murat Road and Nimitz Street.

3.3.4.3 ACTION STATEMENTS

- a) The LPS identifies the land as a 'Future Residential – Long Term'.
- b) Include land currently reserved 'Recreation and Open Space' under TPS 3 within the 'Rural' zone under LPS 4.
- c) Future rezoning proposals are to be accompanied by a structure plan that address the staging criteria and planning considerations detailed above.
- d) Investigate the longer term relocation of the existing Exmouth Power Station infrastructure to remove the impediment for development of land within the power station buffer.



FIGURE 14 RURAL RESIDENTIAL STRATEGIC PLAN

The **Rural Residential Strategic Plan (Figure 14)** acknowledges rural residential development as fulfilling the demand for a more spacious lifestyle than that offered by a standard residential lot within the townsite, and is recognised by the Strategy as a legitimate land use alternative.

The Strategy identifies two categories of Rural Residential land within the Shire:

1. EXISTING RURAL RESIDENTIAL

1

'Existing Rural Residential' comprise 'titled' lots supporting existing rural residential development that are either zoned 'Special Rural' (Preston Street) or 'Special Use' zone (Cape Wilderness Estate) under the provisions of the existing TPS 3.

A description of each 'Existing Rural Residential' area and the planning considerations and action statements that apply is provided in **section 4.2** to follow.

2. FUTURE RURAL RESIDENTIAL

1

'Future Rural Residential' comprises land that has the potential to be zoned for rural residential purposes subject to further investigation. Three (3) Future Rural Residential Areas have been identified by the Strategy. Two areas represent an extension to the existing Preston Street rural residential area and a third is located south of the townsite. A detailed description of each 'Future Rural Residential' area and the planning considerations and action statements that apply is provided in **section 4.3** to follow.

SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY	
NOTE	
	Existing Use / Development
	Future Use / Development
	Future Use / Development (Long Term)
LEGEND	
	Townsite Boundary
	Rural Residential
	Watercourse Floodplain High Hazard
	Watercourse Floodplain Low Hazard
	Estimated 100 year Floodplain
	100m Development Setback

4.1 PLANNING ISSUES

Planning opportunities and issues influencing the development of rural residential land uses within the overall Shire have been assessed below having regard to the manner in which development has taken place within the existing rural residential areas at Preston Street and the Wilderness Estate.

The implementation of new Scheme provisions within LPS 4 will assist to address these issues and allow a more consistent approach to the assessment of development applications.

1. **Land Use and Development** – The list of permitted uses within the Existing Cape Wilderness Estate is controlled via the Special Use provisions under TPS 3. Currently the range of permitted uses is restricted to a limited number of uses, such that other legitimate uses compatible with a rural residential zoning cannot be approved. Consideration should be given to introducing a broader Rural Residential Zone and corresponding objectives statements to ensure greater flexibility in the assessment of permitted uses. Consideration should be given to provisions for keeping stock and animals on a lot. Transportable dwellings are also to be considered.
2. **Building Envelopes** – At the time of lodging a planning application, building envelopes are required to be defined on lots within the Cape Wilderness Estate. Development/ Redevelopment upon lots within the Preston Street rural residential area are not required to comply with a building envelope area. Greater statutory clarity is required within the Scheme to ensure that all new development occurs within an approved building envelope, including a dwelling and ancillary accommodation.
3. **Outbuildings** – The inappropriate siting and location of outbuildings in rural residential areas currently have an impact on visual amenity, particularly where view corridor through the Exmouth Gulf are required to be protected. Provisions should be included within LPS 4 to control the siting, screening and size of outbuildings. Currently TPS 3 does not contain these provisions.
4. **Building Height** – The need to limit building heights in rural residential areas arises where rural living amenity of an area

is impacted by the bulk and scale of adjoining development, particularly where view corridors of Exmouth Gulf are potentially affected. Currently there is no guidance on maximum building heights for residential development within TPS 3.

5. **Visual Impact of Building Design** – A variety of dwelling styles are evident within the existing rural residential areas. Guidance on dwelling design appropriate to the climatic conditions of Exmouth would assist to establish an 'Exmouth vernacular' to guide the lodgement and assessment of future development within rural residential areas.
6. **Fencing Design** – The specification for fencing standards are applied within the Cape Wilderness Estate however there is no statutory provision to control fencing style within the Preston Street area. Consideration should be given to introducing uniform fencing provisions that are applicable to all rural residential estate.
7. **Flood Management** – Currently a proportion of lots within both the existing Preston Street subdivision area and Cape Wilderness subdivision are partially impacted by the floodplain of Preston Street Creek and floodplain of Shothole Catchment adjacent to the Exmouth Aerodrome respectively. Minimum floor levels and corresponding requirement for fill is not addressed by the current Scheme.
8. **Bushfire Management** – Where rural residential land is identified as bushfire-prone the requirements of SPP 3.7 Planning in Bushfire Prone Areas apply and a bushfire hazard level assessment and Bushfire Management Plan may need to be prepared prior to development.
9. **Protection of Cameron's Cave** – Whilst subdivision/ development has not occurred within the 500m environmental buffer of Cameron's Cave, the extent of the existing zoning boundary of the Preston Street 'special rural' zone (SR1) under TPS 3 encroaches within the buffer area. A new zoning boundary will need to be defined under LPS 4 to ensure that rural residential development is limited to land that is fully outside of the buffer.

4.1.1 ACTION STATEMENTS

- a) Introduce 'Rural Residential' zone within LPS 4 to replace the existing 'Special Rural' and 'Special Use 3' zones and review the range of permitted uses listed in the Table 1 – Zoning Table.
- b) Include 'Rural Residential' zone provisions within LPS 4 to:
 - i) limit the location of new development, including outbuildings, to a defined building envelope.
 - ii) control the size and location of outbuildings.
 - iii) guide the appearance of rural residential built form.
 - iv) control the height of development.
 - v) specify minimum fencing standards.
 - vi) control minimum floor levels in flood prone areas.
- c) Rezone Cameron's Cave and 500m buffer from 'Special Rural' zone, 'Residential Development' zone and 'Recreation and Open Space' reserve under TPS 3 to 'Environmental Conservation' reserve under LPS 4.
- d) Support the classification of Cameron's Cave and buffer as an 'A' Class Reserve under the *Land Administration Act 1997*.

4.2 EXISTING RURAL RESIDENTIAL

There are two localities within the Shire that support existing rural residential development:

- Preston Street subdivision area within the Exmouth townsite; and
- Cape Wilderness Estate located 15 kilometres south of the townsite.

A more detailed description of 'Existing Rural Residential' Areas 1 and 2 and the planning considerations and action statements that apply, are provided in **sections 4.2.1-4.2.2** to follow.

4.2.1 EXISTING RURAL RESIDENTIAL AREA 1 – PRESTON STREET

4.2.1.1 DESCRIPTION

Location	The Preston Street Rural Residential area is located within the Exmouth Townsite on the southern boundary, west of Minilya-Exmouth Road.
Site Description	The area comprises 21 lots fronting Preston Street and Herron Way, with a minimum lot size of 1 hectare. The lots are connected to reticulated water and power supply with on-site effluent disposal. With the exception of two lots that are subject to site preparation, the existing rural residential area is fully developed. Lots south of Preston Street (Lots 1378-1385) are impacted by the low and high hazard floodplain of Preston Street Creek. Lot 1365 Herron Way is partially affected by the low hazard floodplain.
Existing Zoning	'Special Rural' zone and 'Recreation and Open Space' reserve.



SITE PLAN – EXISTING RURAL RESIDENTIAL AREA 1

4.2.1.2 EXISTING RURAL RESIDENTIAL AREA 1 PLANNING CONSIDERATIONS

- 1) This LPS identifies Area 1 as being suitable for Rural Residential development consistent with the approved Plan of Subdivision.
- 2) Area 1 is currently zoned 'Special Rural-SR1' under TPS 3 with corresponding development requirements. Within LPS 4, the zoning will be rationalised to include Area 1 within a 'Rural Residential' zone with corresponding land use controls to apply to all new development.
- 3) No further subdivision of lots within Area 1 is supported given the minimum 1ha lot size requirement of a 'Rural Residential' zone classification.
- 4) In assessing a new development application within Area 1 for Lots 1378-1385 Preston Street and Lot 1365 Herron Way, the local government will have regard to the extent of the low and hazard floodplain of Preston Street Creek to ensure that proposed development:
 - a) has adequate protection from a 100 year ARI flood; and
 - b) does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.



4.2.1.3 ACTION STATEMENTS

- a) The LPS identifies the land as being suitable for rural residential development.
- b) Include 'Rural Residential' zone within LPS 4 to replace the existing 'Special Rural Zone' within LPS 3 and refer to the Preston Street Rural Residential Area as 'Area A' with associated provisions.
- c) Review and consolidate existing Scheme provisions to facilitate a minimum lot size of 1.0ha in the Rural Residential Zone Area A given the availability of reticulated water.
- d) Formally close Childs Street.

4.2.2 EXISTING RURAL RESIDENTIAL AREA 2 – CAPE WILDERNESS ESTATE

4.2.2.1 DESCRIPTION

Location	The Cape Wilderness Estate is located 15km south of Exmouth Townsite on an elongated land area between Minilya-Exmouth Road and Exmouth Gulf. The site is immediately east of The Exmouth Aerodrome and adjacent to Pebble Beach.
Site Description	<p>Area 2 comprises 27 lots ranging in size from 3.5ha to 13.8 hectares. Planning and environmental controls are in place under the provisions of TPS 3 to protect vegetation cover, setbacks from Minilya-Exmouth Road, design, placement and height of dwellings, fencing styles and prohibition of stock. The lots are connected to reticulated water and power supply with on-site effluent disposal.</p> <p>50% of the lots are vacant. Dwellings and outbuildings have been developed on 15 lots with development being visually prominent given the relatively flat terrain and low coastal vegetation. The estimated 100yr floodplain of Shothole Catchment impacts 7 lots in the southern portion of Area 2.</p>
Existing Zoning	'Special Use' zone.



SITE PLAN – EXISTING RURAL RESIDENTIAL AREA 2

4.2.2.2 EXISTING RURAL RESIDENTIAL AREA 2 PLANNING CONSIDERATIONS

- 1) This LPS identifies Area 2 as being suitable for Rural Residential development consistent with the approved Subdivision Guide Plan.
- 2) The Wilderness Estate is zoned 'Special Use' under TPS 3. Within LPS 4, the zoning will be rationalised to include Area 2 within a single 'Rural Residential' zone.
- 3) No further subdivision within or extension of the rural residential area is supported due to:
 - a) potential landscape impacts;
 - b) the close proximity of the Exmouth Aerodrome and potential incompatibility with aircraft noise and safety buffers;
 - c) the need to manage public access to the Gulf; and
 - d) Economies of servicing extension.
- 4) The existing and future development of existing lots within Area 2 will be subject to the requirements of the approved subdivision guide plan and scheme provisions (TPS 3 – Special Use Zone No. 5) and these will be carried forward for inclusion within LPS 4.
- 5) The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:



- a) Proposed development has adequate protection from a 100 year ARI flood; and
- c) b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.

4.2.2.3 ACTION STATEMENTS

- a) The LPS identifies the land as being suitable for rural residential development in accordance with the approved Subdivision Guide Plan. No further extension of rural residential use within this precinct will be permitted.
- b) Include the 'Rural Residential' zone within LPS 4 to replace the existing Special Rural Zone within LPS 3 and refer to the Cape Wilderness Estate as 'Area B' with associated provisions.
- c) Rezone Area 2 from 'Special Use' zone under TPS 3 to 'Rural Residential' zone under LPS 4.
- d) Review and consolidate existing scheme provisions noting that no future subdivision will be supported in the 'Rural Residential' Zone Area B given the conservation objectives of the estate; and
- e) Development within Area 2 will be subject to the requirements of the approved subdivision guide plan and scheme provisions (TPS 3 – Special Use Zone No. 3) and these will be reviewed and carried forward for inclusion within LPS 4.
- f) Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.

4.3 FUTURE RURAL RESIDENTIAL

The Strategy recognises the potential for limited expansion of the existing Preston Street area to the north-east and to the west. In addition, the LPS nominates a future rural residential development area one kilometre south of the Exmouth Townsite, with the extent and form of development to be determined following detailed site analysis, in particular the assessment of visual impact from Minilya-Exmouth Road. This recommendation is generally consistent with the *Exmouth South Structure Plan* (2013), noting that the extent of the area has been refined to acknowledge the development constraints of the floodplain.

A more detailed description of 'Future Rural Residential' Areas 1 to 3 and the planning considerations and action statements that apply are provided in **sections 4.3.1-4.3.2** to follow.

4.3.1 FUTURE RURAL RESIDENTIAL AREAS 1 & 2

4.3.1.1 DESCRIPTION

Location	Area 1 (UCL 505) Preston Street and Area 2 (Lot 300) Herron Way are located within the existing Preston Street rural residential area on the southern boundary of Exmouth Townsite.
Site Description	<p>Areas 1 and 2 represent an extension of the existing Preston Street rural residential area where a minimum 1ha lot size applies. Lot 1365 to 1385 Preston and Herron Way are fully developed for rural residential purposes with the exception of 2 lots subject to site preparation.</p> <p>Area 1 is vacant UCL comprising 24.5 ha. The site is traversed by power infrastructure and excavation and environmental constraints may be anticipated due to karst landform.</p> <p>Lot 300 within Area 2 is vacant UCL comprising 11.7ha however is subject to a Crown Lot subdivision application with the potential for 11 additional rural residential lots to be created. Portion of the site is within a low hazard floodplain.</p> <p>Areas 1 and 2 have the potential to be connected to water and power with on-site effluent disposal.</p> <p>The northern boundary of Areas 1 and 2 abuts the 500m buffer of Cameron's Cave limiting the northern extension of this precinct.</p>
Existing Zoning	'Special Rural' zone and 'Recreation and Open Space' reserve.



4.3.1.2 FUTURE RURAL RESIDENTIAL AREAS 1 & 2 PLANNING CONSIDERATIONS

The LPS identifies Areas 1 and 2 as being suitable for future rural residential development and represents a logical extension of the existing rural residential area, noting the high quality of development on existing lots, access to reticulated water and power, and proximity to the Townsite facilities.

The adjoining existing Preston Street subdivision is zoned 'Special Rural' under TPS 3. Within LPS 4, the zoning will be rationalised to include Areas 1 and 2 within a single 'Rural Residential' zone.

Area 1

- 1) In assessing a rezoning/structure plan proposals for Area 1, the local government will have regard to:
 - a) Environmental – assessment of land capability (geotechnical), landform (specifically limiting factors of foundation soundness, ease of excavation and water pollution), flora and fauna (including subterranean fauna), and ground and surface water hydrology.
 - b) The advice of the Department of Water noting proximity to the P1 Water Protection area and the Wellhead Protection Zones.
 - c) The extent of the low hazard floodplain of Preston Street Creek. The definition of the southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
 - d) SPP 3.7 Planning in Bushfire Prone Areas.



- e) Options for road connectivity between Preston Street and Herron Way.

Area 2

- 1) Area 2 is the subject of a Crown Subdivision application and has the potential to yield 11 lots assuming a minimum lot size of 1ha. In assessing an application, the local government will have regard to:
 - a) The definition of the northern and eastern extent of development which may need to be informed by hydraulic modelling associated with the high hazard floodplain and ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
 - b) SPP 3.7 Planning in Bushfire Prone Areas.
 - c) The 500m setback requirement to Cameron's Cave.
 - d) Interface with existing development.

4.3.1.3 ACTION STATEMENTS

- a) The LPS identifies the land as being suitable for rural residential development as an extension to the existing subdivision area.
- b) Include 'Rural Residential' zone within LPS 4 to replace the existing Special Rural Zone within LPS 3 and refer to the Preston Street Rural Residential Area as 'Area A' with associated provisions.
- c) Review and consolidate existing Scheme provisions to facilitate a minimum lot size of 1.0ha in the Rural Residential Zone Area A given the availability of reticulated water.

Area 1

- d) Rezone Area 1 from 'Recreation and Open Space' reserve under TPS 3 to 'Rural Residential' zone under LPS 4.
- e) Require a structure plan to address the planning considerations detailed above.

Area 2

- f) Including land zoned 'Special Rural' zone under TPS 3 within the 'Rural Residential Area A' zone under LPS 4.

4.3.2 FUTURE RURAL RESIDENTIAL AREA 3

4.3.2.1 DESCRIPTION

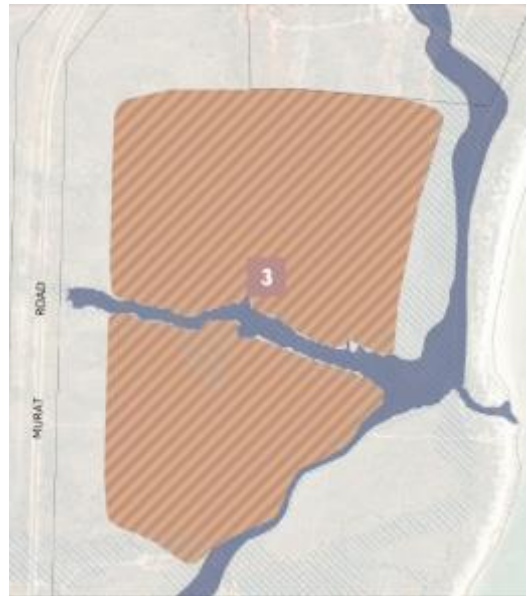
Location	Area 3 is located south of Exmouth Townsite and north of Mowbowra Creek between Minilya-Exmouth Road and Exmouth Gulf.
Site Description	<p>The site is vacant UCL comprising approximately 51 ha. The landscape is relatively flat and vegetated comprising interdunal depressions and intermittent tracks. Portion of the site is affected by the high and low hazard floodplain. A greater portion of the site has uninterrupted views through to Exmouth Gulf.</p> <p>The site has access to servicing infrastructure (scheme water, power and telecommunications).</p> <p>This area is located 1 kilometre south of the Exmouth townsite between Minilya-Exmouth Road and Exmouth Gulf. The area comprises 51 hectares, with the extent and form of development to be determined following detailed site investigations, in particular the assessment of visual impact from Minilya-Exmouth Road.</p>
Existing Zoning	'Recreation and Open Space' reserve.



SITE PLAN - FUTURE RURAL RESIDENTIAL AREA 3

4.3.2.2 FUTURE RURAL RESIDENTIAL AREA 3 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 3 as a future low impact rural residential eco-estate consistent with the recommendations of the *Exmouth South Structure Plan* (2013), noting the extent of the area has been reduced to recognise the constraints of the low and high hazard floodplain of the tributaries of Mowbowra Creek.
- 2) The development of Area 3 is only supported where it can be demonstrated that the view corridors to Exmouth Gulf from the Minilya-Exmouth Road are protected.
- 3) In assessing rezoning/structure plan proposals for Area 3 the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The extent of the floodplain of tributaries of Mowbowra Creek. The extent of developable area will need to be informed by hydrological modelling to ensure that proposed development has adequate flood protection from a 100 year ARI flood.
 - c) Landscape and View Shed Analysis to inform a design response where development is to be confined to the interdunal depressions of the landform.
 - d) The sensitive positioning of building envelopes with regard to outcomes of the Landscape and View Shed Analysis.



- e) The adoption of design guidelines to address building form, colours and materials, including sustainable servicing initiatives.
- f) 100m setback requirement to the Minilya-Exmouth Road.
- g) SPP 3.7 Planning in Bushfire Prone Areas.
- h) Definition of the foreshore reserve having regard to coastal processes and environmental protection requirements.

4.3.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Rural Residential'.
- b) Defining the extent of the rural zoning of Area 3 by:

Including that portion of Area 3 currently reserved Parks and Recreation under TPS 3 within the 'Rural' zone under LPS 4.
- c) Require future rezoning proposals are to be accompanied by a structure plan that address the planning considerations detailed above.
- d) Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.
- e) Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.

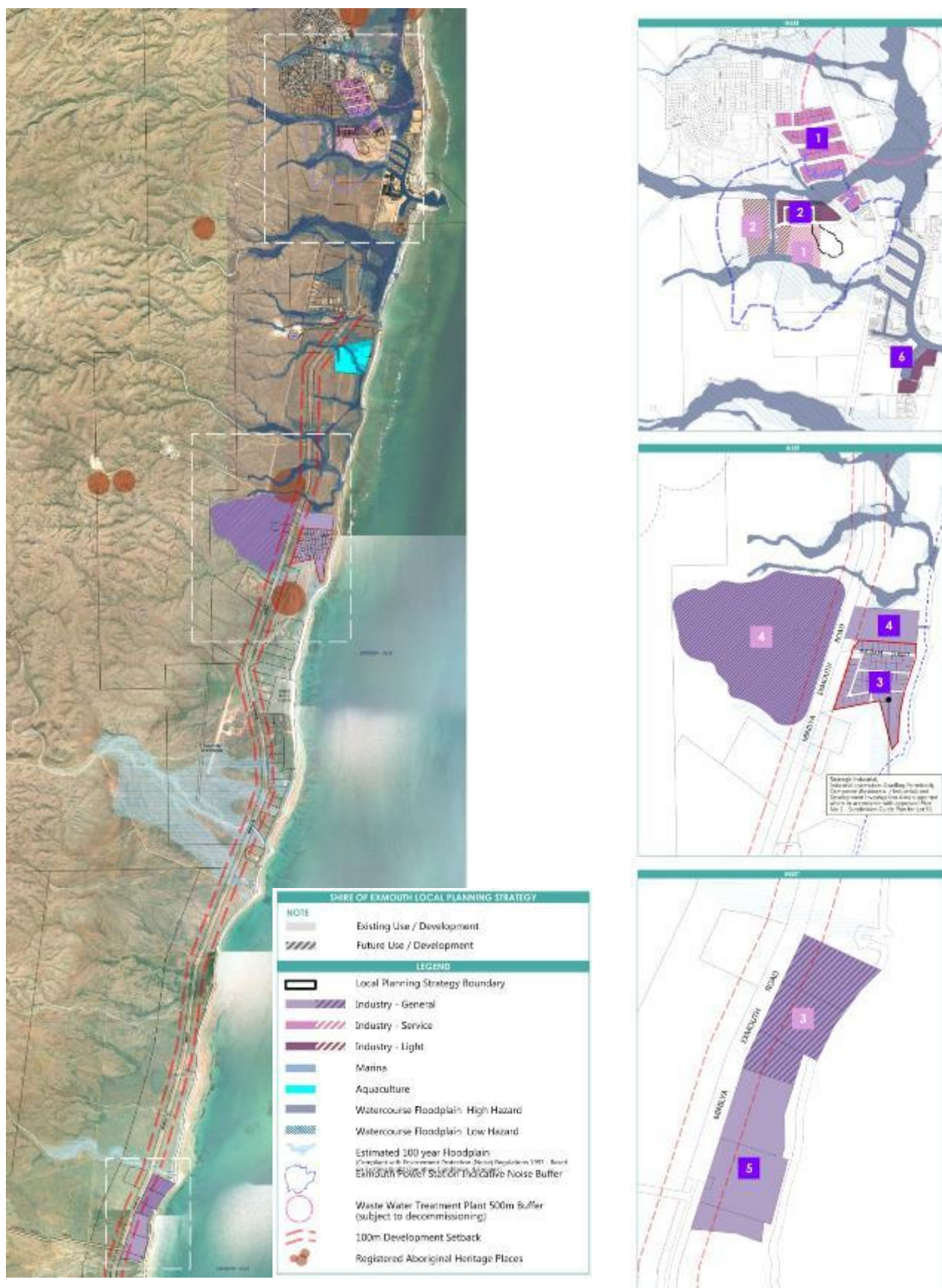


FIGURE 15 INDUSTRIAL STRATEGIC PLAN

The **Industry Strategic Plan (Figure 15)** confirms the proposed spatial location of service, light, general industrial land use activity within the Shire recognising the importance of these industrial nodes as an employment base for the population. The Strategy reinforces the consolidation of service and light industrial land uses within the Townsite, encouraging general industrial land uses to relocate to zoned industrial land south of the Townsite. Two (2) categories of industrial land are identified within and outside of the Townsite as follows:

1. EXISTING INDUSTRY

2

'Existing Industry' land comprises land zoned Mixed Use, Light Industrial, Industrial or Marina under the provision of TPS 3. There are six (6) existing industry areas cross-referenced as Areas 1 to 6 on the **Industry Strategic Plan** as follows:

- Industry - Service - Area 1 (Mixed Use);
- Industry - Light - Area 2 (Welch Street LIA);
- Industry - General - Area 3 (Lot 51 Ingram Street), Area 4 (Lot 50 Ingram Street) and Area 5 (Kailis Site); and
- Industry - Light (marine based) - Area 6 (Exmouth Marina).

A detailed description of each 'Existing Industrial' area and Planning Considerations and Action Statements that apply are provided in **section 5.2** to follow.

2. FUTURE INDUSTRY

4

'Future Industry' represents the future opportunities to release industrial land within and outside of the Townsite. Four (4) categories of future industrial land have been identified cross-referenced on the **Industry Strategic Plan** as Areas 1 to 4 as follows:

- Industry - Service - Area 1 (South of Welch Street);
- Industry - Light - Area 2 (West of Welch Street LIA);
- Industry - General - Areas 3 (North of Kailis Site) and;
- Area 4 (West of Ingram Street).

A detailed description of each 'Future Industrial' area and Planning Considerations and Action Statements that apply are provided in **section 5.1** to follow.

5.1 PLANNING ISSUES

Planning issues influencing the development of industrial land uses within the overall Shire have been outlined below having regard to the manner in which development has taken place within the existing mixed use area south of Nimitz Street, and the industrial areas at Welch Street and Ingram Street.

The implementation of new Scheme provisions within LPS 4 will assist to address these issues and allow a more consistent approach to the assessment of development applications.

1. **Non Conforming Uses** – Land within the boundaries of the townsite (currently zoned either mixed use or light Industrial under TPS 3) comprise a number of lots supporting general industrial development. These premises are considered incompatible with the objectives of the zones in which they are located and therefore will continue to operate under the non-conforming use provisions of the Scheme. These premises should be encouraged to relocate noting that the land use transition overtime will be dependent upon the availability of land within the existing or future industrial areas south of the townsite.

2. **Location and Setback between Residential/Industrial Land Use on Composite Lots** – Within the existing mixed use area, there is currently limited consistency in the location of, and separation distance between, the residential and industrial component on each composite lot. Dwellings have been inappropriately constructed immediately abutting industrial development (common wall); and arbitrarily located both at the rear of a lot behind the industrial use or on the street frontage. Consideration should be given to formalising an approval process whereby a dwelling is to be located behind the non-residential use with an acceptable separation distance provided.
3. **Staged Development within Mixed Use Area** – Currently the approval of a dwelling on a composite lot within the Mixed Use Area is permitted where the use is incidental to the predominant service or light industrial use. Whilst contrary to the Scheme, there are instances where dwellings are being occupied prior to establishment of the predominant industrial use. The inclusion of a scheme provision which does not permit a dwelling to be occupied until the predominant non-residential use has been commenced, should be considered to overcome this compliance issue.

4. **Proximity of Exmouth Power Station** – The location of the Exmouth Power Station is a constraining factor to the establishment of caretaker's dwellings within the existing Welch Street Industrial area and to a lesser extent, the approval of composite development within portion of the existing Mixed Used Area. The development of sensitive land uses on industrial zoned land will be dependent upon compliance with *Environmental Protection Noise Regulation 1997* or the future relocation of the Exmouth Power Station infrastructure.
5. **Residential and Caretaker's Dwellings (Lot 51)** – Given the current 'Special Use (SU5)' Zoning of the Ingram Street Industrial Area (Parent Lot 51) and associated EMP (2007), a unique planning situation has arisen where a composite industrial/residential area has emerged within a quasi-general industrial area. Because of the residential component, without stringent enforcement of the management provisions of the SU5, potential limitations are placed on the future industrial development of land immediately to the north and west of Lot 51, noting that an applicant is required to submit an acoustic report which assesses the noise impact associated with current and potential industrial uses and recommends appropriate noise attenuation measures to the dwelling to address any such impact. The onus on future purchasers of lots within the composite precinct will need to be clearly expressed in LPS 4 to ensure future industrial development in this locality is not unduly constrained.
6. **Development Investigation Area – Ingram Street** – Schedule 3 – Special Use Zones nominates the south eastern portion of the Ingram industrial area for '*tourist related activities which may include a caravan park and associated uses*'. The *Tourism Strategy* does not identify this site as being suitable for caravan park and camping use, given its remote location from townsite facilities and its proximity to an established industrial precinct and associated encumbrances. In addition, tourist accommodation is a sensitive land use as defined under *EPA Guidance Statement No 3 – Separation between Industrial Uses and Sensitive Land Uses*, and as reinforced by TPS 3, any proposal will need to be subject to a noise impact assessment with recommendations made for appropriate noise attenuation measures where applicable. TPS 3 also currently requires a scheme amendment to be initiated prior to the use and development of the site. Future development of this site should be cognisant of its location within an industrial precinct and the requirement for the Scheme to be amended prior to development.
7. **Marine Support Facility** – The potential opportunity to broaden Exmouth's employment base is recognised and supported through the establishment of a marine support facility to service the resource sector. The local government through the *Exmouth South Structure Plan* (2013) assessed various options for the siting of a facility, noting that the existing approval for marine based infrastructure at Lot 50 Minilya-Exmouth Road and/or Exmouth Boat Harbour (subject to expansion), is prioritised by the local government ahead of other sites to limit the potential impact on the Gulf's marine environment.

5.1.1 ACTION STATEMENTS

- a) Introduce a new 'Service Commercial' zone within LPS 4 including objectives, site and development requirements to replace the 'Mixed Use' zone under TPS 3.
- b) Introduce a new 'Light Industry' zone within LPS 4 including objectives, site and development requirements to replace the 'Light Industrial' zone under TPS 3.
- c) Introduce a new 'General Industry' zone within LPS 4 including objectives, site and development requirements to replace the 'Industrial' zone under TPS 3.
- d) Include provisions within the 'Service Commercial' zone for the continuation of the composite residential/industrial use within LPS 4, to:
 - i) control the siting of a dwelling to ensure it is located behind the industrial use.
 - ii) control the separation distance between a dwelling and industrial use.
 - iii) require the occupation of dwelling to coincide with, or follow the establishment of the predominant industrial use.
- e) Negotiate the longer term relocation of the existing Exmouth Power Station infrastructure to remove the impediment for dwellings within the 'Light Industry' zone.
- f) Existing general industrial land uses where not permitted within the industrial zone, in which they operate, are to continue under the non-conforming use provisions of LPS 4.
- g) Encourage the relocation of non-conforming uses within the 'Service Commercial' and 'Light Industry' zones to industrial areas outside of the townsite.
- h) Transfer the provisions of the 'Special Use' zoning of the Ingram Street Industrial Zone (Lot 51) into LPS 4, excluding the strategic industrial precinct which can be appropriately accommodated in the 'General Industry' zone in LSP4.
- i) Recognise the existing approval for marine based infrastructure at Lot 50 Minilya-Exmouth Road and endorse the locality as being suitable for a marine support facility.

5.2 EXISTING INDUSTRY

This section identifies four (4) separate categories of existing industrial development divided into Areas 1 to 6 as follows:

Mixed Use

The area designated as 'Existing Mixed Use' comprises land currently zoned Mixed Use and Light Industrial under TPS 3, extending from Nimitz through to Welch Street, described as *Area 1*. The service industrial classification of Area 1 will enable a continuation of existing composite land use (residential/industrial) consistent with the existing land use characteristics of the area.

Light Industry

The area designated as 'Existing Industry - Light' comprises land currently zoned industrial under TPS 3 and referred to as the Welch Industrial Area, described as *Area 2*. There is currently a mix of general, service and light industrial use inclusive of caretaker dwellings.

General Industry

The areas designated as 'Existing Industry - General' comprise land currently zoned Special Use and Industrial under TPS 3. There are two general industrial precincts identified as follows:

- *The Ingram Street Industrial Area, comprising Lot 51 and Lot 50, described as Areas 3 & 4.*

Over time, the Ingram Street Industrial Area has transitioned from an industrial zoned area to a special use zone primarily accommodating composite industrial/residential use and catering for the relocation of industrial uses from the townsite which would otherwise generate nuisance or require a larger land area.

Historically an industrial park on Lot 50 and 51 Minilya-Exmouth Road was proposed to specifically support the establishment of large scale strategic industries outside of the townsite (gas-fired power station, fish processing and handling and limestone related industry). In 2000, the proposal was subject to formal environmental assessment following which Environmental Protection Authority (EPA) approval was granted subject to environmental conditions set out in Ministerial Statement No 545. The Ministerial Statement required the preparation of an Environmental Management Programme (EMP) incorporating a Stormwater Drainage Management Plan, Vegetation Management Plan and Karst Management Plan, and set out the mechanisms for ongoing management and compliance auditing.

In 2005, TPS 3 Amendment No 12 was gazetted rezoning Lot 51 from 'Industrial' to 'Special Use' to provide for a more flexible approach to the mix of land uses permitted within the industrial area. In 2007, the original EMP was amended to reflect a change in demand for specific land uses (namely the re-siting of the gas fired power station to the townsite, the establishment of marine related industry in the Exmouth Marina and the processing of limestone at the mine site). Amendment No 12 and the EMP (2007) resulted in the Shire of Exmouth being responsible for implementing a Subdivision Guide Plan and specific land use controls, including referral of any development applications to the EPA that may have a significant impact upon the environment.

Lot 50 retained its industrial zoning and was also classified as a strategic Industrial lot to cater for the establishment and/or relocation of industrial uses from the townsite which would otherwise generate nuisance or require a larger land area.

- *Lots 1, 101, 112 & 220 Minilya-Exmouth Road, described as Area 5.*

Area 5 is referred to as the Kailis Site and is located adjacent to the intersection of Minilya-Exmouth Road and Charles Knife Road. Following a Ministerial decision under section 76(1) of the *Planning and Development Act 2005*, TPS 3 Amendment No 27 was approved in November 2013 rezoning the landholdings from 'Special Use' to 'Industrial' zone. This followed a change in land use intent for the locality to potentially support additional land based industrial infrastructure associated with a marine support facility servicing the oil and gas industry.

Marina – Precinct E

The area designated as Marina-Precinct E is located within the Exmouth Marina and has been identified as a marine based light industrial area by the approved Exmouth Marina Village ODP, described as *Area 6*.

A more detailed description of the 'Existing Industrial' areas and the Planning Considerations and Action Statements that apply to guide decision making is provided in **sections 5.2.1-5.2.6** to follow.

5.2.1 EXISTING INDUSTRY AREA 1 – MIXED USE

5.2.1.1 DESCRIPTION

Location	Existing mixed use area bounded by Murat Road, Nimitz, Reid and Patterson Way, and the existing light industrial area fronting Griffiths Way and north of Welch Street.
Site Description	<p>This area historically functioned as the town's first light industrial area characterised by wide road reserves and supporting a mix of service, light and general industrial land use. 'Mixed Use' and Light Industrial zoning under the existing TPS 3 has resulted in the area evolving predominantly as a composite service industrial area with 50% of these lots also supporting residential/caretaker uses as permitted by the Scheme. A 25-75m drainage and open space reserve runs parallel to Reid Street adequately buffering Area 1 from the proposed future residential development to the west.</p> <p>Seven lots within Area 1 are listed on the Department of Parks and Wildlife (DPaW) database as known Contaminated Sites requiring remediation (Lots 23 and 29 Pelias Street; Lot 24 Nimitz Street, Lots 4,6 and 8 Huston Street; and 8 Murat Road).</p> <p>The land use characteristics of the area include:</p> <ul style="list-style-type: none"> • 39 out of a total of 114 lots are developed as a combination of industrial use and residences; • 43 out of a total of 114 lots within Area 1, support service industrial land uses, of which 50% have a residence/caretaker developed on the lot; • 3 Lots are classified as heavy industry (Concrete Batching Plant); • 22 lots are classified general /light industry of which 7 support residences; • 12 lots are classified as service commercial of which 6 comprise a residential component; • Government offices (4 lots); • Retail related activity (3 lots); • 7 lots – Other; and • 8 lots - Vacant.
Existing Zoning	'Mixed Use', 'Light Industrial' and 'Tourist' zones and 'Public Purposes' reserve.



SITE PLAN - EXISTING INDUSTRY AREA 1

5.2.1.2 EXISTING INDUSTRY AREA 1 PLANNING CONSIDERATIONS

- 1) The LPS identifies the area as being suitable for:
 - a) Service industrial development (south of Nimitz Street and north of Maley Street) to reflect the existing zoning and land use of the locality; and
 - b) Service industrial development (between Maley and Welch Street, east of Reid Street) to provide for additional lots supporting residential/industrial composite uses in response to demand. This is consistent with the recommendations of the *Exmouth Townsite Structure Plan* (2011), where spatially the service industrial area extends from Nimitz Street south to Welch Street.
- 2) Future subdivision and development is to provide for the continuation of the discretionary composite industrial/residential use of land to enable business ventures to more easily establish without the added land cost of constructing a residence in another area of town.
- 3) The removal of existing public purposes reservations and their inclusion in the 'Service Commercial' zone is supported to provide greater flexibility for future land use.
- 4) The removal of the light industry zone bounded by Maley Street and Welch Street is supported to more accurately reflect the current land use configuration and the recommendation of the *Exmouth South Structure Plan* (2011).
- 5) The development of heavy, general or noxious industry land uses within Area 1 is not supported due to the composite residential development potential of the locality.
- 6) Land with subdivision potential of less than 5 lots within Area 1 will be exempt from the requirement to prepare a Structure Plan given the established subdivision pattern.
- 7) In assessing subdivision and/or development applications, the local government will have regard to:
 - a) The proximity of the land to the existing Exmouth Power Station and associated buffer. The approval of dwellings and residences within the buffer is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).
 - b) The Murat Road Guidelines which require high quality built form fronting Murat Road.
 - c) Sites identified as being contaminated where remediation is required. Where applicable, a site



management plan should be implemented prior to the land being deemed suitable for development.

- d) The proximity of land to the existing Waste Water Treatment Plant.
- 8) Existing land uses where inconsistent with the proposed 'Service Commercial' zoning will continue to operate as non-conforming uses, as follows:
 - a) Lot 28 Pellew Street (Concrete Batching Plant); and
 - b) Lot 954 Welch Street and Lot 956 Griffiths Way.
- 9) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change, as follows:
 - a) Office and Transport Depot – discretionary use within the 'Service Commercial' zone for Lots 1499 and 1500 Nimitz Street (Water Corporation government offices and storage yard/depot);
 - b) 'Bulky Goods Showroom' – discretionary use for industrial related bulky retail business premises; and
 - c) 'Dwelling' and 'Caretaker's Dwelling' as discretionary uses to facilitate composite development.
- 10) Support the establishment of an Emergency Response Precinct on Lots 145 and 849 Pelias Street (Disused Power Station) to facilitate the planned relocation of SES service from the Town Centre.
- 11) Accommodate the establishment of the Exmouth Fire Station on Lot 550 (UCL) Murat Road with access from Patterson Way and encourage high quality built form outcomes, consistent with the requirements of the Murat Road Design Guidelines.

5.2.1.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Service Commercial' and 'Public Open Space'.
- b) Rezoning the land from 'Mixed Use', 'Light Industry' and 'Tourist' zones and 'Public Purposes' reserve under TPS 3 to 'Service Commercial' zone and 'Public Open Space' reserve in LPS No 4.
- c) Finalise the relocation of the existing WWTP infrastructure to remove any impediment to the approval of residential use within portion of Area 1.
- d) Investigate the longer term relocation of the existing Exmouth Power Station to remove the impediment for the approval of residential use within portion of Area 1.
- e) Review Murat Street Design Guidelines to include development requirements for the 'Service Commercial' zone.
- f) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change.
- g) Existing approved land uses, inconsistent with the proposed zoning change to continue to operate as non-conforming uses.

5.2.2 EXISTING INDUSTRY AREA 2 – LIGHT INDUSTRY

5.2.2.1 DESCRIPTION

Location	Existing Welch Street light industrial area immediately south of LIA Creek and west of Reid Street.
Site Description	<p>Area 2 functions as a general/light industrial area. The area is physically separated from the proposed service industrial area to the north by LIA Creek, though has good accessibility from Murat Road via Welch Street and Reid Street. Lot sizes range from 1,150m² to 5,150m² with the exception of the lot accommodating the larger land take requirements of the Shire Depot.</p> <p>The land use characteristics of the area include:</p> <ul style="list-style-type: none">• The area comprises 25 lots of which only 1 lot is vacant;• 8 lots support service industrial land uses;• 9 lots are classified general /light industry;• 9 out of a total of 25 industrial lots support a caretaker's dwelling;• 4 lots are used for storage of which 3 support a caretaker's dwelling;• 1 lot is classified as service commercial; and• 3 lots – vacant or other.
Existing Zoning	'Industrial' zone and 'Public Purposes' reserve.



SITE PLAN - EXISTING INDUSTRY AREA 2

5.2.2.2 EXISTING INDUSTRY AREA 2 PLANNING CONSIDERATIONS

- 1) This LPS identifies the area as being suitable for light industrial development with associated caretaker's dwellings (west of Reid Street) to reflect the existing zoning and land use of the locality.
- 2) The removal of existing the 'Public Purposes' reserve (Shire Depot) and its inclusion in the 'Light Industry' zone is supported to provide greater flexibility for future land use.
- 3) The existing 'Public Open Space' reserves within Area 2 abutting Reid Street to be retained.
- 4) The development of heavy, general or noxious industry land uses within Area 2 is not supported due to the potential for caretaker's dwellings to be approved in the locality.
- 5) Land with subdivision potential for less than 5 lots within Area 2 will be exempt from the requirement to prepare a Structure Plan given the established subdivision pattern.
- 6) In assessing subdivision and/or development applications, the local government will have regard to:
 - a) Site contamination where remediation is required. Site investigations should be referred to the EPA for assessment and if required a site management plan implemented prior to the land being deemed suitable for development.
 - b) The proximity of the land to the existing Exmouth Power Station and associated buffer. The approval of caretaker's dwellings within the buffer is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).



- c) Existing land uses where inconsistent with the proposed 'Light Industry' zoning will continue to operate as non-conforming uses, as follows:
 - i) Lots 1, 2, 1138, 1142, 1146, 1149, 1129 and 1157 Koolinda Way (General Industry); and
 - ii) Lots 1143 and 1148 Welch Street (General Industry).
- d) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change, as follows:
 - i) Caretaker's Dwelling as a discretionary use within the 'Light Industry' zone; and
 - ii) Transport Depot – discretionary use within the 'Light Industry' zone for Lots 1499 Welch Street (Shire Depot).

5.2.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Industry - Light' and 'Public Purpose'.
- b) Rezoning the land from 'Industrial' zone and 'Public Purpose' reserve under TPS 3 to 'Light Industry' zone and 'Public Purpose' reserve in LPS 4.
- c) Consider the longer term relocation of the existing Exmouth Power Station Infrastructure to remove the impediment for caretaker's dwellings within Area 2.
- d) Consider caretaker's dwellings only where compliance with EPA Guidance Statement No 3 can be demonstrated.
- e) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change.
- f) Existing land uses inconsistent with the proposed zoning change to continue to operate under the non-conforming use rights of LPS 4.
- g) Introduce scheme provision into LPS 4 to ensure caretaker's dwellings are used only for their intended purpose and do not prejudice the primary industrial purpose of the 'Light Industry' zone.

5.2.3 EXISTING INDUSTRY AREA 3 – LOT 51

5.2.3.1 DESCRIPTION

Location	Area 3 (parent Lot 51 Ingram Street) is located 8 kilometres south of the Exmouth townsite.
Site Description	<p>Area 3 comprises the existing Ingram Street industrial area consisting of 62 industrial lots, ranging in size from 3,058m² to 8,740m², excluding larger land take requirement of Lot 149 - tourist use (6.2ha).</p> <p>Historically an industrial park on Lot 50 Ingram Street was proposed to specifically support the establishment of large scale strategic industries outside of the townsite (gas-fired power station, fish processing and handling and limestone related industry) and was subject to formal environmental assessment (Ministerial Statement No 545).</p> <p>In 2005, a more flexible approach to the mix of land uses permitted within the industrial area was contemplated and subsequently TPS 3 Amendment No 12 was gazetted rezoning Lot 51 from 'Industrial' to 'Special Use' with a corresponding amendment to the EMP for the locality implemented in 2007.</p> <p>The land use assessment of Area 3 confirms that:</p> <ul style="list-style-type: none"> • 44% of the lots are currently undeveloped (27 out of a total of 62 lots); • 27 lots support activity classified general /light industry; • 11 lots support composite residential/industrial development ; • 6 lots are used for storage; and • 2 lots other. <p>The estimated 100yr floodplain of Unnamed Creek abuts the southern portion of the existing subdivision.</p>
Existing Zoning	<p>Area 3 is zoned 'Special Use' (SU5) and is subject to an approved subdivision guide plan, land use management conditions in accordance with Schedule 3 of TPS 3. An Environmental Management Programme for Lot 51 (2007) has been implemented as a condition of Ministerial Statement No 545 (2000).</p> <p>The 'Special Use' Zoning provisions and the Subdivision Guide Plan facilitates Strategic Industrial lots (Lots 101-110 Ingram Street – 10 Lots: caretaker's dwelling not permitted); Industrial lots (Lot 111 & Lots 113-119 – 8 Lots: caretaker's dwellings permitted); Composite industrial/residential use (Lot 112, Lots 120-148, Lots 150-163 – 44 lots: balance); and Development Investigation Area (Lot 149 – tourist related activity).</p>



SITE PLAN - EXISTING INDUSTRY AREA 3

5.2.3.2 EXISTING INDUSTRY AREA 3 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 3 as being suitable for industrial development in accordance with the existing scheme provisions applicable to the Strategic Industrial Precinct, Industrial Precinct, Composite Precinct and Development Investigation Area specified by Schedule 3 of the TPS 3 read in conjunction with Plan 1 – Subdivision Guide Plan on Plan 1 – Subdivision Guide Plan for Lot 51.
- 2) The land use intent for this area reinforces the permitted landuse for each precinct identified on Plan 1 – Subdivision Guide Plan generally including:
 - a) Strategic Industrial – General Industry (Light Industry, Service Industry, Caretaker's Dwelling - Not Permitted);
 - b) Industrial – General Industry (Fuel Depot, Noxious Industry, Service Station – Not Permitted; Caretaker's Dwelling – permitted);
 - c) Composite – (Fuel Depot, Noxious Industry, Service Station – Not Permitted; Composite General, Light and Service Industry / Residential – Permitted where compliant with nominated building envelopes); and
 - d) Development Investigation – Tourism Activity.
- 3) Land with subdivision potential within Area 3 will be exempt from the requirement to prepare a Structure Plan given the established subdivision pattern and approved Subdivision Guide Plan.
- 4) In assessing subdivision and/or development applications within Area 3, the local government will have regard to:
 - a) The requirements of the approved subdivision guide plan and existing scheme provisions (Schedule 3 of TPS 3 – Special Use Zone No. 5).



- b) The ongoing management requirements of the *Environmental Management Programme for Lot 51* (Rev1 April 2007) where applicable including stormwater management measures; vegetation protection outside building envelope and within buffer areas; storage, handling and disposal of waste and environmentally sensitive materials; management of dust, noise, odour and gaseous emissions; onsite effluent disposal; licencing of groundwater bores.
- c) The need to impose special conditions relating to the continuing environmental management of land and where necessary, consult with the EPA for advice on the terms of such conditions.
- d) The Emergency Management Plan for Lot 51.
- e) The proximity of the estimated 100yr floodplain of Unnamed Creek (Hyd2o 2013) and impact on minimum site levels.

5.2.3.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Industry – General' with notation recognising the approved Plan 1 – Subdivision Guide Plan for Lot 51.
- b) Include the land within the 'Special Use' zone under LPS 4 consistent with the current zoning under TPS 3, excluding the strategic industrial land to be rezoned 'General Industry'.
- c) Include SU5 approved subdivision guide plan and associated reviewed provisions within LPS 4.
- d) Enforce the requirements of the Environmental Management Programme for Lot 51 where applicable in accordance with Ministerial Statement No 545.
- e) Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.
- f) Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.

5.2.4 EXISTING INDUSTRY AREA 4 – GENERAL INDUSTRY (LOT 50)

5.2.4.1 DESCRIPTION

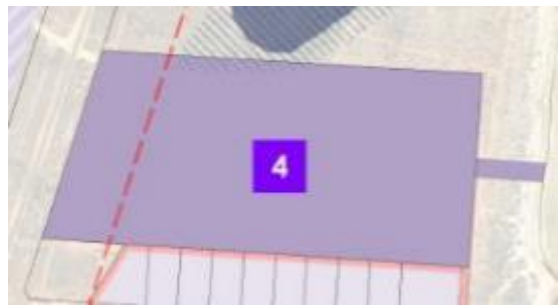
Location	Area 4 (Lot 50 Minilya-Exmouth Road) is located 8 kilometres south of the Exmouth Townsite immediately abutting Lot 51 (Area 3).
Site Description	Area 4 comprises 18ha and is predominantly vacant with a portion of the site used for the stockpiling of limestone. Area 4 is subject to a mining tenement and has environmental approvals in place for the stockpiling of limestone and associated barge loading facility. Area 4 has direct access to the mine site via a haulage road to the west of the site. The area has frontage to Minilya-Exmouth Road.
Existing Zoning	Area 4 is zoned 'Industrial' with additional strategic industrial conditions.



SITE PLAN - EXISTING INDUSTRY AREA 4

5.2.4.2 EXISTING INDUSTRY AREA 4 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 4 as being suitable for General Industrial Development.
- 2) The land use intent for this area is to provide the opportunity for a marine support facility, lay-down and general industrial area servicing the resource sector as well as accommodating the relocation of existing industrial activity from the townsite which generate nuisance and/or have a larger land take requirement.
- 3) In assessing a structure plan, subdivision and/or development application within Area 4, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) Preparation and implementation of a foreshore management plan. This should include confirmation of the Foreshore Reserve having regard to coastal processes, environmental protection requirements and the land take and buffer requirements of existing approvals (refer d) to follow).
 - c) The provision of a 100m public open space buffer along Minilya-Exmouth Road which considers the opportunities to address visual impact of the development.



- d) The existing environmental approval for the development of a breakwater and barge loading facility.
- e) Safe access point(s) to Minilya-Exmouth Road, noting the existing access to Ingram Street and the MRWA Road train assembly area, immediately south.
- f) Emergency access requirements to Minilya-Exmouth Road which may also include the requirement to provide for a secondary road connection between Area 3 and the 12m Thresher Street road reserve (unconstructed).

5.2.4.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Industry - General'.
- b) Include the land currently zoned 'Industrial' under TPS 3 within the 'General Industry' zone under LPS 4.
- c) Introduce 'Marine Support Facility' as an 'A' use – subject to advertising within the 'General Industry' zone within LPS 4.
- d) Include a definition for 'Marine Support Facility' within Schedule 1 – Dictionary of Defined Words and Expressions.
- e) Include the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect view corridors of the Exmouth Gulf and address visual impact of development.
- f) Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.
- g) Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.

5.2.5 EXISTING INDUSTRY AREA 5 – GENERAL INDUSTRY

5.2.5.1 DESCRIPTION

Location	Area 5 (Lots 1, 101, 112 & 220) Minilya-Exmouth Road is located 22 kilometres south of the Exmouth townsite at the intersection of Charles Knife Road and immediately south of Badjirrajirra Creek.
Site Description	<p>Area 5 comprises a combined area of 27.8ha and supports buildings and infrastructure previously associated with the MG Kailis seafood processing operation and caravan park. With the exception of Lot 112 (Leasehold Crown Lot), Area 5 is privately owned.</p> <p>Following a Ministerial decision under section 76(1) of the <i>Planning and Development Act 2005</i>, TPS No 3 Amendment No 27 was approved in November 2013 rezoning the landholdings from 'Special Use' to 'Industrial' zone. This reflected a change in the land use intent for the locality to support industrial use and land based infrastructure associated with a potential marine support facility.</p>
Existing Zoning	Area 5 is zoned 'Industrial' with additional strategic industrial provisions.



SITE PLAN - EXISTING INDUSTRY AREA 5

5.2.5.2 EXISTING INDUSTRY AREA 5 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 5 as General Industry consistent with existing industrial zoning under LPS 3.
- 2) The land use intent for this area is to provide the opportunity for land based general industrial activity servicing the resource sector as well as to accommodate the relocation of existing industrial activity from the townsite which generate nuisance and/or have a larger land take requirement.
- 3) Caretaker's Dwellings are permitted within existing dwellings within Area 5 only, where approved by the local government as a discretionary decision within the 'General Industry' zone.
- 4) In assessing a structure plan, subdivision and/or development application within Area 5, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) Preparation and implementation of a foreshore management plan. This should include confirmation of the Foreshore Reserve, having regard to coastal processes and environmental protection requirements.
 - c) The provision of a 100m Special Control Area buffer along Minilya-Exmouth Road which considers opportunities to address visual impact of the development.



- d) 40m foreshore setback from Exmouth Gulf.
- e) Management of stormwater drainage, noting the natural drainage line traversing Lot 220.
- f) Safe access point(s) to Minilya-Exmouth Road.
- g) Emergency access requirements to Minilya-Exmouth Road.

5.2.5.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Industry - General' development.
- b) Insert provisions into the 'General Industry' zone to require the preparation of a structure plan as a pre-requisite to subdivision.
- c) Require future structure plans where 5 or more lots are proposed to address the planning considerations detailed above.
- d) Include the land currently zoned 'Industrial' under TPS 3 within the 'General Industry' zone under LPS 4.
- e) Include the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect visual impact of development and view corridors through to Exmouth Gulf.
- f) Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.
- g) Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.

5.2.6 EXISTING INDUSTRY AREA 6 – MARINE BASED LIGHT INDUSTRY (PRECINCT E)

5.2.6.1 DESCRIPTION

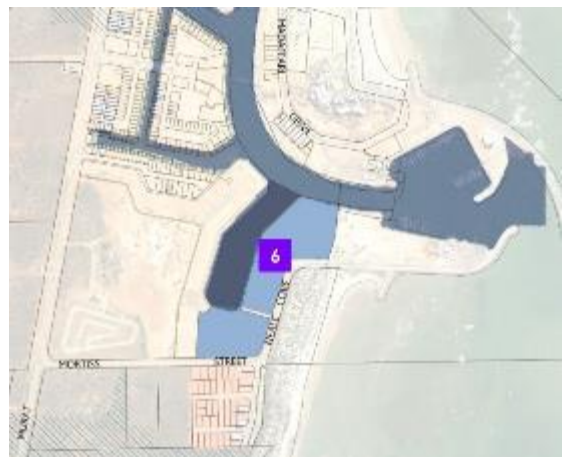
Location	Area 6 (Reserve 47981 and Lot 1481 Neale Cove) is located within the Exmouth Marina - Precinct E, immediately adjacent the Exmouth Boat Harbour.
Site Description	<p>Area 6 comprises a combined area of 8.1 ha.</p> <p>Reserve 47981 forms part of the Exmouth Boat Harbour Reserve proclaimed in October 2010 for 'Harbour Purposes' and vested in the Minister for Transport.</p> <p>Lot 1481 is a freehold lot.</p> <p>The area has canal frontage and is identified for marine based light industrial development currently supporting limited site improvements.</p>
Existing Zoning	Area 6 is zoned 'Marina' and is included within Precinct E of the Exmouth Marina Village Outline Development Plan (ODP).



SITE PLAN - EXISTING INDUSTRY AREA 6

5.2.6.2 EXISTING INDUSTRY AREA 6 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as Boat Harbour consistent with the land's relationship with the Exmouth Boat Harbour.
- 2) The land use intent for Area 6 is to support the opportunity for marine based light industrial development including jetties, loading and unloading of vessels, refuelling and vessel maintenance facilities.
- 3) Acknowledge the location of portion of Area E within the proclaimed Exmouth Boat Harbour Reserve (Reserve 47981) and the corresponding role of the Department of Transport in the administration of development within that reserve.
- 4) Work collaboratively with the Department of Transport to achieve a high standard of development within Area 6.
- 5) In assessing structure plan, subdivision and/or development applications, the local government will have regard to:
 - a) SPP 4.1 *State Industrial Buffer (Amended)* and EPA Guidance Statement No 3 *Separation Distance between Industrial and Sensitive Land Uses* when determining acceptable land uses within Area 6 and conditions of development. Where necessary, the local government will consult with the EPA for advice on the terms of such conditions having regard to the impact on existing and future residential and tourism uses within the marina.
 - b) The need for the design and construction of industrial buildings to meet the expectations for quality development within the overall marina area, including roof form.
 - c) The requirement for landscaping within the front setback area.
 - d) Compliance with maximum fence heights and the use of visually permeable materials.



- e) The need for the development interface between the Area 6 and the existing residential/mixed use area abutting Mortiss Street to the south, to deliver a high quality landscaped edge along the main entry road to the Boat Harbour.
- f) Provision of safe driveway access point(s) to Mortiss Street and Neale Cove.
- g) Preparation and implementation of a Management Plan. This plan is to address:
 - i) the level and control of emissions generated from the site having regard to the adjoining Precinct B and C and residential land uses south of Mortiss Street;
 - ii) the method of waste disposal;
 - iii) local drainage, storm water and flood management;
 - iv) visual amenity and landscaping;
 - v) hours of operation;
 - vi) emergency measures in event of fire or cyclone; and
 - vii) land use buffer requirements.

5.2.6.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Boat Harbour'.
- b) Include the land within a Strategic Infrastructure type classification in LPS 4.
- c) Work collaboratively with the Department of Transport to achieve a high standard of development for the land based component of the Exmouth Boat Harbour.
- d) Require the preparation and implementation of a management plan as a condition of development approval.
- e) The local government to amend the Exmouth Marina Village ODP and associated Broad Design Guidelines.

5.3 FUTURE INDUSTRY

This section identifies three (3) separate categories of future industrial development divided into Areas 1 to 4 as follows:

Service Industry

The area designated as 'Future Industry - Service' has been identified to provide additional capacity within the townsite for composite industrial land use, described as *Area 1*.

Light Industry

The area designated as 'Future Industry - Light', described as *Area 2*, has been identified consistent with the undeveloped industrial zoned land under TPS 3 west of the Exmouth Power Station.

General Industry

There are two future general industrial precincts identified comprising:

- The 'Future Industry - General' area on Minilya-Exmouth Road, described as *Area 3*, located immediately to the north of the existing industrial area (Lots 1, 101, 112 & 220 - Kailis Site). This provides a logical extension of the existing industrial node introduced by TPS 3 Amendment No 27.
- *Area 4* has been identified as 'Future Industry – General' to provide for the expansion of the Ingram Street Industrial area west of Minilya-Exmouth Road. Area 4 is intended to provide flexibility for a range of industrial uses to be accommodated, including lay-down facilities to support the resource sector and the possible relocation of the Exmouth Power Station.

A detailed description of each 'Future Industrial' areas and the Planning Consideration and Action Statements that apply is provided in **sections 5.3.1-5.3.4** to follow.

5.3.1 FUTURE INDUSTRY AREA 1 – SERVICE INDUSTRY

5.3.1.1 DESCRIPTION

Location	Located immediately south of the existing Welch Street Light Industrial area and east of the existing Exmouth Power Station.
Site Description	<p>The land is currently vacant unallocated Crown Land and comprises 9.45ha. The southern boundary of the site abuts the floodplain of Marina Creek with the eastern extent defined on the aerial below. Site levels over portion of the site have been raised due to the import of excess fill during the construction phase of Exmouth Marina. In addition, portion of the site has been previously used for waste disposal activity and may be subject to site contamination.</p> <p>The UCL has been cleared of Native Title and is subject to sale of interest by the Department of Lands.</p>
Existing Zoning	‘Residential Development’ zone and ‘Recreation and Open Space’ reserve.



SITE PLAN - FUTURE INDUSTRY AREA 1

5.3.1.2 FUTURE INDUSTRY AREA 1 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for additional service industrial lots supporting residential/industrial composite uses to cater for future demand.
- 2) Area 1, upon full development has the potential to yield approximately 35 service commercial lots.
- 3) The development of heavy, general or noxious industry land uses within Area 1 is not supported due to the potential for residential dwellings within the area.
- 4) Land contained within the 'Service Commercial' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision where 5 or more lots are proposed.
- 5) In assessing structure plan, subdivision and/or development applications, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The proximity of the land to the existing Exmouth Power Station and associated buffer. The approval of residential dwellings within the buffer are dependent upon improvements to the operating conditions of the power station, outcome of revised modelling and/or the longer term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).
 - c) The definition of the southern extent of development will need to be informed by hydraulic modelling associated with the low hazard floodplain of Marina Creek and ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100



year ARI flooding regime of the general area.

- d) The interface between Area 1 and future residential use. The development interface between future service commercial land and the future residential use to the east shall be in the form of public open space, informed by the extent of the existing waste disposal area. In this instance, composite residential/industrial uses shall be located in front of the non-residential use (street frontage) to ensure a residential interface with the public open space is provided.
- e) The need for the waste disposal site to be remediated prior to service industrial or open space development taking place.
- f) The interface between Area 1 and existing industrial use. The development interface between the future service commercial land and the existing Welch Street light industry area to the north shall have regard to and enhance the existing mature trees contained within Welch Street.

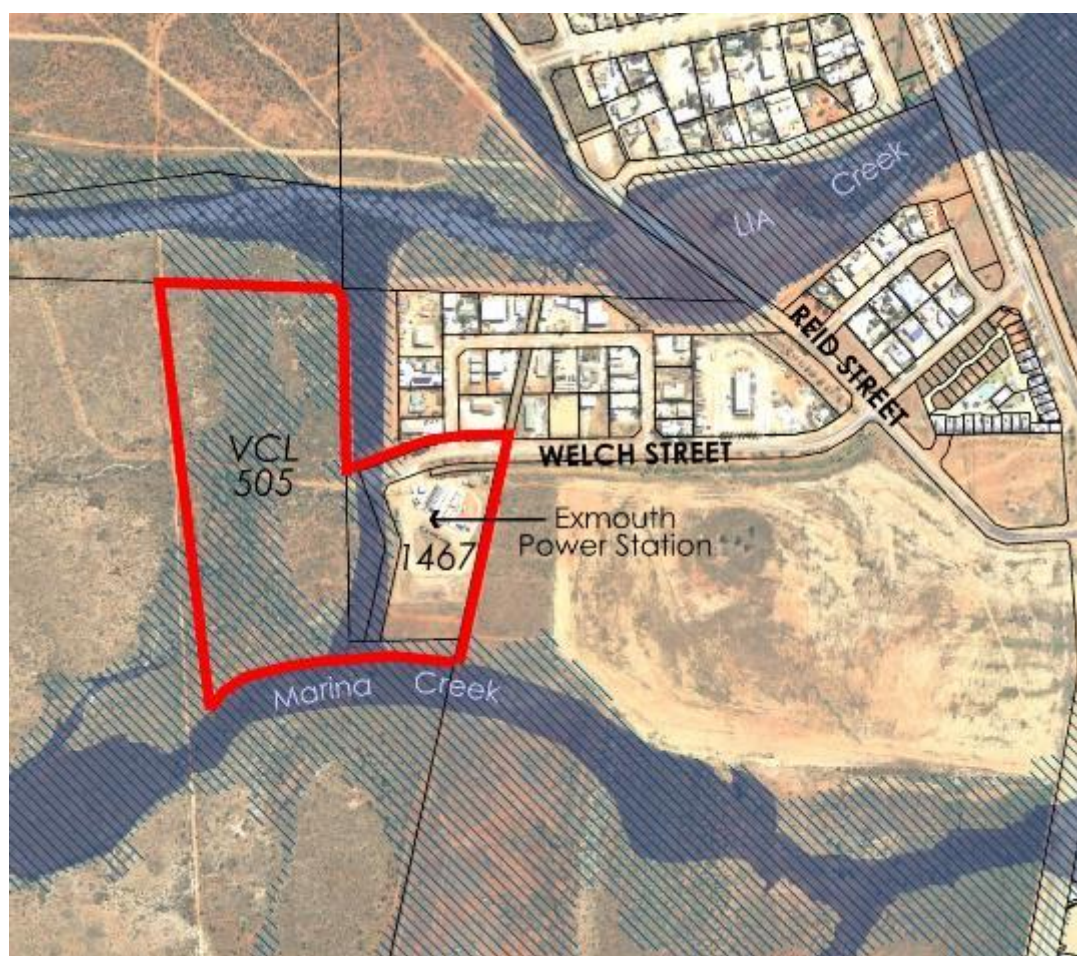
5.3.1.3 ACTION STATEMENTS

- a) The LPS identifies the land for future 'Industry – Service'.
- b) Rezoning the land from 'Residential Development' zone and 'Recreation and Open Space' reserve under TPS 3 to 'Service Commercial' zone in LPS 4. This will include the removal of the existing 'Recreation and Open Space' reserve within Area 1, which will be re-defined as part of future structure planning.
- c) Insert provisions into the 'Service Commercial' zone to require the preparation of a structure plan as a prerequisite to subdivision where 5 or more lots are proposed.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Facilitate the longer term relocation of the existing Exmouth Power Station Infrastructure to remove the impediment for caretaker's dwellings within the 'Service Commercial' zone.
- f) Introduce 'Bulky Goods Showroom' as a discretionary use within the 'Service Commercial' zone to facilitate future development of industrial related bulky retail business premises.

5.3.2 FUTURE INDUSTRY AREA 2 – LIGHT INDUSTRY

5.3.2.1 DESCRIPTION

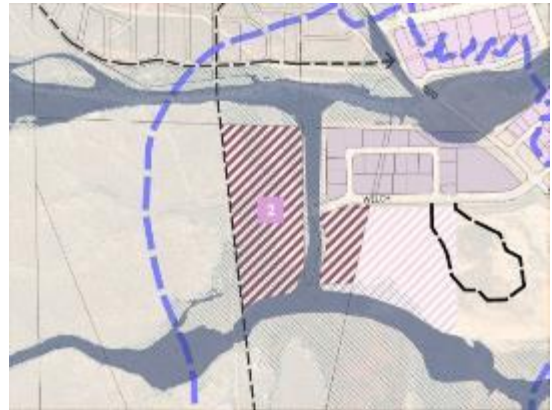
Location	Area 2 is located immediately west of the existing Welch Street Light Industrial area and includes the existing Exmouth Power Station site.
Site Description	Area 2 comprises UCL Lot 505 (12.7ha) and the Exmouth Power Station (Lot 1467). The area is dissected by a north-south floodplain linking LIA and Marina Creeks and the southern boundary of the site is defined by the floodplain of Marina Creek. Area 2 is within the buffer of the Exmouth Power Station.
Existing Zoning	'Industrial' zone and 'Recreation and Open Space' reserve.



SITE PLAN - FUTURE INDUSTRY AREA 2

5.3.2.2 FUTURE INDUSTRY AREA 2 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for light industrial development given the proximity of the existing Welch Street industrial area.
- 2) Adjustment of the existing boundary of the 'Industrial' zone under TPS 3 is required to acknowledge the proposed alignment of the local neighbourhood connector and the high hazard floodplain of Marina Creek. This results in a marginal increase to the extent of land zoned for light industry.
- 3) The development of heavy, general or noxious industry land uses within Area 2 is not supported due to the potential for caretaker dwellings within the Area.
- 4) Area 2, upon full development has the potential to yield approximately 25-30 light industry lots, noting the site is constrained by the low hazard flood plain of Marina Creek and the high hazard floodplain which runs perpendicular to Marina Creek.
- 5) The full development of Area 2 assumes the future relocation of the Exmouth Power Station site (Lot 1467).
- 6) Land contained within the 'Light Industry' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision.
- 7) In assessing structure plan, subdivision and/or development applications, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The proximity of the land to the existing Exmouth Power Station and associated buffer (prior to relocation). The approval of a caretaker's dwelling within the buffer is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).
 - c) Site remediation of Lot 1467 in the event the Exmouth Power Station is relocated. The LPS identifies the power station site as being suitable for light industrial purposes, subject to site remediation where contamination is confirmed. Site contamination investigations should be referred to EPA for assessment and if required a site management plan implemented prior to the land being deemed suitable for development.
 - d) The extent of developable area within Area 2, defined by the high hazard floodplain of Marina Creek and the



north-south high hazard floodplain between Marina Creek and LIA Creek. This area will need to be identified as public open space and designed to accommodate the full extent of the high hazard floodplain based on advice of the Department of Water.

- e) The definition of the developable area within Area 2 will need to be informed by hydraulic modelling associated with the low and high hazard floodplain of Marina Creek to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- f) The development interface between the light industry land and the 'Future Residential (Long Term)' – Area 3 to the west shall be established as public open space of sufficient size to create a suitable visual buffer between industrial and residential land uses.
- g) The requirement to provide for road connectivity between Welch Street and the 'Future Residential (Long Term)' – Area 3 by:
 - i) the westerly extension of Welch Street between the existing light industry area and the proposed north-south Neighbourhood Connector; and
 - ii) The extension of the north-south neighbourhood connector between Nimitz Street and Murat Road.
- h) The structure plan should address the staged provision, funding and implementation of the road infrastructure referred to in g) above in consultation with the Shire.

5.3.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for future 'Industry - Light' and public open space purposes.
- b) Rezoning the land currently zoned 'Industrial' zone and 'Recreation and Open Space' reserve under TPS 3 to 'Light Industry' zone in LPS 4. This will include the adjustment and rationalisation of the existing 'Recreation and Open Space' reserve which will be redefined as part of future structure planning.
- c) Rezone Lot 1467 Welch Street (Exmouth Power Station) from 'Industrial' zone under TPS 3 to 'Light Industry' zone in LPS 4.
- d) Insert provisions within the 'Light Industry' zone to require the preparation of a structure plan as a pre-requisite to subdivision.
- e) Require future structure plans where 5 or more lots are proposed to address the planning considerations detailed above.
- f) Retain Caretaker's Dwelling as an incidental use within the 'Light Industry' zone.
- g) Introduce 'Bulky Goods Showroom' as a discretionary use within the 'Light Industry' zone to facilitate future development of industrial related bulky retail business premises.

- h) Introduce scheme provisions into LPS 4 to ensure a caretaker's dwelling is used only for their intended purpose and do not prejudice the primary industrial purpose of the 'Light Industry' zone.

5.3.3 FUTURE INDUSTRY AREA 3 – GENERAL INDUSTRY

5.3.3.1 DESCRIPTION

Location	Area 3 (Portion of Reserve 38865 - Lots 127 and 128; and portion UCL Lot 985) is located 22 kilometres south of the Exmouth townsite at the intersection of Charles Knife Road and immediately south of Badjirrajirra Creek.
Site Description	Area 3 comprises Reserve 38865 (lots 127 & 128 - 20.1ha) and portion of UCL Lot 985 (5.1ha) which comprises a larger parcel of land extending southwards along the foreshore of Exmouth Gulf. LandCorp has a management order over Reserve 38865 with authority to lease for marine support facilities or industrial purposes.
Existing Zoning	‘Recreation and Open Space’ reserve.



SITE PLAN - FUTURE INDUSTRY AREA 3

5.3.3.2 FUTURE INDUSTRY AREA 3 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 3 as being suitable for future General Industry consistent with the recommendations of the *Exmouth South Structure Plan* (2013) and given the synergy with the existing industrial zoned land to the south.
- 2) The land use intent for this area is to provide the opportunity for land based general industrial activity servicing the resource sector as well as to accommodate the relocation of existing industrial activity from the townsite which generate nuisance and/or have a larger land take requirement. The use of the land is to complement the industrial activity proposed for Area 5 - General Industry (Kailis Site).
- 3) Land contained within the Area 3 will be subject to the preparation and approval of a structure plan as a prerequisite to rezoning.
- 4) In assessing a rezoning, structure plan, subdivision and/or development within Area 3, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) Preparation and implementation of a foreshore management plan. This should include confirmation of the 'Environmental Conservation' foreshore reserve, having regard to coastal processes and environmental protection requirements.



- c) The provision of a 100m public open space buffer along Minilya-Exmouth Road which considers the opportunities to address visual impact of the development.
- d) 40m foreshore setback from Exmouth Gulf.
- e) The need for vehicular connectivity with General Industrial - Area 5 to the south.
- f) Safe access point(s) to Minilya-Exmouth Road.
- g) Emergency access requirements to Minilya – Exmouth Road.
- h) The proximity of the estimated 100yr floodplain of Badjirrajirra Creek to the north and impact of site levels.

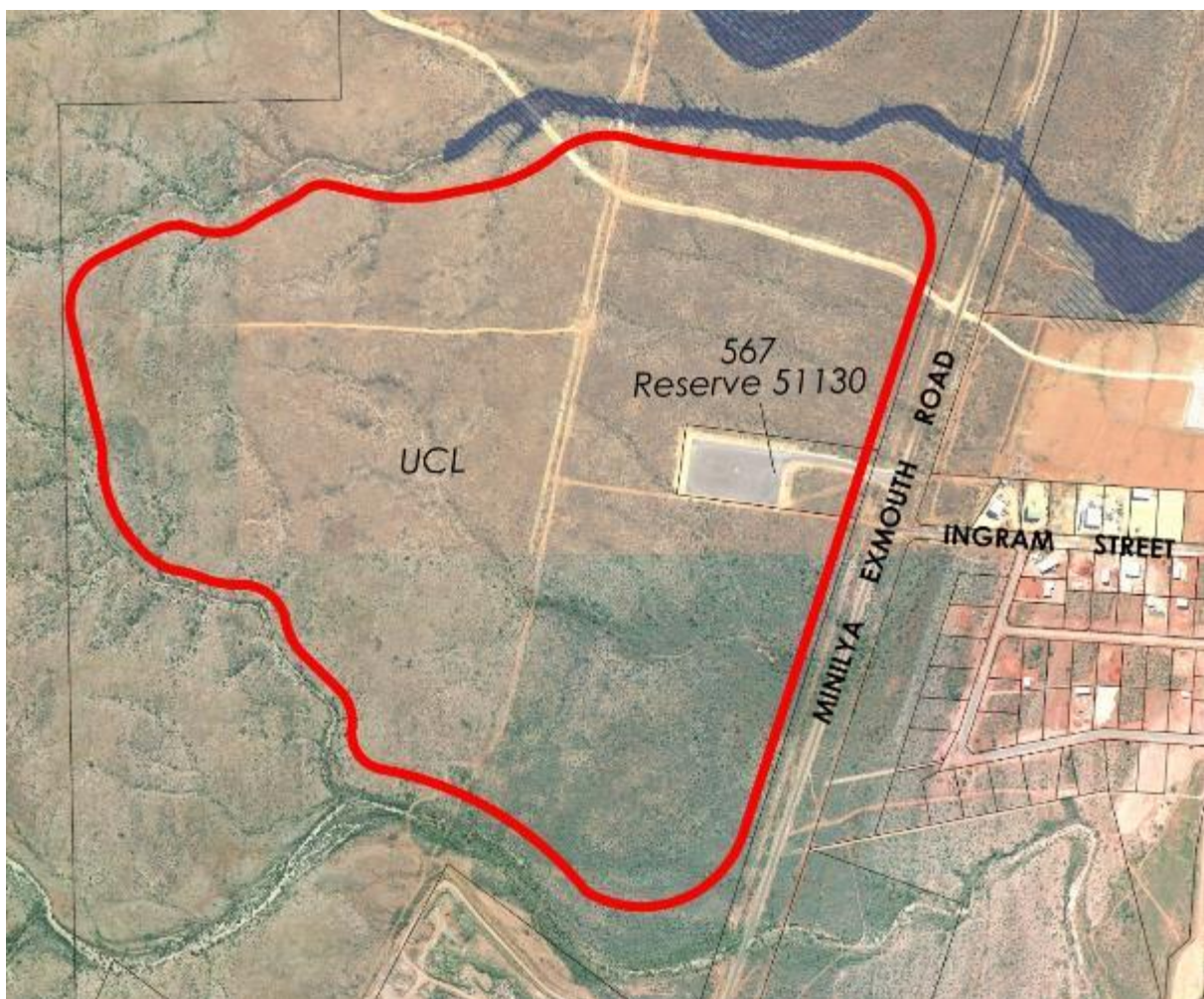
5.3.3.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Industry - General'.
- b) Include the land currently reserved 'Recreation and Open Space' reserve under TPS 3 within the 'Rural' zone and the 'Environmental Conservation' reserve under LPS 4.
- c) Insert provisions into the 'General Industry' zone to require the preparation of a structure plan as a pre-requisite to subdivision where 5 or more lots are proposed.
- d) Future rezoning proposals are to be accompanied by a structure plan that addresses the planning considerations detailed above.
- e) Include the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect view corridors of the Cape Range and Exmouth Gulf.
- f) Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.
- g) Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.'

5.3.4 FUTURE INDUSTRY AREA 4 – GENERAL INDUSTRY

5.3.4.1 DESCRIPTION

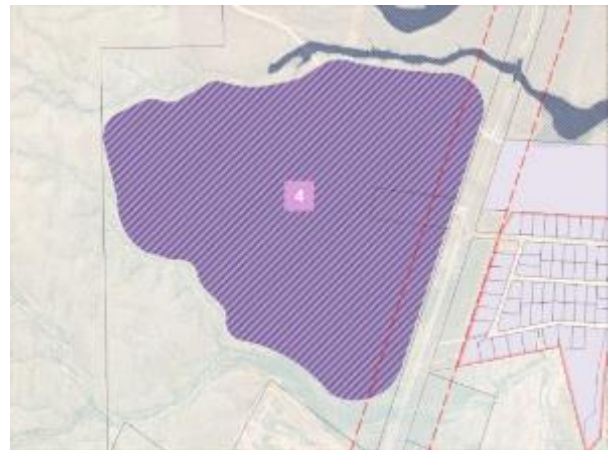
Location	Area 4 (UCL and Reserve 51130 - Lot 567) is located immediately west of the Ingram Street Industrial area on Minilya-Exmouth Road and 8 kilometres south of the Exmouth townsite.
Site Description	Area 4 comprises 135ha of vacant UCL including the MRWA road train assembly area (Reserve 51130 - 4.18ha). The extent of Area 4 is generally defined by the boundaries of the prominent drainage channels west of Minilya-Exmouth Road. The site is traversed by power infrastructure and an active mining tenement.
Existing Zoning	'Recreation and Open Space' reserve.



SITE PLAN - FUTURE INDUSTRY AREA 4

5.3.4.2 FUTURE INDUSTRY AREA 4 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 4 as an Industrial Investigation Area consistent with the recommendations of the *Exmouth South Structure Plan* (2013).
- 2) The land use intent for this area is to provide the opportunity for land supporting a marine support facility, as well as land as a lay-down and general industrial area servicing the resource sector, as well as accommodating the relocation of existing industrial activity from the townsite which generate nuisance and/or have a larger land-take requirement.
- 3) Land contained within the Area 4 will be subject to the preparation and approval of a structure plan as a prerequisite to rezoning.
- 4) In assessing a rezoning request, structure plan, subdivision and/or development to support the future subdivision of Area 4, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The extent of the floodplain defining the northern boundary of Area 4. The extent of development will need to be informed by hydraulic modelling to ensure that proposed development has adequate flood protection for a 100 year ARI flood.



- c) 100m setback to the Minilya-Exmouth Road.
- d) The provision of a public open space buffer along Minilya-Exmouth Road which considers the opportunities to address visual impact of the development.
- e) Safe access point(s) to Minilya-Exmouth Road.
- f) Emergency access requirements to Minilya-Exmouth Road.
- g) The active mining tenement.
- h) The existing MRWA Road train assembly area.
- i) Possible identification of the future Exmouth Power Station site within Area 4.

5.3.4.3 ACTION STATEMENTS

- a) The LPS identifies the land 'Future Industry – General'.
- b) Rezone the land currently zoned 'Recreation and Open Space' reserve under TPS 3 within the 'Industrial Development' zone under LPS 4.
- c) Insert provisions into the 'Industrial Development' zone to require the preparation of a structure plan as a pre-requisite to subdivision, where 5 or lots are proposed.
- d) Require future rezoning proposals are to be accompanied by a structure plan that address the planning considerations detailed above.
- e) Consider whether Area 4 is the optimal location of the MRWA Road train assembly area as part of future structure planning.
- f) Investigate the longer term relocation of the Exmouth Power Station to ensure the preferred location is safeguarded as part of the future planning framework. This investigation should occur so as not to delay structure planning within Area 4.
- g) Include the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect view corridors of the Cape Range and Exmouth Gulf.
- h) Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.
- i) Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.

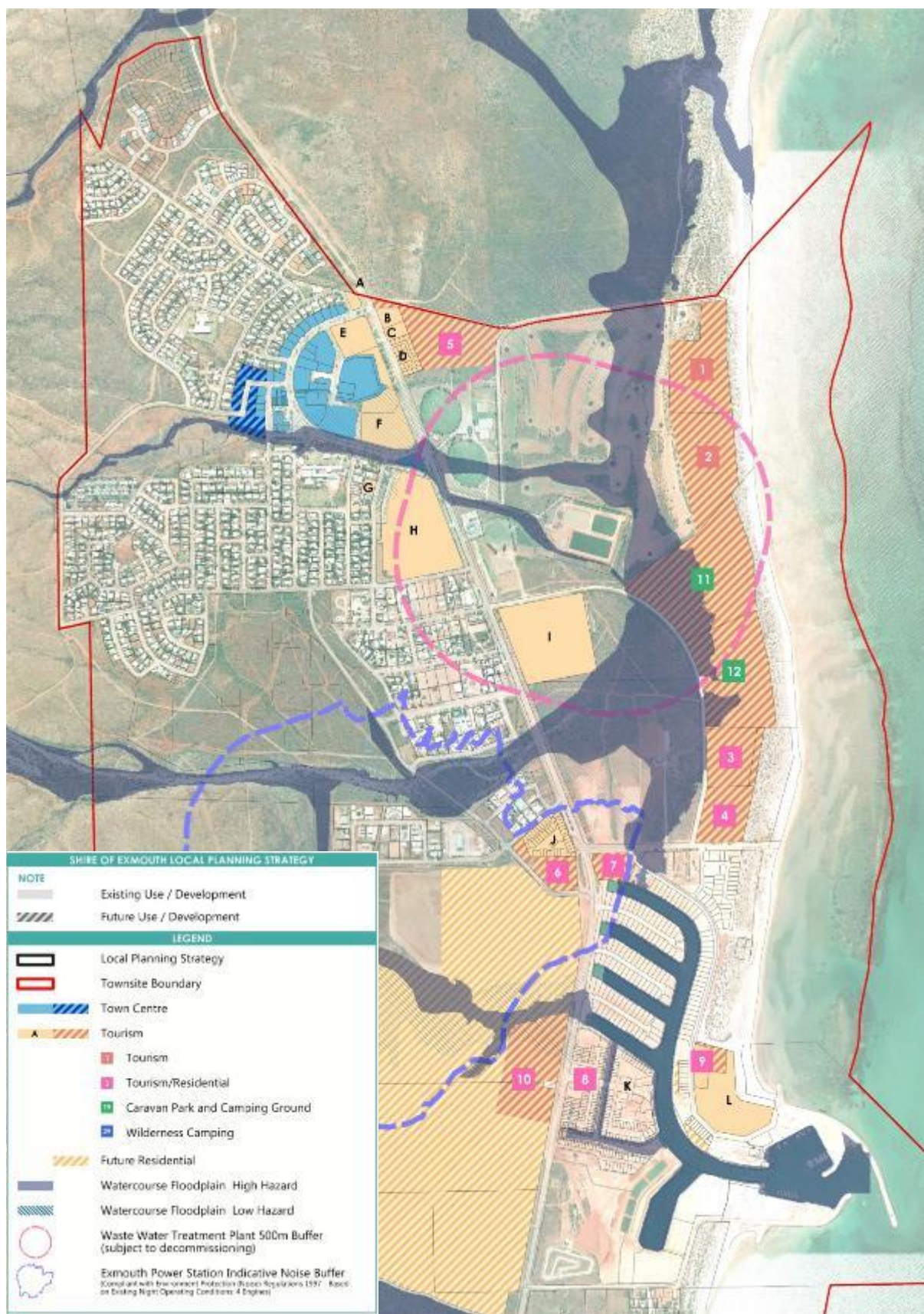


FIGURE 16 TOURISM STRATEGIC PLAN

The **Tourism Strategic Plan (Figure 16)** identifies the location of Existing and Future tourism development within the Shire given the prospect of future growth in visitor numbers and accommodation requirement by type, and the corresponding need for the allocation of land for tourism purposes.

As discussed in **section 2.3.3**, there is a need for the LPS to address the future provision of available tourism sites given the increase in visitor numbers during 2010-2012 (TRA 2013) and a projected demand that highlights capacity in both the caravan park, hotel and eco-safari markets for future supply. In regard to caravan park sites and hotels/motels short stay accommodation, by 2017 the annual occupancy rate is predicted to exceed 60% and 75% respectively. The resulting implication is that in peak times, Exmouth will have difficulty servicing the increased visitation. Further, if Exmouth's visitor profile were to accommodate an increasing number of high budget visitors, there would be a parallel demand for additional hotel/resort/apartment style tourist accommodation. Together with this adjustment, land release for additional caravan and camping accommodation will be required, noting Exmouth remains a predominantly self-drive destination with visitors having the propensity to pay for activities rather than accommodation. The demand for budget accommodation, therefore, is likely to remain. The Shire's caravan park and camping overflow facility within the Townsite (accessed via Willersdorf Road) is consistently operational during peak periods and overflow areas are intermittently approved at the Yardie Creek and Vlamingh Head Caravan Parks. Outside of the townsite, there is also demand for additional wilderness camping/eco-tourist activities in remote areas which is presently catered for within the Cape Range National Park, and within Ningaloo, Bullara and Giralia Pastoral Stations.

In the above context, the LPS supports the townsite being retained as the gateway to the Ningaloo Coast attracting higher-impact tourism development (Tourism, Tourism/Residential and Caravan and Camping Grounds), with low impact eco tourism facilities (Nature-Based camping/eco-tourism facilities) confined within designated nodes along the Ningaloo Coast and Exmouth Gulf and on pastoral stations.

EXISTING TOURISM

'Existing Tourism' comprises land zoned 'Tourist' under the existing TPS 3 and developed for tourism purposes at the time of preparation of the Strategy.

A site description of each 'Existing Tourism' area and the planning issues that apply is provided in **section 6.1** to follow.

FUTURE TOURISM

'Future Tourism' comprises undeveloped land that is either zoned or has the potential to be zoned for tourism purposes, but not as yet developed. Land classified as 'Future Tourism' by the Strategy has been divided into four (4) categories as follows:

Tourism

1

Sites upon which the local government will only consider short stay tourism development. Residential use will not be supported to protect the high tourism value of particular sites.

Tourism/Residential

3

Sites upon which the local government may consider up to 40% of the site being developed for residential purposes where specific criteria has been met such as overall size of the site, extent to which the area of highest tourism value is protected, maximisation of tourism value through site design having regard to minimising conflict with residential amenity, and the manner in which development is to be staged to retain the primacy of tourism uses.

Caravan Park and Camping

12

Sites upon which the local government may only consider caravan park and camping activity. No residential use will be permitted to protect the intended function of these future sites.

Nature Based Park

The use will be considered as a discretionary use in managed locations outside of the Exmouth Townsite subject to further investigation.

A detailed description of each 'Future Tourism' area and the planning considerations and action statements that apply is provided in **section 6.2** to follow.

6.1 EXISTING TOURISM

Within the 'existing' tourism classification, three categories of tourist development can be identified within the current framework of tourism land uses within Exmouth - *Short Stay Accommodation* (Tourism Resort, Hotel and Motel), *Caravan Park and Camping* - (Caravan and camping sites, Chalet/cabins and Back-packer accommodation) and *Other* - including Nature Based Camping/Eco-tourism sites. Currently TPS 3 does not make a zoning distinction between the three categories with all forms of tourist accommodation zoned 'Tourist'.

An audit of the existing tourism establishments is summarised in **section 6.1.1 - Table 20** and referenced on the Tourism Strategic Plan (Figure 16) **Sites A to L** where located within the townsite.

6.1.1 AREA DESCRIPTIONS

TABLE 20 EXISTING TOURISM ACCOMMODATION – SHIRE OF EXMOUTH

	TOURIST USE/OPERATOR	SITE AREA (HA)	DESCRIPTION
SHORT STAY ACCOMMODATION			
A.	Ningaloo Apartments	0.2346	Lot 313 at the intersection of Maidstone Crescent and Murat Road adjacent to Exmouth Town Centre
B.	Ningaloo Breeze Holiday Villas	0.5143	Lot 1444 Murat Road, located east of the Exmouth Town Centre
C.	Argosy Court	0.4047	Lot 620 Murat Road, located east of the Exmouth Town Centre
D.	Osprey Village	Various	Lot 570 Murat Road, located east of the Exmouth Town Centre
E.	Potshot Hotel Resort	1.6226	Lot 310 within Exmouth Town Centre fronting Murat Road
F.	Exmouth Villas	2.2927	Lot 2 at the intersection of Maidstone Crescent and Murat Road located within the Exmouth Town Centre
G.	Ningaloo Lodge	0.2519	Lot 1 Lefroy Street, located 350m south of the Exmouth Town Centre
J.	Exmouth Escape Resort	2.1492	Lot 900 Welch Street, located 1.8km south of the Exmouth Town Centre and adjacent the Exmouth Marina Village
K.	Exmouth Marina Village Short Stay Accommodation	Various	Various lots fronting Murat Road, located within Precinct B of the Exmouth Marina Village, 2.8 kms south of the Exmouth Town Centre
L.	Novotel Ningaloo Resort	4.7214	Lot 900 Madaffari Drive, located within the Exmouth Marina Village adjacent to the Exmouth Boat Harbour overlooking Exmouth Gulf.
	Best Western Sea Breeze Resort	N/A	Harold E Holt Naval Base, 5km north Exmouth Townsite
	Bullara Station – Lodge Accommodation		Bullara Pastoral Station Burkett Road, located 87km south Exmouth Townsite
CARAVAN PARK AND CAMPING			
I.	Exmouth Cape Tourist Village	8.3446	Lot 1 Truscott Crescent, located 1.1kms south east of the Exmouth Town Centre
H.	Ningaloo Caravan and Holiday Resort	9.5344	Lot 1112 Nimitz Street, located 400m south east of the Exmouth Town Centre
	Lighthouse Caravan Park		Yardie Creek Road, Vlamingh Head located 10km north-west of Exmouth Townsite

	TOURIST USE/OPERATOR	SITE AREA (HA)	DESCRIPTION
	Yardie Creek Caravan Park		Pace Retreat via Yardie Creek Road, located 26km west of Exmouth Townsite
NATURE BASED PARK			
	Ningaloo Station	various	Ningaloo Pastoral Station - Various camping nodes along the Ningaloo Coast 160 km south-west of Exmouth Townsite
	Bullara Station	various	Bullara Pastoral Station, Burkett Road, located 87km south of Exmouth Townsite
	Giralia Station	various	Giralia Station, Burkett Road located 125kms south of Exmouth Townsite
	Cape Range National Park	Various	Various camping nodes along the Ningaloo Coast via Yardie Creek Road west of Exmouth Townsite on sites identified by the Cape Range National Park Management Plan

6.1.2 PLANNING ISSUES

Specific issues have been summarised below which the LPS identifies as management issues requiring further consideration. The implementation of new scheme provisions within LPS 4 will assist to address these issues and allow a more consistent approach in the assessment of development applications for a range of tourism uses and in doing so, providing a clearer planning approvals framework.

- 1) **Residential Use within Caravan Park Sites** – Permanent residential development occurring on existing caravan park sites raises concerns in regard to the impact on the ‘accommodation pool’ available for ‘overnight stay’ where demand for this form of accommodation within Exmouth remains high. The permanency of structures associated with on-site caravans (outbuildings, car ports, patios) is also a land use issue that is not able to be regulated under the *Caravan Park and Camping Ground Regulations (1997)*. TPS 3 does not currently address this specific issue other than for residential buildings and dwellings as an ‘X’ use in the Tourist Zone.
- 2) **Proportion of Permanent Residential Development permitted on Tourist Sites** – There is increasing pressure for a residential component to be incorporated within tourism proposals to assist project viability. This raises concerns in regard to guaranteeing the adequate provision of tourism accommodation to meet the market expectations for Exmouth as a tourist destination against the need to support investment in the industry. This issue is not unique to Exmouth and the need for a more flexible approach to tourism planning and the incorporation of mixed use/residential within tourist sites has been recognised in the review of *WAPC Planning Bulletin 83/2013*. Adopting the PB 83/2013 as guidance, the local government may set a percentage limit on the extent of the permanent residential component within new tourist sites, restrict residential use on tourist sites of high tourism value, and control the extent of conversion of existing tourism developments dependent on the scale of refurbishment and the resultant tourism outcome.
- 3) **Mixed Use/Commercial Activities within Tourist Developments** – The extent of commercial activity taking place on tourist sites (restaurants, function centres, retail uses etc) has the potential to become the predominant use if not regulated. Whilst commercial uses ancillary to the tourist component is appropriate, the manner in which they are incorporated into the design and scale of development should be regulated to ensure legitimate town centre commercial uses are not compromised.
- 4) **Holiday Accommodation within Residential Areas** – The LPS recognises that there are currently a number of residences registered for Holiday Accommodation within the existing residential areas of Exmouth with this element being an important aspect in the overall mix of accommodation available within Exmouth. The Shire’s LPP 6.12 *Holiday Accommodation* effectively addresses the planning requirements for this activity and the approach adopted is consistent with other tourism towns within Western Australia where local planning policies under the *Town Planning Regulations 1967* and Local Laws under the *Local Government Act 1995* have been enforced. However, given the nature of this use, land use conflicts inevitably occur and will continue to require regulation within the parameters of available legislation.

- 5) **Vlamingh Head Master Plan** – The Vlamingh Head Master Plan area comprises the tourist node at Vlamingh Head – Lot 2 (existing Lighthouse Caravan park) and Lot 309/Part Lot 6 (undeveloped), Yardie Creek Road. The Master Plan aims to retain the semi-remote experience of Vlamingh Head by establishing the framework for a land exchange, specifying a building envelope and limiting the type and scale of development, specifically 1020 beds, with 720 beds already operational on Lot 2. In 2010, TPS 3 Amendment 25 introduced the statutory framework for the Master Plan by zoning the ‘footprint’ of development and requiring detailed site planning to be in accordance with the Master Plan. No further expansion of the site has taken place.

Section 2.9 of the Master Plan requires the Plan to be reviewed not later than five years after its adoption in June, 2008. The LPS supports a review being undertaken given that time has elapsed since its preparation; tourism infrastructure is well established within the townsite; landowner objectives may have changed; and supply and demand scenarios have altered; acknowledging that the sustainability principles of the Master Plan should not be compromised. The LPS will identify the site as ‘Existing Tourism – Caravan Park and Camping’ noting that this classification precludes residential use.

- 6) **Management of Nature Based Camping areas** – The management of existing nature based camping areas along the Ningaloo Coast require ongoing management to ensure that areas of high conservation value are protected. The LPS recognises the existing nature based camping areas and the requirement for management plans, however identifies that there are concerns from agencies that uncontrolled activities adversely impact the environment along the west coast, which, if continued, will diminish the very landscape qualities and attributes that attract the tourism activity in the first instance.

The expiry of Pastoral Leases in 2015 will provide the opportunity for the existing nature based camping nodes along the west coast to be reviewed. During the renewal process of eligible leases under the *Land Administration Act 1997*, the development envelopes can be reassessed, and as a minimum, the 40 m setback landward of the high water mark adhered to consistent with the Ningaloo Marine Park and proposed reservations under LPS 4.

- 7) **Jurabi Coastal Park** – Camping within Jurabi Coastal Park is currently limited to designated areas and is subject to time restriction and annual review by DPaW. The LPS Community Workshop identified the desire of the local community to have greater access to additional camping sites outside the Cape Range National Park, with the areas within Jurabi Coastal Park and along Exmouth Gulf warranting further investigation.
- 8) **Shortcomings of Single ‘Tourist’ Zoning** – Currently TPS 3 does not make a zoning distinction between the categories of tourist development with all forms of development generically zoned ‘Tourist’. Furthermore, the range of uses operating within the Shire is not defined by the Scheme and where residential use is envisaged, an appropriate Residential Density Code is not applied. This places limitations on development control where a wide range of land uses may be permitted limiting the ability to deliver higher quality tourist accommodation.

6.1.3 ACTION STATEMENTS

- a) The LPS identifies existing tourism sites for the purposes of either 'Tourism', 'Caravan Park and Camping' or 'Nature Based Camping'.
- b) Rezone land zoned 'Tourist' within TPS 3 to 'Tourism' zone or 'Special Use – Caravan and Camping' under LPS 4.
- c) Include and update interpretations for tourism uses within Schedule 1 - Dictionary of Defined Words and Expressions.
- d) Include provisions with LPS 4 to:
 - i) Limit the proportion of permanent residential permitted within new tourist developments (or substantial refurbishment to existing tourism developments) to no greater than 40% of the site; Apply a density coding of R40 to residential use within the 'Tourism' zone where applicable.
 - ii) Control permanent residential use within the 'Special Use - Caravan Park and Camping' zone.
 - iii) Reinforce the tourism component as the predominant use within the Tourism Zone in assessing the extent of commercial activities within the 'Tourism' zone and 'Special Use - Caravan Park and Camping' zone.
 - iv) Require Management Plans and Nature-Based Park Site Plans to be prepared in support of development applications for Nature-Based Parks.
- e) Recognise Holiday House as a legitimate use within specified zones within the Scheme as follows: 'A' – use subject to advertising within the 'Residential' zone, 'Urban Development' zone, 'Special Use - Marina' zone and 'Rural Residential' zone and a 'D' - discretionary use within the 'Tourism' zone and 'Rural' zone; the local government to further control use in accordance with the adopted LPP 6.12 *Holiday Accommodation*.
- f) Support a review of the Vlamingh Head Master Plan to re-assess the limitations on the scale of development permitted in the context of overall sustainability objectives and the changing supply and demand characteristics of the tourism market.
- g) Investigate the designation of additional informal camping areas within Jurabi Coastal Park in consultation with management authorities and review the time of the year in which designated camping areas can be accessed.
- h) Rezone land along the coastal strip of the Ningaloo Pastoral Lease from 'Pastoral' zone under TPS 3 to 'Environmental Conservation' reserve under LPS 4 to reflect the 40m setback landward of the high water mark, consistent with the boundaries of the Ningaloo Marine Park.
- i) Reclassify land along the coastal strip of Exmouth Gulf (Exmouth, Bullara and Giralia Pastoral Leases) from 'Pastoral' zone under TPS 3 to 'Environmental Conservation' reserve under LPS 4 to reflect a 40m setback landward of the high water mark.
- j) Rezone land zoned 'Public Open Space' at the rear of Lot 6 Yardie Creek road within TPS 3 to 'Special Use' zone under LPS 4.
- k) Rezone land zoned 'Special Use' (Lot 319 Yardie Creek road) to "Rural" zone under LPS 4.

6.2 FUTURE TOURISM

With reference to the **Tourism Strategic Plan (Figure 16)** and the analysis of planning considerations to follow, *Areas 1 to 12* are identified as future tourism sites within the Shire. Dependent upon the qualities and attributes of each site, the future tourism areas are categorised as Tourism, Tourism/Residential, Caravan Park and Nature Based Camping.

Areas 1 and 2 have been specifically identified for *Tourism* purposes in which residential use is not supported given the high tourism value of the sites. These areas have been identified to facilitate the longer term protection of a beachside locality for short stay accommodation purposes. The land use and development parameters required to ensure development can take place when economic conditions are appropriate have been defined.

Areas 3 to 10 have been identified for *Tourism/Residential* in which the local government may consider up to 40% of the site being developed for residential purposes where specified criteria has been met such as overall size of the site, extent to which the area of highest tourism value is protected, maximisation of tourism value through site design having regard to minimising conflict with residential amenity, and the manner in which development is to be staged to retain the primacy of tourism uses.

Areas 11 and 12 have been identified for *Caravan Park and Camping* in which residential use will be restricted, to protect the intended function of these future sites.

Nature Based Camping will be considered as a discretionary use in managed locations outside of the Exmouth Townsite subject to further investigation in accordance with the planning considerations identified.

6.2.1 FUTURE TOURISM AREAS 1 & 2 – TOURISM

6.2.1.1 DESCRIPTION

Location	Areas 1 and 2 are located east of the Town Centre immediately abutting Exmouth Golf Course and Exmouth Gulf foreshore.
Site Description	<p>Area 1 is currently vacant comprising UCL Lot 1407, Willersdorf Road. The area is vegetated, elevated land overlooking Exmouth Gulf and comprises 6.9 ha.</p> <p>Area 2 is currently vacant comprising the eastern portion of Reserve 50867 (Golf Course) having an area of approximately 7.2ha. There is currently no constructed access to this portion of the site.</p> <p>An existing foreshore trail traverses within and adjacent to the eastern boundary of both Areas 1 and 2.</p>
Existing Zoning	‘Recreation and Open Space’ reserve.



SITE PLAN - FUTURE TOURISM AREAS 1 & 2

6.2.1.2 FUTURE TOURISM AREAS 1 & 2 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 1 and 2 as being suitable for tourism development only consistent with the tourism investigation area recommended by the *Exmouth Townsite Structure Plan* (2011).
- 2) Residential development within Areas 1 and 2 is not supported due to the limited number of high value tourism only sites available in beachside locations, the close proximity to townsite facilities, the elevated landform and availability of direct access to the Exmouth Gulf.
- 3) Access to Area 1 will be obtained via Willersdorf Road.
- 4) The LPS requires access to Area 2 to be obtained from Truscott Crescent. The access should be determined at the land assembly stage for Reserve 50867 and VCL Lot 1404 – Area 11 (as a prerequisite to development) with concurrent agreement between the Shire, Exmouth Golf Course and the Department of Lands. In this regard, access to Area 2 may be in the form of a public road or access easement via either:
 - a) Area 11 (VCL 1404), in consultation with the Department of Lands and Shire having regard to the future planning requirements of this area including access to Gulf Beach; or
 - b) Reserve 50867, in the event that a redesign of the Exmouth Golf Course takes place that can accommodate access to Area 2 without compromising the overall layout of the course.
- 5) In determining the location and form of access to Area 2 from Truscott Crescent, appropriate setbacks and buffers to the existing golf course will need to be accommodated within the new land assembled for Area 2, having regard to the need to maximise the development potential of Area 11.
- 6) In assessing development applications for Areas 1 and 2, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to satisfy the provisions of the proposed Scheme.
 - b) Maximising the development potential of the sites without adversely impacting the environmental or landscape qualities of the locality.
 - c) Preparation and implementation of a foreshore management plan in accordance with the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).

This should include confirmation of the Foreshore Reserve, protection and upgrade of the existing foreshore trail, and new gulf beach access having regard to coastal processes and environmental protection requirements. Where the existing foreshore trail is retained within private property, a public access easement will be required.



- d) The decision of the Shire in relation to the agreed location of access to Area 2 and Gulf Beach (refer Planning Considerations 4 & 5).
- e) Ensuring the design is cognisant of the environmental and landscape setting of the locality, including building height controls and visual impacts on the Gulf.
- f) Preparation and implementation of a Landscape Plan that complements the natural setting and beachside character of the site and augments the retention of native vegetation where possible.
- g) The proximity of Areas 1 and 2 to the Waste Water Treatment Plant. The definition of the extent of development possible will require consultation with the EPA, Shire and Water Corporation.
- h) The development interface between tourism uses and the existing Exmouth Golf Course abutting the western boundary of Areas 1 and 2. To address safety and visual amenity issues, the interface shall incorporate appropriate landscape buffers and restricted pedestrian access defined in consultation with the Exmouth Golf Course.
- i) In the event that a redesign of the Exmouth Golf Course takes place prior to the development of Areas 1 and 2, the ability to accommodate buffers and setback within the revised course layout should be investigated to address safety and amenity issues.

6.2.1.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism'.
- b) Rezone Areas 1 and 2 from 'Recreation and Open Space' reserve under TPS 3 to 'Tourism' zone under LPS 4.
- c) Prior to the commencement of any development within Area 2, access arrangements to Area 2 and location of new access to Gulf Beach contained within Area 11 are to be confirmed.
- d) Consider the negotiation of a single access point to Area 2 and Gulf Beach either via VCL Lot 1404 or Reserve 50867.
- e) Investigate future funding arrangements for the shared implementation of access to Area 2 and Gulf Beach.
- f) Finalise the relocation of the existing WWTP infrastructure to remove any impediment for the approval of 'sensitive land uses' within Areas 1 and 2.

6.2.2 FUTURE TOURISM AREAS 3 & 4 – TOURISM/RESIDENTIAL

6.2.2.1 DESCRIPTION

Location & Description	<p>Area 3 comprises Lot 848 (3.54ha) and UCL Lot 943 (0.4886ha), Truscott Crescent located 2km south-east of the Town Centre and 230m north of the Exmouth Marina Village. The site is currently vacant with site vegetation removed to accommodate a previous approval for bulk earthworks achieving a minimum site level of 5.25AHD.</p> <p>The site is separated from Exmouth Gulf by the foreshore Reserve 29066 and overlooks land reserved for recreation currently used by the Exmouth Pony Club.</p>
	<p>Area 4 comprises Lot 715 (3.43ha) located immediately south of Area 3 abutting the Exmouth Gulf foreshore and adjacent to the Exmouth Marina. Lot 715 has also been subject to earthworks as part of a previous development approval (now expired).</p>
Existing Zoning	'Tourist' zone with additional Residential use on portion Lot 715.



SITE PLAN - FUTURE TOURISM AREAS 3 & 4

6.2.2.2 FUTURE TOURISM AREAS 3 & 4 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 3 & 4 as 'Tourism/Residential'.
- 2) The LPS supports the approval of a combination of tourist accommodation and permanent residential use within Areas 3 & 4 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) In assessing a development application, the local government will have regard to the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourism development or a substantial refurbishment of an existing tourism development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.

Areas 3 & 4

- 4) In assessing development applications for Areas 3 and 4, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to satisfy the provisions of the proposed Scheme.
 - b) Preparation and implementation of a foreshore management plan in accordance with the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)*. This should include confirmation of the foreshore reserve, protection and upgrade of the existing foreshore trail, having regard to coastal processes and environmental protection requirements.



- c) Confirm adequate flood protection (minimum floor heights) has been achieved for the development sites.
- d) Ensuring level changes, resulting from the need to provide adequate protection from flooding, are retained to the satisfaction of the Shire. In this regard, in addition to the structural requirements, the local government will have regard to the visual impact, retaining wall height, and the need, if any, for public access and landscaping.

Area 4

- 9) For Area 4, the development interface between future tourism and existing residential uses within Precinct A – Marina Village shall deliver frontage development to complement the existing residential frontage south of Warne Street.

6.2.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism Residential'.
- b) Rezone Areas 3 & 4 from 'Tourist' zone under TPS 3 to 'Tourism' zone under LPS 4.

6.2.3 FUTURE TOURISM AREA 5 – TOURISM/RESIDENTIAL

6.2.3.1 DESCRIPTION

Location & Description	Area 5 comprises portion of Reserve 50807 (Recreation), Willersdorf Street and Reserve 45539 (Lot 1423 – 0.2336ha) Murat Road having a combined area of 7.28ha. The site is located 500m east of the Town Centre and immediately abuts the town's main recreational precinct and an existing tourist development fronting Murat Road. Area 5 represents a rounding off of an existing tourism precinct. A portion of the site is affected by the low hazard floodplain of Town Creek.
Existing Zoning	'Tourist' zone.



SITE PLAN - FUTURE TOURISM AREA 5

6.2.3.2 FUTURE TOURISM AREA 5 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 5 as 'Tourism/Residential'.
- 2) The LPS supports the approval of a combination of tourist accommodation and permanent residential use within Area 5 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) In assessing a development application, the local government will have regard to the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourist development or a substantial refurbishment of an existing tourist development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.
- 4) In assessing development applications for Area 5, the local government will have regard to:
 - a) The extent of the low hazard flood plain of Town Creek. The southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and



- ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- b) The process of land assembly to excise Area 5 from Reserve 50807 and the concurrent dedication of a public road between Murat Road and Willersdorf Road.
- c) The development interface between future tourism residential uses and the existing Murat Road Recreation Precinct. The built form is to address (front) the proposed future road link between Murat Road and Willersdorf Road abutting the Recreation Precinct.
- d) The proximity of Area 5 to the Waste Water Treatment Plant.
- e) Ensuring access to Lot 1423 is obtained from Murat Road.
- f) The landscape and built form treatment of the Murat Road frontage recognising its importance as a townscape entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.

6.2.3.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism/Residential'.
- b) Rezone Area 5 from 'Tourist' zone under TPS 3 to 'Tourism' zone under LPS 4.
- c) Finalise the relocation of the existing WWTP infrastructure to remove any impediment for the approval of 'sensitive land uses' within Area 5.
- d) Investigate the funding arrangement for a new road reserve proposed between Murat Road and Willersdorf Road servicing Area 5.

6.2.4 FUTURE TOURISM AREA 6 – TOURISM/RESIDENTIAL

6.2.4.1 DESCRIPTION

Location & Description	Area 6 comprises UCL Lot 1112 (1.70ha) and UCL Lot 918 (0.3ha) and is located 1.8 km south-east of the Town Centre at the Intersection of Murat Road and Reid Street diagonally opposite the Exmouth Marina Village Precinct. Both sites are vacant and immediately abut a partially developed tourism development (Exmouth Escape Resort – Lot 900). UCL Lot 918 is currently set aside as a public open space buffer.
Existing Zoning	'Tourist' zone and 'Recreation and Open Space' reserve.



SITE PLAN - FUTURE TOURISM AREA 6

6.2.4.2 FUTURE TOURISM AREA 6 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 6 as 'Tourism/Residential'.
- 2) The LPS supports the approval of a combination of tourist accommodation and permanent residential use within Area 6 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) In assessing a development application, the local government will have regard to the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourist development or a substantial refurbishment of an existing tourist development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.
- 4) In assessing development applications for Area 6, the local government will have regard to:
 - a) The treatment of Murat Road frontage recognising its importance as a townscape entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.
 - b) The need for safe vehicular ingress and egress to Area 6 given the proximity of the Murat Road and



- Reid Street; and Reid Street and Welch Street intersections.
- c) The need for site planning to incorporate adequate building setbacks to maintain visibility at the intersection of Reid Street and Welch Street.
- d) The requirement UCL 918 to be amalgamated with either adjoining UCL 1112 or the existing tourist operation on Lot 900 as part of the land assembly process.
- e) Confirmation of the residual stormwater drainage function of UCL 918 if applicable.
- f) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). Development of Area 6 for tourism/residential purposes is constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. Tourism/Residential development within Area 6 is dependent upon improvements to the operating conditions of the power station, outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).

6.2.4.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism/Residential'.
- b) Rezone Area 6 from 'Tourist' zone and 'Recreation and Open Space' reserve under TPS 3 to 'Tourism' zone under LPS 4.
- c) Support the development of Area 6 for Tourism/Residential development dependent upon the outcome of revised noise modelling, improvement of operating conditions of the Exmouth Power Station and/or future relocation of the infrastructure.
- d) Investigate the longer term relocation of the Exmouth Power Station infrastructure.
- e) Review the Murat Street Design Guidelines to accommodate the recommendations of the LPS for future tourism development.

6.2.5 FUTURE TOURISM AREAS 7, 8 & 9 – MARINA TOURISM/RESIDENTIAL

6.2.5.1 DESCRIPTION

Location & Description	<p>Area 7 comprises Lot 481 (1.42ha) located at the intersection of Murat Road and Madaffari Drive. Area 7 and is identified as a Landmark Site within the Exmouth Marina Village ODP – Precinct A in which a range of uses are permitted including grouped dwelling, short stay accommodation, tourist complex and ancillary uses. The site is currently vacant with an ODP amendment approval for the creation of 2 lots.</p> <p>Area 8 (various) – represents super lots within the Exmouth Marina Village where short stay accommodation is permitted abutting the Murat Road frontage as guided by the requirements of the Exmouth Marina Village Outline Development Plan – Precinct B. The locality is 2.8km from the Exmouth Town Centre. The built form on the lots ‘present’ to Murat Road with rear access via an internal public road. The sites are partially developed and provide a high quality architectural entry statement to the Exmouth Townsite.</p> <p>Area 9 comprises portion of Lot 902, Madaffari Drive – Ningaloo Resort Site. Area 9 comprises 0.5603ha with development of the site guided by the Exmouth Marina Village Outline Development Plan – Precinct C. The site has been identified as a proposed built strata permanent residential component of the Ningaloo tourism resort site. The site is presently undeveloped; however has the potential to support 18 units. No further permanent residential use will be supported.</p>
Existing Zoning	<p>Area 7: ‘Marina’ zone (Precinct A).</p> <p>Area 8: ‘Marina’ zone (Precinct B).</p> <p>Area 9: ‘Marina’ zone (Precinct C).</p> <p>Development is guided by the Exmouth Marina Village Outline Development Plan (ODP) and Broad and Detailed Design Guidelines (as amended).</p>



SITE PLAN - FUTURE TOURISM AREAS 7, 8 & 9

6.2.5.2 FUTURE TOURISM AREAS 7, 8 & 9 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 7, 8 & 9 as 'Tourism/Residential'.
- 2) The LPS supports the approval of a combination of tourism accommodation and permanent residential use within Areas 7, 8 & 9 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) The land use intent for each area is as follows:
 - a) Area 7 - Area A. The land use intent for Area 7 is canal based landmark development site incorporating residential or tourist complex, short stay accommodation) but not both.
 - b) Area 8 - Area B. The land use intent for Area 8 is short stay accommodation and tourist landmark development and ancillary uses on lots fronting Murat Road only.
 - c) Area 9 - Area C. The land use intent for Area 9 is R30 coded permanent residential to the north of the Novotel Resort in accordance with the agreed Resort Concept Plan. No further permanent residential use within Area C will be supported.
- 4) In assessing a development application, the local government will have regard the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourist development or a substantial refurbishment of an existing tourist development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.
- 5) In



assessing development applications for Areas 7, 8 & 9, the local government will have regard to:

- a) The proximity of Area 7 to the Exmouth Power Station (and associated buffer requirements). Development of Area 7 for tourism/residential purposes is constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. Tourism/Residential development within Area 7 is dependent upon improvements to the operating conditions of the power station, outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).
- b) The development requirements of the Marina Zone as informed by the *Exmouth Marina Village ODP Broad and Detailed Design Guidelines*.

6.2.5.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism/Residential'.
- b) Insert reviewed provisions of the approved Exmouth Marina Village ODP Broad and Detailed Design Guidelines for Precincts A, B & C within the 'Special Use - Marina' zone in LPS 4 and refer to the precincts as 'Area A', 'Area B' and 'Area C' respectively.
- c) Support the development of Areas 7 for Tourism/Residential development dependent upon the outcome of revised noise modelling, improvement of operating conditions of the Exmouth Power Station and/or future relocation of the infrastructure.
- d) Investigate the longer term relocation of the Exmouth Power Station infrastructure.
- e) Review the Murat Street Design Guidelines to accommodate the recommendations of the LPS for future Tourism development.
- f) The local government to amend the Exmouth Marina Village ODP and associated Broad Design Guidelines.

6.2.6 FUTURE TOURISM AREA 10 – TOURISM/RESIDENTIAL

6.2.6.1 DESCRIPTION

Location & Description	Area 10 comprises portion of VCL 1391 and portion of VCL 1493 Murat Road located 1.8km south of the Town Centre. Area 10 has a combined area of approximately 7.2ha; of which 2.2ha is affected by the low hazard flood plain of Marina Creek. A pump station site (0.1136ha) visually constrains a small portion of the frontage of Area 10 abutting Murat Road.
Existing Zoning	Area 10: 'Residential Development' Zone.



SITE PLAN - FUTURE TOURISM AREA 10

6.2.6.2 FUTURE TOURISM AREA 10 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 10 as 'Tourism/Residential'.
- 2) The LPS supports the approval of a combination of tourist accommodation and permanent residential use within Area 10 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) In assessing a structure plan or development application, the local government will have regard to the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourist development or a substantial refurbishment of an existing tourist development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.
- 4) In assessing rezoning proposals, structure plan and development applications for Area 10, the local government will have regard to:



- a) The extent of the low and high hazard flood plain of Marina Creek. The northern and western extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- b) The landscape and built form treatment of Murat Road frontage recognising its importance as a townscape entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.
- c) Any operational buffer requirements of the existing pump station infrastructure located on Murat Road.

6.2.6.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism Residential'.
- b) Rezone Area 10 from 'Tourist' Zone under TPS 3 to 'Tourism' zone under LPS 4.
- c) Review the Murat Street Design Guidelines to accommodate the recommendations of the LPS for future Tourism development.

6.2.7 FUTURE TOURISM AREAS 11 & 12 – CARAVAN PARK AND CAMPING

6.2.7.1 DESCRIPTION

Location	Areas 11 and 12 are located between Truscott Crescent and Exmouth Gulf, south east of the Exmouth Town Centre.
Site Description	<p>Area 11 is vacant UCL Lot 1404 comprising 13.3 hectares.</p> <p>Area 12 is vacant UCL Lot 1403 comprising 9.7 hectares.</p> <p>Areas 11 and 12 comprise the vegetated primary dune fronting the Exmouth Gulf. The areas are partially affected by the high hazard floodplain of Town Creek given that the dune system acts a natural storage bund during major flood events. An existing foreshore trail traverses within and adjacent to the eastern boundary of Areas 11 and 12. Both UCL 1404 and 1403 are subject to Native Title clearance. Portion of Areas 11 and 12 are located within the 500m odour buffer of the Exmouth Waste Water Treatment Plant.</p> <p>Area 11 is dissected by an informal access track currently identified within the <i>Exmouth Town Centre and Foreshore Revitalisation Plan</i> (2012) for retention and upgrade to include a new Gulf Beach access (and associated car parking), which in its present location, will constrain the future development potential of this area.</p> <p>Area 12 is similarly dissected by an informal access track to Gulf Beach. In-principle support has been given to a Tourism WA / Shire proposal to develop a Caravan Park and Camping Ground on this site and a Concept Plan has been formulated.</p>
Existing Zoning	'Tourist' zone.



SITE PLAN - FUTURE TOURISM AREAS 11 & 12

6.2.7.2 FUTURE TOURISM AREAS 11 & 12 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 11 and 12 as being suitable for Caravan Park and Camping.
- 2) Residential development within Areas 11 and 12 is not supported.
- 3) The LPS requires access to Area 2 to be obtained from Truscott Crescent. The access should be determined at the land assembly stage for Reserve 50867 and VCL Lot 1404 – Area 11 (as a prerequisite to development) with concurrent agreement between the Shire, Exmouth Golf Course and the Department of Lands. In this regard, access to Area 2 may be in the form of a public road or access easement via either:
 - a) Area 11 (VCL 1404), in consultation with the Department of Lands and Shire having regard to the future planning requirements of this area; or
 - b) Reserve 50867, in the event that a redesign of the Exmouth Golf Course takes place that can accommodate access to Area 2 without compromising the overall layout of the course.
- 4) In determining the location and form of access to Area 2 from Truscott Crescent, appropriate setbacks and buffers to the existing golf course will need to be accommodated within the new land assembled for Area 2, with a corresponding reduction in the developable area of Area 11.
- 5) The LPS notes that the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) for pedestrian and vehicular access to a new Gulf Beach present a number of significant development constraints for Area 11. Prior to development, further investigation is required, with respect to minimising the impact on the development potential of Area 11, having regard to the following options:
 - a) Option 1 – comply with the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) by providing vehicular and pedestrian access through the centre of Area 11 to the new Gulf Beach foreshore park, and as a result of this severance, creating two tourist development sites. Under Option 1, the final location of Gulf Beach access (and associated parking) should be reviewed (within or immediately adjacent to the existing foreshore reserve) to confirm that the impact on the development potential of Area 11 is minimised.
 - b) Option 2 – generally comply with the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) by providing pedestrian access only through the centre of Area 11 to the new Gulf Beach foreshore park, in the form of a public access easement incorporated into the design of a single tourist development site. Under Option 2, the final location of the new Gulf Beach Access should be reviewed (within or immediately adjacent to the existing foreshore reserve) to minimise the impact on the development potential of Area 11, with vehicular access to Gulf Beach foreshore park being relocated to the southern boundary of Area 11.



- c) Option 3 – If the development area of the resulting two tourist development sites under Option 1 are considered insufficient to support a viable tourism development, review the location of the new Gulf Beach Access and relocate to the northern boundary of Area 11 such that vehicular and pedestrian access can be combined with the location of the access to Area 2 referred to in Planning Consideration 3. above.

Areas 11 and 12

- 10) In assessing a development application for Areas 11 and 12, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to satisfy the provisions of the proposed Scheme.
 - b) The requirement for consultation to take place with the Department of Water to confirm flood relief areas, land use permissibility and development setbacks associated with the high hazard flood plain. Only camping is permitted within the high flood hazard area of Areas 11 and 12.
 - c) The proximity of the land to the Waste Water Treatment Plant.
 - d) Preparation and implementation of a foreshore management plan in accordance with the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012). This should include confirmation of the Foreshore Reserve, protection and upgrade of the existing foreshore trail, and new Gulf Beach access, having regard to coastal processes and environmental protection requirements. Where the existing foreshore trail is retained within private property, a public access easement will be required.
 - e) Ensuring the site design is cognisant of the environmental and landscape setting of the locality.
 - f) Preparation and implementation of a Landscape Plan that complements the natural setting and beachside character of the site and augments the retention of native vegetation where possible.

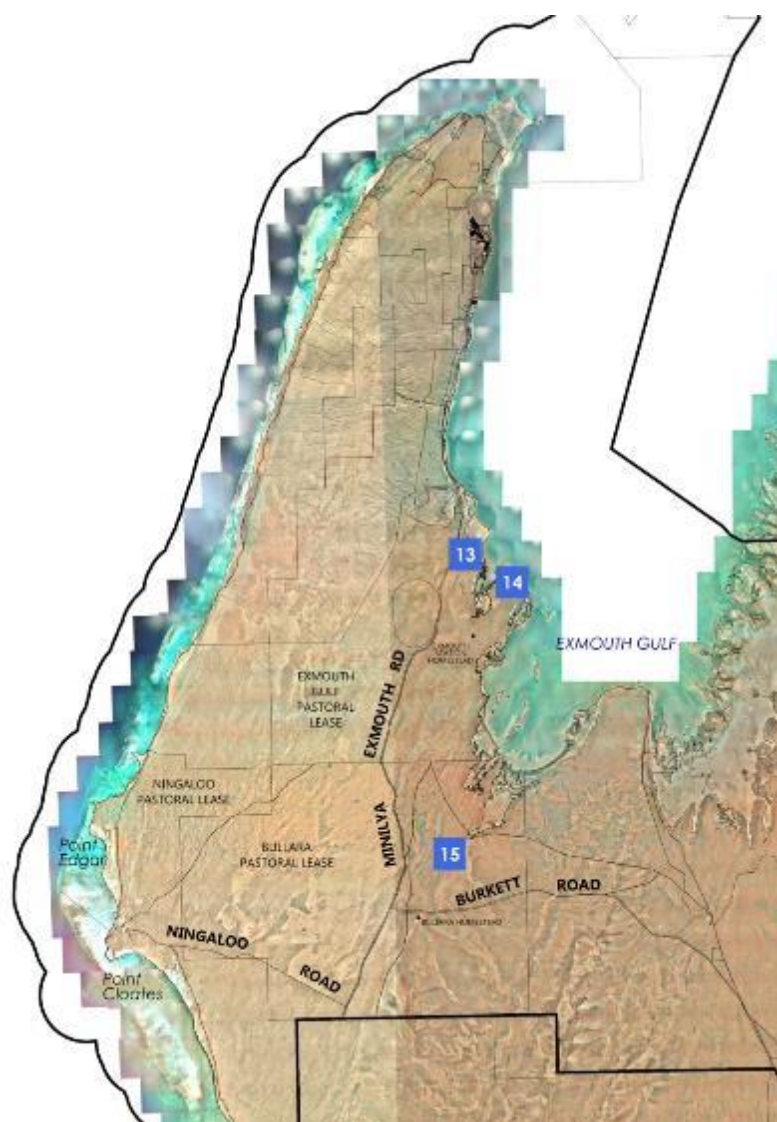
6.2.7.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Caravan Park and Camping'.
- b) Rezone Areas 11 and 12 from 'Tourist' zone under TPS 3 to 'Special Use - Caravan Park and Camping' zone under LPS 4.
- c) Prior to the commencement of any development within Area 11, access arrangements to Area 2 and Gulf Beach are to be confirmed.
- d) Investigate funding arrangements for shared access to Area 2 and Gulf Beach, in the event that Option 3 is implemented.
- e) Finalise the relocation of the existing WWTP infrastructure to realise ultimate development potential of the Areas 11 and 12.
- f) Require future development applications to address the planning considerations detailed above.
- g) Implement the relocation of the existing WWTP infrastructure to remove any impediment for the approval of 'sensitive land uses' within Areas 11 and 12.

6.2.8 NATURE BASED PARK INVESTIGATION AREAS

6.2.8.1 DESCRIPTION

Location	Giralia Station, Exmouth Gulf Station, Bullara Station and Ningaloo Station
Existing Zoning	'Pastoral' zone.



SITE PLAN - NATURE BASED PARK

6.2.8.2 NATURE BASED PARK PLANNING CONSIDERATIONS

- 1) Due diligence reporting will be necessary to determine the suitability of a site for a nature based park prior to the submission of any development application. Such reporting should address the following:
 - a) In consultation with DPaW, the preparation of environmental investigation and reporting necessary to identify the environmental values, potential impacts and appropriate mitigation measures that may need to be addressed by appropriate management plans prepared at the development application stage.
 - b) The preparation of an Ethnographic and Archaeological Survey and where applicable, the need for a heritage management plan to be prepared at the development application stage.
- 2) Upon the site being determined as being suitable for a nature based park in accordance with Planning Consideration 1) above, any proposal for a nature based park on a pastoral station will require an application to be made to the Department of Lands under the appropriate section of the *Land Administration Act 1997*.
- 3) Concurrent with the application referred to in Planning Consideration 2) above, a development application will need to be lodged with the local government.
- 4) In assessing a development application, the local government will have regard to the following:
 - a) The outcomes of the environmental investigations and ethnographic and archaeological surveys undertaken as referred to in Planning Consideration 1) above.
 - b) The provision of a nature based camping site plan detailing:
 - i) Access – the location of the Pastoral Station Homestead, the nature based park site and the proposed access route from Minilya-Exmouth Road and/or Burkett Road to the Homestead and the nature based park site so as to minimise environmental impact. In addition to the above, a proposed maintenance programme for access roads to and within the nature based park site is to be provided.
 - ii) Layout – the nature based park site layout including the proposed boundaries of the park site, internal access, location of individual camp sites, extent of clearing, campfire locations, and compliance with a 40m foreshore setback from Exmouth Gulf landward of the high water mark.
 - iii) Waste Management Plan – identification of the homestead waste collection facility and method of removal of waste from the site.
 - iv) Vegetation and Landform Protection – Areas of vegetation protection and the manner in which site disturbance and tourist activity is to be monitored, including the management of off-road vehicles and proposed site rehabilitation programme as required.
 - v) Emergency Management Plan – identification of fire and cyclone emergency management plan.
 - vi) Method of Recording Visitation – tourist numbers including visitor type (i.e. adults, children, pets) and length of stay.
 - vii) Camping Guidelines – method of visitor notification of camping and management requirements detailed above.
- c) The advice of DPaW in regard to the likely impact of the proposed camping area on known areas of high conservation value.

6.2.8.3 ACTION STATEMENTS

- a) Include land currently zoned 'Pastoral' under TPS 3 within the 'Rural' zone under LPS 4.
- b) Insert 'Nature Based Park' as an A Advertising use within the Zoning Table of LPS 4 within the 'Rural' zone.
- c) Include a definition for 'Nature Based Park' within Schedule 1 – Dictionary of Defined Words and Expressions.
- d) Future assessment of a Nature Based Park site plan and associated management plans to address the planning considerations detailed above.
- e) Rezone land along the coastal strip of Exmouth Gulf included within the 'Pastoral' zone under TPS 3 to 'Environmental Conservation' reserve under LPS 4 to reflect the 40m foreshore setback.

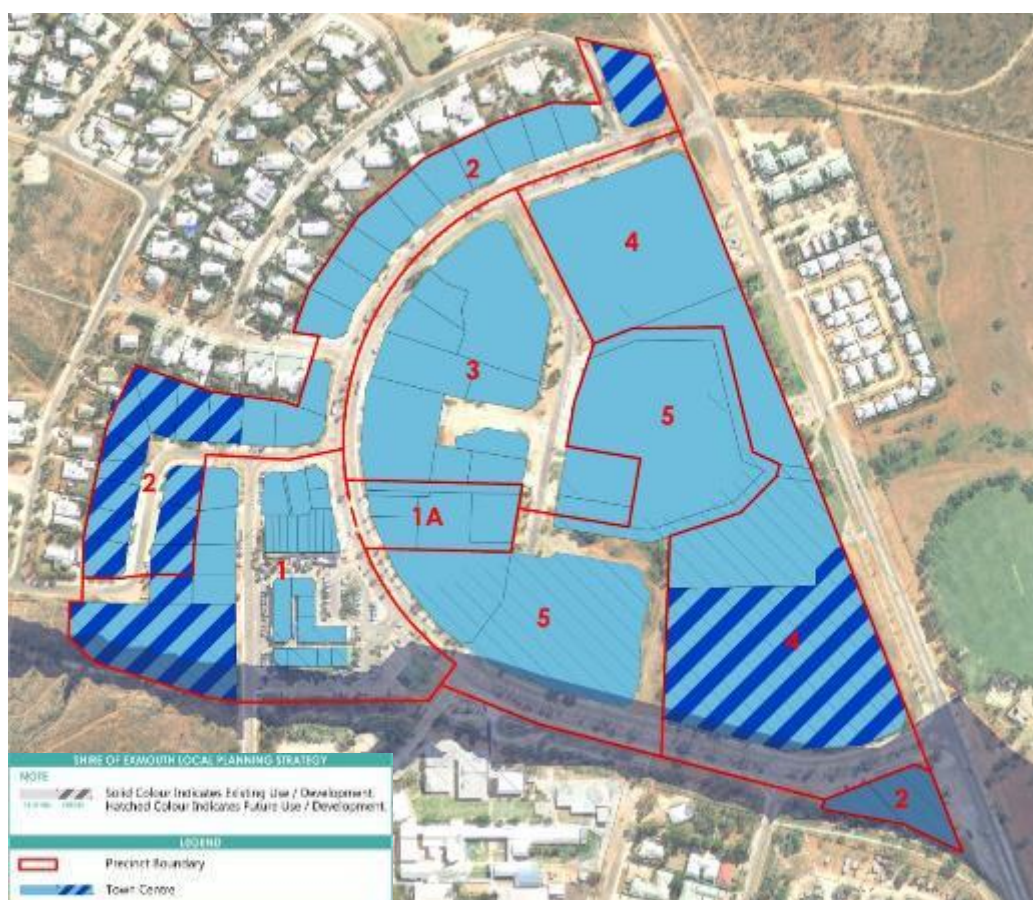
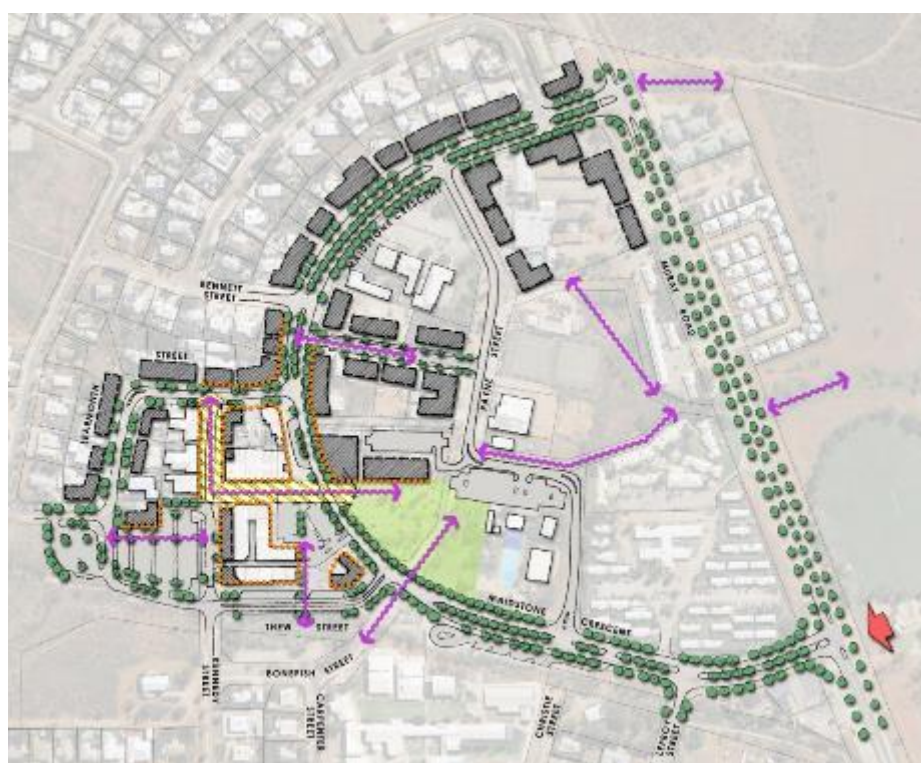


FIGURE 17 TOWN CENTRE STRATEGIC PLAN



PLANNING CONSIDERATIONS

The **Town Centre Strategic Plan (Figure 17)** identifies land as 'Existing' and 'Future' Town Centre as follows:

- Land designated as 'Existing Town Centre' comprises land zoned Town Centre under the provisions of the existing TPS 3.
- Land designated as 'Future Town Centre' comprises land that has the potential to be zoned for town centre purposes to accommodate expansion.

The Strategy proposes the expansion of the Town Centre to include lots east, west and south of Learmonth Street immediately adjacent to the retail core, and the inclusion of existing short stay accommodation sites at the intersection of Maidstone Crescent and Murat Road. These areas represent a logical rounding off the interface between town centre land uses and adjoining uses.

The overriding strategic direction for the town centre is to consolidate and strengthen the centre as the principal place for retail, commercial, community, civic and administrative functions in the Shire. The Strategy supports the consolidation of the town centre as the focal point for the district through the enhancement of built form and public realm elements setting the foundations for attracting new development to the Town Centre.

The ongoing delivery of new infrastructure and corresponding enhancement of built form outcomes within the Town Centre will be guided by the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) as endorsed by the Council in 2013. The Plan evolved from rigorous community engagement that identified issues and opportunities for the revitalisation of the Town Centre. The principles established by the Plan focussed on five land use activity precincts – Retail Core, Mixed Use, Civic Quarter, Short Stay and Recreation. These activity precincts have been adopted by the LPS as 'Town Centre Precincts 1 to 5' with corresponding 'Planning Considerations and Action Statements' defined (refer **section 8.2**). The formulation of the planning considerations for each precinct have been identified based on the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan*, unless otherwise stated, and in direct response to the planning issues highlighted in **section 7.1** to follow.

7.1 PLANNING ISSUES

- 1) **Built form and Character** – The built form within the overall town centre is for the most part dispersed leading to an informal and ill-defined pedestrian movement system through large street blocks. Many of the town centre buildings are not designed to be oriented to the street network or the public realm. Street frontages (e.g. portion of Kennedy Street) are open and uncontained with no opportunity for street activation. The purpose of premises also does not generally match the original design of the buildings and therefore functionality is generally compromised. There is an opportunity to improve the façade of the low level 'Exmouth' block buildings through addition of architectural features and encouragement for new development to incorporate articulated building facades.
- 2) **Streetscape** – The streetscape within the Town Centre has varying degrees of public realm treatment and lacks continuity. Additional streetscape treatments such as verge planting, footpaths and lighting would assist legibility and pedestrian safety over time, particularly the median treatments for Maidstone Crescent as the main entry road. At present, the boulevard effect of the existing Maidstone Crescent median is partly lost by the inconsistency in planting species and tree placement.
- 3) **Landscape and Drainage** – The landscaping and upgrade of Federation Park has had a significant impact on the town centre landscape and community function, and improved pedestrian connectivity with other parts of the centre will improve access to the facility overtime. Currently natural drains intercept and fringe the overall town centre, and depending upon the engineering function, there is the potential to maximise the use of natural drainage lines as a movement corridor. The drainage lines can be improved through ongoing landscape maintenance, planting, lighting and the provision of safe pedestrian and cyclist access, noting that their management is considerably compromised in time of flood.
- 4) **Town Centre Arrival** – Because the Town Centre is set back from Murat Road, its location is not clearly defined for visitors arriving to Exmouth. Maidstone Crescent needs to be visually reinforced as the critical link between Murat Road and town core area through continuous median and verge plantings, signage and urban form treatments. Clearer definition of the Maidstone Crescent and Murat Road intersections is required to enhance sense of arrival to the Town Centre.
- 5) **Movement** – Access through to car parks within the town centre requires enhanced signage due to being somewhat complicated due to the curved geometry of Maidstone Crescent. The current location of car parking currently limits the relationship between buildings and the public realm given the interface is

interrupted by vehicular movements. Car parking will continue to need management to provide easy access for the transient visitor population as well as shorter term car parking closer to the retail core for the resident population. The extension of Thew Street through to Learmonth Street as currently being implemented will assist in this regard, adding legibility to the east-west vehicular and pedestrian movement within the Town Centre. Movement for pedestrians and cyclists is also currently insufficiently defined with footpath networks in some instances incomplete. The linkages between the tourism accommodation along Murat Road and the retail core are currently informally defined and have been identified for upgrade. Strategies to improve the linkages within the town centre are in place as documented in the *Foreshore and Open Space Development Plan* (2013).

- 6) **Pedestrian Prioritisation** – There is need for the pedestrian/cycleway movement within the town centre to become more legible given that currently vehicular movements (particularly high number of caravans and long vehicles during the peak tourist season) are given priority over pedestrian movement. This raises safety concerns, particularly where there is a prevalence of tourists in unfamiliar territory attempting to navigate the town centre.
- 7) **Consolidation of Retail Use** – Retail floor space within the Retail Core is encouraged to expand over the short to medium term up to 26,615m², assuming a

population of 8,000 persons (Hassell, 2012). All retail development within Exmouth is to be focussed within the Retail Core of the Town Centre except where an identifiable local node is supported by the local government such as within the Exmouth Marina. Retail expansion of the Retail Core is to be consolidated around the primary structural axis of the Ross Street Mall and Kennedy Street. Expansion opportunities in the short to medium term to specifically accommodate a “supermarket and associated sleeved development” should only be contemplated on land assembled east of Maidstone abutting Federation Park.

- 8) **Land Use Activity** – There is currently a lack of cohesion between the retail core uses on Kennedy Street/ Ross Street Mall and town centre uses further north on Maidstone Crescent, namely the Post Office and Police and Courthouse complex. Priority should be given to connecting these two nodes through streetscape and landscape treatments, and over the longer term, street activation via reduced built form setbacks. Furthermore, activation can be improved through consolidating urban form around the town core, particularly Kennedy Street, and the introduction of medium density as a permitted use in select locations, currently not provided for within TPS 3. There is the opportunity to consider mixed use development along Maidstone Crescent north providing for activated ground floor development with upper level residential.

7.1.1 ACTION STATEMENTS

- a) Implement Town Centre initiatives to consolidate the Town Centre in its present location and foster commerce, community, tourist accommodation and civic functions.
- b) Introduce a ‘Commercial’ zone within LPS 4 to replace the ‘Town Centre’ zone within TPS 3.
- c) Define Precincts 1 to 3 (Retail Core, Mixed Use, and Mixed Business), include within the ‘Commercial’ zone within LPS 4 and set out objectives, site and development requirements for each Precinct within the Scheme.
- d) Include Precinct 4 (Short Stay Tourism/Residential) within the ‘Tourism’ zone under LPS 4.
- e) Include Precinct 5 (Recreation) within the ‘Public Open Space’ reserve under LPS 4.
- f) Prioritise the implementation of landmark sites, landscape and signage initiatives to strengthen the entry to the Town Centre.
- g) Prioritise vehicular, pedestrian and cycleway infrastructure upgrades to improve the legibility of the movement system within the town centre.
- h) Progress feasibility assessments of Town Centre redevelopment opportunities to assist in the land assembly and early delivery of viable development sites.
- i) Review the design of the existing car park adjacent to Ross Street Mall to allow periodic conversion of the space to a town square with the potential to accommodate community events.
- j) Review the statutory framework for the control of advertising that achieves effective identification of businesses, but does not detract from the character of the Town Centre.
- k) Prepare and progressively update an audit of car parking within the Town Centre to monitor car parking demand and supply.
- l) Prepare a Retail Activation Strategy consistent with the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* for improving development fronting streets, improving the retail mix and offer, implementation via management and governance, to create a more value-added experience.

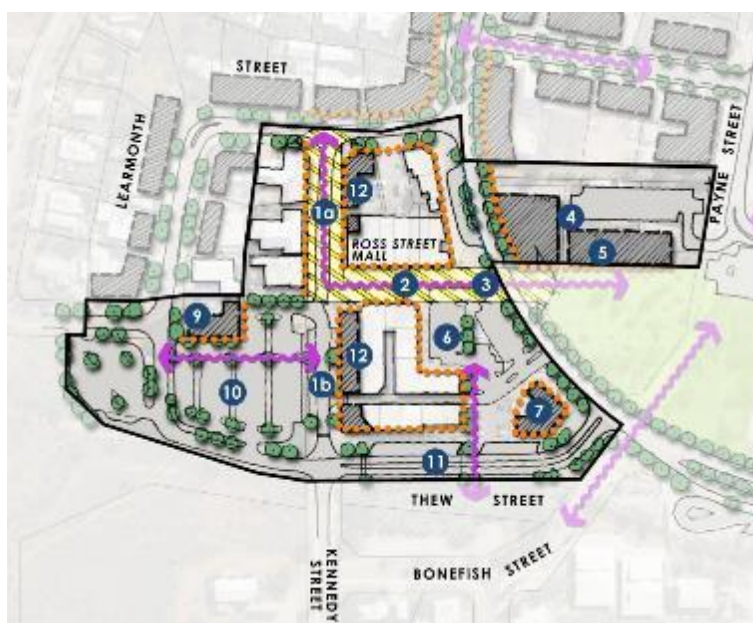
7.2 TOWN CENTRE PRECINCT 1 AND 1A - RETAIL CORE

7.2.1 DESCRIPTION

Location	Refer Site Plan 1.
Site Description	<p>Precinct 1 is the core of the town centre and supports a range of finer grain buildings containing retail and hospitality uses. It is the activity centre for the town containing the Ross Street Mall and Kennedy Street which combined, form an important town core axis for pedestrian movement through to Maidstone Crescent. A majority of the Town Centre car parking is located within Precinct 1. The southern boundary abuts Town Creek which has an associated drainage and visual landscape function.</p> <p>Precinct 1A currently comprises a car and trailer parking area, community and childcare facilities with a direct interface with Federation Park. An open drain runs along the northern boundary of the Precinct. The landholdings within Precinct 1A have the potential to support redevelopment proposals in the short to medium term including drainage upgrades.</p>
Existing Zoning	'Town Centre' and 'Residential R17.5' zone.



SITE PLAN 1



PLANNING CONSIDERATIONS

7.2.2 TOWN CENTRE PRECINCT 1 AND 1A PLANNING CONSIDERATIONS

The LPS identifies Precinct 1 as Retail Core, where the objective is to:

- Reinforce the strategy for the consolidation and expansion of retail and hospitality uses within the existing retail core, strengthening activity around the axis of Kennedy Street and the Ross Street Mall.
- Ensure the built form and intensification of uses proposed contributes positively to the streetscape and interface with the public realm through setbacks and the activation of frontages.

The LPS identifies Precinct 1A as Retail Core, where the objective is to:

- Promote future retail expansion east of Maidstone Crescent specifically to cater for the establishment of a supermarket sleeved by small scale retail and commercial uses; and
- Ensure the built form proposed contributes positively to the streetscape and Federation Park interface through the activation of frontages.

To achieve the objectives for Precinct 1 and 1A, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications.

Planning Considerations **1 to 12** are cross-referenced on **Precinct 1 and 1a Cameo**.

1) Kennedy Street

- a) Establish Kennedy Street North as a pedestrian mall ultimately, closed to vehicular traffic when pedestrian movement and retail growth is sufficiently high.

In the interim, Kennedy Street North is intended to function as a Main Street. The street is to be retained as a shared space for pedestrians, slow moving traffic and able to be closed to stage community events.

- b) Kennedy Street South is to ultimately be closed as a public road and incorporated within the new Town Centre car park.

In the interim, Kennedy Street South will exist in its current form with modifications to formalise on-street parking generally adopting the approved JDSI Plan SK09. The LPS, however, supports:

- i) Kennedy Street being retained as the primary movement system rather than being accessed as a secondary street from the new Town Centre car park;
- ii) the replacement of 90° parking with parallel parking on the 'eastern side' of Kennedy

Street so as to retain greater clearance for through-movement with improved safety for vehicular and pedestrian movement as new built form is introduced.

- 2) Enhance Ross Street Mall as the prominent pedestrian axis connecting the retail core with Federation Park. Consolidation of retail growth around this axis will ensure a vibrant centre in which retail and hospitality uses can thrive with the potential for upper floor development such as offices.
- 3) Upgrade Maidstone Crescent to a single carriageway and introduce materials to facilitate a slow speed environment. This will improve legibility and safety for pedestrian movement between the retail core and Federation Park.
- 4) Facilitate the ultimate extension of the retail core east of Maidstone Crescent within Precinct 1A specifically for the purpose of a supermarket, sleeved with small scale retail and commercial use. Site development to include rear car parking and rationalisation of open drain (Reserve 33567) to incorporate piped drainage accommodating an internal driveway linking Maidstone Crescent with Payne Street.
- 5) Facilitate activation of the retail frontage to Federation Park to extend the activities of, and connection with the Ross Street Mall. Front doors orientated to Federation Park and extensive glazing should characterise the ground floor facades to create high pedestrian amenity and passive surveillance.
- 6) Implement the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) to create the opportunity for dual use of the existing car park adjacent the eastern end of the Ross Street Mall whereby the space can be periodically converted to a town square to accommodate community events.
- 7) Establish a new landmark building to announce the arrival at the entry to town centre retail core at the intersection of Maidstone Crescent and Thew Street.
- 8) Maintain the important existing north-south pedestrian linkage from the retail core through to Bonefish Street and the High School precinct in conjunction with the implementation of the Thew Street and car park upgrades.
- 9) New built form to address the new Town Centre car park to provide passive surveillance and activation.
- 10) Construction of the Town Centre Car Park finalised in line with the 2012 recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* and the JDSI Plan SK09. The portion west of the Thew

Street extension has been designed to accommodate long vehicle car parking.

- 11) Thew Street re-alignment finalised in accordance with approved JDSI Plan SK09. This re-alignment improves connectivity/legibility between Maidstone Crescent, Thew Street and Learmonth Street and creates more efficient traffic flow between retail uses and town centre car parks. The rejuvenated Thew Street revisits its function as a street rather than a driveway within a car park.
- 12) Introduce sleeved development along the eastern flank of Kennedy Street and to ensure activated streetscape and contribution to Main Street environment. New development in this location will create a sense of enclosure, activate the street and enable safe alfresco dining.
- 13) Introduce Scheme Text provisions to control the retail core development within Precinct 1 that address:
 - a) Land Use – retail, upper floor offices, cafés, restaurants, alfresco dining.
 - b) Activation of Kennedy Street (Main Street) – pedestrian focussed two and three storey development constructed to the street boundary.
 - c) Activation of Precinct 1A built form interface with Federation Park in the form of front door entries and window openings, glazing, projections of shade awnings etc
 - d) Building height – three storey development with maximum wall height of 9.75m.
 - e) Landmark site at the intersection of Thew Street and Maidstone Crescent – Retail Core arrival, local vernacular, building height.

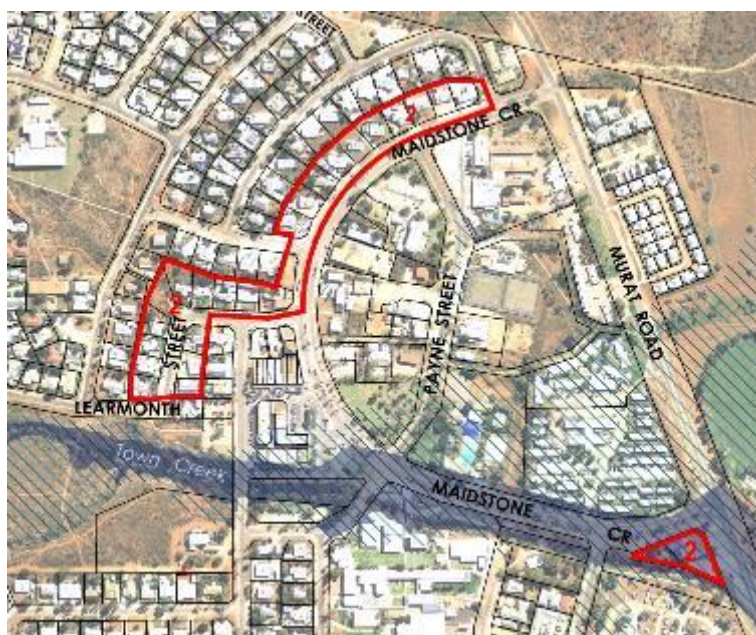
7.2.3 ACTION STATEMENTS

- a) The LPS identifies Precinct 1 and 1A as 'Town Centre – Retail Core'.
- b) Include the land currently zoned 'Town Centre' and 'Residential R17.5' under TPS 3 within the 'Commercial' zone under LPS 4.
- c) Introduce objectives, site and development requirements into the scheme provisions for the Retail Core precinct.
- d) Require future development applications to address the planning considerations detailed above.
- e) Include 'supermarket and sleeved commercial development' as a 'Restricted Use' within Schedule 3 – Restricted Uses of LPS 4 to guide land use and development within Precinct 1A.
- f) Forecast and budget ongoing works to implement the initiatives detailed above, in accordance with the LPS and *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)*.
- g) Rezone Lot 27 (No. 16) Learmonth Street from 'Residential' in TPS 3 to 'Commercial' zone in LPS 4.

7.3 TOWN CENTRE PRECINCT 2 – MIXED USE

7.3.1 DESCRIPTION

Location	Refer Site Plan 2.
Site Description	Precinct 2 predominantly comprises a mixture of residential dwellings and dwellings converted to commercial/office uses. As the premises are in a majority of cases not purpose built structures, the function is generally compromised and external activity limited. The precinct has a strong interface with Maidstone Crescent and in the southern section abuts the town centre retail core.
Existing Zoning	'Town Centre' and 'Residential R17.5' zones, and 'Public Purposes' reserve.



SITE PLAN 2



PLANNING CONSIDERATIONS

7.3.2 TOWN CENTRE PRECINCT 2 PLANNING CONSIDERATIONS

The LPS identifies Precinct 2 as Mixed Use, where the objective is to:

- Create a mixed use live/work precinct along Maidstone Crescent (north) that provides for office expansion and other business opportunities not appropriate to locate within the retail core, complemented by residential accommodation above.
- Enhance Maidstone Crescent to function as a town promenade and clear entry road into the town centre offering an alternative build form outcome.

To achieve the objectives for Precinct 2, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications;

Planning Considerations **2 to 5** are cross-referenced on **Precinct 2 Cameo**.

- 1) Promote a built form outcome conducive to live-work buildings along Maidstone Crescent that have activated ground floors and upper level residential. This may require the amalgamation and further subdivision of lots to achieve this outcome.
- 2) Establish a landmark site at the intersection of Maidstone Crescent and Murat Road. As a key entry statement on Maidstone Crescent, this site should support prominent high quality mixed use development that announces the arrival to the town centre at a point where pedestrian and slow moving vehicles are to be prioritised.
- 3) Promote new built form along the north side of Maidstone Crescent; and properties fronting

Learmonth Street, to create an activated urban edge consistent with the desired Mixed Use character of the Precinct. This initiative is to assist Maidstone Crescent to function as a town promenade and clear entrance road to enhance the town centre arrival.

- 4) Establish nil building setbacks 'wrapped around' the Learmonth Street/Maidstone Crescent frontage between Bennett and Kennedy Streets to encourage corner development to mirror the development opposite that is to adopt nil setbacks. This will promote a sense of containment and consistent development scale either side of Learmonth Street at the entry to the retail core (Precinct 1).
- 5) Incorporate on-street car parking on Learmonth Street to cater for the future expansion of the town centre mixed use.
- 6) Introduce Scheme Text provisions to control mixed use development within Precinct 2 that address:
 - f) Land Use – Office, Consulting Room(s) and 2nd floor Residential (R40).
 - g) Building height – two storey development, with loft spaces contained within the roof space with a maximum wall height of 6.5m.
 - h) Built form requirements for Precinct 2 including balconies, setbacks (4.5m from street boundary; nil setback from Kennedy Street to Bennett Street), fencing style and location, storage areas.
 - i) Car Parking – promotion of parking at the rear including easements for shared access and reciprocal parking.

7.3.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Town Centre – Mixed Use'.
- b) Include the land currently zoned 'Town Centre', 'Residential R17.5' and 'Public Purpose' reserve under TPS 3 within the 'Commercial' zone under LPS 4.
- c) Introduce mixed development as a permitted use to accommodate upper level residential use within the 'Commercial' zone – Mixed Use precinct.
- d) Introduce objectives, site and development requirements into the scheme provisions for the Mixed Use precinct.
- e) Require future development applications to address the planning considerations detailed above.
- f) Forecast and budget ongoing works to implement the initiatives detailed above, in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).

7.4 TOWN CENTRE PRECINCT 3 – MIXED BUSINESS

7.4.1 DESCRIPTION

Location	Refer Site Plan 3.
Site Description	Precinct 3 obtains access from Maidstone Crescent, Payne and Riggs Street and comprises a combination of business, government offices and community land uses separate from, but related to the town centre retail core (e.g. Post Office, Police and Court House complex, Durack Centre, State Emergency Services, Exmouth Shire Offices, Community Hall and Library). The larger landholdings within the Precinct are Crown Reserves providing the opportunity for land assembly and rationalisation of access.
Existing Zoning	'Town Centre' zone.



SITE PLAN 3



PLANNING CONSIDERATIONS

7.4.2 TOWN CENTRE PRECINCT 3 PLANNING CONSIDERATIONS

The LPS identifies Precinct 3 as Mixed Business, where the objective is to:

Reinforce the existing accessible location of the civic, educational and government service functions within the town centre and encourage redevelopment opportunities of complementary mixed business uses that are not generally appropriate and cannot be economically accommodated within the retail core.

To achieve the objectives for Precinct 3, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications;

Planning Considerations **1 to 6** are cross-referenced on **Precinct 3 Cameo**:

- 1) Coordinate the land assembly process in consultation with Department of Lands where redevelopment of Crown Land abutting Riggs Street is proposed (Reserve 27664, 28145, 28153 and 27552 and the drainage Reserve 33567 within Precinct 1 to the south).
- 2) Riggs Street to be ultimately extended from Payne Street through to Maidstone Crescent where a left in – left out turning movement at Maidstone and adequate separation distance from Bennett Street/Maidstone Crescent intersection will be required. The rationalisation of the size of the Riggs Street road reserve to take place as part of the potential amalgamation and further subdivision of adjoining land parcels.
- 3) Promote new built form along the northern and southern side of the Riggs Street extension; and

the Maidstone and Payne Street road frontages to achieve an activated urban edge.

- 4) Recognise the redevelopment opportunities for the existing built form comprising the Durack Centre, Shire Offices, Library and Town Hall. This initiative recognises the important role of these civic uses within the community with their town centre presence creating a sense of place. There is the opportunity to create an architecturally uniform civic quarter orientated north towards to the existing car park with connectivity through to Riggs Street.
- 5) Upgrade the War Memorial node through improved landscaping, shade and the enlargement of the setting for formal events, including improved relationship to the existing car park.
- 6) Investigate activation of the Payne Street frontage where existing built form currently does not actively address the street.
- 7) Introduce Scheme Text provisions to control civic and mixed business development within Precinct 3 that address:
 - a) Land Use – Mixed Business (limited to office, small scale showroom, restaurant, consulting room(s), medical centre, health studio).
 - b) Building height – two storey development.
 - c) Built form requirements for Precinct 3 including balconies, setbacks, fencing style and location, storage areas.
 - d) Easements for shared access and reciprocal parking.

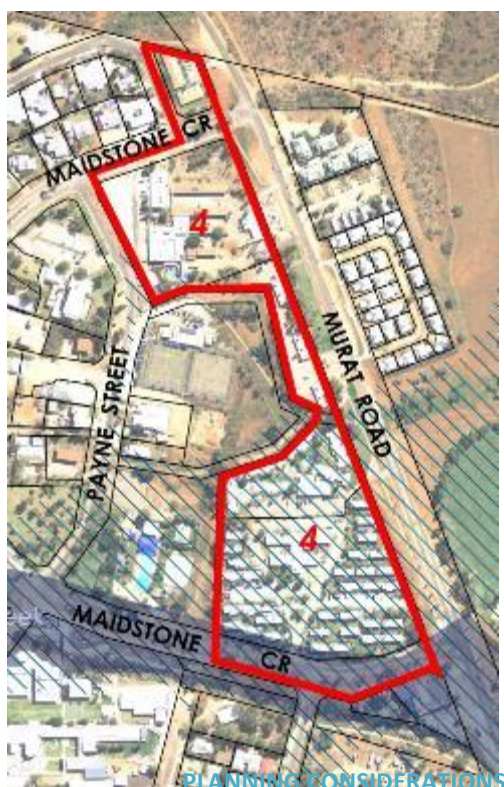
7.4.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Town Centre – Mixed Business'.
- b) Include the land currently zoned 'Town Centre' under TPS 3 within the 'Commercial' zone under LPS 4.
- c) Introduce objectives, site and development requirements into the scheme provisions for the Mixed Business precinct.
- d) Require future development applications to address the planning considerations detailed above.
- e) Forecast and budget ongoing works to implement the initiatives detailed above in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)*.

7.5 TOWN CENTRE PRECINCT 4 – SHORT STAY TOURISM/RESIDENTIAL

7.5.1 DESCRIPTION

Location	Refer Site Plan 4.
Site Description	<p>Precinct 4 is fully developed for short stay /residential accommodation abutting the Murat Road frontage of the Town Centre having good accessibility to hospitality, retail and civic uses. The precinct is dissected by a drainage line which separates the Pot Shot Tavern and associated tourist accommodation in the north from the Exmouth Villas to the south. Redevelopment opportunities exist to maximise the availability of short stay accommodation in this location including the existing zoned sites on Maidstone Crescent.</p> <p>A development application for consulting rooms at the intersection of Maidstone Crescent and Payne Street (Lot 311) has been recently approved.</p>
Existing Zoning	'Town Centre' zone and 'Tourist' zone.



7.5.2 TOWN CENTRE PRECINCT 4 PLANNING CONSIDERATIONS

The LPS identifies Precinct 4 as Short Stay Tourism/Residential, where the objective is to:

- *Maximise the opportunity for short stay tourism/residential development within the town centre recognising the high level of accessibility to hospitality, retail and civic use; and*
- *Encourage future redevelopment opportunities within the precinct comprising short stay accommodation that addresses the street and provides legible edges to the public realm.*

To achieve the objectives for Precinct 4, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications.

Planning Considerations **1 to 6** are cross-referenced on **Precinct 4 Cameo**.

- 1) Promote new built form addressing Payne Street, Maidstone Crescent and Murat Road frontages to create an activated and legible urban edge to the public realm. In this regard, the Potshot Motel and Tavern site (and car park) has a strong urban presence within the town centre warranting a high standard of development representative of the Exmouth vernacular.
- 2) Ensure that development abutting Murat Road meets the requirements of the Murat Road Design Guidelines.
- 3) Recognise the redevelopment opportunities for a landmark site at the intersection of Maidstone Crescent and Murat Road. As a key entry statement to Maidstone Crescent this site has the potential to support prominent high quality short stay tourism/residential development that assists to announce the arrival to the town centre.
- 4) In the event of future redevelopment, improve the streetscape façade along the eastern edge of Payne Street to ensure that development adjacent to the Swimming Pool addresses the public realm. Consider tree planting and street lighting.
- 5) Reinforce the pedestrian linkages between Payne Street and Maidstone Crescent via the augmentation of the natural east-west drainage lines. Ensure connectivity with the pedestrian movement within Precinct 5 in the vicinity of the Bowling Club and Swimming Pool.
- 6) Upon redevelopment, recognise the redevelopment opportunities for a landmark site at the intersection of Maidstone Crescent and Murat Road (north) with the opportunity for new built form to address the intersection.
- 7) The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:
 - a) Proposed development has adequate protection from a 100 year ARI flood; and
 - b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.

7.5.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Town Centre – Short Stay Tourism/Residential'.
- b) Include the land currently zoned 'Town Centre' and 'Tourist Zone' under TPS 3 within the 'Tourism' zone under LPS 4.
- c) Introduce objectives, site and development requirements into the scheme provisions for the Short Stay Tourism/Residential precinct.
- d) Introduce grouped and multiple dwellings (R40) as a 'I' Incidental Use within the 'Commercial' zone – Short Stay Residential precinct.
- e) Require future development applications to address the planning considerations detailed above.
- f) Forecast and budget ongoing works to implement the initiatives detailed above, in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- g) Include 'Consulting Rooms' on Lot 311 Payne Street as an additional use within 'Schedule 2 – Additional Uses' within LPS 4 to allow permissibility within the Short Stay Tourism/Residential precinct.

7.6 TOWN CENTRE PRECINCT 5 – RECREATION

7.6.1 DESCRIPTION

Location	Refer Site Plan 5.
Site Description	<p>Precinct 5 is dominated by Recreational uses comprises Federation Park, Exmouth Swimming Pool and Exmouth Bowling Club.</p> <p>The redevelopment of Federation Park was completed in July 2013 providing active water play areas, space for community events and informal recreation activity. Federation Park has been significantly enhanced through the re-alignment of Payne Street and the corresponding creation of a more usable facilities and community space, including the consolidation of the swimming pool infrastructure, landscaping and car parking rationalisation.</p> <p>The northern portion of Precinct 5 contains the Bowling Club which is a popular complementary recreation activity to the enlarged Federation Park precinct.</p> <p>Natural drainage lines follow the perimeter of Precinct 5 north of the swimming pool, partially functioning as a pedestrian movement system.</p>
Existing Zoning	'Town Centre' zone.



SITE PLAN 5



PLANNING CONSIDERATIONS

7.6.2 TOWN CENTRE PRECINCT 5 PLANNING CONSIDERATIONS

The LPS identifies Precinct 5 as Recreation, where the objective is to:

Reinforce and enhance the role of Federation Park, the Swimming Pool and Bowling Club as strong focal points for active and passive recreational activities recognising the need to upgrade linkages through landscape and lighting.

To achieve the objectives for Precinct 5, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications;

Planning Considerations **1 to 4** are cross-referenced on **Precinct 5 Cameo**.

- 1) In the event of future redevelopment of the Bowling Club, improve the streetscape façade along the eastern edge of Payne Street to ensure that development addresses the public realm. Consider tree planting and street lighting.
- 2) Ensure the design of Federation Park and the structures within; continue to accommodate the main pedestrian movement axis between Ross Street Mall and Federation Park.
- 3) Upgrade the pedestrian linkages correlating with existing drainage reserves within Precinct 5 to improve the legibility and safety of pedestrian connectivity between the retail core, Federation Park, and Murat Road.
- 4) Federation Park to retain its role as a prominent community events and multi-use space for the local community and visitors with development to reflect the recommendations and sense of place promoted within the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- 5) The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:
 - a) Proposed development has adequate protection from a 100 year ARI flood; and
 - b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.'

7.6.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Town Centre – Recreation'.
- b) Include the land currently zoned 'Town Centre' under TPS 3 within the 'Public Open Space' reserve in LPS 4.
- c) Require future development applications to address the planning considerations detailed above.
- d) Forecast and budget for any ongoing works and maintenance relating to the initiatives detailed above, in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).

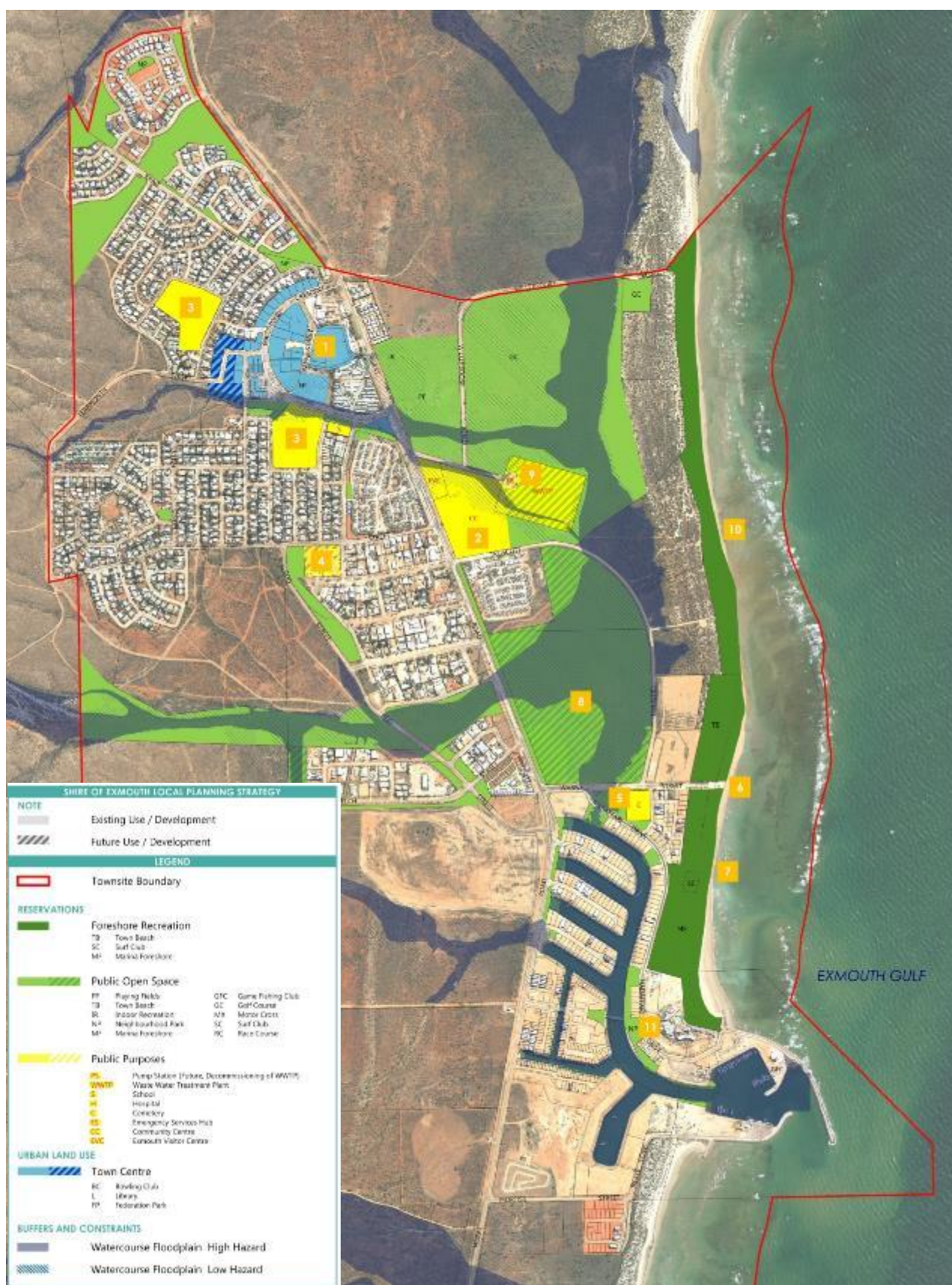


FIGURE 18 COMMUNITY & POS STRATEGIC PLAN

8.1 PLANNING CONSIDERATIONS

The **Community and Public Open Space Strategic Plan (Figure 18)** summarises the ongoing implementation of infrastructure upgrades related to community facilities and open space. The proposals for infrastructure upgrades are guided by the *Foreshore and Open Space Development Plan* adopted by Council and forming part of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).

The audit of public open space (POS) to support the LPS identifies that POS in excess of the WAPC's 10% requirement has been provided within the townsite. Local Open space will continue to be required as new development occurs, however district open space is sufficiently catered for. The current overprovision of open space provides the opportunity for closer review of the amount, location and function of open space provided, acknowledging regional variations should legitimately guide the application of WAPC POS Policy.

The key objectives of the *Development Plan* (2012) are to improve the functionality, quality and attractiveness of the existing facilities; create new destinations; and enhance the connection between the town centre and gulf foreshore through street network and public open space upgrades. The LPS reinforces these objectives and is generally consistent with the *Development Plan* (2012), unless otherwise discussed. The key upgrades proposed to community and open space infrastructure are discussed below as Planning Considerations **1 to 10** as cross-referenced on **Figure 18**.

Community

1. *Town Centre Revitalisation* – The LPS acknowledges the importance of the Town Centre as the primary activity node within Exmouth. This is reinforced through the revitalisation proposals contained within the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012). The implementation of the proposals to upgrade the streetscape, open space and parking configuration, will enhance the Town Centre as the principal meeting place and focal point for the community reinforced through the presence of existing Child Care Facilities, the Shire Hall, Library, Shire Administration, Swimming Pool and Federation Park.
2. *Ningaloo Centre* – The LPS recognises the proposed Ningaloo Centre as a multipurpose community facility to support the existing community functions within the Town Centre. The Ningaloo Centre will be developed as a significant landmark site adjacent to the Town Centre. The core components of the Ningaloo Centre will comprise community, tourism centre, education/research and space for exhibition and galleries. As the Ningaloo Centre is developed and new uses become established within it, opportunities to upgrade existing community facilities within the Town Centre, such as the Durack Centre will become available. This will provide the opportunity for displaced community services to locate within a dedicated facility.
3. *Hospital and School Sites* – The retention of these key public uses within accessible locations is important for community development within Exmouth. The LPS supports future growth of secondary education and public health facilities to be focussed within the existing nodes to build upon infrastructure already in place. The hospital site, in particular has excess land in which to accommodate associated health uses and worker

accommodation through the identification of a Health and Wellness Precinct, an expressed desire resulting from the Community Workshop (2013). As the population grows, the provision of an additional primary school site will be required within the southern portion of town (Future Residential Area 5).

4. *Emergency Services Precinct* – The LPS proposes the establishment of a new Emergency Response Precinct on Lots 145 and 849 Pelias Street (disused power station). This will facilitate the relocation of emergency services from the Town Centre to a larger more accessible site. This change in land use will provide increased opportunities to enhance and consolidate core Town Centre activities, as well as providing a more functional site for the emergency services operations.
5. *Cemetery* – The Exmouth cemetery is bounded by Warne Street, Madafarri Drive and Gndaroo Street south-east of the town centre and adjacent to the Exmouth Marina Village. The cemetery (1.08ha) is to remain in its current location and is assessed as having sufficient capacity the duration of the LPS. The adjoining public open space area to the west serves a drainage function and therefore is unlikely to be available for the expansion of the cemetery in the future.
6. *Yacht Club* – Upgrading of the existing community asset and future development of the Yacht Club is proposed. Works are to include the realignment of the car park allowing stabilisation of the foredune, identification of overflow car parking area, upgrades to yacht club beach access, improvement to entry streetscape and provision of community amenities and services (restaurant, kiosk, water hire, shelters, BBQ facilities, seating and lighting).

Public Open Space

7. *Town Beach* – The improvement of infrastructure at the existing Town Beach accessed via Warne Street is viewed as a key component of the Exmouth foreshore upgrade. The existing car park is to be formalised and improvements implemented to beach access, lighting and beachside amenities (such as showers, shelter, BBQ facilities, turfed areas, areas for community events, landscaping and dune re-vegetation initiatives).
8. *Racecourse* – Investigate opportunities to establish a racecourse/multipurpose facility on Reserve 29066 bounded by Murat Road, Truscott Crescent and Madaffari Drive. In addition, future consideration may need to be given to the land take requirements of associated infrastructure including residential/equestrian accommodation, noting that the LPS's identification of the 'Restricted Rural' area, due to its location within the floodplain, does not support residential use (refer **section 10**).
9. *Rationalisation of WWTP* – The LPS identifies the WWTP for future recreation purposes following the planned decommissioning of the facility, noting that a pump station site will remain with a 10m buffer requirement. The constrained nature of the site, i.e. impact from the high hazard floodplain, will limit the future land use opportunities to recreation, acknowledging there is currently no identified demand for district open space. Its proximity to the existing golf course provides the

opportunity for the land to be included within any proposals for the rationalisation of the golf course layout. In addition, its proximity to the proposed Ningaloo Centre may present opportunities for complimentary community/open space uses.

10. *New Foreshore Park on Gulf* – A new Foreshore Park (and associated car parking) accessed off Truscott Crescent is proposed providing a stronger pedestrian, cycle and vehicular connection between the Town Centre, the proposed Ningaloo Centre and Gulf Beach. The foreshore park will comprise an outdoor interpretative centre including boardwalks and viewing platform. Whilst the boardwalks and viewing platforms are located with the Foreshore Reserve 40678, the proposed car park is located within UCL identified by the LPS as Area 11 future tourism site. The final car park location will need to be reviewed and confirmed as part of the land

assembly process for Area 11 so as not to constrain the extent of tourism development available for Area 11.

11. *Madaffari Drive Marina lots/POS Frontage* – investigate opportunities for existing public open space (Reserve 47803) to be rationalised and where applicable, amalgamated with existing marina residential lots (6-24 Madaffari Drive). This is in response to Council's November 2013 resolution to rationalise the extent of public open space currently maintained by the Shire. The implementation of this proposal is dependent upon the successful coordinated transfer of land to adjoining landowners, noting the willingness to purchase will vary. The process will also require the support of the Department of Lands to the de-vesting the existing POS and the Department of Planning in relation to the amalgamation process.

8.1.1 ACTION STATEMENTS

Community

- a) The LPS identifies the various community facilities discussed above as 'Community and Public Purpose' for the intended use.
- b) LPS 4 recognises the existing 'Public Purposes' reserves within TPS 3 of the Ningaloo Centre, Hospital and School sites.
- c) Include the disused power station site (proposed Emergency Services Precinct) currently reserved 'Public Purposes' in TPS 3 within the 'Service Commercial' zone under LPS 4.
- d) Forecast and budget ongoing works to implement the town centre community facility initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- e) Investigate the rationalisation and relocation of existing community facilities and assets within the Town Centre following the development of the Ningaloo Centre.

Public Open Space

- f) The LPS identifies the various public open space areas discussed above as 'Public Open Space' for the intended use.
- g) The LPS identifies the need to review and confirm the extent of the foreshore area where adjacent land is undeveloped. Where development has taken place, and the foreshore reserve already confirmed, the LPS identifies the land as Foreshore.
- h) Prepare and progressively update an audit of Public Open Space provision within the townsite to monitor surpluses or deficiencies in supply.
- i) Investigate opportunities to reconcile the overprovision of public open space (existing and proposed) within the Townsite.
- j) Include the existing foreshore reserve within the Exmouth Townsite, currently reserved 'Recreation and Open Space' reserve within the 'Public Open Space' reserve under LPS 4.
- k) LPS 4 recognises the existing 'Recreation and Open Space' reservations from TPS 3 including the future racecourse and the existing WWTP.
- l) Forecast and budget ongoing works to implement the foreshore and public open space initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- m) The LPS supports the final car park location being reviewed and determined as part of the land assembly process for 'Future Caravan Park and Camping' - Area 11 (refer **section 6.2.7.2**).

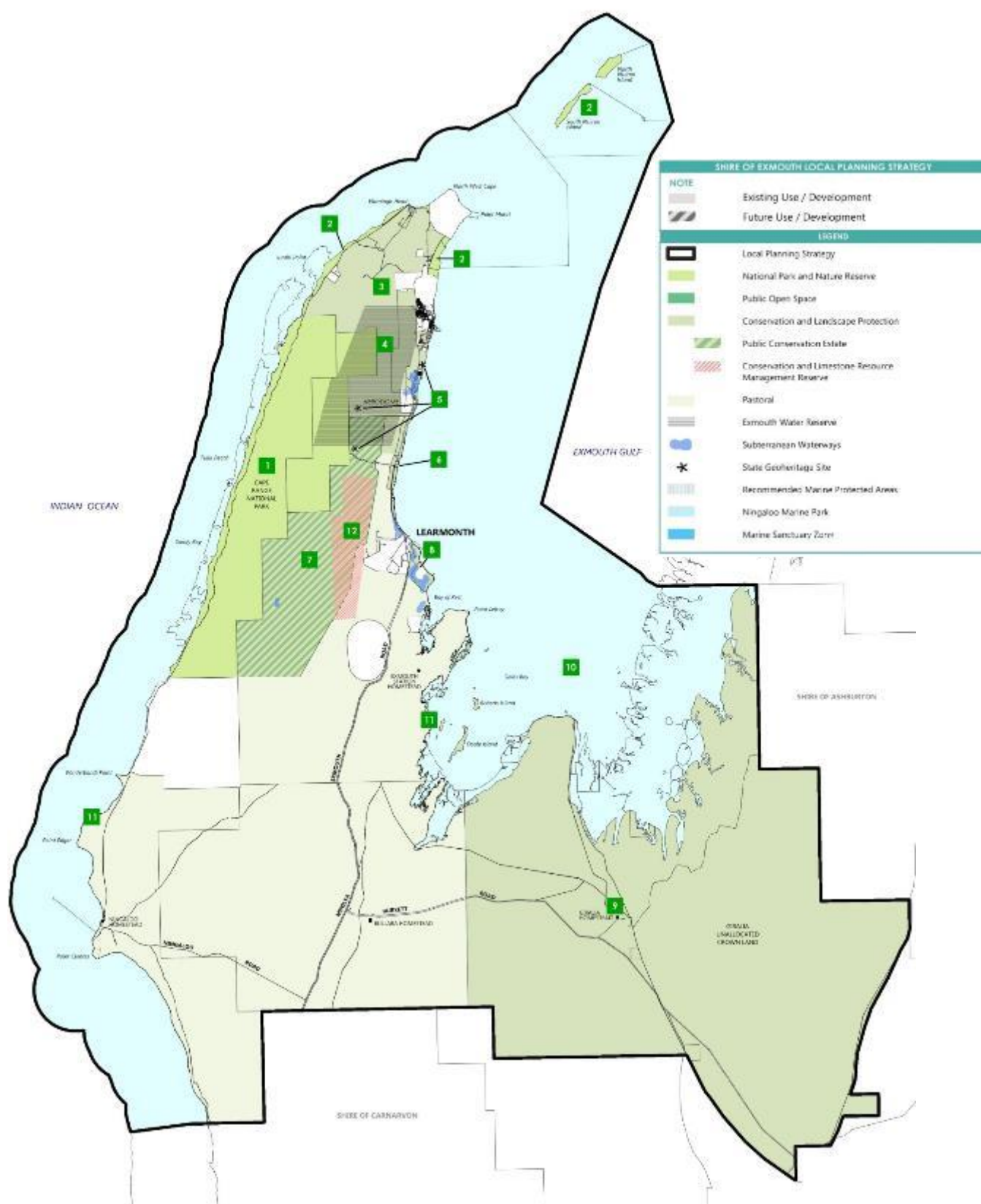


FIGURE 19 CONSERVATION STRATEGIC PLAN

9.1 PLANNING CONSIDERATIONS

The **Conservation Strategic Plan (Figure 19)** summarised the key elements of conservation value within the Shire that have been recognised within the LPS. Land based conservation areas have been classified as either 'National Park or Nature Reserve', 'Public Conservation Estate' and 'Conservation and Limestone Resource Management Reserve'. Marine based conservation areas have been specifically notated on the Strategic Plan including the Ningaloo Marine Park, Marine Sanctuary Zone and recommended marine protected areas. The implementation of local reservations under the LPS 4 will assist to protect the conservation areas identified by the LPS and where applicable, provide a clear link to existing reservations and approved management plans where established under other legislation. Planning Considerations 1 to 12 are cross-referenced on the Strategic Plan and discussed below.

1. **Cape Range National Park** – DPaW have the primary management responsibility for the Cape Range National Park within the framework of the endorsed *Cape Range National Park Management Plan (2010 - 2020)*. The Shire and local community recognise the values of the National Park are of international significance and share an interest in being involved in its ongoing management through DPaW consultation processes, particularly at the time of the Management Plan being reviewed.
2. **Jurabi and Bundegi Coastal Parks and Muiron Islands Management Plan** – These conservation areas are subject to Management Plans prepared by DPaW in conjunction with Shire of Exmouth. The LPS acknowledges the recommendations of the Management Plans, endorses the inclusion of additional land around the North West Cape within the coastal parks to establish continuity of management, and raise the opportunity for additional camping areas within the Jurabi Coastal Park to be investigated. Appropriate areas should be identified in collaboration with Parks and Wildlife and should avoid turtle nesting season given that the foreshores of Jurabi Coastal Park provide an important habitat and relatively undisturbed nesting areas for three species of marine turtles. Additional camping areas within Jurabi Coastal Park should be managed for open access to the public.
3. **Unallocated Crown Land** – An area of unallocated crown land on the peninsula north and north-west of the Exmouth Townsite has been identified for conservation and landscape protection. However, specific land use investigations in this locality may be undertaken by the Shire to accommodate community uses not appropriate to locate within the townsite due to environmental or land take considerations. This will require further negotiation and consultation with the Department of Lands and DPaW as community needs arise e.g. BMX, go-cart track.
4. **Exmouth Water Reserve** – The protection of the Exmouth Water Reserve is required to ensure Exmouth's ground water resources are safeguarded from contamination via non-compatible land uses. In accordance with the Department of Water's, Exmouth Water Reserve Drinking water source protection report no.122 (2011), the Exmouth Water Reserve is managed as a Priority 1 Area in which the development of land is to be restricted and subject to the approval of the Department of Water. The LPS will reinforce this level of protection.
5. **State Geo-heritage Sites** – The Charles Knife Road locality, portion of the Shothole Canyon and exposed coral reef at the mouth of Mowbowra Creek area are identified as areas of geo-heritage significance and warrant recognition within the LPS.
6. **2015 Pastoral Lease Exclusion Area: Extension to Cape Range National Park** – It is noted that a greater portion of the Cape Range is already located within the boundaries of the National Park. However, upon expiry of Pastoral Leases in 2015, DPaW has recommended that the rangelands within the Exmouth Gulf Pastoral Lease be included within the Public Conservation Estate as an addition to the Cape Range National Park. The LPS has reinforced this recommendation.
7. **2015 Pastoral Lease Exclusion Area: Coastal Strip** – Upon the expiry of Exmouth's respective Pastoral Lease in 2015, negotiations between State Government agencies has identified a strip of land south of Cape Wilderness Estate through to Charles Knife Road to be excluded from the Exmouth Gulf Station Pastoral Lease. The area has been identified as Conservation and Landscape protection corridor to be managed by Department of Lands and the Shire.
8. **Subterranean Waterways** – Subterranean waterways identified by the LPS support fauna of environmental significance including Stygofauna and Troglofauna. The LPS identifies these areas for protection where not already afforded protection through the existing reservation of land.
9. **Giralia Station** – In 2002, Giralia Station Pastoral Lease was relinquished as an outcome of negotiations for the station to be included within the Public Conservation Estate, with general leases as negotiated with the Department of Lands for uses associated with the Homestead still to apply. It is the intent for Giralia to be managed by DPaW as a conservation park following finalisation of vesting arrangements and negotiation of Native Title. The LPS identifies the land as Conservation and Landscape Protection.
10. **Marine Protected Area** – The LPS identifies a Marine Protected Area in the nearshore waters of Exmouth Gulf, south of Wapet Creek. These waters are identified as a "Recommended Marine Protected Area" by the *Ningaloo Coast Regional Strategy Carnarvon-Exmouth* (2005). The LPS recognises that any land-use proposal in the vicinity of these waters should be supported by environmental investigations to ensure there is no impact on the environmental values of the locality, notably the assessment of the suitability of individual application for a nature based park. Any land use proposal shall be referred to the relevant Environmental Authority.
11. **40m Coastal Setback** – Currently the boundaries of the Ningaloo Marine Park are protected through World Heritage Legislation, requiring development on the abutting pastoral leases to be setback 40m. The LPS will reinforce the setback through the identification of the land as 'Conservation and Landscape Protection'. The LPS acknowledges that the environmentally sensitive

coastal sections of the pastoral stations are under recreational pressure and require coordinated management given the relationship to the marine environment. The creation of additional setbacks in the form of conservation and recreation reserves will be determined through government agency negotiations of the 2015 Pastoral Exclusion area in this locality.

12. **Conservation and Limestone Resource Management Reserve** – This area is proposed under Section 5(1)(h) of the *CALM Act (1984)* to protect high quality limestone reserves, noting the need to preserve visual amenity of area north and areas of higher relief. The reservation will be implemented as part of the 2015 Pastoral Exclusion Area with proposals for limestone extraction in the future (subject to environmental assessment), favoured to be confined to this reserve.
13. **Heritage** – As discussed in **sections 2.1.8 and 2.1.9**, Terra Rosa (2013) identified that *“there is considered to be a high potential for any development on the Exmouth peninsula to have significant impact upon heritage places both known and unknown”*. This is inclusive of indigenous, historic and maritime heritage sites as well as the World Heritage Listing of the Ningaloo Reef. Aboriginal Heritage sites are, in particular, widespread and complex. Based on the advice of Terra Rosa (2013) the LPS has mapped ‘Registered Aboriginal Heritage Places’ and ‘Other Aboriginal Heritage Places’ to guide planning decisions. Notwithstanding the mapping of these sites, any rezoning, structure planning, subdivision

and/or development applications will need to be supported by archaeological and ethnographic reporting as a further level of protection particularly in regard to unknown sites.

In respect to European Heritage, there are 40 places of significance within the Shire of Exmouth included on the State Heritage Register. In addition, there are 39 confirmed shipwrecks identified and registered along the Exmouth coast with a high potential for unrecorded maritime heritage on the eastern side of the Exmouth peninsula. Built heritage is currently recorded in the *Shire Municipal Inventory (1998)* as documented previously in **section 2.1.9.1**. There is a requirement for this inventory to be updated every four years under the provisions *State Heritage Act 1990* – an action supported by the LPS.

14. **Cameron’s Cave** – Cameron’s Cave is located immediately to the north of the Preston Street Rural Residential Area within the southern portion of the townsite and comprises the habitat of the Cameron’s Cave Troglitic Community. The importance of this community is discussed further in **section 13.1** (Planning Consideration 6). The need to conserve Cameron’s Cave is acknowledged by the LPS through the establishment of a 500m land use buffer, inclusion within a local scheme reserve under LPS 4 and support for the classification of Cameron’s Cave and buffer as an ‘A’ Class Reserve under the *Land Administration Act 1997*.

9.1.1 ACTION STATEMENTS

- a) The LPS identifies:
 - i) Cape Range National Park, Jurabi and Bundegi Coastal Parks and Muiron Islands as ‘National Park and Nature Reserve’;
 - ii) 2015 Pastoral Lease Exclusion Area (Cape Range National Park extension and Exmouth Gulf Coastal strip) as ‘Public Conservation Estate’; and
 - iii) Giralia Pastoral Station, Conservation and Limestone Resource Management Reserve, Cameron’s Cave and buffer, and the 40m Coastal Setback as ‘Conservation and Landscape Protection’.
- b) Classify/zone:
 - i) The Cape Range National Park, Jurabi and Bundegi Coastal Parks and Muiron Islands, Exmouth Water Reserve from ‘Recreation and Open Space’ reserve under TPS 3 to ‘Environmental Conservation’ reserve under LPS 4.
 - ii) Giralia Pastoral Station and portion of 2015 Pastoral Lease Exclusion Area from ‘Pastoral’ zone under TPS 3 to ‘Rural’ zone under LPS 4.
 - iii) Land along the coastal strip of the Ningaloo Pastoral Lease from ‘Pastoral’ zone under TPS 3 to ‘Environmental Conservation’ reserve under LPS 4 to reflect the 40m setback landward of the high water mark, consistent with the boundaries of the Ningaloo Marine Park.
 - iv) Land along the coastal strip of Exmouth Gulf (Exmouth, Bullara and Giralia Pastoral Leases) from ‘Pastoral’ zone under TPS 3 to ‘Environmental Conservation’ reserve under LPS 4 to reflect a 40m setback landward of the high water mark.
- c) Include the Exmouth Water Reserve as a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.
- d) Budget for the Shire’s Municipal Inventory to be updated to meet the legislative requirements of the *State Heritage Act 1990*.
- e) Support the classification of Cameron’s Cave and buffer as an ‘A Class’ reserve under the *Land Administration Act 1997*.
- f) Work collaboratively with the DPaW in the investigation of future community uses on Unallocated Crown Land on the peninsula to the north and north-west of the Exmouth Townsite as need arises.
- g) Work collaboratively with DPaW to investigate the prospect of additional camping areas being designated within the Jurabi Coastal Park.
- h) Require structure planning, subdivision and development applications to have regard for ‘Registered Aboriginal Heritage Sites’ and ‘Other Aboriginal Heritage Places’ as identified on the LPS Mapping and undertake investigatory reporting where required.

- i) Support the extraction of basic raw materials where it is assessed to be appropriate and, based on advice from relevant authorities, is understood to not impact on internationally significant flora or fauna or areas of high conservation value.
- j) Acknowledge the World Heritage Listing of land located within the Scheme area.

10 PASTORAL

The **Pastoral Strategic Plan (Figure 20)** identifies the extent of the pastoral leasehold areas within the Shire. The 'Pastoral' category includes all land within the boundaries of the Exmouth Gulf, Ningaloo and Bullara Pastoral Stations occupying a combined area of approximately 380,000ha. The 'Pastoral' lands are generally bounded by Charles Knife Road to the north, the Cape Range National Park and the Ningaloo Coast (excluding Defence lands) to the west, the common boundary of the Shires of Exmouth and Carnarvon to the south, the boundary of Giralia Station to the east and the coastline of the Exmouth Gulf extending northwards.

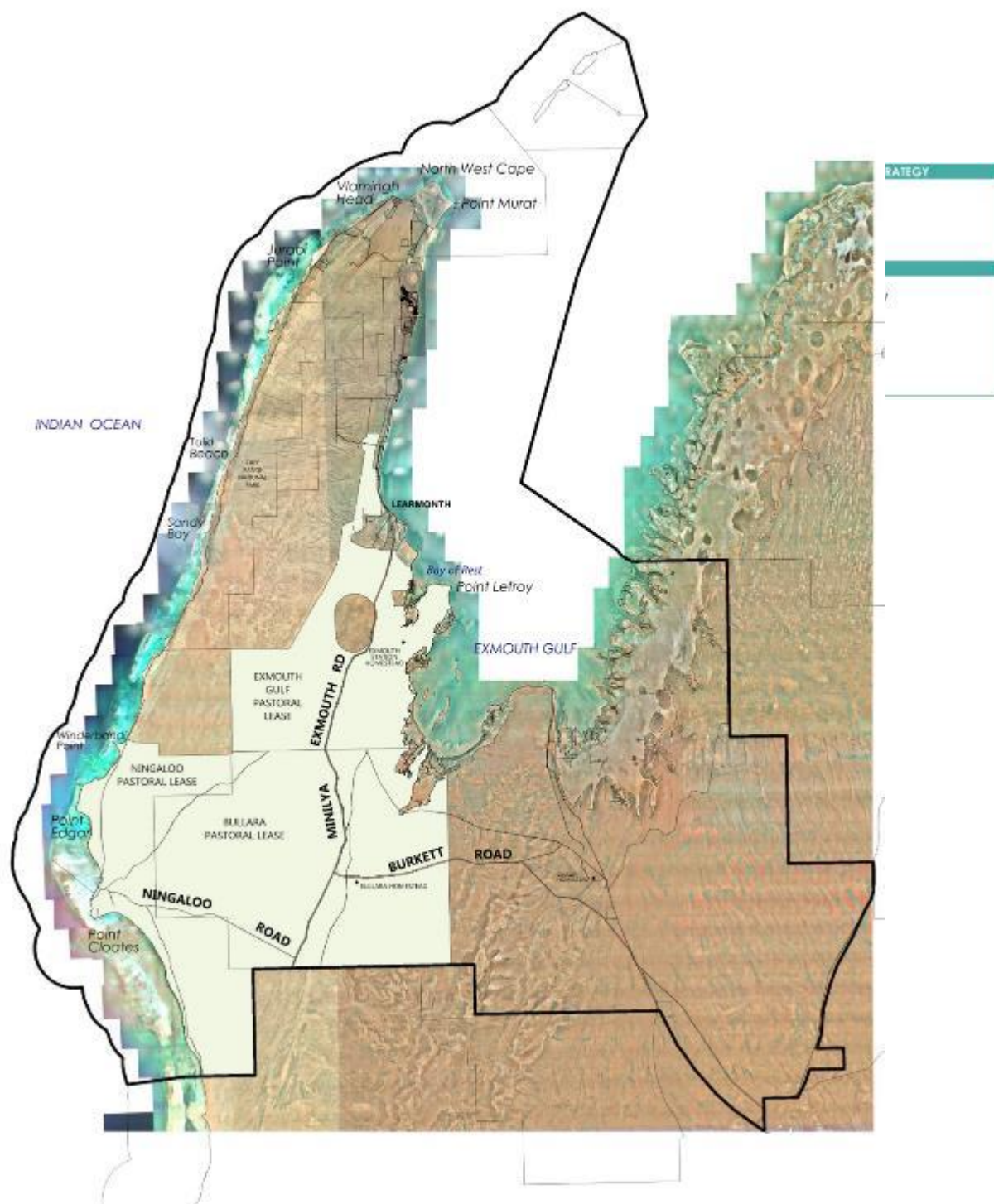


FIGURE 20 PASTORAL STRATEGIC PLAN

10.1 PLANNING ISSUES

Planning and management issues influencing the development of pastoral land within the Shire have been outlined below, acknowledging that development on pastoral land is controlled via conditions of granting a pastoral lease by the Minister for Lands.

1. **Competing Land Uses** – The pastoral lease areas, (or rangelands) are under increasing pressure from land degradation and damage to biodiversity from activities such as mining, resource development, and tourism. It is apparent that pastoral lands, managed to the best advantage as pastoral properties, are increasingly competing with other uses.
2. **Sustainable Management of Pastoral Lands** – Whilst the Pastoral Lands Board aims to ensure the leases are managed in an ecologically sustainable basis, the monitoring of the number and effect of stock and feral animals is an ongoing management issue and relies upon pastoral leaseholders complying with lease conditions and methods of best pastoral and environmental practice.
3. **Diversification of Use** – A pastoral lease is a title issued by the Minister for Lands for the lease of land for the limited purpose of grazing stock and ancillary activities. Issues can arise where the use of pastoral land extends outside the scope of the original purpose of the lease without the issuing of a diversification permit. Tourism, as an example, must be pastoral-based and purely supplementary to pastoral activities. The LPS does not support the uncontrolled diversification of use so as to avoid uncontrolled access; waste disposal; rubbish dumping; campfires and/or wood gathering. Sites need to be managed through an integrated management process involving Department of Lands, the local government, pastoral leaseholders, DPaW and Native Title interests.
4. **Pastoral Exclusion Areas (2015)** – All current pastoral leases automatically expire in June 2015, when they are subject to renewal by the Minister for Lands. Most pastoral leases have been given a conditional offer to renew. However some pastoral lands are to be excluded from lease renewal for the purpose of either conservation, recreation, tourism, protection of Aboriginal sites. An issue which is still under discussion is the implementation of a 2km setback from the coast for pastoral leases bordering the Ningaloo Marine Park affecting the extent of the Ningaloo pastoral lease within the Shire of Exmouth. The LPS identifies all existing Pastoral Lands as 'Pastoral' so as not to pre-empt the decisions of the current Minister for Lands.

10.1.1 PLANNING CONSIDERATIONS

- 1) The Strategy reinforces the importance of the pastoral industry within the Shire by identifying the operational Pastoral Stations namely Ningaloo, Bullara and Exmouth Gulf Pastoral Stations as 'Pastoral' on **Spatial Plans Sheet 2** and **Sheet 6** (refer **Part 1**).
- 2) The Strategy protects the pastoral industry from incompatible land uses and allows for the diversification of uses, noting the requirement for development to be approved by Council under the provisions LPS 4 and the Department of Lands under the *Land Administration Act 1997*.
- 3) The Pastoral Stations will be zoned 'Rural' under the provisions of LPS 4 reinforcing the pastoral activity being undertaken on each station, in addition to enabling the diversification of uses where approved by the local government and the Department of Lands.

10.1.2 ACTION STATEMENT

- a) Introduce a new 'Rural' zone within LPS 4 including objective, site and development requirements to replace the 'Pastoral' zone under TPS 3.
- b) Include the majority of land currently zoned 'Pastoral' under the existing TPS 3 within the 'Rural' zone within LPS 4 and associated reviewed scheme provisions.
- c) Review the range of permitted uses within Table 1 – Zoning Table for the 'Rural' zone under LPS 4 to reflect the predominant pastoral activities, including opportunity for tourism uses within the zone.
- d) Insert 'Nature Based Park' as an 'A' Discretionary Use within the Zoning Table of LPS 4 within the 'Rural' zone.
- e) Include a definition for 'Nature Based Park' within Schedule 1 of LPS 4.
- f) Initiate future scheme amendments to LPS 4 to reflect the outcome of the 2015 Pastoral Exclusion process wherein land is to be excluded land from the 'Rural' zone and included within the 'Environmental Conservation' reserve as an addition to the public conservation estate.

11 RESTRICTED RURAL

The **Restricted Rural Strategic Plan (Figure 21)** identifies 'Restricted Rural' land use where land can sustain rural activity, although is unable to support structures accommodating temporary or permanent human habitation due the environmental and floodplain constraints of the site. Whilst the Restricted Rural strategic classification will, to some extent, alleviate the demand for grazing land for the equestrian community, it does not fully address the potential demand. Additional areas will need to be further investigated, particularly if there is an increased interest in residential 'horse' lots in the event that the community's race course proposal proceeds.



The Strategy identifies two categories of restricted rural land within the Shire:

1. EXISTING RESTRICTED RURAL

'Existing Restricted Rural' comprises 'leasehold' lots supporting existing rural activity that are currently zoned 'Residential Development' under TPS 3, notwithstanding the flood prone nature of the land.

2. FUTURE RESTRICTED RURAL

'Future Restricted Rural' comprises land that has the potential to be zoned for restricted-rural purposes subject to consultation with the Department of Lands.

Planning Considerations and Action Statements applicable to the 'Existing Restricted Rural' and 'Future Restricted Rural' areas and are outlined in **section 11.1** to follow.

FIGURE 21 RESTRICTED RURAL STRATEGIC PLAN

11.1 PLANNING ISSUES

Planning issues influencing the development of restricted rural land within the Shire have been outlined below:

1. **Minimum Floor Heights** – The McLeod Street locality identified for Restricted Rural use is significantly constrained by the floodplain of the Mortiss Street Creek bund such that minimum floor heights cannot be achieved. This presents the need for scheme provisions to place limitations on habitable structures within the locality. As a secondary issue, the inability to cater for living quarters adjacent to horse stabling has potential surveillance and security implications.
2. **View Corridors** – The proximity of the restricted rural area outside of the townsite adjacent to Exmouth Gulf presents the need for the view corridors from Minilya-Exmouth Road to be preserved, given the proximity and visibility of Exmouth Gulf. Whilst dwellings will not be

permitted, the positioning of ancillary structures will still need to be controlled.

3. **Land Management** – To ensure the restricted rural areas are managed in a sustainable basis, the number and effect of stock can potentially become a management issue that will need to be addressed by the leasehold conditions or reinforced by the Scheme.
4. **Land Use Control** – Given the land use constraints that prevail on land identified for Restricted Rural use, ongoing implementation of the scheme provisions to ensure compliance will be necessary, in particular the exclusion of residential dwellings/structures. In addition, the ongoing monitoring of overstocking and land management practices to reduce environmental degradation.

11.1.1 ACTION STATEMENT

- a) Require the preparation and approval of a visual landscape assessment for any development proposed within 100m on either side of Minilya-Exmouth Road.
- b) Include 'Existing Restricted Rural Area 1' and 'Future Restricted Rural Area 1' within the 'Rural' zone under LPS 4, with a restricted use of 'Agriculture – Extensive' and include site and development requirements within the Restricted Use Table.

11.2 EXISTING RESTRICTED RURAL – AREA 1

11.2.1 DESCRIPTION

Location	Area 1 is located within Exmouth Townsite south of Market Street Bund and east of the Preston Street Rural Residential Area.
Site Description	The land identified as 'Existing Restricted Rural' comprises leasehold Lots 851 to Lot 856, portion of Lot 857 south of the Market Street bund and Lots 858 to 862 obtaining access from McLeod Street and Murat Road. Existing lot sizes range from 2.8ha to 5.3ha and are currently leased under the <i>Land Administration Act 1997</i> for the ' <i>paddocking and stabling of horses</i> '. A high proportion of the area is affected by the high hazard flood plain of Mortiss Street Creek placing restriction on the land use activity permitted within the area.
Existing Zoning	'Residential Development' zone.



11.2.2 EXISTING RESTRICTED RURAL PLANNING CONSIDERATIONS

- 1) The LPS identifies 'Existing Restricted Rural - Area 1' as being suitable for restricted rural purposes for the Agriculture – Extensive land use.
- 2) The LPS does not support the construction of habitable buildings within Area 1 given the land is significantly constrained by the high hazard floodplain of Mortiss Street Creek and minimum floor heights for habitable rooms cannot be satisfactorily achieved.
- 3) Natural vegetation within Area 1 is to be retained in its natural state to the extent possible to facilitate limited land use and development.
- 4) In consultation with the Department of Lands, the further creation of 1ha to 2ha Crown lot lease areas. This would enable approximately 35 lots to be leased for grazing purposes.
- 5) The LPS recognises the release of additional land for this purpose will assist to accommodate the demand for 'horse lots', particularly in the event that the race course proposal on Reserve 29066 Truscott Crescent proceeds.
- 6) The land will be zoned as 'Rural' in LPS 4 with a Restricted Use zone for limiting land use and



development to enable the use to be environmentally sustainable and for the described purposes.

11.2.3 ACTION STATEMENTS

- a) Include 'Existing Restricted Rural – Area 1' zoned 'Residential Development' under the existing TPS 3 under the 'Rural' zone within LPS 4, with a restricted use of 'Agriculture – Extensive'.

11.3 FUTURE RESTRICTED RURAL – AREA 1

11.3.1 DESCRIPTION

Location	Area 1 is located immediately south of the Exmouth Townsite boundary between Minilya-Exmouth Road and Exmouth Gulf.
Site Description	The land identified comprises UCL and UCL Lot 316. The area has a combined land area of 24.6ha obtaining access from Minilya-Exmouth Road. The northern portion of the area is impacted by the high hazard floodplain of the Preston Street Creek (UCL). It is viewed as a creekline protection area, however can support controlled grazing activity. UCL Lot 316 is impacted by the low hazard floodplain and abuts an existing zoned aquaculture site to the south.
Existing Zoning	‘Recreation and Open Space’ reserve.



11.3.2 FUTURE RESTRICTED RURAL PLANNING CONSIDERATIONS

- 1) The LPS identifies 'Future Restricted Rural - Area 1' as being suitable for restricted rural purposes and representing a logical extension to the existing McLeod Road Existing Restricted Rural – Area 1.
- 2) The LPS does not support the construction of habitable buildings within Future Restricted Rural – Area 1 given the land is constrained by the high and low hazard floodplain of Preston Street Creek in addition to view corridors of Exmouth Gulf needing to be protected.
- 3) Natural vegetation within Area 1 is to be retained in its natural state to the extent possible to facilitate limited land use and development.
- 4) In consultation with the Department of Lands, the further creation of 1ha to 2ha Crown lot lease areas. This would enable land to be leased for grazing purposes.
- 5) The LPS recognised the release of additional land for this purpose will assist to accommodate the demand for 'horse lots', particularly in the event that the race course proposal on Reserve 29066 Truscott Crescent proceeds.
- 6) In assessing subdivision and development applications, the local government will have regard to:



- a) The 100m Special Control Area.
- b) The stocking numbers proposed and compliance with manner in which the effect of stock is to be minimised, consistent with conditions of the lease.

11.3.3 ACTION STATEMENTS

- a) Include 'Future Restricted Rural - Area 1' reserved 'Recreation and Public Open Space' under the existing TPS 3 be zoned 'Rural' within LPS 4, with a restricted use of 'Agriculture Extensive'.
- b) Maintain a 100m buffer from Minilya-Exmouth Road with inclusion of a special control area in LPS 4.

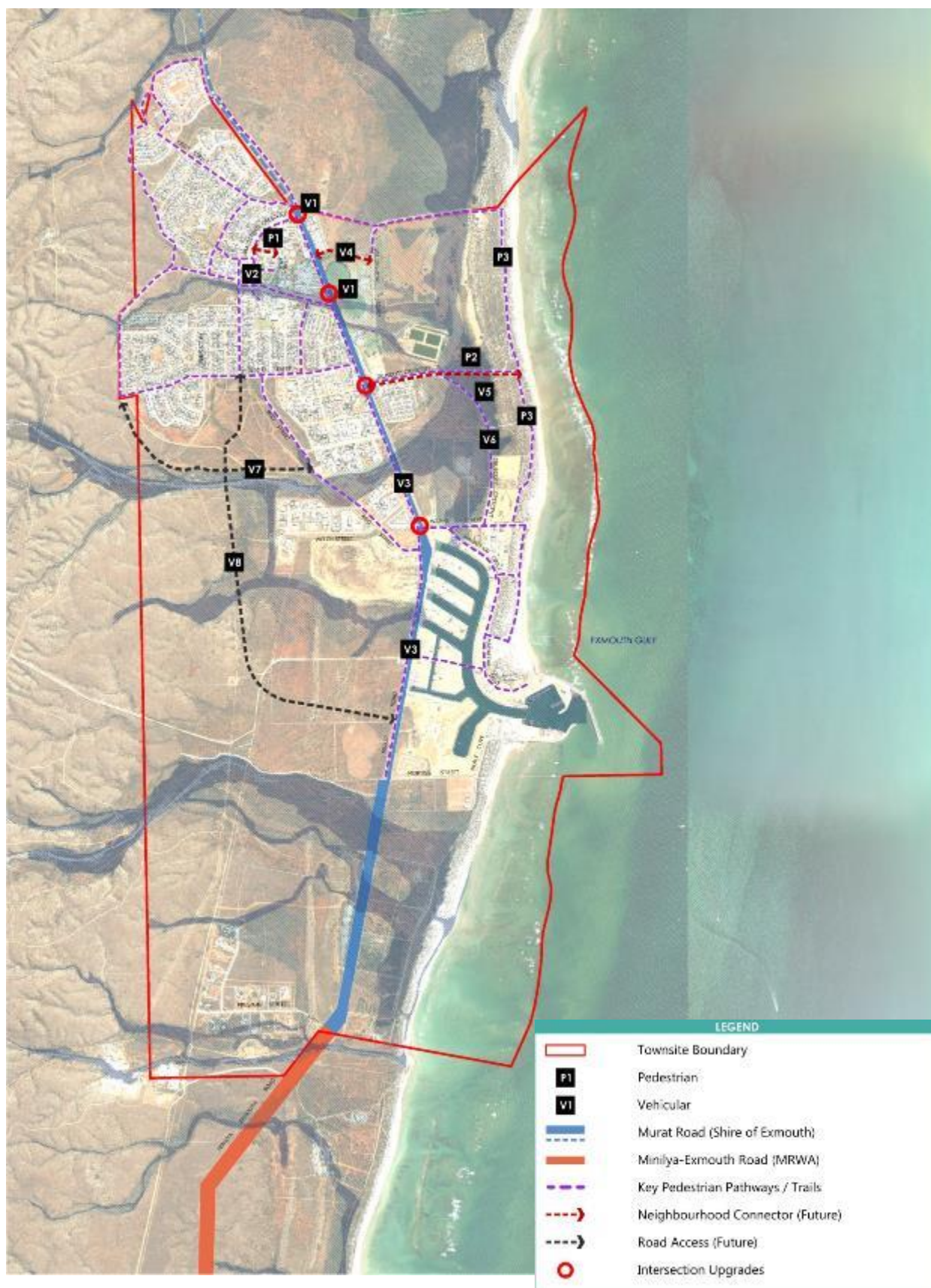


FIGURE 22 MOVEMENT STRATEGIC PLAN

12.1 PLANNING CONSIDERATIONS

The **Movement Strategic Plan (Figure 22)** describes the opportunities and issues influencing the movement system within the Townsite and overall Shire having regard to pedestrian, cycle, vehicular, air and marine movement systems. The existing characteristics of each movement system have been previously discussed in **section 2.7** providing background to the following proposed infrastructure upgrades.

Pedestrian Movement within Townsite

Proposals to improve the pedestrian and cycleway system within the Exmouth Townsite have been guided by the adopted *Foreshore and Open Space Development Plan* (2012), forming part of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012). The plan identified a need for the pedestrian/cycleway network to be more legible, particularly within the town centre where the prioritisation of pedestrian over vehicular movements is desirable given the prevalence of tourists in unfamiliar territory, often combined with high number of caravan and long vehicle movements. The Plan further identified the need for greater connectivity between the town centre and Exmouth Gulf foreshore through pathway upgrades and maintenance; the introduction of signage, way-finding elements, low impact night lighting, shade trees; and construction of shelter at strategic points along movement system. The key upgrades to the pedestrian /cycleway system are discussed below as Planning Considerations **P1 to P4** as cross-referenced on the *Strategic Plan*.

P1 Town Centre – Within the town centre, pedestrian prioritisation is to be achieved through the following elements, with particular attention to the retail core:

- a) Retain Ross Street Mall as a prominent pedestrian axis with improved connectivity between the Ross Street Mall and Federation Park via the reduction in the width of Maidstone Crescent and change in road/pavement surfaces to facilitate a slow speed traffic environment;
- b) Re-design of Kennedy Street as a shared space for pedestrians, and slow moving traffic, that is able to be closed to stage community events (ultimately to become a pedestrian mall);
- c) Maximise the use of natural drainage lines within the town centre as a safe pedestrian and cycleway movement corridor (within Town Creek and drainage lines between Payne Street and Murat Road); and
- d) Provision of secure bike parking, shower and change room facilities and the introduction of bike hire facilities.

P2 Pedestrian Access to Gulf Beach from Truscott Crescent – The creation of a formalised pedestrian access route to a new town beach is supported by the LPS to strengthen the connection between the town centre, the proposed Ningaloo Centre on Truscott Crescent and Exmouth Gulf. Hassell (2012) proposed that an existing east-west track between Truscott Crescent and the Gulf be formalised in its present alignment to enable vehicular and pedestrian access to a new foreshore park and associated low impact car parking area. **Section 6.2.1** of the LPS raises the issue of ensuring the final agreed alignment is determined with due regard to the:

- a) Need to minimise the impact upon the developable area of future tourism site Area 11; and

- b) Potential for shared access to future tourism site Area 2.

The LPS recommends that the alignment of new pedestrian access to Gulf Beach be determined as a priority and prerequisite to the development of Areas 2 and 11 and incorporated within future planning proposals.

P3 Public Access Trails along Gulf – Improvements to coastal trails and infrastructure along the Gulf Foreshore from Warne Street through to Willersdorf Road enabling enhanced uninterrupted pedestrian access, is supported by the LPS. The current alignment of the north-south pedestrian access track currently impacts on private property, reserved land and UCL. These sites are identified as future tourism areas namely - UCL 1407 (Area 1), Golf Course Reserve 50867 (Area 2), UCL 1403 and 1404 (Areas 11 and 12), Foreshore Reserve 29066 and private property Lot 715 (Area 4). The LPS identifies that the land tenure of the public access trail running parallel to the gulf foreshore will need to be rationalised during the development phase to ensure that:

- a) The foreshore reservation is adjusted to accommodate public access; or
- b) Where the existing foreshore trail is to be retained within private property, that a public access easement is implemented.

The above processes will need to be addressed as a condition of development approval requiring the preparation of a foreshore management plan.

P4 Key Pedestrian Pathways / Trails – The key pedestrian and cycleway paths identified on the Strategic Movement Plan correlate with the uninterrupted pedestrian/ cycleway route around the perimeter of the built up area linking the western portion of the townsite with Exmouth Gulf. Internally the key pedestrian movement system has been defined correlating with the local road system defining dominant east-west and north-south desire lines. An ongoing maintenance programme, including the introduction of signage, shade trees and shelter at strategic points along the movement system, and the introduction of low impact lighting where applicable, is supported by the LPS to improve pedestrian amenity.

Vehicular Movement within Townsite

Proposals to upgrade elements of the vehicular movement system within the Exmouth Townsite have been guided by the *Exmouth Townsite Structure Plan* (2011) and *Foreshore and Open Space Development Plan* (2012). These documents identify the main movement system within the townsite as Murat Road comprising a dominant north-south spine, in addition to Maidstone Crescent as the key entry into the Town Centre. The LPS recognises the importance of the following road networks to the overall movement network of the townsite: Krait Street servicing a residential catchment in the northern sector; Nimitz Street functioning as an east-west connector in the central sector; Reid Street functioning as a parallel secondary system to Murat Road for localised traffic accessing the industrial and mixed use precinct; Kennedy Street functioning as a north-south connector through to the Town Centre; Truscott Crescent servicing the Gulf Beach tourist node with connectivity through to Town Beach; Madafarri Crescent providing the sole access to the Exmouth Marina and Boat Harbour (north); and

Mortiss Street providing access to Exmouth Boar Harbour and the residential estate to the south. The LPS identifies the need for a secondary neighbourhood road system in the southern sector of the townsite to accommodate future expansion. The key upgrades to the vehicular movement system are discussed below as Planning Considerations **V1 to V8** as cross-referenced on the *Strategic Plan* (**Figure 22**).

- V1 Murat Road/Maidstone Crescent Sense of Arrival** – The upgrading of the Murat Road and Maidstone Crescent intersections (north and south) are identified as a key town centre entry and streetscape initiatives by Hassell (2012). The initiatives were based on intersection treatment upgrades through signage and/or the introduction of roundabouts. Acknowledging the strong desire lines for pedestrian movement across Murat Road between the town centre and the recreation precinct and visitor centre to the east, and the fact that statistically roundabouts are hazardous for pedestrian safety, the LPS is supportive of alternative options being prioritised to accentuate the entry to the Town Centre. It is considered that raised intersection pavements, channelised turning movements, vertical elements including signage, lighting, landscaping and public art are more conducive to pedestrian safety and the creation of slower speed environments, than the construction of a roundabout.
- V2 Town Centre** – Consistent with the Town Centre Strategic Plan and associated initiatives, within the town centre, a more legible vehicular movement system is to be achieved through the following elements:
- a) Maidstone Crescent to be reinforced as a critical link between Murat Road and the town centre uses, with its function accentuated through continuous median and verge plantings, signage and urban form treatments.
 - b) Consolidate Town Centre car parking on the periphery of the retail core to improve the relationship between the public realm and built form elements of the Town Centre.
 - c) Implement Thew Street extension through to Learmonth Street to improve legibility to the vehicular and pedestrian movement system and improve access to peripheral parking.
 - d) Implementation of Payne Street Re-alignment (2013) to maximise the community and passive recreation function of Federation Park.
 - e) Acknowledge the role of the future neighbourhood connector road systems (Learmonth and Kennedy Streets) in maintaining efficient traffic circulation within and around the town centre.
 - f) Implementation of the Riggs Street extension between Payne Street and Maidstone Crescent to facilitate improved permeability.
- V3 Murat Road Upgrade** – The ongoing upgrade of Murat Road, between Truscott Crescent and Mortiss Street is supported to enhance arrival to the Townsite. Consideration should be given to tree planting, median and intersection design, signage and street lighting. In addition, the intersection of Murat Road with Madaffari Drive will require upgrading to acknowledge this as the primary access to the Exmouth Marina and Boat Harbour

and the southern access to Town Beach and the Tourism Gulf Node.

- V4 Willersdorf/Murat Road Connection** – More direct access is required to link Murat Road with Willersdorf Street to increase permeability and accessibility of land holdings east of Murat Road to the Town Centre. The LPS notes the need for improved access to the future tourism site (Area 5) and the existing Recreation precinct, including the Exmouth Golf Club.
- V5 Vehicular Access to Gulf Beach from Truscott Crescent** – The creation of vehicular access to a new Gulf beach via Truscott Crescent is supported by the LPS connecting the proposed Ningaloo Centre on Truscott Crescent with Exmouth Gulf. Hassell (2012) proposes that the existing east-west track be formalised in its present alignment to enable vehicular access to a new foreshore park and associated low impact car parking area. **Section 6.2.1** raises the need to ensure the final alignment of this access and location of the car park is determined with due regard to the:
- a) Need to minimise the impact upon the developable area of future tourism site Area 11; and
 - b) Potential for shared access to future tourism site Area 2.
- The LPS recommends that the alignment of the new vehicular access to Gulf Beach be determined as a priority and prerequisite to the development of Areas 2 and 11 and incorporated within future planning proposals.
- V6 Truscott Crescent** – The LPS acknowledges the importance of retaining Truscott Crescent as a key access road in the movement network to service:
- a) the proposed Ningaloo Centre;
 - b) the Tourism Gulf Node;
 - c) the proposed Foreshore Park and Gulf Beach;
 - d) possible racecourse facility on Reserve; and
 - e) Town Beach.
- Whilst Truscott Crescent is situated in a flood prone area and periodically is impassable, a suitable finished level will need to be determined to inform future road upgrades to ensure safe passage is achieved during flood events. Furthermore, the intersection of Truscott Crescent with Murat Road will require upgrading as a secondary gateway to the Gulf Tourism Node and the Ningaloo Centre.
- V7 Proposed Neighbourhood Connector Road between Murat Road and Nimitz Street** – The LPS acknowledges the importance of providing a connection between Murat Road and Nimitz Street as part of the future residential expansion within the southern portion of the townsite. This future neighbourhood connector will provide a parallel support system to Murat Road and a secondary connection to the Town Centre, via Kennedy Street, necessary to support the planned expansion of Exmouth. In addition, the proposed Neighbourhood Connector will function as a secondary link for emergency services during a major flood event.
- V8 Mortiss Street** – The LPS acknowledges the importance of Mortiss Street as the current connection to the southern area of the Exmouth Boat Harbour. Upgrades will need to accommodate B-Double vehicles and the treatment of the road will need to take into account residential and

industrial development fronting the road. Levels along the road will need to coordinate with adjoining development.

Vehicular Movement – Outside of Townsite

1. *Minilya-Exmouth Road* – The LPS acknowledges the importance of the Minilya-Exmouth Road as the only access road into Exmouth. As the sole entry road for Exmouth, the route experiences heavy demand from Exmouth residents, tourism traffic and heavy haulage service vehicles. This, coupled with future expansion of the Exmouth Townsite and growth in the tourism industry, highlights the importance of ensuring an adequate and safe level of service is achieved for Minilya-Exmouth Road. This will require an ongoing maintenance and upgrade program to be established and implemented by Main Roads WA to ensure the road can adequately accommodate the safe passage of vehicles, particularly during peak times.
2. *Tenure of Road Reserves within Department of Defence landholdings* – The LPS acknowledges that no formal road reservation exists for the portion of Murat Road located within the Department of Defence land north of the townsite boundary, except for the small portion adjacent to the Defence Base. The Bundegi Boat Ramp and the associated access road and portion of Yardie Creek Road, are also located on Department of Defence land, and have no formal status under the *Land Administration Act 1997*. This infrastructure is currently maintained by the Shire and raises potential issues of liability whilst functioning as an access road within the Department of Defence lands.
3. *Ningaloo Access Road* – Ningaloo Road is a gazetted road in the southern section of the Shire that has been historically accessed by high volumes of tourist traffic accessing Ningaloo Station from Minilya-Exmouth Road. Over time the road has been subject to an ongoing maintenance programme to control sand drift made difficult due to the landform through which it passes. Through-access cannot always be guaranteed and the road is currently only accessible by four wheel drive vehicles. As Ningaloo Road is of benefit to the wider community, the option of establishing a sustainable coastal route north from Coral Bay to join Yardie Creek Road servicing Ningaloo Station en-route is a possible solution to this maintenance issue.
4. *Sandy Bay Track between Minilya-Exmouth Road and the West Coast* – The LPS acknowledges the recommendations of the *Exmouth South Structure Plan (2013)* to investigate a revised alignment of the Sandy Bay 4wd Track connecting Minilya-Exmouth Road to the West Coast, in consultation with the Shire, DPaW, and the Department of Lands. Acknowledging the wilderness values of the Cape Range National Park, the Sandy Bay Track should be recognised as a 4wd tourism experience. Future realignment investigations will need to consider the relocation of the access track from within the Department of Defence land.

Air Movement

1. *Learmonth RAAF Base and Airport* – As discussed in **section 2.7.2**, notwithstanding the important strategic defence role of the Learmonth RAAF Base and Airport, from an air transport perspective, it is a significant economic driver for the tourism and business sectors of the Shire, in addition to servicing the local community. The Shire has lease arrangements with the Commonwealth through to 2033

for the civilian terminal, which is subject to the Learmonth Airport Master Plan. The airport can be declared a 'Military Active' airport at any time. Currently there is no direct air link between Exmouth and northern Australia. Accordingly, the Council continues to be proactive in investigating partnership opportunities to improve air travel connections with northern tourism areas of Australia. The LPS recognises the importance of continuing to lobby for investment in this manner to benefit the community and increase international visitor arrivals. The Council is also an advocate for increasing the frequency of regular public transport (RPT) aircraft movements to the region.

Section 12.1 to follow further discusses the indicative noise buffer of the Learmonth Airport.

2. *Exmouth Aerodrome* – As referenced in **section 2.7.2**, the Exmouth Aerodrome has been operated by the Shire since 1974 and is classified as an Aeroplane Landing Area. The aerodrome is predominantly used for general aviation (commercial, sightseeing and recreational) and as a helicopter maintenance base. The Shire's Exmouth Aerodrome Master Plan provides the strategic direction for the future allocation of lease areas and guidance on the potential upgrading of the runway. The Master Plan identifies three operational precincts to accommodate hangar lots for General Aviation (maximum Code A aircraft); Helicopter Operations; and Commercial aviation operations (maximum Code B aircraft). A fourth precinct is identified for future development of commercial aviation (maximum Code D aircraft). Each operational precinct will need to comply with the planning parameters of the Master Plan (as reinforced by LPS 4) including permitted land uses, minimum hangar lot dimensions; development setbacks; compliance with Obstacle Limitation Surfaces (OLS); definition of building envelopes (excluding apron area); fencing, landscaping and signage controls; provision of parking; the use of non-reflective building materials; lighting design and location; and location of services.

In addition to the Master Plan, the LPS references an indicative noise buffer for the Aerodrome to be identified as a Special Control Area within LPS 4 (refer **section 12.1** to follow). Furthermore, the LPS identifies that the southern portion of the runway is affected by the estimated 100yr floodplain of Shothole Creek catchment. The impact of the floodplain will need to be taken into account in the design of stormwater infrastructure associated with any future runway upgrades.

Marine Infrastructure

1. *Exmouth Boat Harbour* – As referenced in **section 2.7.4**, the Exmouth Boat Harbour (EBH) was constructed in 1997 and is managed by the Department of Transport.

The working harbour provides access for marine vessels to the residential canal lots within the Exmouth Marina; the commercial and recreational boat pen infrastructure in the north-eastern sector; and loading, unloading and re-fuelling facilities for marine based light industrial activity in the southern sector. The Department of Transport continues to work closely with stakeholders in investigating future expansion proposals, noting the physical constraints of the site and current limitations of funding. The LPS Community Workshop identified EBH as being well placed to provide greater marine logistical

support to the nearby offshore oil and gas operations, balanced against the provision of commercial and recreational boating infrastructure and maintaining public access to land abutting the harbour.

2. *Cruise Ships* – Tourism WA have identified Exmouth as an important link within the Western Australian and Northern Territory cruise-shipping industry which includes potential stop-overs in the ports of Fremantle, Geraldton, Exmouth, Port Hedland, Broome and Darwin. There are improvements needed at local level destination planning through improved servicing and tour options; however the most critical element for Exmouth is the need to improve cruise ship berthing facilities. Currently there are no berthing facilities available in Exmouth waters and cruise

passengers are tendered to shore, dependent upon favourable weather and tidal conditions. To alleviate this constraint, further marine and terrestrial port infrastructure development opportunities should continue to be investigated as part of the initiatives to investigate the expansion of the EBH.

3. *Boat Ramps* – Bundegi Boat Ramp and its access road is through Department of Defence land, yet is managed by DPaW and the Shire. More appropriate access and tenure is considered required. Tantabiddi Boat Ramp is predominately accessible however has issues related to its use by tourism boats as well as boat ramp users.

12.1.1 ACTION STATEMENTS

Pedestrian

- a) Forecast and budget ongoing works to implement the town centre and foreshore pedestrian and cycleway movement initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- b) Prioritise the pedestrian movement network within the Town Centre.

Vehicular

- c) The LPS identifies a hierarchy of roads – Primary Distributor Road, Neighbourhood Connector (Future) and Access Road (Future).
- d) Include Minilya-Exmouth and Murat Roads currently identified as ‘Roads’ within TPS 3 within ‘Primary Distributor Road’ reserve within LP4.
- e) Forecast and budget ongoing works to implement the town centre vehicular movement infrastructure initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- f) Ensure structure planning makes provision for the planned future neighbourhood connector road linking Murat Road with Nimitz Street.
- g) Consult with Mains Roads WA to ensure an ongoing works and maintenance program for Minilya-Exmouth Road is implemented.
- h) Establish management agreements to address the anomalies regarding the tenure of Murat Road, public access roads and the Bundegi Boat Ramp on Commonwealth land, in consultation with the Department of Lands and Department of Defence.
- i) Consult with Main Roads WA, DPaW, Department of Lands and Department of Defence to establish a sustainable coastal route connecting Coral Bay with Ningaloo Coast via Yardie Creek Road, as an alternative route to Ningaloo Road.
- j) Consult with DPaW, Department of Lands and Department of Defence in relation to the formalisation of the Sandy Bay 4WD track between Minilya-Exmouth Road and the west coast.

Air

- k) Include the Learmonth Airport as a ‘Public Purposes’ reserve and Exmouth Aerodrome as a ‘Special Use’ zone under LPS 4.
- l) Continue to advocate increased frequency of RPT aircraft movements to the region and connectivity with northern Australian tourist markets.
- m) Implement the airport layout and design guidelines of the Exmouth Aerodrome Master Plan and include as provisions within LPS 4 where applicable.
- n) Identify the indicative noise buffer of the Exmouth Aerodrome as a Special Control Area within LPS 4, and require all development to comply with the Exmouth Aerodrome Master Plan under ‘Relevant Considerations’.

Marine Infrastructure

- o) Consult with the Department of Transport to facilitate Exmouth Boat Harbour expansion initiatives including ongoing community consultation.
- p) Consult with the Department of Transport in regard to the assessment of subdivision and /or development applications within the Boat Harbour Reserve.

13 LAND USE BUFFERS

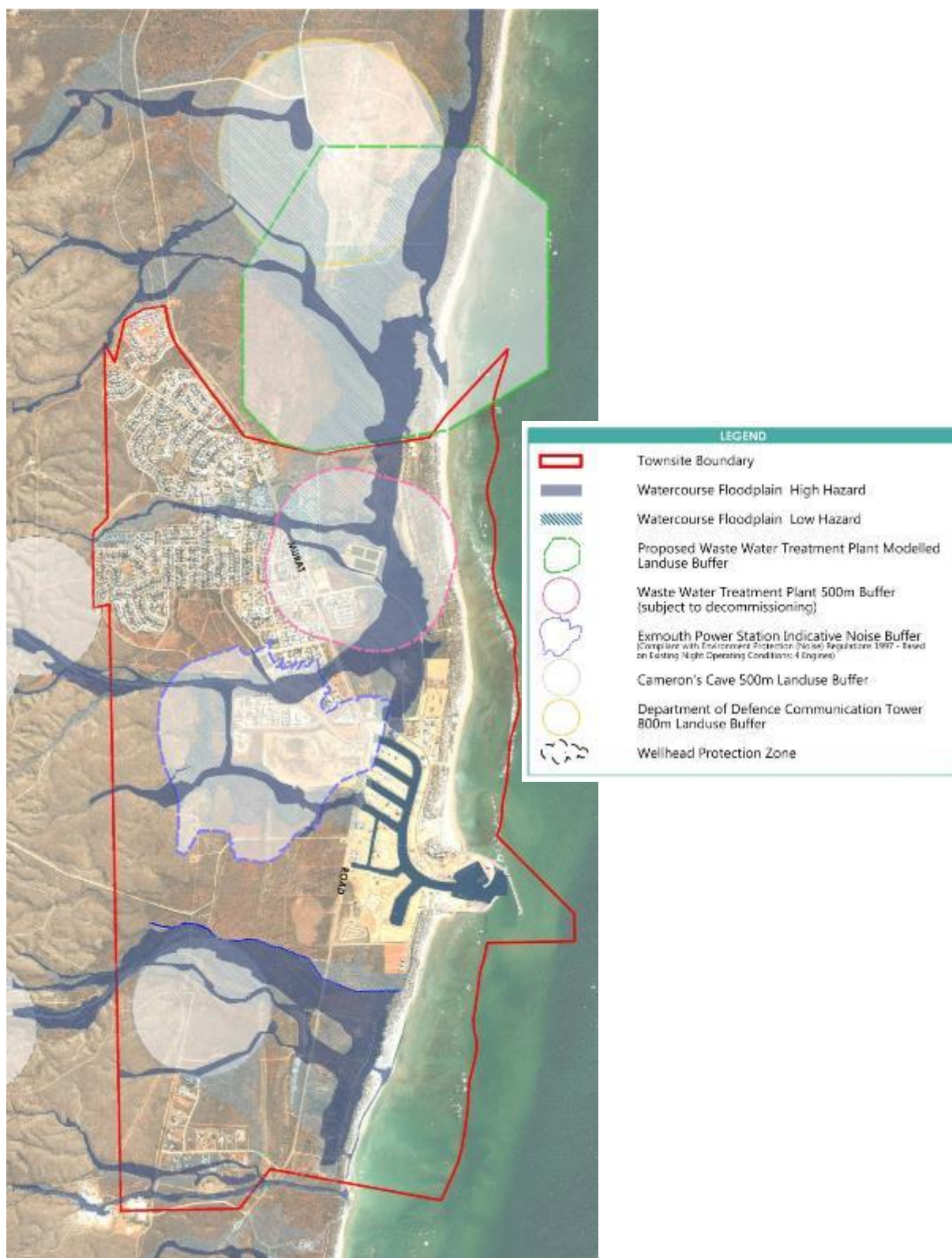


FIGURE 23 LAND USE BUFFERS

13.1 PLANNING CONSIDERATIONS

The **Land Use Buffer Strategic Plan (Figure 23)** identifies five land use buffers that have been defined in consultation with key stakeholders and government agencies responsible for the principal land use. The buffers include land associated with the proposed waste water treatment plant, the Department of Defence Communications Tower north of the townsite, the Exmouth Power Station; Cameron's Cave, and DoW Wellhead Protection Zones. The following planning considerations set out the decision making process for the implementation of uses within and adjacent to the relevant buffers.

1) Floodplain Management – High and Low Hazard Flood

As discussed in **section 2.1.5**, the framework for floodway management adopted by the Strategy has been guided by the *Exmouth Floodplain Management Study* (SKM 2007) and *Exmouth Hydrological Study* (Hyd2o 2014). The SKM Report defines the extent of the high hazard (floodway) and low hazard (flood fringe) for five creeklines within the townsite and immediately south. The LPS 4 will reflect these floodplains as Special Control Areas in which any application for subdivision and/or development will be determined by the local government on the advice of the Department of Water, and may be subject to hydraulic modelling.

Furthermore, the Hyd2o Report identifies the estimated 100yr floodplain of creeklines within four key catchments south of Exmouth Townsite. Development applications in the vicinity of the estimated 100yr floodplains may be required to undertake detailed survey and hydrological investigations to define the developable area.

2) Exmouth Water Reserve / Wellhead Protection Zones

As identified in **section 2.6.1**, the Exmouth Water Reserve was proclaimed in 2002 under the *Country Areas Water Supply Act 1947* and is managed as a P1 source protection area by the Department of Water. Due to the unconfined and karstic nature of the water source it is vulnerable to contamination from above ground land uses. This level of protection is reinforced through a Wellhead Protection Zone which identifies a 500m buffer around each production bore. The Water Reserve and Wellhead Protection Zones are reflected by the LPS mapping noting that one Wellhead Protection Zone partially encroaches within the Exmouth Townsite in the northern sector.

It is necessary for an application to be made to the local government for all land use and development proposed within the Exmouth Reserve and must be in compliance with the provisions of the Department of Water's *Water Quality Protection Note (WQPN) No 25: Land Use Compatibility in Public Drinking Water Source Area*. The

local government is currently only required to refer development applications to the Department of Water for advice when the proposed development is inconsistent with the WQPN No 25.

This approval process will be reinforced through the identification of the Exmouth Water Reserve as a Special Control Area within LPS 4 in order to ensure that land use and development is compatible with the longer term protection of the reserve and its water resource.

3) Proposed Relocation of WWTP

To address the odour issues affecting various land use within the Townsite, ongoing negotiations are taking place between Water Corporation, the Department of Defence and Council to facilitate the longer term relocation of the existing WWTP on Commonwealth land to the north of the Townsite. The Water Corporation has identified a proposed site supported by detailed investigatory reporting and a modelled buffer defined as reflected on the Strategic Plan (**Figure 22**) and **Exmouth Townsite Spatial Plan – Sheet 3**. The proposed buffer does not impact on landholdings within the Exmouth Townsite and correlates with the already defined 800m buffer of Department of Defence Communications Tower (refer below).

As no future impact upon townsite land uses is anticipated, there will be no requirement for the LPS 4 to reflect the Proposed WWTP and buffer as a Special Control Area. There is a buffer applicable for the pump station site at the existing WWTP location, however this will likely be contained within the site for the pump station.

4) Exmouth Power Station (ExPS)

As referenced in **section 2.6.2**, the existing ExPS is centrally located on industrial zoned land within the townsite and is subject to a noise buffer requirement in compliance with the Environmental Protection Authority's Guidance Statement No. 3 *Separation Distance between Industrial and Sensitive Land Uses, Environmental Protection (Noise) Regulations 1997* and Draft SPP 4.1 *State Industrial Buffer* (Amended).

The **Exmouth Townsite Spatial Plan – Sheet 3** of the LPS adopts a modelled buffer based on the approved operating conditions of the power station (Daytime – 8 engines; Night time – 4 engines). Various noise assessments have been undertaken overtime, however the accurate modelling of the power station operating at full capacity (10,000kW) is yet to be undertaken, and hence the mapping of a land use buffer to represent the greatest extent of land constrained by the ExPs is unresolved.

In the absence of sufficient modelling, section 5.3 of Draft SPP 4.1 stipulates that technical analysis on a case-by-case basis is required to support any

application for development that falls within the buffer as currently defined. Furthermore, in the event that an additional engine is commissioned by ExPs Pty Ltd to support future power demand, development approval may be conditional upon the power station being modelled at full capacity i.e. an operating load of 10,000kW, noting that based on population projections, the facility is unlikely to reach full operating capacity within the life of the power station.

To reinforce this approval process, LPS 4 will in the first instance, reflect the buffer of the Exmouth Power Station as a Special Control Area (SCA) assuming the existing operating conditions of Daytime – 8 engines and Night time – 4 engines. Upon the completion of revised modelling assuming the operating conditions of the ExPS at full capacity and/of the impact of the commissioning of an additional engine, an amendment to LPS 4 may be required to reflect a new buffer (if greater than that defined) as a revised Special Control Area.

Notwithstanding, that the use may be a 'P' Permitted Use under the Scheme, any development within the SCA will be determined by the local government based on advice from the EPA and any other relevant agencies that may be subsequently reinforced as a condition of development approval.

5) Cameron's Cave

Cameron's Cave is an environmentally sensitive area that comprises the habitat of the Cameron's Cave Troglobitic Community and is located immediately to the north of the Preston Street Rural Residential Area within the southern portion of the townsite. The community is identified as a Threatened Ecological Community and has been assessed as Critically Endangered. The cave extends downwards to the water table on which the animals depend, and it consists of a narrow freshwater lens above saltwater.

The importance of ongoing protection of Cameron's Cave (and corresponding ecological community) is recognised by LPS consistent with the recommendations of the *Exmouth Townsite Structure Plan* (2011). In advance of the formal identification of the land as a Reserve under the *Land Administration Act 1997*, the DPaW maintains support for a 500m land use buffer being recognised by future planning. Currently the land within the buffer is inappropriately zoned as Special Rural Zone, Residential Development Zone and Local Reserve Recreation and Open Space Reserve under the existing TPS 3.

To rectify this conflicting land use classification, the recommended 500m buffer surrounding the Cave has been identified for Conservation and Landscape Protection purposes. The protection of Cameron's Cave will be further reinforced through LPS 4 as a Conservation Reserve under the *Planning and Development Act 2005*.

The Conservation Reserve will offer an acceptable long term level of protection and therefore, it will not be necessary for the LPS 4 to reflect the 500m buffer for Cameron's Cave as a Special Control Area.

6) Department of Defence Communications Tower

A Communications Tower and associated substantial infrastructure is located approximately 1 km north of the Exmouth Townsite. To secure protection and long term security of this infrastructure, the Department of Defence (DoD) have advised of the need for an 800m land use buffer to be defined by the LPS. The proposed relocation of the waste water treatment plant onto Commonwealth Land further enforces the long term protection of the DoD buffer. The Commonwealth land tenure of the defined buffer area offers a sufficient level of protection and long term security for this infrastructure and accordingly it will not be necessary for the LPS 4 to reflect the 800m buffer for the Communications Tower as a Special Control Area.

7) 100m Minilya-Exmouth Road Visual Landscape Protection Corridor

The *Ningaloo Coast Regional Strategy Carnarvon to Exmouth* (2004) recommended a 100m visual landscape protection corridor on either side of Minilya-Exmouth Road to preserve the landscape values and view corridors along the Primary Road from Learmonth Airport to the boundary of the Exmouth Townsite.

The LPS supports this recommendation, however extends this requirement to apply to the full extent of the Minilya-Exmouth Road extending from the southern edge of the gazetted Townsite Boundary southwards to the southern extent of the Shire of Exmouth.

To reinforce this approach, LPS will reflect the 100m visual landscape protection corridor as a Special Control Area.

8) Exmouth Aerodrome - Indicative Noise Buffer

The *Exmouth South Structure Plan* (2013) identified an indicative Noise buffer for the Exmouth Aerodrome. It is regarded as an interim measure to ensure use and development in the vicinity of the Exmouth Aerodrome is compatible with any existing or proposed future use and development of the aerodrome as guided by the Draft Exmouth Aerodrome Master Plan. The indicative buffer will assist the Shire to manage the encroachment of noise sensitive land uses pending the preparation of Australian Noise Exposure Forecast (ANEF) mapping and more detailed planning.

The Strategy (**Spatial Plan – Sheet 5**) adopts the indicative buffer and will be used to define the extent of a Special Control Area under LPS 4. All development within the SCA will be referred to the Shire's Airport Manager prior to determination.

9) Learmonth Airport – Obstacle Limitations Surface and Indicative Noise Buffer

The *Exmouth South Structure Plan* (2013) confirmed that an extensive area around the Learmonth RAAF Base and Airport is subject the *Defence (Area Control) Regulations 1989* where buildings and structural height limitations apply. The Strategy has reinforced the Obstacle Limitation Surface as reflected on Spatial Plan – Sheet 6. In addition, consistent with the *Exmouth South Structure Plan*, an indicative noise buffer has been defined regarded as an interim measure pending the updating of ANEF mapping by the Department of Defence.

The indicative buffer will be identified as a Special Control Area in which all development will need to be referred to the Department of Defence prior to determination, and the control of development heights

within Learmonth Airport Obstacle Limitation Surface referenced as a scheme provision.

10) Landfill Site

The existing landfill site is located on Minilya-Exmouth Road to the north of the Exmouth Aerodrome and south-west of the Ingram Street industrial area. The *Exmouth South Structure Plan* (2013) identified that the site had potential land use issues including the risks of aircraft bird strikes given that the facility is generally within the flight path of the aerodrome, visual impacts evident by the air when arriving to Exmouth as a tourist town, and potential environmental impacts on subterranean waterways that underlay the site. Whilst the landfill site is not at capacity and meets the rubbish disposal needs of the Exmouth Townsite within the life of the LPS, the facility may need to be relocated in the longer term.

13.1.1 ACTION STATEMENTS

- a) Include the Exmouth Water Reserve within a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.
- b) Prioritise negotiations with the Department of Defence and Water Corporation to progress the relocation of the WWTP to Commonwealth land by 2016/2018.
- c) Include the Exmouth Power Station and associated noise buffer within a Special Control Area within LPS 4.
- d) Consideration to be given to the operators of the power station undertaking revised noise modelling of the power station upon the commissioning of additional engines and/or assuming the operation of the power station at full capacity (10,000kW). Investigate the longer term relocation of the existing Exmouth Power Station Infrastructure to remove the impediment for development of sensitive land uses within the power station buffer.
- e) Include Cameron's Cave and 500m buffer within the 'Environmental Conservation' reserve within LPS 4 and support its classification as an 'A Class' reserve under the *Land Administration Act 1997*.
- f) Include land 100m either side of Minilya-Exmouth Road within a Special Control Area within LPS 4 to protect view corridors of the Cape Range and Exmouth Gulf.
- g) Adopt the boundary of the indicative noise buffer of the Exmouth Aerodrome as a Special Control Area within LPS 4 requiring development proposed within the buffer to be approved by the local government upon the advice of the Airport Manager.
- h) Adopt the boundary of the indicative noise buffer of the Learmonth Airport as a Special Control Area.
- i) Include a provision within a local planning scheme to control development heights within the Learmonth Airport Obstacle Limitation Surface.
- j) Monitor the capacity of the existing landfill site to accommodate the current rate of landfill activity and consider the longer term relocation of the facility.

16.2 FINAL CONSIDERATION OF LOCAL PLANNING SCHEME NO. 4 FOLLOWING ADVERTISING

File Reference:	LP.PL.0.2; LP.PL.0.4
Responsible Officer:	Executive Manager Town Planning Services
Date of Report:	2 December 2016
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none">1. Local Planning Scheme No. 4 (revision 10)2. Schedule of Proposed Modifications3. Schedule of Submissions4. Environmental Protection Authority Comments5. Department of Planning as delegated by WAPC Consent to Advertise

PURPOSE

That Council consider adopting Local Planning Scheme No. 4 (refer Attachment 1) subject to modifications (refer attachment 2) following advertising.

BACKGROUND

At the 28 April 2016 Ordinary Council Meeting, Council resolved (Decision 06-0416) to proceed with Local Planning Scheme No. 4 (Scheme) including accompanying maps making all modifications as requested by the Western Australian Planning Commission (WAPC), prior to advertising. The revised Scheme was forwarded to the Environmental Protection Authority (EPA) in accordance with Regulation 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 81 of the *Planning and Development Act 2005* on Monday, 23 May 2016. EPA advised on Wednesday, 29 June 2016 that the Office of the Environmental Protection Authority has no comment to make on Revision 10 (refer Attachment 4). The revised Scheme was also forwarded to the WAPC on Monday, 23 May 2016 with consent given to advertise from the Department of Planning as delegated by WAPC on Thursday, 2 June 2016 (refer Attachment 5).

COMMENT

After receiving consent to advertise from WAPC, the consultation period commenced on Thursday 2 June 2016 and concluded on Friday 23 September 2016 for a period of 113 days. Regulation 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a Local Planning Scheme to be advertised for a period not less than 90 days commencing on the day on which the notice of the Scheme is published in a newspaper circulating in the area to which the Scheme relates (Pilbara News).

A total of 25 submissions were received relating to the Scheme. Thirteen (13) submissions were received from government agencies and twelve (12) submissions were received from private citizens, owners or occupiers. A schedule of submissions relating to the Scheme including officers comment on each submission is included (refer Attachment 3).

As a result of submissions received, 404 modifications are recommended to be made to the Scheme for the following general reasons:

- To improve grammar;
- To improve legal interpretation;
- To ensure consistency with the *Planning and Development (Local Planning Schemes) Regulations 2015* and any other relevant legislation;
- To ensure consistency within the Draft Scheme;
- To remove any possible claims for injurious affection under the *Planning and Development Act 2005*; and
- To address concerns raised by submitters.

Major proposed changes to the advertised Scheme include:

- Including more 'P' (Permitted) uses and zoning more land to remove any possible claims for injurious affection in response to legal review of the Scheme;
- Re-written entire Special Control Area 6: Minilya-Exmouth Road to remove any possible claims for injurious affection in response to legal review of the Scheme and submissions received;
- Requiring a Scheme amendment to implement an approved structure plan/s prior to any development/subdivision occurring in the Urban Development and Industrial Development zones as the *Planning and Development (Local Planning Schemes) Regulations 2015* only gives due regard to structure plans;
- Classifying land surrounding Special Use Zone 2 (Lighthouse Caravan Park), Rural zone and Special Use Zone 2 in response to submission;
- Including lots 149 and 150 Hunt Street in Special Use Zone 1 (Strategic Industrial Area) as a Development Investigation Area as there is a current Scheme Amendment (No.31) for this land, where the Department of Planning have raised issues;
- Removing reference to all State Planning Policies from the Scheme, excluding the R-Codes in response to legal review of the Scheme;
- Classifying the Exmouth Power Station on Welch Street 'Light Industry zone' to remove any possible claims for injurious affection under the *Planning and Development Act 2005* in response to legal review of the Scheme;
- Adding floodplain mapping supplied by Hyd2O to Special Control Area 5: Floodplain on the Scheme Maps in response to submission; and
- Deleting Special Control Area 2: Waste Water Treatment Plant (WWTP) in response to submission as the existing WWTP is to be relocated.

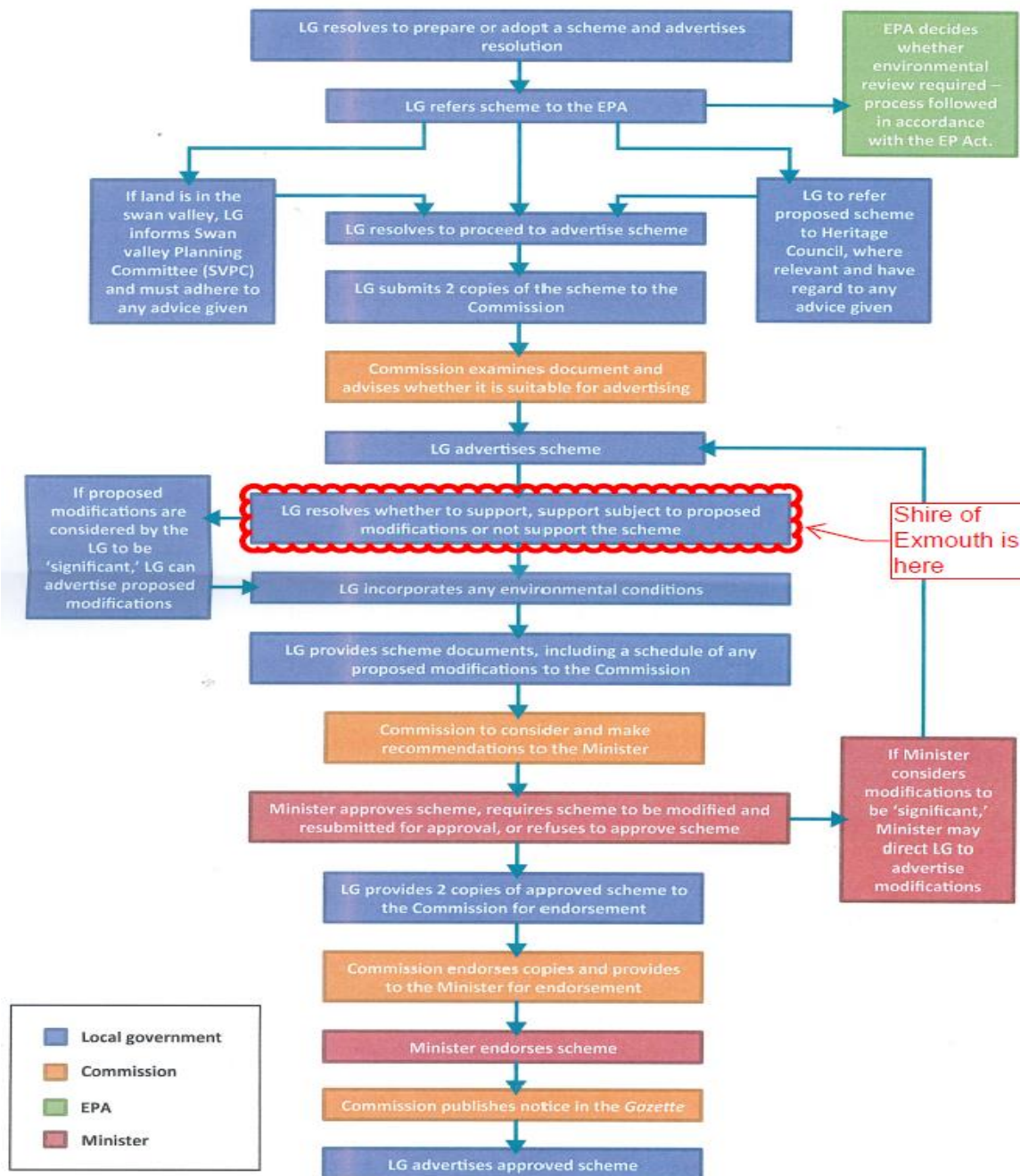
In accordance with Regulation 25 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* before the end of the consideration period (21 January 2017) for the draft Scheme, or a later date approved by the WAPC, the Shire Council must pass a resolution:

- a) to support the draft scheme without modification; or
- b) to support the draft scheme with proposed modifications to address issues raised in the submissions; or
- c) not to support the draft scheme.

Process for Preparation or Adoption of a New Local Planning Scheme

The WAPC have prepared a simplified preparation or adoption of a new Local Planning Scheme flowchart, provided below.

Simplified preparation or adoption of a new local planning scheme flowchart



EPA have advised that there are no environmental conditions which need to be incorporated into the Scheme, therefore the next stage in the process is forwarding the Scheme documents, including a schedule of any proposed modifications to the WAPC within 21 days of the date of Council resolution. The process after this is as follows:

- i. WAPC must within 120 days consider the Scheme and make a recommendation to the Minister for Planning (Minister);
- ii. If the Minister considers modifications to the advertised Scheme proposed by the Shire or WAPC are significant the Minister can direct the Shire to advertise the proposed modifications;
- iii. The Minister then decides whether to support the Scheme, support the Scheme subject to modifications, or refuse the Scheme;
- iv. Should the Minister support the scheme, within 14 days the Shire must forward 2 copies of the Scheme to the WAPC for endorsement;
- v. The WAPC then endorses the Scheme, and provides 1 endorsed copy to the Minister for endorsement;
- vi. The Minister then endorses the Scheme;
- vii. The WAPC then publishes the Scheme in the Government Gazette. The WAPC can recover any costs associated with the gazettal from the Shire;
- viii. The WAPC then forwards a copy of the notice of gazettal to the Shire; and
- ix. The Shire is then required to advertise the approved scheme in a newspaper circulating in the Scheme area (Pilbara News) and notify each person who made a submission in relation to the scheme that the Scheme has been approved, and where a copy of the approved Scheme can be obtained.

Considering the above it is recommended that Council adopt the Scheme (refer Attachment 1) subject to modifications (refer Attachment 2). The completion of the preparation and adoption of a new Local Planning Scheme process is expected to be completed mid-2017.

CONSULTATION

Consultation of the Scheme involved the following:

- i. A display of the Scheme at the Shire Administration Office, Shire Library and WAPC Administration Offices;
- ii. A display of the Scheme on the Shire website;
- iii. A notice being published in the Pilbara News;
- iv. A notice being sent to all relevant State Government agencies and to all persons on the Shire's rate book;
- v. Special electronic signature on relevant officers emails;
- vi. Five (5) community consultation sessions; and
- vii. A notice being sent to all person's land that is proposed to be rezoned in the new Scheme.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

POLICY IMPLICATIONS

State Planning Policy 1.0 - State Planning Framework Policy

State Planning Policy 2.0 - Environment and Natural Resources Policy

State Planning Policy 2.5 - Land Use Planning in Rural Areas

State Planning Policy 2.6 - State Coastal Planning Policy
State Planning Policy 2.7 - Public Drinking Water Source Protection Policy
State Planning Policy 2.9 - Water Resources
State Planning Policy 3.0 - Urban Growth and Settlement
State Planning Policy 3.1 - Residential Design Codes
State Planning Policy 3.4 – Natural Hazards and Disasters
State Planning Policy 3.5 - Historic Heritage Conservation
State Planning Policy 3.7 - Planning in Bushfire Prone Areas
State Planning Policy 4.1 - State Industrial Buffer Policy
State Planning Policy 5.2 – Telecommunications Infrastructure
State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning
State Planning Policy 6.3 - Ningaloo Coast
All Shire of Exmouth Local Planning Policies
Council Policy 2.3 – Common Seal

FINANCIAL IMPLICATIONS

Government Gazettal and final advertising in Pilbara News if approved.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- Economic: 1 To be a diverse and innovative economy with a range of local employment opportunities.
 1.2 *Planned and balanced economic growth.*
- Environment: 2 To have a balanced respect for our environment and heritage, both natural and built.
 2.2 *Our pristine natural environment and biodiversity will be understood, maintained and protected.*
- Social: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
 3.4 *A community that is well informed and educated about our natural, cultural and built environment.*
- Civic Leadership: 4 To work together as custodians of now and the future.
 4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
 4.2 *A local government that is respected, professional, trustworthy and accountable.*
 4.3 *To be strong advocates representing the region's interests.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION**ITEM 16.2**

That Council:

1. Adopts Local Planning Scheme No. 4 (refer Attachment 1) subject to modifications (refer Attachment 2) pursuant to Section 87(1) of the *Planning and Development Act 2005* and Regulation 25 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. Forward the advertised Local Planning Scheme No. 4 (refer Attachment 1); modifications to the advertised Local Planning Scheme No. 4 proposed by Council (refer Attachment 2); and schedule of submissions received including Council response to each submission (refer Attachment 3) to the Western Australian Planning Commission for final approval; and
3. Advise all submitters of Council's resolution in relation to Local Planning Scheme No. 4 following advertising; modifications to the advertised Local Planning Scheme No. 4 proposed by Council (refer Attachment 2); and schedule of submissions received including Council response to each submission (refer Attachment 3).

COUNCIL RESOLUTION**ITEM 16.2**

Res No: 23-1216

MOVED: Cr Jones

SECONDED: Cr McHutchison

That Council:

That Council:

1. **Adopts Local Planning Scheme No. 4 (refer Attachment 1) subject to modifications (refer Attachment 2) pursuant to Section 87(1) of the *Planning and Development Act 2005* and Regulation 25 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**
2. **Forward the advertised Local Planning Scheme No. 4 (refer Attachment 1); modifications to the advertised Local Planning Scheme No. 4 proposed by Council (refer Attachment 2); and schedule of submissions received including Council response to each submission (refer Attachment 3) to the Western Australian Planning Commission for final approval; and**
3. **Advise all submitters of Council's resolution in relation to Local Planning Scheme No. 4 following advertising; modifications to the advertised Local Planning Scheme No. 4 proposed by Council (refer Attachment 2); and schedule of submissions received including Council response to each submission (refer Attachment 3).**

CARRIED 3/0



SHIRE OF EXMOUTH

LOCAL PLANNING SCHEME NO. 4

Revision 10 – May 2016

Shire of Exmouth Local Planning Scheme No. 4

Scheme Amendments

AMENDMENT NO.	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
1.				
2.				
3.				

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PART 1 - PRELIMINARY

1.1 Citation

This local planning scheme is the Shire of Exmouth Scheme No. 4.

1.2 Commencement

Under section 87(4) of the Act, this local planning scheme comes into operation on the day it is published in the *Gazette*.

1.3 Scheme revoked

The following local planning scheme is revoked:

- (a) Shire of Exmouth Town Planning Scheme No. 3, Gazetted 3 September 1999.

1.4 Notes do not form part of Scheme

Notes, and instructions printed in italics, do not form part of this Scheme.

1.5 Responsibility for Scheme

The Shire of Exmouth is the local government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

1.6 Scheme area

This Scheme applies to the area shown on the Scheme Map which comprises sheets 1 – 11 set out in Appendix 1.

1.7 Contents of Scheme

1.7.1 In addition to the provisions set out in this document (the scheme text), this Scheme includes the following —

- (a) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2);
- (b) the Scheme Map, sheets 1-11.

1.7.2 This Scheme is to be read in conjunction with any local planning strategy for the Scheme area.

1.8 Purposes of Scheme

The purposes of this Scheme are to:

- (a) set out the local government's planning aims and intentions for the Scheme area; and
- (b) set aside land as reserves for public purposes; and
- (c) zone land within the Scheme area for the purposes defined in the Scheme; and
- (d) control and guide land use and development including processes for the preparation of structure plans, activity centre plans and local development plans; and

- (e) set out procedures for the assessment and determination of planning applications;
- (f) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
- (g) make provision for the administration and enforcement of the Scheme; and
- (h) address other matters referred to in Schedule 7 of the Act.

1.9 Aims of Scheme

The aims of this Scheme are:

- (a) facilitate implementation of the State Planning Strategy and relevant regional plans and policies, by co-ordinating the Scheme with such plans and policies; and
- (b) promote development consistent with the planning objectives and recommendations of the Local Planning Strategy; and
- (c) facilitate planning for the appropriate balance between economic and social development, conservation of the natural environment, and improvements in lifestyle and amenity; and
- (d) define the uses and types of development to be permitted on land within the Scheme Area; and
- (e) control and regulate the development of land, erection and demolition of buildings, and the carrying out of works.

1.10 Relationship with local laws

Where a provision of this Scheme is inconsistent with a local law, the provision of this Scheme prevails to the extent of the inconsistency.

1.11 Relationship with other local planning schemes

There are no other local planning schemes of the Shire of Exmouth which apply to the Scheme area.

1.12 Relationship with region planning scheme

There are no region planning schemes which apply to the Scheme area.

PART 2 - RESERVES

2.1 Regional reserves

There are no regional reserves in the Scheme area.

2.2 Local reserves

2.2.1 In this clause —

Department of Main Roads means the department principally assisting in the administration of the *Main Roads Act 1930*;

Western Australian Road Hierarchy means the document of that name available on the website maintained by the Department of Main Roads.

2.2.2 Local reserves are shown on the Scheme Map according to the legend set out in Appendix 1.

2.2.3 The objectives of each local reserve are as follows:

(a) Public Open Space:

- (i) To set aside areas for foreshore reserves, particularly those established under the *Planning and Development Act 2005* s.152.
- (ii) To protect, conserve and enhance coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance.
- (iii) To provide for public coastal foreshore reserves and access to them on the coast.
- (iv) To provide for a range of active and passive recreation uses and amenities, such as playgrounds, barbeque/shade/picnic areas, pedestrian access and minor car parks, where appropriate.
- (v) To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.

(b) Environmental Conservation:

- (i) To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision.
- (ii) To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.
- (iii) To set aside land with conservation value within the Cape Range National Park, Jurabi and Bundegi Coastal Parks and Muiron Islands, Exmouth Water Reserve, islands within the Exmouth Gulf, and land abutting the Ningaloo Marine Park and the Exmouth Gulf that reflects the 40 metre setback landward of the high water mark.
- (iv) Provide for development consistent with established management plans for National Parks or Conservation Reserves, or development that contributes towards increased safety, security, enhancement or ongoing management of an area, place, land parcel or reserve.

- (v) Cater for programs and activities that promote education, research and increased public awareness of minimising environmental impact when visiting a conservation reserve.
 - (vi) Promote development that enhances public enjoyment of land reserved conservation balanced with the need to protect, mitigate, control and/or manage impacts on the natural environment.
 - (vii) Accommodate drainage, essential services, mining activities, recreational activities, or general infrastructure that is consistent with other management objectives.
- (c) Civic and Community:
- (i) To provide for a range of community facilities which are compatible with surrounding development.
 - (ii) To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.
- (d) Public Purpose:
- (i) To provide for a range of essential physical and community infrastructure.
- (e) Strategic Infrastructure:
- (i) To set aside land required for port facilities.
- (f) Primary Distributor Road:
- (i) To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
 - (ii) To limit fixed or permanent advertising devices within primary distributor roads to mitigate visual clutter and detrimental impacts on safety or amenity.
- (g) District Distributor Road:
- (i) To set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.
 - (ii) To limit fixed or permanent advertising devices within district distributor roads to mitigate visual clutter and detrimental impacts on safety or amenity.

- (h) Local Distributor Road:
 - (i) To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
- (i) Drainage/Waterway:
 - (i) To set aside land required for significant waterways and drainage.
 - (ii) To cater for development that relies on a waterway location and does not detrimentally impact on any applicable World Heritage values or other values, cause negative visual impact, or restrict access to public areas.
 - (iii) To accommodate jetties and ancillary facilities or structures.
 - (iv) To accommodate development that provides a benefit to the community, economic or employment opportunities and / or enhances tourism experiences.

2.3 Additional uses for local reserves

There are no additional uses for land in local reserves that apply to this Scheme.

2.4 Use and development of local reserves

2.4.1 A person must not:

- (a) Use a Local Reserve, unless the use is consistent with the designated purpose of the reserve under the scheme; or
- (b) Commence or carry out development on a Local Reserve,

without first having obtained development approval in accordance with clause 60 of the deemed provisions, unless the development is a public work exempted under the act. In determining an application for development approval the local government is to have due regard to:

 - (a) The matters set out in accordance with clause 67 of the deemed provisions; and
 - (b) The ultimate purpose intended for the Reserve.

2.4.2 In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for development approval.

2.4.3 The local government may enter into arrangements with public authorities to determine those proposals that should, and those that need not form the subject of consultation for the purpose of clause 2.4.2.

PART 3 - ZONES AND USE OF LAND

3.1 Zones

Zones are shown on the Scheme Map according to the legend on the Scheme Map set out in appendix 1.

3.2 Zoning table

The zoning table for this Scheme is as follows:

Table 1 Zoning Table

Land Use	Residential	Urban Development	Commercial			Tourism	Light Industry	Service Commercial	General Industry	Industrial Development	Rural Residential	Rural
Residential Land Uses												
Aged or Dependent Persons Dwelling	D	REFER CLAUSE 3.3.7	X	X	X	X	X	X	X	REFER CLAUSE 3.3.7	X	X
Ancillary Dwelling	P		X	X	X	X	X	X	X		D	D
Caretaker's Dwelling	X		X	X	D	I	I	I	X		X	I
Dwelling	P		X	X	X	I	X	I	X		D	D
Repurposed Dwelling	D		X	X	X	I	X	I	X		D	D
Second-hand Dwelling	D		X	X	X	I	X	I	X		D	D
Outbuilding	P		X	X	X	D	X	D	X		D	D
Family Day Care	A		X	X	X	A	X	X	X		A	X
Grouped Dwelling	D		X	X	X	I	X	X	X		X	X
Home Business	A		X	D	X	X	X	X	X		A	X
Home Occupation	D		X	D	X	X	X	D	X		D	D
Multiple Dwelling	D		X	X	X	I	X	X	X		X	X
Residential Building	D		X	X	X	I	X	X	X		X	D
Single House	P		X	X	X	X	X	X	X		D	D
Workforce Accommodation	X		X	X	X	X	X	X	X		X	A
Tourism Land Uses												
Bed and Breakfast	A	REFER CLAUSE 3.3.7	X	X	X	D	X	X	X	REFER CLAUSE 3.3.7	A	D
Camping Ground	X		X	X	X	X	X	X	X		X	A
Caravan Park	X		X	X	X	X	X	X	X		X	X
Chalet	X		X	X	D	D	X	X	X		X	D
Guesthouse	A		X	X	X	D	X	X	X		A	D
Holiday Accommodation	A		X	X	X	D	X	X	X		X	D
Holiday House	A		X	X	X	D	X	X	X		A	D
Hotel	X		X	X	D	D	X	X	X		X	X
Motel	X		X	X	D	D	X	X	X		X	X

Land Use	Residential	Urban Development	Commercial										
			Retail Core – C1	Mixed Use – C2	Mixed Business – C3	Tourism	Light Industry	Service Commercial	General Industry	Industrial Development	Rural Residential	Rural	
Serviced Apartment	X	REFER CLAUSE 3.3.7	X	D	D	D	X	X	X	REFER CLAUSE 3.3.7	X	X	
Tourist Development	X		X	X	D	D	X	X	X		X	X	
Nature Based Park	X		X	X	X	X	X	X	X		X	X	A
Commercial Land Uses													
Betting Agency	X	REFER CLAUSE 3.3.7	A	D	X	X	X	X	X	REFER CLAUSE 3.3.7	X	X	
Brewery	X		X	X	X	X	D	D	D		X	D	
Child Care Premises	A		X	D	D	X	X	X	X		X	X	X
Cinema / Theatre	X		A	D	X	D	X	X	X		X	X	X
Consulting Room	A		D	D	X	X	X	D	X		X	X	X
Convenience Store	X		D	D	X	D	X	D	X		X	X	X
Discount Department Store	X		X	X	D	X	X	X	X		X	X	X
Exhibition Centre	X		A	D	X	D	X	D	X		X	X	D
Fast Food Outlet/Lunch Bar	X		D	D	X	D	X	A	X		X	X	X
Fish Shop	X		X	X	X	X	D	D	D		X	X	X
Health Centre	X		D	D	X	X	X	D	X		X	X	X
Liquor Store - Large	X		D	D	D	X	X	A	X		X	X	X
Liquor Store – Small	X		D	D	D	X	X	A	X		X	X	X
Laundromat	X		D	D	X	X	D	D	D		X	X	X
Market	X		A	D	X	X	X	D	X		X	X	X
Medical Centre	X		D	D	X	X	X	D	X		X	X	X
Mixed Development	X		X	D	X	X	X	X	X		X	X	X
Nightclub	X		A	X	X	X	A	X	X		X	X	X
Office	X		D	D	D	X	X	D	X		X	X	X
Reception Centre	X		A	A	D	D	X	D	X		X	X	X
Restaurant/Cafe	X		D	D	D	D	X	A	X		X	X	X
Restricted Premises	X		A	A	X	X	X	A	X		X	X	X
Service Station	X		X	X	X	X	D	A	D		X	X	D
Shop	X		D	D	X	I	X	A	X		X	X	X
Supermarket	X		A	X	X	X	X	X	X		X	X	X
Bulky Goods Showroom	X		A	D	D	X	D	D	X		X	X	X
Small Bar	X	A	D	X	D	X	X	X	X	X	X		
Tavern	X	A	X	X	X	X	A	X	X	X	X		
Veterinary Centre	X	X	X	X	X	X	A	X	X	X	A		
Industrial Land Uses													
Bus Depot	X	REFER CLAUSE 3.3.7	X	X	X	X	D	D	D	REFER CLAUSE 3.3.7	X	X	
Fuel Depot	X		X	X	X	X	D	A	D		X	X	X
Industry - Cottage	D		X	X	X	X	X	D	X		X	D	D
Industry - Extractive	X		X	X	X	X	X	X	D		X	X	D
Industry	X		X	X	X	X	X	X	D		X	X	X

Land Use	Residential	Urban Development			Commercial								
			Retail Core – C1	Mixed Use – C2	Mixed Business – C3	Tourism	Light Industry	Service Commercial	General Industry	Industrial Development		Rural Residential	Rural
Industry - Hazardous	X	REFER CLAUSE 3.3.7	X	X	X	X	X	X	D	REFER CLAUSE 3.3.7		X	X
Industry - Light	X		X	X	X	X	D	D	D			X	X
Mining Operations	X		X	X	X	X	X	X	P			X	D
Industry - Noxious	X		X	X	X	X	X	X	A			X	A
Industry – Primary Production	X		X	X	X	X	D	X	D			X	D
Industry - Service	X		X	X	X	X	D	D	D			X	X
Machinery Sales	X		X	X	X	X	D	D	D			X	X
Marine Filling Station	X		X	X	X	X	D	D	P			X	X
Marine Support Facility	X		X	X	X	X	X	X	A			X	X
Motor Vehicle Hire	X		X	X	X	I	D	D	D			X	X
Motor Vehicle Repair	X		X	X	X	X	D	D	D			X	X
Motor Vehicle Wash	X		X	X	X	X	D	D	D			X	X
Motor Vehicle Wreckers	X		X	X	X	X	D	X	D			X	X
Motor Vehicle, Boat or Caravan Sales	X		X	X	X	X	D	D	X			X	X
Garden Centre	X		X	X	X	X	D	D	X			D	D
Renewable Energy Facility	X		X	X	X	X	X	X	X			X	D
Salvage Yard	X		X	X	X	X	X	X	D			X	X
Storage Yard	X		X	X	X	X	X	X	D			X	X
Trade Display	X		X	X	X	X	D	D	X			X	X
Transport Depot	X		X	X	X	X	D	A	D			X	A
Trade Supplies	X		X	X	X	X	D	D	D			X	X
Warehouse/storage	X		X	X	X	X	P	D	P			X	X
Rural Land Uses													
Abattoir	X	REFER CLAUSE 3.3.7	X	X	X	X	X	X	A	REFER CLAUSE 3.3.7		X	D
Agriculture - Intensive	X		X	X	X	X	X	X	X			X	D
Agriculture - Extensive	X		X	X	X	X	X	X	X			X	P
Animal Establishment	X		X	X	X	X	X	X	X			X	D
Animal Husbandry - Intensive	X		X	X	X	X	X	X	X			X	P
Produce Stall	X		X	X	X	X	X	X	X			D	D
Rural Pursuit/Hobby Farm	X		X	X	X	X	X	X	X			A	P
Community and Civic Land Uses													
Car Park	X	REFER CLAUSE 3.3.7	D	D	D	D	D	D	D	REFER CLAUSE 3.3.7		X	X
Civic Use	X		D	D	D	X	D	D	X			X	X
Club Premises	X		A	D	D	D	X	A	X			X	D
Community Purpose	X		X	D	D	X	X	X	X			X	X
Corrective Institution	X		X	X	X	X	X	X	X			X	A
Educational Establishment	X		X	D	D	X	X	D	X			X	A
Funeral Parlour	X		X	D	D	X	X	D	X			X	X
Hospital	X		X	X	X	X	X	X	X			X	X

Land Use	Residential	Urban Development	Commercial			Tourism	Light Industry	Service Commercial	General Industry	Industrial Development	Rural Residential	Rural
			Retail Core – C1	Mixed Use – C2	Mixed Business – C3							
Place of Worship	A	REFER CLAUSE 3.3.7	X	D	D	X	X	D	X	REFER CLAUSE 3.3.7	X	D
Public Utility	P		P	P	P	P	P	P	P		P	P
Recreation - Private	X		X	D	D	D	D	D	X		X	X
Telecommunications Infrastructure	A		A	A	A	A	A	A	D		A	D
Waste Disposal Facility	X		X	X	X	X	X	X	X		X	D

3.3 Interpreting zoning table

3.3.1 The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.

3.3.2 The symbols used in the zoning table have the following meanings:

- P means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme;
- 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;
- D means that the use is not permitted unless the local government has exercised its discretion by granting development approval;
- A means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions;
- X means that the use is not permitted by this Scheme.

Notes:

1. The development approval of the local government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land. For development on land that does not require development approval see clause 61 of the deemed provisions.

2. In considering an application for development approval, the local government will have regard to clause 67 of the deemed provisions

3.3.3 A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.

- 3.3.4 The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table —
- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
 - (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
 - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.
- 3.3.5 If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.
- 3.3.6 If a use of land is identified in a zone as being a class X use, the local government must refuse an application for development approval for that use in that zone unless —
- (a) the development approval application relates to land that is being used for a non-conforming use; and
 - (b) the local government considers that the proposed use of the land would be less detrimental than the non-conforming use.
- 3.3.7 If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land —
- (a) a structure plan;
 - (b) an activity centre plan;
 - (c) a local development plan.

3.4 Additional uses

3.4.1 Schedule 2 sets out —

- (a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and
- (b) the conditions that apply to that additional use.

3.4.2 Despite anything contained in the zoning table, land that is specified in Schedule 2 may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.

<p><i>Note: An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.</i></p>
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3.5 Restricted uses

3.5.1 Schedule 3 sets out —

(a) restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and

(b) the conditions that apply to that restricted use.

3.5.2 Despite anything contained in the zoning table, land that is specified in the Schedule 3 may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.

<i>Note: A restricted use is the only use or uses that is permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted.</i>

3.6 Special use zones

3.6.1 Schedule 4 sets out —

(a) special use zones for specified land that are in addition to the zones in the zoning table; and

(b) the classes of special use that are permissible in that zone; and

(c) the conditions that apply in respect of the special uses.

3.6.2 A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.

<i>Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.</i>
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3.7 Non-conforming uses

3.7.1 Unless specifically provided, this Scheme does not prevent:

(a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or

(b) the carrying out of development on land if:

(i) before the commencement of this Scheme, the development was lawfully approved; and

(ii) the approval has not expired or been cancelled.

3.7.2 Clause 3.7.1 does not apply if:

(a) the non-conforming use of the land is discontinued; and

(b) a period of 6 months, or longer period approved by the local government, has elapsed since the discontinuance of the non-conforming use.

3.7.3 Clause 3.7.1 does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the local government:

(a) purchases the land; or

(b) pays compensation to the owner of the land in relation to the non-conforming use.

3.8 Changes to non-conforming use

- 3.8.1 A person must not, without development approval:
- (a) alter or extend a non-conforming use of land; or
 - (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
 - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
 - (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.
- 3.8.2 An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.
- 3.8.3 A local government may only grant development approval for a change of use of land referred to in clause 3.8.1 if, in the opinion of the local government the proposed use:
- (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
 - (b) is closer to the intended purpose of the zone in which the land is situated.

3.9 Register of non-conforming uses

- 3.9.1 The local government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
- 3.9.2 A register prepared by the local government must set out the following:
- (a) a description of each area of land that is being used for a non-conforming use;
 - (b) a description of any building on the land;
 - (c) a description of the non-conforming use; and
 - (d) the date on which any discontinuance of the non-conforming use is noted.
- 3.9.3 If the local government prepares a register under clause 3.9.1 the local government:
- (a) must ensure that the register is kept up-to-date; and
 - (b) must make a copy of the register available for public inspection during business hours at the offices of the local government; and
 - (c) may publish a copy of the register on the website of the local government.
- 3.9.4 An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.

3.10 Residential zone

- 3.10.1 The objectives of the Residential zone are as follows:
- (a) To provide for a range of housing and a choice of residential densities to meet the needs of the community.
 - (b) To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.

- (c) To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

3.10.2 Site and development requirements

Except as otherwise provided in this Scheme, all development within the Residential zone shall comply with the relevant provisions of the R Codes.

3.11 Urban Development zone

3.11.1 The objectives of the Urban Development zone are as follows:

- (a) To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.
- (b) To provide for a range of residential densities to encourage a variety of residential accommodation.
- (c) To provide for the progressive and planned development of future urban areas for residential purposes and other uses normally associated with residential development.

3.11.2 Site and development requirements:

- (a) The local government shall not:
 - (i) recommend approval to any subdivision application; or
 - (ii) approve any development application;unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved in accordance with clause 16 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.

3.12 Commercial zone

3.12.1 The Commercial zone comprises three distinct areas:

Retail Core – C1;
Mixed Use – C2;
Mixed Business – C3,

as shown on the Scheme Maps in Appendix 1.

3.12.2 The objectives of the Commercial zone are as follows:

- (a) To provide for a range of shops, offices, restaurants and other commercial outlets in defined town sites or activity centres;
- (b) To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades;
- (c) To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality;
- (d) To create enhanced pedestrian environments with pedestrian shelter, active ground floor uses and passive surveillance wherever possible; and

- (e) Create an identifiable central focus in the Town Centre through enhancing the built form and the public realm.

3.12.3 General development requirements

- (a) Wherever development abuts public areas, including roads and car parks it shall be designed to address the space and establish an 'urban edge' to provide natural surveillance and allow casual interaction between the development and the public space.
- (b) Development shall have entries addressing the street through elements such as verandahs or other design features.
- (c) Building design shall provide a clear expression of the architectural style envisaged for the overall site including height, colour, texture, external material, roof pitch and character as defined by the *Exmouth Town Centre and Foreshore Revitalisation Plan*. Buildings must provide one or more of the following elements in the street elevation:
 - (i) Variation in roof form;
 - (ii) Horizontal articulation of the façade; and
 - (iii) Verandahs.
- (d) Large areas of blank wall will not be accepted on the front and street façade. The public face of each development shall be detailed to provide visual richness and passive surveillance, and reduce bulk.
- (e) Formal modulation shall be sought through placement of windows and openings, balconies and material changes to the street and open spaces.
- (f) Zincalume shall not be a permitted building material, unless it is concealed from public view.
- (g) All development shall be in accordance with the local government's adopted colour palette.
- (h) Building facades that front any street shall be constructed of masonry and/or glass material or similar, to a minimum height of 3 metres from the natural ground level to the satisfaction of the local government.
- (i) Development shall make satisfactory provision for:
 - (i) Bin storage areas that can be serviced by rubbish trucks within the property and/or the verge immediately adjoining the property; and
 - (ii) Service access to the rear of a commercial use for the purpose of loading and unloading of goods.
- (j) Floor levels of ground floors should match the level of footpaths abutting thereto, subject to drainage requirements.

3.12.4 **Retail Core – C1**

3.12.4.1 Site requirements

- (a) The minimum building setbacks shall be:

Street:	Nil.
Side:	Nil.
Rear:	At the discretion of the local government.

- (b) The minimum lot size shall be 120m².

3.12.4.2 Development requirements

- (a) Active commercial and/or civic uses shall be located on the ground floor at the discretion of the local government.
- (b) Building height shall be a maximum of 12 metres and the maximum wall height shall be 9.75 metres above natural ground level.
- (c) Development shall where practical provide pedestrian shelter, a minimum of 2 metres wide over the road verge in the form of an awning, canopy, balcony or verandah and shall be designed to appear as thin, lightweight elements. Bull nose verandahs shall not be permitted.
- (d) Any structure proposed in accordance with clause 3.12.4.2(c) shall be cantilevered with no supporting structures permitted in the public realm.
- (e) The minimum clearance from ground level for any structure overhanging a footpath is 2.75 metres. Signage suspended beneath an overhanging structure shall have a minimum clearance of 2.4 metres.
- (f) Provision and maintenance of overhanging structures is the responsibility of the building owner.

3.12.5 **Mixed Use – C2**

3.12.5.1 Site requirements

- (a) With the exception of land abutting Murat Road, the minimum building setbacks shall be:

Primary Street:	4.5 metres.
Rear:	3 metres.
Side:	At the discretion of the local government.

Where land abuts Murat Road, setbacks shall be at the discretion of the local government.

- (b) The minimum lot size shall be 180m².

3.12.5.2 Development requirements

- (a) Commercial and/or civic uses shall occupy the ground floor of any development. Upper floor uses shall be residential.
- (b) Building height shall be a maximum of 9 metres and the maximum wall height shall be 6.5 metres above natural ground level.
- (c) For land on the corners of Murat Road and Maidstone Crescent the local government shall allow a variation to the maximum height prescribed by clause 3.12.5.2 to enable building elements with increased height to draw attention to its location.
- (d) Residential development shall comply with the R40 Density Code.
- (e) All necessary rubbish bin areas, drying areas and similar facilities and services to be clearly separated between the residential and commercial uses and screened from the street.
- (f) Every residential dwelling shall have direct access from a habitable room to an open balcony with a minimum area of 3m².

- (g) Each dwelling shall have a balcony facing the primary road or public open space and may project up to 1 metre into the front setback.
- (h) Each dwelling shall have an enclosed, lockable storage area, constructed in a design and material matching the dwelling, fully screened from any street, not within the primary street setback area, accessible from outside the dwelling, with a minimum dimension of 1.5 metres with an internal area of at least 4m².
- (i) The first 1.5 metres of the primary street setback area and 1 metre of the secondary street setback area shall be landscaped, excluding any crossover.
- (j) Fencing:
 - (i) Side/Rear: maximum height 1.8 metres excluding the front setback area.
 - (ii) Front Setback Area: maximum height 0.9 metres high on the side boundary only.
 - (iii) Fencing shall not be permitted in any other area except as required by regulation, or for internal security purposes.

3.12.6 Mixed Business – C3

3.12.6.1 Site requirements

The minimum building setbacks shall be:

Primary Street: 4.5 metres.
 Rear/Side: At the discretion of the local government.

Where a boundary abuts a secondary street or public open space the minimum setback shall be 1 metre for a minimum of 50% of the length of building, and a nil setback may be permitted for the remainder.

3.12.6.2 Development requirements

- (a) Building height shall be a maximum of 9 metres and the maximum wall height shall be 6.5 metres above natural ground level.
- (b) The local government will not recommend approval to any subdivision application unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved in accordance with clause 16 of the deemed provisions, or a Local Development Plan has been prepared and approved in accordance with clause 48 of the deemed provisions. The Structure Plan or Local Development Plan shall be in accordance with the intent of the *Exmouth Town Centre and Foreshore Revitalisation Plan*.
- (c) The minimum net lettable area for bulky goods showroom use shall be 400m².
- (d) Upper level balconies may project up to 1 metre into the primary street setback.
- (e) The first 1.5 metres of the primary street setback and 1 metre of the secondary street setback area shall be landscaped, excluding any crossover.
- (f) Fencing height and style shall be at the discretion of the local government.

3.13 Tourism zone

3.13.1 The objectives of the Tourism zone are as follows:

- (a) To promote and provide for tourism opportunities.
- (b) To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.
- (c) To allow limited residential uses where appropriate.
- (d) To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.
- (e) To ensure that sufficient land is set aside for the current and future need for short-term accommodation.
- (f) To ensure the Exmouth townsite remains the principal place in the District for tourism services and facilities, including short-term accommodation.

3.13.2 Site requirements

All development shall comply with the following site requirements:

- (a) Setbacks:
 - (i) For short-term accommodation and residential development – in accordance with the R40 Density Code.
 - (ii) For uses other than short-term accommodation and residential development, as determined by the local government.
- (b) Lot Sizes:
 - (i) For short-term accommodation and residential development – in accordance with the R40 Density Code.
 - (ii) For uses other than short-term accommodation and residential development, as determined by the local government.

3.13.3 Development requirements

- (a) Development shall not exceed 9 metres in height above natural ground level, except where:
 - (i) A Structure Plan specifies otherwise, in which case the height limit specified by the Structure Plan shall apply; or
 - (ii) The local government considers that particular circumstances warrant an exception being made and provided the objectives of the Tourism zone are not compromised.
- (b) In considering an application for development approval the local government will, pursuant to clause 67 of the deemed provisions, have regard to the following:
 - (i) The colour and texture of external building materials, the local government may require the building facade and side walls to a building depth of 3 metres to be constructed in masonry;
 - (ii) Building size, height, bulk, roof pitch;
 - (iii) Setback and location of the building on its lot;

- (iv) Architectural style and design details of the building;
 - (v) Function of the building;
 - (vi) Relationship to surrounding development; and
 - (vii) Other characteristics considered by the local government to be relevant.
- (c) Landscaping shall be provided to complement the appearance of the proposed development. The local government shall require a landscaping plan to be submitted and approved prior to commencement of development.
- (d) All development shall be in accordance with the local government's adopted colour palette.
- (e) The local government may approve permanent residential accommodation as part of a tourism development that involves:
- (i) A new tourism development; or
 - (ii) A substantial refurbishment of an existing tourism development,
- provided that the predominant use of the site remains for short-term accommodation and other tourism uses, and provides for a high quality tourism outcome or tourism benefit.
- (f) Tourism development shall comply with the minimum and average lot sizes as per the R40 Density Code.
- (g) For the purpose of determining an application under clause 3.13.3(e) the local government may permit up to a maximum 40% of the total gross floor area of the development, excluding commercial areas and communal tourism facilities, to be utilised for permanent residential accommodation, having regard for the following:
- (i) The overall size of the development site;
 - (ii) The need to protect sufficient area to accommodate the long term tourism needs of the locality;
 - (iii) The extent to which the area of highest tourism value is protected for tourism use;
 - (iv) The effectiveness of site design and architectural treatment in ensuring a high quality of development, and the preservation of the tourism values of the site;
 - (v) Physical infrastructure and services, including consideration of the urban infrastructure requirements of permanent residents;
 - (vi) The degree to which the scale and design of the site complements the surrounding landscape and character of the area, with the tourism component given priority in those areas of highest tourism amenity, such as the coastal locations or land with panoramic views;
 - (vii) The integration between residential and tourism uses and the management structure of the tourism component; and
 - (viii) The protection of residential amenity through careful design to maximise tourism value and minimise disturbance and conflicts between land uses.

- (h) Strata Titling will only be supported subject to development demonstrating a consistent architectural design theme for the overall site, and appropriate management arrangements, via a management statement, including a maximum length of stay provision of three (3) months in any twelve (12) month period applied to the short-term accommodation component on all developments.
- (i) Where the local government approves development pursuant to clause 3.13.3 (e) occupancy of the residential accommodation will not be permitted until the short-term accommodation and associated facilities are operational.
- (i) Where development approved pursuant to clause 3.13.3(e) is to be staged, the proportion of residential development shall, at no stage, exceed the proportion as approved for the whole development.

3.14 General Industry zone

3.14.1 The objectives of the General Industry zone are as follows:

- (a) To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.
- (b) To accommodate industry that would not otherwise comply with the performance standards of light industry.
- (c) Seek to manage impacts such as noise, dust and odour within the zone.

3.14.2 Site requirements

All development shall comply with the following site requirements:

- (a) Minimum Lot Size: 2,500m².
- (b) Setbacks:
 - (i) Street: 7.5 metres.
 - (ii) Side/Rear: As determined by the local government.

3.14.3 Development requirements

- (a) The local government will not recommend approval to any subdivision application proposing five or more lots unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved pursuant to clause 16 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.
- (b) Suitable manoeuvring space shall be provided so that all vehicles can enter and exit the site in a forward gear.
- (c) Landscaping shall be provided along the street frontage for a distance of not less than 1 metre from the street boundary.
- (d) In considering an application for development approval the local government will, pursuant to clause 67 of the deemed provisions, have regard to the following:
 - (i) The potential for emissions to be produced and proposed control measures;
 - (ii) On-site effluent and trade waste disposal;

- (iii) Drainage and stormwater management;
- (iv) Buffer requirements between the proposed industry and surrounding land uses;
- (v) The impact of the proposal on visual amenity, having regard for proposed landscaping and clearing of existing vegetation;
- (vi) Measures proposed to manage emergency events including fire and cyclones; and
- (vii) Hours of operation,

and may impose appropriate conditions, on advice from the relevant authorities, including the preparation and approval of a Management Plan, prior to the commencement of the proposed use, to address any of the matters listed or any other matter, as may reasonably be required.

3.15 Industrial Development zone

3.15.1 The objectives of the Industrial Development zone are as follows:

- (a) To designate land for future industrial development.
- (b) To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme.

3.15.2 Site and development requirements:

- (a) The local government shall not:
 - (i) recommend approval to any subdivision application; or
 - (ii) approve any development application;

unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved in accordance with clause 16 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.

3.16 Light Industry zone

3.16.1 The objectives of the Light Industry zone are as follows:

- (a) To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.
- (b) To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.

3.16.2 Site requirements

All development shall comply with the following site requirements:

- (a) Minimum Lot Size: 1,500m².
- (b) Setbacks:
 - (i) Street: 7.5 metres.
 - (ii) Side/Rear: As determined by the local government.

3.16.3 Development requirements

- (a) The local government will not recommend approval to any subdivision application proposing five or more lots unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved pursuant to clause 16 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.
- (b) Development shall not exceed a 7 metre wall height and 9 metre roof height, above natural ground level.
- (c) Suitable manoeuvring space shall be provided so that all vehicles can enter and exit the site in a forward gear.
- (d) Landscaping shall be provided along the street frontage for a distance of not less than 1 metre from the street boundary.
- (e) Strata title subdivision shall not be permitted.

3.17 **Service Commercial zone**

3.17.1 The objectives of the Service Commercial zone are as follows:

- (a) To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.
- (b) To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.
- (c) Provide for residential living to enable business owners to live and work on the same premises; and
- (d) To achieve and maintain a high standard of presentation to all streets.

3.17.2 Site requirements

All development shall comply with the following site requirements:

- (a) Minimum Lot Size: 2,000m².
- (b) Setbacks:
 - (i) Street: 6 metres.
 - (ii) Side/Rear: As determined by the local government.

3.17.3 Development requirements

- (a) The local government will not recommend approval to any subdivision application proposing five or more lots unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved pursuant to clause 16 of the deemed provisions, and the application shall be generally in accordance with the Structure Plan.
- (b) Development shall not exceed a 7 metre wall height and 9 metre roof height, above natural ground level.
- (c) Suitable manoeuvring space shall be provided so that all vehicles can enter and exit the site in a forward gear.

- (d) Landscaping shall be provided along the street frontage for a distance of not less than 1 metre from the street boundary.
- (e) Development on a lot may include no more than one (1) of the following land uses as an 'I' incidental use:
 - (i) Caretakers dwelling;
 - (ii) Dwelling;
 - (iii) Repurposed dwelling; or
 - (iv) Second-hand dwelling.
- (f) The local government may approve a dwelling or repurposed dwelling or second-hand dwelling or caretakers dwelling in addition to a non-residential use on a lot subject to the following:
 - (i) Only one residential development shall be permitted on a lot;
 - (ii) Residential development shall comply with the R10 Density Code provisions of the R Codes, including the provision of a minimum site area for the residential development;
 - (iii) Landscaped open space areas as part of the residential development site shall be established prior to the commencement of the approved non-residential use of the land, and shall only be used for their approved purpose;
 - (iv) The building complies with all necessary standards for a habitable dwelling and is specifically designed and constructed for that purpose;
 - (v) A minimum separation distance of 5 metres is provided between the residential development and any non-residential building, such area to be included as part of the residential development site;
 - (vi) The residential development is only to be occupied by the proprietor or an employee, and their immediate family, of the approved non-residential use on the same lot;
 - (vii) The residential development shall not be occupied prior to the commencement of the approved non-residential use of the land; and
 - (viii) No administrative or other functions associated with the approved non-residential use are to be undertaken in the residential development unless a Home Occupation or Home Business has been approved by the local government.
- (g) A dwelling or repurposed dwelling or second-hand dwelling or caretakers dwelling shall be located behind the non-residential use, such that the non-residential use has direct interface with the street, unless otherwise determined by a Structure Plan.

3.18 Rural Residential zone

3.18.1 The objectives of the Rural Residential zone are as follows:

- (a) To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.

- (b) To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
- (c) To provide for lot sizes in the range of 1 ha to 4 ha.

3.18.2 General Development Requirements

- (a) The local government will not recommend approval to any subdivision application unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved pursuant to clause 16 of the deemed provisions and the application shall be generally in accordance with the Structure Plan.
- (b) All development shall be in accordance with the local government's adopted colour palette.
- (c) Notwithstanding the provisions in clause 16 of the deemed provisions, the following shall apply to all new subdivision and development of land in the Rural Residential zone:
 - (i) Not more than one building envelope is permitted per lot.
 - (ii) The maximum wall height of any dwelling shall be 6 metres from the adjacent natural ground level.
 - (iii) The minimum floor area of any dwelling, including verandahs, shall be 150m².
 - (iv) All external building materials, including roofs shall be of a non-reflective material.
 - (v) Strategic firebreaks remain the responsibility of the owner within whose lot the firebreak is situated.
 - (vi) The internal power supply line to the dwelling is to be provided underground.
 - (vii) Fencing of, and within, the building envelope is only permitted where the fencing is of a form and type approved by the local government. In this regard, the local government will only approve open styles of fencing which have low visual impact.
 - (viii) Unless otherwise specified, boundary fencing is permitted, however it must be of an open rural style to the satisfaction of the local government.
 - (ix) On-site effluent disposal shall be located within the building envelope and is to be provided to the specification and satisfaction of the local government.
 - (x) Clearing of vegetation within a building envelope shall only be permitted for the construction of a dwelling and associated outbuildings, clearing for yard areas and the immediate curtilage of buildings, installation of effluent disposal systems, fire protection zone or the establishment of other uses as approved by the local government.
 - (xi) Clearing of vegetation outside of the building envelope for any purpose is prohibited, except in the following circumstances;
 - (a) A driveway to the building envelope. The maximum width of any driveway shall be 3 metres. Any driveway shall be constructed of local materials which are complementary in colour to the natural

landscape. Driveways should follow the natural contour of the land and should avoid significant vegetation to minimise visual impact;

- (b) Strategic firebreaks or other fire management requirements as defined in the Structure Plan or associated Fire Management Plan; and
 - (c) Provision of underground services.
- (xii) In order to enhance the rural amenity of the land in areas which are, in the opinion of the local government, deficient in vegetation cover, the local government may require, as a condition of any planning approval, additional vegetation planting.
 - (xiii) The keeping of livestock shall not exceed standards of good animal husbandry as determined by the local government with advice from the Department of Agriculture and Food WA.
 - (xiv) The maximum width of crossovers at the front lot boundary shall be 3 metres.

3.18.3 Area A – Preston Street

3.18.3.1 Site requirements

All development shall comply with the following site requirements:

- (a) Setbacks:
 - (i) Street: 20 metres.
 - (ii) Side/Rear: 10 metres.
- (b) The minimum lot size shall be 1 hectare.

3.18.4 Area B – Cape Wilderness Estate

3.18.4.1 Development requirements

- (a) Subdivision shall not be supported.
- (b) A building envelope not exceeding 4,000m² and setback a minimum of 20 metres from any lot boundary is to be defined by the owner, and approved by the local government prior to the issue of any development approval.
- (c) No building envelope is to be situated on land below the RL3.0 metre natural contour and no floor level of any dwelling shall be less than RL3.5 metres.
- (d) Access from all lots onto Minilya-Exmouth Road to be to the satisfaction of the local government with advice from Main Roads WA.
- (e) The local government may require the applicant at the time of seeking a development approval to prepare a landscaping plan to demonstrate how structures will be screened from Minilya-Exmouth Road. Where a landscape plan is required, the local government will only permit the planting of local species.

3.19 Rural zone

3.19.1 The objectives of the Rural zone are as follows:

- (a) To set aside land for future land release through rezoning and subdivision within the Exmouth Townsite.
- (b) To provide for the maintenance or enhancement of specific local rural character.
- (c) To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.
- (d) To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.
- (e) To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.
- (f) To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.

3.19.2 Site requirements

Setbacks: As determined by the local government subject to clause 5.7.2(a).

3.19.3 Development requirements

There is a general presumption against subdivision of land in the Rural zone.

PART 4 - GENERAL DEVELOPMENT REQUIREMENTS

4.1 R Codes

- 4.1.1 The R-Codes, modified as set out in clause 4.2, are to be read as part of this Scheme.
- 4.1.2 The local government —
 - (a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of the R-Codes on the website of the local government.
- 4.1.3 The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
- 4.1.4 The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with clause 4.1.3.

4.2 Modification of R-Codes

- 4.2.1 The following variations and exclusions to the R-Codes shall apply:
 - (a) The definition of Open Space is varied to permit up to 70m² of the site area to be covered by eaves, overhangs, verandahs, patios; and
 - (b) Other variations as specified in clauses 4.9 and 4.10.

4.3 State Planning Policy 3.6 to be read as part of Scheme

- 4.3.1 State Planning Policy 3.6 — Development Contributions for Infrastructure, modified as set out in clause 4.4, is to be read as part of this Scheme.
- 4.3.2 The local government —
 - (a) must make a copy of State Planning Policy 3.6 available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of State Planning Policy 3.6 on the website of the local government.

4.4 Modification of State Planning Policy 3.6

There are no modifications to State Planning Policy 3.6.

4.5 Other State planning policies to be read as part of Scheme

- 4.5.1 The State planning policies set out below, are to be read as part of this Scheme.

SPP 2 – Environment and Natural Resources Policy
SPP 2.5 – Land Use Planning in Rural Areas
SPP 2.6 – State Coastal Planning Policy
SPP 2.7 – Public Drinking Water Source Protection Policy
SPP 2.9 – Water Resources
SPP 3 – Urban Growth and Settlement
SPP 3.4 – Natural Hazards and Disasters
SPP 3.7 – Planning in Bushfire Prone Areas
SPP 4.1 – State Industrial Buffer Policy
SPP 5.2 – Telecommunications Infrastructure

4.5.2 The local government —

- (a) must make a copy of each State planning policy referred to in subclause (1) available for public inspection during business hours at the offices of the local government; and
- (b) may publish a copy of each of those State planning policies on the website of the local government.

4.6 Modification of State planning policies

There are no modifications to a State planning policy that, are to be read as part of the Scheme.

4.7 Environmental conditions

There are no environmental conditions imposed under the Environmental Protection Act 1986 that apply to this Scheme.

4.8 Additional site and development requirements

The following sets out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.

4.9 Ancillary dwelling

- 4.9.1 A maximum of one (1) ancillary dwelling may be permitted per lot.
- 4.9.2 The maximum area for an ancillary dwelling is 100m² which includes garages, carports and upper storey levels.
- 4.9.3 An ancillary dwelling shall be located at the rear of any existing dwelling.
- 4.9.4 Subdivision of an ancillary dwelling shall not be permitted for strata or freehold subdivision.
- 4.9.5 The appearance, colours, roof pitch and construction standard of the ancillary dwelling shall be similar to, or better than, the main dwelling. Mining camp-style transportable units and converted sea containers shall not be permitted.

4.10 Outbuildings

- 4.10.1 Outbuildings in the Residential Zone shall not collectively exceed 90m² in area, with a maximum wall height tops of external wall (roof above) and top of external wall (concealed roof) of 3.6 metres and a maximum ridge height of 4.5 metres, measured from natural ground level.
- 4.10.2 Outbuildings in the Rural Residential zone shall not collectively exceed 150m² in area, with a maximum wall height tops of external wall (roof above) and top of external wall (concealed roof) of 3.8 metres and maximum ridge height of 4.8 metres, measured from natural ground level.
- 4.10.3 Outbuildings in other zones shall comply with the site and development requirements of the zone.

- 4.10.4 Outbuildings shall not be located in front of any dwelling and, where possible, should be sited at the rear of the lot.
- 4.10.5 Outbuildings on a vacant lot prior to a dwelling shall only be permitted if:
- (a) the applicant submits a statutory declaration to construct a dwelling within six (6) months of completion of the outbuilding;
 - (b) suitable fencing on the side and rear boundaries is provided to reduce the visual impact of the structure from adjoining properties; and
 - (c) there is an approved building permit for a dwelling.
- 4.10.6 Temporary Use of an Outbuilding for habitable purposes shall not be permitted unless:
- (a) construction is in accordance with Class 1 requirements of the Building Code Australia;
 - (b) the lot is zoned Rural Residential or Rural; and
 - (c) the Outbuilding has an area of 150m².
- 4.10.7 Following construction of a dwelling the Outbuilding shall be modified to revert to either a standard Outbuilding or Ancillary Dwelling with an area no greater than 100m² and the remainder separately used for non-habitable purposes.

4.11 Sea containers

- 4.11.1 Development Approval is required for the placement of a Sea Container on a lot except where it is:
- (a) fully enclosed within a building;
 - (b) associated with the loading or unloading of containers for shipping, provided that the container does not remain on the lot for more than seven (7) days;
 - (c) to be used for storage of plant, machinery or building equipment where a building licence is current and construction is taking place, provided that the Sea Container shall be removed within 14 days of completion of construction.
- 4.11.2 Sea containers are not permitted in zones that are not listed in Table 2 set out in clause 4.11.3.
- 4.11.3 The local government may grant development approval for the placement of Sea Containers subject to the following limits:

Table 2 Sea Containers

Zone	Max Number of Sea Containers	Maximum Length (m)
Service Commercial	1	9
Light Industry; and Special Use Zone 1	2	12
General Industry; and Special Use Zone 5 – P1	10	12

- 4.11.4 Sea Containers shall not be used as any form of accommodation and shall not be stacked vertically.
- 4.11.5 Sea Containers shall be adequately screened from the street and shall not be located over existing utilities and services.

- 4.11.6 Where Sea Containers have fallen into disrepair or become unsightly at the discretion of local government, they shall be removed from the lot or suitably upgraded.

4.12 Workforce accommodation

- 4.12.1 A Workforce Accommodation unit may take the form of a self-contained unit, mining camp-style unit or caravan.
- 4.12.2 Each Workforce Accommodation unit shall contain no more than one (1) bedroom.
- 4.12.3 Workforce Accommodation that contains more than one unit shall be centrally managed as a single complex.
- 4.12.4 No directional signs associated with Workforce Accommodation shall be permitted.
- 4.12.5 Laundry, sanitary and ablution facilities shall be provided or accessible within the lot.
- 4.12.6 A management statement is required to be submitted with a Development Application for Workforce Accommodation. The management statement shall be prepared, and approved to the satisfaction of the local government. The management statement shall be clearly displayed in the Workforce Accommodation. The management statement shall detail:
- (a) maintenance;
 - (b) site access;
 - (c) emergency management;
 - (d) security; and
 - (e) occupant rules.
- 4.12.7 Workforce Accommodation shall have external colours consistent with the local government's adopted colour palette.
- 4.12.8 Pursuant to clause 67 of the deemed provisions, Development Approval granted for Workforce Accommodation shall be valid for a maximum period of 3 years, except where the Transient Workforce Accommodation is a caravan, approval is valid for a maximum period of 4 months.

4.13 Disposal of waste

No person shall, without the approval of the local government, use privately owned land for the disposal or dumping of any form of rubbish or waste matter, either temporarily or permanently.

4.14 Unkempt land

For any land within the district, where in the opinion of the local government, any refuse, rubbish, derelict vehicles or disused material is likely to adversely affect the amenity of an area, or the health, comfort or convenience of the inhabitants thereof, the local government may cause a notice to be served, pursuant to section 228 of the Act, on the owner or occupier of such land requiring within a specified time the removal from the land of such refuse, rubbish, derelict vehicles or disused material.

4.15 Transportable structures and second-hand external materials

- 4.15.1 All transportable structures and the use of second-hand external material require development approval, excluding a transported dwelling which meets the

requirements of clause 61 of the deemed provisions, the R-Codes and any other relevant provision of the Scheme.

- 4.15.2 Mining camp transportable accommodation units are not permitted in the gazetted Exmouth Town Site.
- 4.15.3 When considering an application for development approval for a transportable structure and/or the use of second-hand external materials, the local government shall have regard to, and may impose conditions concerning:
- (a) The external appearance and material finishes, the screening of sub-floor spaces, the addition to, or modification of, the existing building and the time frame imposed to complete specified work and connect the building to lot services;
 - (b) Removal of Asbestos;
 - (c) The effect on surrounding properties and may require alterations to the, exterior cladding, design and site location;
 - (d) The provision of landscaping and/or screening to the building and/or site; and
 - (e) The provision of a bond or bank guarantee of \$10,000 in favour of the local government as security for the completion of the building to a standard of presentation acceptable to the local government within a specified time.
- 4.15.4 Where the provision of a bond or bank guarantee is required, the local government shall refund the payment upon satisfactory completion of the necessary building and landscaping/screening works.
- 4.15.5 Transported structures shall be completely restumped and fully enclosed.

4.16 Floodlighting

No person shall erect, install or maintain any floodlighting, spotlight or other forms of lighting for any purpose, unless the emission of light from such devices is oriented or controlled so as not to interfere with the amenity of any adjacent residential and/or tourist zone nor cause traffic hazard in the nearby street system.

4.17 Development fronting Murat Road

- 4.17.1 For land fronting onto Murat Road, unless otherwise provided for by a Structure Plan or Local Development Plan, the following provisions apply:
- (a) The dual use footpath alignment shall take precedence over any vehicle crossover.
 - (b) Vehicle access, manoeuvring and car parking spaces shall be constructed of concrete, asphalt and/or bitumen surface.
 - (c) A maximum of one (1) crossover is permitted from Murat Road per lot and shall be sealed. In the case of corner lots, access shall be provided from the Secondary Street and not Murat Road.
 - (d) Manoeuvring area shall be provided within the lot for all vehicles to enter and exit the lot in a forward gear.
 - (e) Weather protection shall be provided to all public entries.
 - (f) Maximum permissible fill shall be 0.5 metres above natural ground level.

- (g) The buildings external walls fronting Murat Road shall be constructed of a minimum of two (2) of the following materials, to a minimum depth of 3 metres:
 - (i) Masonry;
 - (ii) Render;
 - (iii) Timber;
 - (iv) Weatherboard;
 - (v) Horizontal Colorbond sections;
 - (vi) Painted Concrete Panels; and
 - (vii) Exposed Aggregate.
- (h) Development shall have entries that address the street through elements such as entry porticos, feature canopies or other design features.
- (i) Formal modulation shall be sought through placement of windows and openings, balconies and material changes to the street.
- (j) All necessary rubbish bin areas, drying areas and similar facilities and services to be screened from public roads.
- (k) Zincalume shall not be a permitted building material, unless it is concealed from public view.
- (l) Development shall be capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and/or the verge immediately adjoining the property.
- (m) Large areas of blank wall will not be accepted on the front and street façade. The façade of each development shall be detailed to provide visual richness, and reduce bulk.
- (n) External colours shall accord with the local government's adopted Colour Palette.
- (o) External lighting shall be provided to improve night time visibility. All lighting shall be down lit to reduce sky glare and impact on adjoining development. Lighting shall be provided at all public entries.
- (p) The building height for any development shall be a maximum wall height of 6 metres and maximum pitched roof height of 9 metres, above natural ground level.
- (q) Fencing abutting Murat Road shall be a maximum 1.8 metres high with 2x courses of reconstituted limestone blocks with limestone pylons on both sides of the crossover and the corners of the lot, separated by visually permeable pool fencing.
- (r) Signage on fencing or as part of fencing fronting Murat Road shall not exceed 10% of the area of fencing and shall not compromise the streetscape as determined by the local government.
- (s) A-frame signs shall not be permitted within the Murat Road reserve.
- (t) Landscaping within the Murat Road setback shall be a minimum of 1.5 metres.
- (u) Minimum setbacks from Murat Road shall be 6 metres.

- (v) Side and rear setbacks shall be at the discretion of the local government.

4.18 Caretaker's Dwelling

4.18.1 The provisions of this clause shall apply to all Caretaker's Dwellings:

- (a) A Caretaker's Dwelling shall not be developed and occupied on a lot until that lot has been developed and is being used for the predominant industrial/commercial use.
- (b) If the predominant industrial/commercial use ceases to exist, the Caretaker's Dwelling must be vacated by the occupier.
- (c) A Caretaker's Dwelling may need to include measures to mitigate adverse environmental impacts such as noise and emissions/fumes.
- (d) Only one (1) Caretaker's Dwelling is permitted on a lot.
- (e) Subdivision of a Caretaker's Dwelling is not permitted for strata or freehold subdivision.
- (f) Occupation of a Caretaker's Dwelling is restricted to the proprietor, manager in charge of the approved land use, or other authorised person, and their immediate family.
- (g) A caravan, mining camp-style unit, converted sea container or other transportable structure, but not including a transportable dwelling, shall not be permitted as a Caretaker's Dwelling.
- (h) A Caretaker's Dwelling shall be screened and/or fenced from the street to the satisfaction of the local government, and shall be sited at the rear of the lot behind the predominant industrial/commercial use.
- (i) A Caretaker's Dwelling shall have a maximum floor area of 100m², measured from the external face of walls which includes verandahs, garages, carports and upper storey levels.
- (j) Swimming pools and outbuildings associated with a Caretaker's Dwelling shall be not permitted.
- (k) A Caretaker's Dwelling shall be a fully detached separate building from the predominant non-residential use and cannot be located within part of any structure or building.

4.18.2 Caretaker's Dwelling applications are required to demonstrate, to the satisfaction of the local government:

- (a) the necessity for a caretaker on the site;
- (b) there will not be an unacceptable health risk to the caretaker;
- (c) that the provision of a Caretaker's Dwelling will not compromise the lawful operations of lawfully established surrounding land uses, nor prejudice future surrounding land use that could reasonably be expected to be lawfully established; and
- (d) that the level of security necessary for the security of a site cannot ordinarily be provided by a security service or by staff being 'on call'.

4.19 Holiday Accommodation / Holiday House

- 4.19.1 Holiday Accommodation and Holiday House shall not be permitted in the Skipjack Circle subdivision.
- 4.19.2 Holiday Accommodation and Holiday House applications shall comply with the following occupancy requirements:
- (a) any room in the building that is not a bedroom shall not be used for sleeping purposes;
 - (b) for every person over the age of 10 years using a habitable room for sleeping purposes there shall be least 14 cubic metres of air space per person; and
 - (c) for every person between the ages of 1 and 10 years using a habitable room for sleeping purposes there shall be at least 8 cubic metres of air space per person.
- 4.19.3 Notwithstanding clause 4.19.2 the maximum occupancy of any dwelling used for a 'Holiday House' or 'Holiday Accommodation' shall be 12 persons of all ages.
- 4.19.4 A Site Plan shall be included with any development application and shall clearly designate parking areas.
- 4.19.5 One (1) advertisement may be provided at the premises, in accordance with clause 4.36.3 and the following standards:
- (a) The advertisement shall be a maximum dimension of 450 millimetres in height, length of 450 millimetres, not exceeding 0.2 square metres in size;
 - (b) The advertisement shall be securely fixed to a fence or building within the lot, displayed in a position within the property boundary visible from the primary street; and
 - (c) The advertisement shall only state the:
 - (i) The name/address of the premises; and
 - (ii) The caretaker or manager contact details.
- 4.19.6 A management statement shall be prepared to the satisfaction of the local government and submitted with a Development Application. The management statement shall detail:
- (a) Operation Management;
 - (b) Rubbish collection;
 - (c) Maintenance;
 - (d) Noise
 - (e) Emergency contacts;
 - (f) Security; and
 - (g) Occupant rules.

The management statement shall be clearly displayed in the dwelling.

4.19.7 An emergency response plan shall be prepared to the satisfaction of the local government submitted with a Development Application. The emergency response plan shall detail:

- (a) Fire escape route;
- (b) Location of fire extinguishers;
- (c) Location of smoke alarms;
- (d) Emergency lighting, and
- (e) Emergency contacts.

The emergency response plan shall be clearly displayed in the dwelling.

4.19.8 The Holiday Accommodation or Holiday House shall be managed by a local caretaker/manager living and readily contactable within 10 minutes of the property.

4.19.9 A fire extinguisher is required in a clearly visible location in the premises at all times, and is required to be maintained in proper working order and marked on the emergency response plan.

4.19.10 The Holiday Accommodation or Holiday House shall provide at least two (2) rubbish bins where the total number of occupants is 10 or less. Where there are 10 or more occupants at least three (3) rubbish bins must be provided.

4.19.11 Unless the local government determines otherwise, any approval granted for such a development will be granted for a limited period of one (1) year, renewed by way of further annual application prior to the expiration of that time period.

4.19.12 In considering a renewal of an approval, the local government shall have regard to:

- (a) The applicants compliance with conditions of the original approval and the approved Management Statement; and
- (b) Any record of complaint received by the local government during the last approval period.

4.20 Bed and Breakfast/Guesthouse

4.20.1 The bedrooms and amenities to be utilised by guests are to be provided under the main roof and physically connected to the main dwelling by common wall.

4.20.2 The host shall permanently reside in the dwelling/single house approved for a Bed and Breakfast/Guesthouse, and provide breakfast to guests.

4.20.3 Guest access to a kitchen for the preparation of meals shall not be permitted.

4.20.4 A fire extinguisher shall installed in each guest bedroom.

4.20.5 Separate bathroom and toilet facilities shall be provided for guests.

4.20.6 The host shall maintain a guest register that shall be made available for inspection upon request.

4.20.7 One (1) advertisement may be provided at the premises, in accordance with clause 4.36.3 and the following standards:

- (a) The advertisement shall be a maximum dimension of 450 millimetres in height, length of 450 millimetres, not exceeding 0.2 square metres in size;

- (b) The advertisement shall be securely fixed to a fence or building within the lot, displayed in a position within the property boundary visible from the primary street; and
 - (c) The advertisement shall only state the:
 - (i) The name/address of the premises; and
 - (ii) The caretaker or manager contact details.
- 4.20.8 A management statement shall be submitted with a Development Application for Bed and Breakfast/Guesthouse. The management statement shall be prepared to the satisfaction of the local government. The management statement shall be clearly displayed in the Bed and Breakfast/Guesthouse. The management statement shall detail:
- (a) Operational Management;
 - (b) Rubbish collection;
 - (c) Maintenance;
 - (d) Noise;
 - (e) Emergency contacts;
 - (f) Security; and
 - (g) Occupant rules.
- 4.20.9 An emergency response plan shall be submitted with a Development Application for Bed and Breakfast/Guesthouse. The emergency response plan shall be prepared to the satisfaction of the local government. The emergency response plan shall be clearly displayed in the Bed and Breakfast/Guesthouse. The emergency response plan shall detail:
- (a) Fire escape route;
 - (b) Location of fire extinguishers;
 - (c) Location of smoke alarms;
 - (d) Emergency lighting; and
 - (e) Emergency contacts.
- 4.20.10 Unless the local government determines otherwise, any approval for a Bed and Breakfast/Guesthouse will be granted for a limited period of one (1) year, renewed by way of further annual application prior to the expiration of that time period.
- 4.20.11 In considering a renewal of an approval, the local government shall have regard to:
- (a) The applicants compliance with conditions of the original approval and the approved Management Statement; and
 - (b) Any record of complaint received by the local government during the last approval period.
- 4.20.12 If, in the opinion of the local government, a Bed and Breakfast/Guesthouse is causing a nuisance or annoyance to owners or occupiers of land in the locality the local government may:
- (a) revoke the approval; or

- (b) issue a notice to the occupier of the land in respect of which the approval is issued specifying measures to be undertaken to cease the nuisance or annoyance.

4.21 Nature Based Parks

- 4.21.1 Nature Based Park applications shall be in accordance with in the Caravan Park and Camping Ground Regulations 1997, as amended.
- 4.21.2 Nature Based Park applications shall only be supported in approved surveyed lots/areas.
- 4.21.3 Nature Based Park applications may be required to address in addition to clause 67 of the deemed provisions, to the satisfaction of local government:
 - (a) Public access/to and from proposed location;
 - (b) Flora and Fauna Surveys;
 - (c) Biodiversity Protection and Quarantine Management Plans;
 - (d) Foreshore Management Plans;
 - (e) Emergency Management Plans covering bushfires and cyclones; and
 - (f) Flood Studies.
- 4.21.4 The Nature Based Park use must be incidental to the rural use of the land, unless special provisions in the Scheme, allow otherwise.

4.22 Potable water supply

- 4.22.1 The Local Government will not support subdivision or, where applicable grant development approval, for residential dwellings unless it is demonstrated, to the local government's satisfaction that all dwellings will:
 - (a) be connected to an approved reticulated water supply; or
 - (b) have access to an approved alternative supply of potable water with on-site storage. A roof catchment water supply shall only be approved if it is connected into a water tank having a minimum capacity of 92,000 litres.
- 4.22.2 Where, in addition to the requirements of clause 4.22.1(b) for a supply of potable water for any dwelling, additional water supplies are required for fire fighting and secondary purposes, the capacity of the rainwater catchment tank shall be a minimum of 135,000 litres and shall be fitted with a standard 50mm camlock valve.
- 4.22.3 Where the local government has approved a potable water supply other than from the reticulated water supply network, the local government shall require that any sampling, analysis and/or treatment of the supply and storage shall be undertaken by the applicant to the satisfaction of the local government, in consultation with the Department of Health.

4.23 Home Occupation and Home Business

- 4.23.1 An approval to conduct a Home Occupation or a Home Business is issued to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not to be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which a home occupation or home business approval is issued the approval is cancelled.

- 4.23.2 The hours of operation shall be limited to the normal business hours of 8am to 5pm Monday to Saturday.
- 4.23.3 Following the issue of a development approval, the applicant must then obtain a Home Occupation Permit from the local government. The Home Occupation cannot operate without a current permit.
- 4.23.4 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:
- (a) revoke the approval; or
 - (b) issue a notice to the occupier of the land in respect of which the approval is issued specifying measures to be undertaken to cease the nuisance or annoyance.
- 4.23.5 A Home Occupation and Home Business shall:
- (a) not entail more than two (2) clients or customers travelling to and from the dwelling at any time;
 - (b) not involve the penetration of skin (including body piercing, tattooing and electrolysis) which has specific health requirements that require monitoring and regulation;
 - (c) not involve the hire of any vehicle, trailer, boat, or caravan;
 - (d) not involve the use of a commercial vehicle; and
 - (e) not include the outdoor storage of any materials or supplies.

4.24 Battleaxe lots

- 4.24.1 The local government shall not recommend approval for a proposed subdivision or adopt a proposed Structure Plan, in any zone, where that subdivision or Structure Plan proposes battleaxe lots, except where, in the opinion of the local government:
- (a) any alternative subdivision layout without battleaxe lots is rendered impractical by the shape or topography of the land or other factor(s); or
 - (b) there is an overriding benefit from the creation of one or more battleaxe lots in terms of reduced environmental impact or improved amenity.

4.25 Landscaping

- 4.25.1 The local government may request for the submission of a landscaping plan with an application for, or as a condition of, development approval.
- 4.25.2 Implementation of the landscaping plan shall occur within six (6) calendar months of the completion of any related approved development, or the date of occupancy if occupancy commences prior to the completion of the development.
- 4.25.3 Where landscaping is required to be provided within the front setback area, trees shall be provided at the rate of at least one (1) tree to every four (4) metres of frontage.
- 4.25.4 Where parking is required to be provided, shade trees shall be provided at the rate of at least one (1) tree to every seven (7) bays.
- 4.25.5 The local government may in a landscaped area restrict the use of concrete, gravel, pebble and similar hard materials and require the planting of lawns, trees and/or shrubs in lieu thereof.

4.26 Secondary street setback for non-residential development

In respect of non-residential development, unless otherwise stated in the Scheme, where a lot has frontage to two or more streets, the setback from the secondary street shall be half the setback required from the primary street.

4.27 Use of setback areas

4.27.1 A person shall only use land within a front setback area for one or more of the following purposes:

- (a) a means of access;
- (b) the daily parking of passenger vehicles in an approved car parking area;
- (c) the loading and unloading of vehicles; and
- (d) landscaping with lawns, gardens trees and shrubs.

4.27.2 The front setback area and, where visible from the street, the side setback area, shall not be used for the following purposes:

- (a) parking of vehicles which are being wrecked or repaired;
- (b) the stacking or storage of fuel, raw materials, products or by-products, waste of manufacture, or containers including sea containers; and
- (c) parking of commercial vehicles.

4.28 External attachments to buildings

Notwithstanding any other provision in the Scheme, the local government may require details of, and impose conditions in respect of, the location and screening of:

- (a) Air conditioners;
- (b) Water tanks;
- (c) Clothes Lines;
- (d) Satellite dish, antennae and other communication equipment;
- (e) Solar panels: and
- (f) Any other attachment to a building that may not typically be shown on development application plans,

to ensure that any such attachments do not adversely impact on the amenity of the locality.

4.29 Sale or consumption of liquor

Any use of land or buildings approved under the Scheme for the sale or consumption of liquor shall, unless otherwise determined by the local government, be subject to a Management Plan that has been prepared to the satisfaction and approval of local government and consistent with any conditions of the development approval.

4.30 Parking requirements

4.30.1 A person shall not develop or use any land or adapt any building for any purpose unless parking spaces as specified in Table 3 are provided.

Table 3 Car Parking Requirements

Use	Minimum Number of Required Parking Spaces
Residential Land Uses	
Aged or Dependent Persons Dwelling; Ancillary Dwelling; Dwelling; Grouped Dwelling; Multiple Dwelling; Single House; Residential Building; Repurposed Dwelling; Second-hand Dwelling	In accordance with the R Codes.
Caretaker's Dwelling	Two (2) spaces in addition to the required parking for the predominant use.
Family Day Care	One (1) space in addition to parking required by the R Codes.
Workforce Accommodation	One (1) space for every two (2) bedrooms.
Tourism Land Uses	
Bed and Breakfast.	One (1) space per guest bedroom in addition to parking required by the R Codes.
Camping Ground; Caravan Park; Nature Based Park	One (1) space per site. One (1) visitor space per twenty (20) sites. One (1) additional space for every two (2) staff members. One (1) additional bus space for every 40 persons which may be accommodated.
Chalet	Two (2) spaces per chalet. One (1) additional space for every chalet that can accommodate more than six (6) people.
Guesthouse	At the discretion of the local government.
Holiday Accommodation; Holiday House	Maximum of five (5) spaces including minimum parking required by the R Codes, per dwelling.
Hotel; Motel; Tourist Development	One (1) space for every bedroom. One (1) visitor space per twenty (20) bedrooms. One (1) additional bus space for every 40 persons which may be accommodated. One (1) additional space for every two (2) staff members. One (1) space for every four (4) seats in dining area if open to the public. One (1) space for every 3m ² of bar area if open to the public.
Serviced Apartment	One (1) space per serviced apartment. One (1) additional space for every serviced apartment that can accommodate more than 4 people. One (1) additional space for every two (2) staff members.
Commercial Land Uses	
Betting Agency	One (1) space per 30m ² of NLA used for the purposes of administration or accounting; One (1) space per 20m ² of NLA open to the public.

Use	Minimum Number of Required Parking Spaces
	One (1) additional space for every two (2) staff members.
Restaurant/Cafe; Fast Food Outlet/Lunch Bar	One (1) space for every 7m ² NLA; or One (1) space for every 4 seats of dining area; plus One (1) additional space for every two (2) staff members.
Child Care Premises	Minimum of five (5) spaces for the pick-up and dropping off of children. One (1) additional space for every two (2) staff members.
Cinema / Theatre; Conference Room	One (1) space per every four (4) seats. One (1) additional space for every two (2) staff members.
Consulting Rooms; Medical Centre	Four (4) spaces for every consulting room up to two (2) rooms; and two (2) spaces for every additional consulting room.
Convenience Store	One (1) space per 20m ² of NLA, but with a minimum of not less than three (3) spaces, whichever is the greater.
Exhibition Centre	One (1) space per 40m ² of NLA. One (1) additional space for every two (2) staff members.
Liquor Store - Small; Liquor Store – Large; Shop; Health Centre; Discount Department Store; Fish Shop	One (1) space for every 20m ² of NLA. One (1) additional space for every two (2) staff members.
Laundromat	One (1) space per 20m ² of NLA.
Market; Restricted Premises	One (1) space per 20m ² of NLA of buildings and outdoor areas used for market purposes, but with a minimum of not less than 5 bays.
Night Club; Small Bar; Tavern	One (1) space for every 6m ² of bar area. One (1) additional space for every two (2) staff members.
Office; Reception Centre	One (1) space for every 20m ²
Service Station	One (1) space per 20m ² of NLA retail area, not including area used for fuel filling. One (1) additional space for every two (2) staff members.
Supermarket	One (1) space for every 30m ² of NLA.
Bulky Goods Showroom	One (1) space for every 50m ² of NLA and one (1) space for every additional 100m ² of NLA.
Veterinary Centre	One (1) space for every 25m ² of NLA with a minimum of 4 spaces. One (1) additional space for every two (2) staff members.
Industrial Land Uses	
Fuel Depot	One (1) space for every two (2) staff members.
Industry – Cottage	One (1) space in addition to parking required by the R Codes.
Industry – Extractive; Industry; Industry – Hazardous; Mining Operations; Industry – Noxious; Industry – Primary Production;	One (1) space per 100m ² of NLA of buildings used for industry purposes and One (1) space per 250m ² of open outdoor area used for industry purposes; or

Use	Minimum Number of Required Parking Spaces
Marine Filling Station; Brewery; Marine Support Facility	One (1) space per employee; whichever is the greater, but with a minimum of five (5) spaces; plus An additional one (1) space per 30m ² of NLA used for the purposes of administration.
Industry – Light; Industry – Service; Warehouse/Storage	One (1) space for every 50m ² of NLA and thereafter one (1) space for every additional 100m ² of NLA.
Motor Vehicle Hire	One (1) space per 30m ² of sales/customer service area and office space; plus Four (4) additional drop off spaces; plus Separate car parking for hire vehicles as determined by the local government.
Motor Vehicle Repair; Motor Vehicle Wreckers; Trade Supplies	One (1) space per 50m ² NLA used for wrecking/repair; or two (2) spaces per service bay, whichever is the greater. One (1) space per 30m ² NLA of sales/customer service area and office space. One (1) additional space for every two (2) staff members.
Motor Vehicle Wash	Queuing space for one (1) waiting vehicle for each wash bay. One (1) additional space for every two (2) staff members.
Motor Vehicle, Boat or Caravan Sales; Machinery Sales	One (1) space per 150m ² of site area allocated to vehicle display and sales (including buildings). Where vehicle servicing is provided, one (1) space per 30m ² of sales/customer service area and office space, plus one (1) space per service bay. One (1) additional space for every two (2) staff members.
Garden Centre	Two (2) spaces per 50m ² of publicly accessible sales area. One (1) additional space for every two (2) staff members.
Storage Yard; Salvage Yard	One (1) space per 100m ² NLA.
Trade Display	One (1) space per 40m ² NLA.
Transport Depot	One (1) space for every two (2) staff members.
Renewable Energy Facility	One (1) space for every two (2) staff members, plus additional spaces as determined by the local government.
Rural Land Uses	
Abattoir	One (1) space per 100m ² of NLA used for abattoir purposes, or one (1) space per employee, whichever is the greater, but with a minimum of not less than five (5) spaces; plus An additional one (1) space per 30m ² of NLA used for the purposes of administration.
Animal Establishment	One (1) space for every ten (10) animals the facility is designed to accommodate, plus One (1) space for every two (2) employees. A minimum of four (4) spaces shall be provided.
Community and Civic Land Use	
Civic Use; Community Purpose	One (1) space per 40m ² of NLA.

Use	Minimum Number of Required Parking Spaces
	One (1) additional space for every two (2) staff members.
Club Premises	One (1) space per 4 persons capable of being accommodated.
Educational Establishment	One (1) space per two (2) employees. Bus, parent and student parking required at the discretion of the local government.
Funeral Parlour	One (1) space per four (4) persons capable of being accommodated for any memorial service areas. One (1) additional space for every two (2) staff members.
Hospital	One (1) space per four (4) beds. One (1) additional space for every two (2) staff members.
Place of Worship	One (1) space for every four (4) persons capable of being accommodated.
Public Utility	One (1) space per 25m ² NLA, with a minimum of two (2) bays.
Recreation – Private - Gymnasium - Health Studio - Bowling Alley - Cricket - Skating Rink - Swimming Pool - Squash Courts - Spectator Seating - Dining/Drinking - Staff	One (1) space for every 10m ² NLA. One (1) space for every 10m ² NLA. Two (2) spaces for every lane. Ten (10) spaces per pitch One (1) space for every 20m ² skating area. One (1) space for every 20m ² pool area. Four (4) spaces for every court. One (1) space for every five (5) seats provided. One (1) space for every 5m ² floor space. One (1) space for every two (2) staff members present at any one time.

- 4.30.2 Where the calculated number of parking spaces in accordance with Table 3 results in a fraction of a space, the required total number of spaces shall be rounded up to the nearest higher whole number.
- 4.30.3 Where a particular parking requirement for a use class is not specified in Table 3, the local government shall determine the number of car parking spaces to be provided having regard to the:
- nature of the proposed development;
 - requirements of the Building Code;
 - number of employees and visitors/clients to be associated with the development; and
 - orderly and proper planning of the locality.
- 4.30.4 Where parking spaces are required for disabled, visitor, trailer, boat, caravan, bus, motorcycle, bicycle or other specific purposes, they are to be marked and permanently retained for that exclusive use.

- 4.30.5 When the use of any premises is changed to a use class that under the Scheme requires a greater number of parking spaces, additional parking spaces shall be provided to meet the requirements of the new use in accordance with the Scheme.
- 4.30.6 When a development on any land is enlarged, additional parking spaces to meet the requirements of Table 3 shall be provided in respect of the enlarged portion only.

4.31 Parking area development standards

- 4.31.1 The parking spaces shall measure not less than the dimensions as shown in Table 4 for the type of parking layout adopted.

Table 4 Parking Area Development Standard

Parking Type	Minimum Dimensions	Minimum Manoeuvring Area
Bicycle Parking	1.7 metres (length) 0.6 metres (width)	At discretion of the local government
Boat/Trailer Parking	10 metres (length) 3.2 metres (width)	At discretion of the local government
Car Parking – Accessible	As per Building Code	As per Building Code
Car Parking – Standard	Parallel parking – 6.7 metres (length); 3 metres (width) Angle parking – 5.4 metres (length); 2.7 metres (width) 90° parking – 5.5 metres (length); 2.7 metres (width)	Two Way: - Parallel 6 metres - Angle 6 metres - 90° 6 metres One Way: - Parallel 3 metres - Angle 5.8 metres - 90° 6 metres
Car Parking – Residential	As per AS2890.1 (as amended)	As per AS2890.1 (as amended)
Motor Cycle Parking	2.5 metres (length) 1.2 metres (width)	At discretion of the local government
Bus Parking	14 metres (length) 3.5 metres (width)	12.5 metres

- 4.31.2 When considering any application for development approval, the local government shall have regard to, and may impose conditions on, the location and design of the required parking spaces. In particular, the local government shall take into account and may impose conditions concerning:
- The proportion of parking spaces to be roofed or covered;
 - The adequacy of vehicle access and manoeuvring area;
 - The location of the parking spaces on the site and their effect on the amenity of adjoining development;
 - The extent to which parking spaces are located within required building setback areas;
 - The locations of existing or proposed public footpaths, vehicular crossing, or private footpaths within the lot, and the effect on both pedestrian and vehicular traffic movement and safety;

- (f) The suitability and adequacy of proposed screening or landscaping;
 - (g) The incorporation of Crime Prevention through Environmental Design principles;
 - (h) The need for spaces for disabled, visitor, trailer, boat, caravan, bus, motorcycle, bicycle or other specific purposes;
 - (i) Sign posting and line marking; and
 - (j) The prevention of traffic conflict with any adjoining vehicle crossovers, parking areas, public roads or rights-of-way.
- 4.31.3 Parking and manoeuvring areas may be required to be adequately designed to enable all vehicles to enter and exit the property in forward gear.
- 4.31.4 Parking and manoeuvring areas may be required to be constructed of paved concrete and/or bitumen surface or similar.
- 4.31.5 All parking spaces, garages and carports shall be accessible and useable for the full number of parking spaces required whenever the building or use which they serve is in operation.
- 4.31.6 Parking areas shall incorporate existing vegetation or new landscaping, where possible, to increase visual amenity and provide shading.
- 4.31.7 All parking and access areas shall be appropriately sealed, drained, marked and appropriately lit to the satisfaction of the local government.
- 4.31.8 Where parking is provided behind the building line, parking and manoeuvring areas may be suitably constructed using crushed rock/gravel/limestone to a minimum standard of 80mm thick to the satisfaction of local government.
- 4.31.9 Where there is more than one use on a particular lot/development site or within an individual tenancy, the parking requirement is to be calculated separately for each such use, whether or not such use is incidental to the predominant use.

4.32 Variation to parking requirement

- 4.32.1 The local government may approve a reduction to the standard parking requirement specified in clause 4.30 if it is satisfied that the reduced provision will satisfactorily achieve the intent of the requirement. In considering an application to vary the parking requirement, the local government shall consider the following factors:
- (a) The potential for reciprocal parking between different uses on the site;
 - (b) Whether an appropriate alternative parking arrangement can be provided;
 - (c) Whether a reduced parking requirement can be justified to the satisfaction of the local government; and
 - (d) Whether a suitable cash-in-lieu arrangement is feasible.
- 4.32.2 The local government may permit different land uses, within the site or on adjoining sites, to share or combine parking facilities, and may approve a reduction in the total parking requirement provided it is satisfied:
- (a) No conflict will occur as a result of the joint use of the parking facilities;
 - (b) The peak demands for parking bays from the individual land uses do not coincide; and

- (c) The combined parking provision will provide an adequate level of service for the approved uses.
- 4.32.3 Where the local government permits the joint use of parking facilities between adjoining sites, it shall require the landowners involved to prepare a suitable legal agreement registered on the property title to ensure reciprocal rights of access exist and the parking facilities can be maintained.
- 4.32.4 Where a legal agreement has been required by the local government in accordance with clause 4.32.3 that agreement shall not be varied or removed without the consent of the local government and only where the local government is satisfied that the joint use of parking facilities is no longer required.
- 4.32.5 The local government may require that reciprocal access and circulation arrangements are provided for any use/development of premises, where such arrangements are deemed necessary to improve traffic management, road safety or amenity.

4.33 Cash-in-lieu for parking

- 4.33.1 The local government may accept a payment of cash-in-lieu of part, or all, of a minimum parking requirement provided that the local government is satisfied that suitable public parking facilities exist, or are planned, within reasonable proximity to the land in respect of which a cash-in-lieu arrangement is made, and to which the cash in lieu payment can be utilised;
- 4.33.2 Where the local government accepts cash-in-lieu in accordance with clause 4.33.1:
 - (a) The cash-in-lieu payment shall be expressed as a rate per parking bay and determined by independent valuation, and shall include the cost of land and construction of parking bays including sealing, kerbing, marking, drainage, lighting, landscaping, access driveways and all other necessary infrastructure; and
 - (b) The payment shall be placed in a dedicated parking fund to be used only for the provision of public parking facilities, including land acquisition and construction, but not maintenance, of parking facilities.
- 4.33.3 If an owner or applicant objects to the costs or values determined by the local government at clause 4.33.2 the matter shall be referred to arbitration in accordance with the *Commercial Arbitration Act 1985*.

4.34 Parking of commercial vehicles in Residential zone, Special Use Zone 6, and Urban Development zone

- 4.34.1 No person on any lot within the Residential zone, Special Use Zone 6 and Urban Development zone may:
 - (a) Park or store any commercial vehicle within a lot;
 - (b) Repair, service, or wash a commercial vehicle unless such work is minor, only generates easily contained liquid waste, and is carried out entirely within the lot. Liquid waste shall be as defined in the *Health (Liquid Waste) Regulations 1993* and shall be disposed of in accordance with the requirements of the local government.
- 4.34.2 Notwithstanding clause 4.34.1, the local government may grant development approval for the parking of a commercial vehicle within a lot, subject to the following minimum criteria:

- (a) The commercial vehicle forms an essential part of the occupation of an occupier of the premises;
- (b) The commercial vehicle is parked in an outbuilding or garage at all times;
- (c) The commercial vehicle is not used or designed for use for the transportation of livestock or the transportation or disposal of liquid or solid wastes;
- (d) Any associated materials or machinery is contained on/in the commercial vehicle at all times and the activity does not cause nuisance due to the emission of noise, dust, light or other pollutants; and
- (e) The vehicle is operated in accordance with the *Environmental Protection (Noise) Regulations 1997* and other relevant statutes.

4.34.3 An approval to park a commercial vehicle is issued to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person, and shall not to be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which the approval is issued the approval is cancelled.

4.35 Loading/unloading areas

- 4.35.1 Service areas shall be provided with sufficient access and manoeuvring space for the largest vehicle most likely to access the lot in relation to all permitted uses of the land. In the case of the 'Light Industry', 'Service Commercial' and 'General Industry' zones, the site shall be able to accommodate, as a minimum, a medium rigid vehicle with a length of 8.8m and a 10m turning radius.
- 4.35.2 All manoeuvring shall be contained on-site unless otherwise approved by the local government. The local government may consider an access arrangement that requires on-street manoeuvring where it is deemed it will have no impact on safety or traffic flow, and where it can be demonstrated that the movement can be limited to one reverse movement, either onto or off the street.
- 4.35.3 Loading areas shall be designed so that all commercial vehicles are located wholly on site during loading/unloading and where possible, located behind the building line.
- 4.35.4 Loading areas shall be separated from areas of car parking, pedestrian activities and access driveways so as not to impede on-site traffic or pedestrian movement.

4.36 Control of advertisements

4.36.1 Existing advertisement

Advertisements which:

- (a) were lawfully erected, placed or displayed prior to the approval of the Scheme; or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the local government prior to the approval of the Scheme, hereinafter in this clause referred to as "existing advertisements",

may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

4.36.2 Discontinuance

Notwithstanding the scheme objectives and clauses 4.36.1 and 4.36.3 where the local government can demonstrate exceptional circumstances which cause an

existing or exempted advertisement to seriously conflict with the objectives of the Scheme, it may by notice in writing require the advertiser to remove, relocate, adapt, or otherwise modify the advertisement within a period of time specified in the notice. The notice shall be in form prescribed by clause 80 of the deemed provisions.

4.36.3 Exempt advertisements

The following are classed as exempt advertisements:

- (a) All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.
- (b) All classes of buildings, one (1) advertisement sign containing the name, number or address of the building, the purpose for which the building is used or the name or address of the managing agent thereof, with a maximum area of 0.2m².
- (c) All signs classified as 'E' exempt within Table 5, subject to the provisions of the Scheme.

4.36.4 Table 5 indicates, subject to the provisions of the Scheme, the permissibility of sign types within each zone.

Table 5 Signage Zoning and Permissibility Table

LPS Zone	Residential	Urban Development	Commercial	Special Use Zone 6	Tourism	Special Use Zone 4	Light Industry	Service Commercial	General Industry	Rural Residential	Rural	Local Scheme Reserve	Special Use Zone 1, 2, 5
Type Of Sign													
Third Party Advertising	X	X	X	X	X	X	X	X	X	X	X	X	X
On Building													
Roof Sign (Part of)	X	X	D	D	D	D	D	D	D	X	X	D	D
Roof Sign (Above)	X	X	X	X	X	X	X	X	X	X	X	X	X
Wall Sign	E	E	E	E	E	E	E	E	E	E	E	D	D
Projecting Sign	X	X	D	D	D	D	D	D	D	X	X	D	D
Window Sign	X	X	E	E	E	E	E	E	E	X	E	E	E
Verandah Sign	X	X	D	D	D	D	D	D	D	X	E	D	D
Off Building													
Pylon Sign	X	X	X	X	D	D	D	D	D	X	D	D	D
Hoarding Sign	X	X	X	D	D	D	D	D	D	X	D	D	D
Portable A-Frame (On Ground)	X	X	E	E	E	E	E	E	E	X	X	D	D
Tethered Sign (Flag)	X	X	X	X	D	D	D	D	D	X	X	D	D
Banner Sign (Community Service and Entertainment)	X	X	E	E	E	E	E	E	E	X	E	D	D
Banner Sign (Commercial)	X	X	X	X	X	X	D	D	D	X	X	D	D
Fence Sign	X	X	E	D	D	D	E	E	E	X	D	D	D
Mobile Billboard Sign	X	X	D	D	D	D	D	D	D	X	X	D	D
Garage Sale Sign	E	E	E	E	X	X	X	E	X	E	X	X	X
Real Estate Signs	E	E	E	E	E	E	E	E	E	E	E	X	E
Building Construction Signs	E	E	E	E	E	E	E	E	E	E	E	D	E
Display Home Signs	E	E	E	E	X	X	X	E	X	E	E	X	E

LPS Zone	Residential	Urban Development	Commercial	Special Use Zone 6	Tourism	Special Use Zone 4	Light Industry	Service Commercial	General Industry	Rural Residential	Rural	Local Scheme Reserve	Special Use Zone 1, 2, 5
E = Exempt, if in accordance with the provisions of the Scheme													
D = Discretionary, application required													
X = Not permitted													

4.36.5 On Building Signs

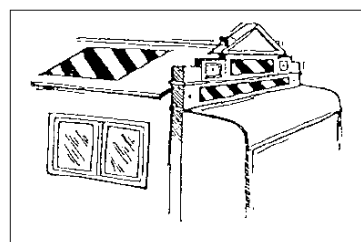
On Building Signs include the following sign types:

(a) Roof Sign (Part of)

This is an advertising sign, which is fixed to a fascia, or to the roof itself or which forms part of a projection above the eaves, or ceiling of the building.

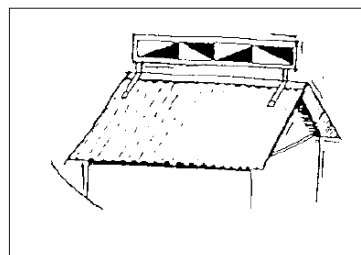
A Part of Roof sign shall:

- (i) be fixed parallel to the roof;
- (ii) have a maximum area of 3m²;
- (iii) not project more than 0.3 metres out from the building;
- (iv) not be within 0.3 metres of either end of roof; and
- (v) fit within the gable of the roof.



(b) Roof Sign (Above)

An advertising sign, which protrudes above the normal roof line (maximum pitched roof height). An Above Roof sign is not permitted in any zone.

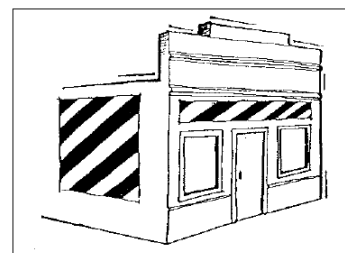


(c) Wall Sign

An advertising sign which is fixed to the external part of a wall of the building. Wall signs on places of worship shall not exceed 1m². Wall signs on Holiday Accommodation shall not exceed 0.2m².

A wall sign shall:

- (i) Not be above the lowest point of the eaves or ceiling (roof);
- (ii) Not project more than 0.3 metres out from the building; and
- (iii) Not project below the top of any door.



A Wall Sign if located within a Residential, Residential Development, Rural Residential zone shall:

- (i) not exceed 0.2m² in area; and
- (ii) not exceed one (1) sign per lot.

(d) Projecting Sign

An advertising sign, which is attached to a projection which projects more than 0.3 metres from a wall. Projecting signs require a Building Permit with appropriate structural engineering details.

Projecting signs shall:

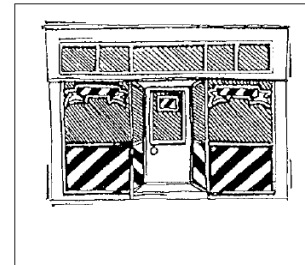
- (i) be limited to one (1) such sign per lot;
- (ii) not exceed 0.6 metres in a vertical dimension;
- (iii) have a minimum clearance of 2.4 metres from the ground;
- (iv) not weigh more than 30kg;
- (v) be at a right angle to the wall to which it is attached;
- (vi) project no more than 1 metre from the wall to which it is attached;
- (vii) not exceed 1.5m² in area; and
- (viii) not project above the top of any wall to which it is attached.

(e) Window Sign

This is an advertising sign, which is painted or fixed either to the interior or exterior of the glazed area of a window and any part of which is visible from outside the building.

Window signs shall:

- (i) not cover more than 50% of the glazed areas of any one window; and
- (ii) not exceed 10m² in area in aggregate per tenancy lot.



(f) Verandah Signs

Verandah signs include signs on or attached to a verandah. Verandah signs include blinds or screens dropped vertically down from the fascia of a verandah, awning or canopy to provide protection from the sun, rain or wind where these blinds or screens contain forms of advertising. Verandah signs may be subject of a Building permit with appropriate structural engineering details.

Verandah Signs shall:

- (i) not exceed 2.4 metres in length;
- (ii) not exceed 0.6 metres in a vertical dimension;
- (iii) not weigh more than 30kg;
- (iv) not be within 3 metres of another such sign attached to the underside of the same verandah;
- (v) not project beyond the outer frame or surround of the verandah;

- (vi) have a minimum clearance of 2.4 metres from the ground;
- (vii) not extend above the maximum height of the verandah to which it is attached; and
- (viii) if on the underside of a verandah be at right angles to the street boundary except on a corner lot where the sign may be placed so as to be visible from both streets,

be limited to the name of the business or the form of activity taking place within the building (i.e. Chemist, Bakery etc.). Signs advertising particular brand names shall not be permitted.

4.36.6 Off Building Signs

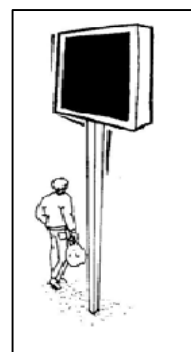
Off Building Signs include the following sign types:

(g) Pylon Signs

An advertising sign, which is fixed to a structure, which has one or more supports with a greater height than width. Pylon signs require a Building permit with appropriate structural engineering details.

Pylon Signs shall:

- (i) have a minimum clearance of 2.4 metres from ground level;
- (ii) have a greater height than width;
- (iii) be no more than 6 metres above ground level;
- (iv) have a maximum area of 2.4m²;
- (v) not be located on a lot where there is a hoarding sign; and
- (vi) be limited to one (1) sign per street frontage on any one (1) lot.

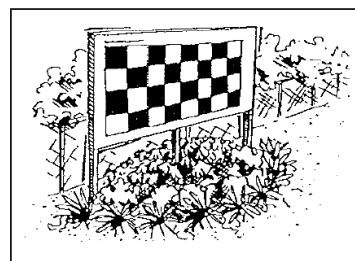


(h) Hoarding Signs

An advertising sign, which is fixed to a structure and which has one or more supports, with a width greater than height. Hoarding signs require a Building permit with appropriate structural engineering details.

Hoarding Signs shall:

- (i) be greater than 1.2 metres above ground level;
- (ii) Have a greater width than height;
- (iii) Have a maximum area of 10m²;
- (iv) Be limited to one (1) per street frontage;
- (v) Not be located on a lot where there is an existing Pylon Sign; and
- (vi) Not be greater than 2.5 metres from ground level.

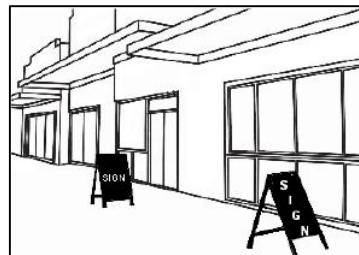


(i) Portable A-Frame (On Ground) Signs

An advertising sign which is not attached to a building and includes sandwich board signs and A-frame signs.

Portable A-frame signs shall:

- (i) not be higher than 1.2 metres above ground level;
- (ii) only be displayed during normal business hours of the business to which the sign relates;
- (iii) be limited to a maximum of two (2) signs per tenancy on a lot;
- (iv) not obstruct pedestrian access;
- (v) be within 0.5 metres of a building;
- (vi) have no moving parts once the sign is in place; and
- (vii) have a maximum area of 0.8m².



(j) Tethered Signs (Flag)

This type of sign includes any sign tethered (tied) to any structure or tree or pole. It includes “lighter than air” aerial devices.

Tethered Signs (Flag) shall:

- (i) be located wholly within the boundaries of the lot;
- (ii) have a maximum area of 2m²;
- (iii) be no higher than the building to which it relates;
- (iv) be removed at the end of each business day;
- (v) be limited to a maximum of one (1) display per street frontage; and
- (vi) not be within 10 metres of pylon sign.

(k) Fence Signs

Fence Signs include signs erected, attached to or painted on a fence.

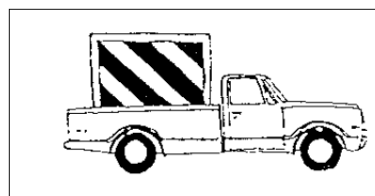
Fence Signs shall:

- (i) have a maximum area of 10% of the section of fence to which it is attached; and
- (ii) Not be located on a lot where there is commercial banner sign/s;

(l) Mobile Billboard Signs

An advertising sign applied to, or adhered to or placed on a vehicle (the vehicle might be a car, truck, boat, trailer, caravan, machinery or similar whether moveable or not). It can be a product or object, which is displayed for the purpose of advertising.

Mobile billboard signs shall:



- (i) be wholly located within the boundary of a lot;
- (ii) placed so as to not cause any interference;
- (iii) have no moving parts;
- (iv) be limited to a maximum of one (1) sign per street frontage on any lot;
- (v) have a maximum vertical or horizontal dimension of 2 metres.

(m) **Garage Sale Signs**

A garage sale sign is a notice attached to an upturned and weighed down cardboard box, milk crate or similar device, advertising a garage sale.

Garage Sale signs shall:

- (i) not exceed 0.5m²;
- (ii) have a maximum height of 0.5 metres;
- (iii) not cause a traffic or pedestrian hazard; and
- (iv) be removed immediately upon completion of the garage sale within 24 hours.

(n) **Banner Signs – Community Service and Entertainment**

Community Service and Entertainment Banner Signs include signs to display advertisements of meetings, charitable functions, art or cultural activities or other events of public interest or the display of advertisements at theatres and other places of public entertainment (other than those conducted by a person for the purpose of commercial gain unless in the interest of the community or tourists).

Community Service and Entertainment Banner Signs shall:

- (i) not be erected more than 2 weeks before the meeting, function, event or activity to which it is advertising;
- (ii) be removed within 24 hours after the conclusion of the meeting, function, event or activity to which it is advertising;
- (iii) not exceed 4m²; and
- (iv) have lettering not less than 200mm high.

(o) **Banner Signs – Commercial**

Commercial Banner Signs is a sign on non-rigid material hung on a building or a fence to promote sales or special activity but does not include Community Service and Entertainment Banner Signs.

Commercial Banner Signs shall:

- (i) not exceed 4m²;
- (ii) have lettering not less than 200mm high;
- (iii) be limited to one (1) sign per street frontage; and
- (iv) not be located on a lot where there is existing fence sign/s.

(p) Real Estate Signs

Real Estate Signs includes signs erected for new developments or subdivisions, for sale signs and other property transaction signs.

Real Estate Development/Transaction Signs shall:

- (i) be limited to one (1) sign per street frontage;
- (ii) have a maximum area of 2m² for dwellings;
- (iii) have a maximum area of 5m² for multiple dwellings, shops, commercial and industrial properties;
- (iv) be removed when the property transaction is complete or twelve months whichever is lesser (for sale signs, property transaction signs);
- (v) have a maximum area of 10m² for subdivisions, large development or redevelopment projects involving shopping centres, office or other buildings exceeding 12 metres in height; and
- (vi) be removed from the site within two years of the granting of a licence for the same or when 90 per cent of the lots by number in the subdivision or stage being advertised have been sold, whichever is the sooner (subdivision signs).

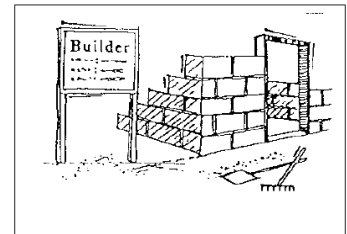


(q) Building Construction Signs

An advertising sign, which is displayed only for the duration of the construction of a building or development. This sign can also include a tradesman's individual trades' signs or logos.

Building construction signs shall:

- (i) be limited to one (1) sign per street frontage;
- (ii) have a maximum area of 2m² for dwellings;
- (iii) have a maximum area of 5m² for multiple dwellings, shops, commercial and industrial properties; and
- (iv) have a maximum area of 10m² for large development or redevelopment projects involving shopping centres, office or other buildings exceeding 12 metres in height.

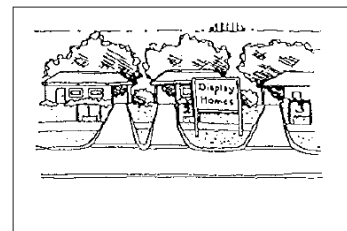


(r) Display Home Signs

This is advertising sign displayed for the period over which homes are on display for public inspection.

Display Home Signs shall:

- (i) be limited to a maximum of 1 sign per lot;
- (ii) have a maximum area of 2m² for dwellings; and
- (iii) have a maximum area of 5m² for grouped/multiple dwellings.



(s) Election Signs

This is a sign which relates to a local, state or federal election. Election signage means a bill, poster, placard or advertisement relating to any election, attached to or pasted, painted, or stencilled, on any hoarding, wall, building, or structure whether erected upon private property or upon a public place, but does not include a sign erected by the local government for the purpose of public information.

Election Sign shall:

- (i) only be displayed during the period commencing 45 days before the election to which it relates and ending 2 days after the election.

4.36.7 Illuminated Signage

4.36.7.1 Illuminated signage shall:

- (a) not comprise flashing lights;
- (b) not interfere with or be likely to be confused with traffic control signals or create a traffic hazard; and
- (c) have its electrical installation constructed and maintained to the satisfaction of Western Power or the appropriate electrical supply authority and in accordance with the relevant Australian Standard.

4.37 Variations to site and development requirements

- 4.37.1 The local government may approve an application for development approval that does not comply with the site and development requirements.
- 4.37.2 An approval under subclause 4.37.1 may be unconditional or subject to any conditions the local government considers appropriate.
- 4.37.3 If the local government is of the opinion that the non-compliance with a site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must —
 - (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and
 - (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.
- 4.37.4 The local government may only approve an application for development approval under this clause if the local government is satisfied that —
 - (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and
 - (b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

4.38 Restrictive covenants

- 4.38.1 A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.
- 4.38.2 If clause 4.38.1 operates to extinguish or vary a restrictive covenant —
- (a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and
 - (b) the local government must not grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the deemed provisions.

PART 5 - SPECIAL CONTROL AREAS

5.1 Special control areas

- 5.1.1 Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.
- 5.1.2 Despite any other provision of the Scheme, development approval is required for all use and development of land in the area and shall be subject to the discretion of the local government, notwithstanding that the use may be designated as a 'P' use or the development listed as being exempted development pursuant to clause 61 of the deemed provisions.
- 5.1.3 The purpose, objectives and additional provisions that apply to each special control area are set out below.

5.2 Exmouth Water Reserve (SCA 1)

5.2.1 Purpose and objectives

The Priority One Source Protection Area is shown on the Scheme Map as the Exmouth Water Reserve SCA 1 in accordance with the recommendations of the *Exmouth Water Reserve Drinking Water Source Protection Plan* published by the Department of Water. The objectives of SCA1 are:

- (a) To ensure that land use and development within the Public Drinking Water Source Area is compatible with the protection and long-term management of water resources for public water supply.
- (b) To ensure that decisions on land use and development take into account the requirements of the *Exmouth Water Reserve Drinking Water Source Protection Plan* published by the Department of Water.

5.2.2 Additional provisions

In determining any application within SCA 1 the local government will have regard to:

- (a) Advice from Department of Water or other relevant agencies;
- (b) Any relevant environmental protection policy on public drinking water supply;
- (c) *State Planning Policy 2.7 Public Drinking Water Source Policy*; and
- (d) The recommendations of the *Exmouth Water Reserve Drinking Water Source Protection Plan* published by Department of Water and amended from time to time.

5.3 Exmouth Waste Water Treatment Plant (SCA 2)

5.3.1 Purpose and objectives

Buffers to treatment plants, in addition to providing protection to treatment plants, can also provide opportunities for locating a range of land uses that provide multiple economic, environmental and social benefits. The objectives of SCA2 are:

- (a) To ensure that the use and development of land is compatible with the Exmouth Waste Water Treatment Plant.
- (b) To minimise impacts on residential and other sensitive uses.

5.3.2 Additional Provisions

In considering any application for development approval, scheme amendment request, structure plan or subdivision application, and in addition to matters listed in clause 67 of the deemed provisions the local government shall have regard to:

- (a) The Water Corporation's advice in relation to compatible and beneficial land uses for buffers; and
- (b) The potential odour impact of the wastewater treatment plant and whether the proposal is compatible with the existing and proposed future use of the plant.

5.4 **Exmouth Power Station (SCA 3)**

5.4.1 Purpose and objectives

The Exmouth power station is an essential public utility within the town site that, unless future relocation occurs, requires consideration in terms of guidance for land use and development within the buffer area of the power station. The objectives of SCA 3 are:

- (a) To ensure that the use and development of land is compatible with the operation of the Exmouth Power Station.
- (b) To minimise impacts on residential and other sensitive uses.

5.4.2 Additional Provisions

In considering any application for development approval, scheme amendment request, structure plan or subdivision application, and in addition to matters listed in clause 67 of the deemed provisions the local government shall have regard to:

- (a) Applications may be required to be supported by the preparation of an acoustic report to demonstrate how development will be designed to minimise the effects of noise intrusion. The acoustic report shall be prepared by an acoustical consultant with relevant qualifications;
- (b) Development may be required to be designed to incorporate noise attenuation measures having regard to any applicable acoustic report prepared pursuant to clause 5.4.2(a), with a view to significantly reduce low frequency noise within the sleeping areas of any sensitive land use. Consideration should be given to the location of sleeping areas and the types of glazing, door and window casings, wall and ceiling materials as well as insulation; and
- (c) The local government may impose conditions on any development approval so as to, amongst other matters, require prospective purchasers or residents to be provided information advising of the existence of the noise hazard.

5.5 **Exmouth Aerodrome (SCA 4)**

5.5.1 Purpose and objectives

The Exmouth Aerodrome is an important component of the regional transport infrastructure and supports regional aviation. The objectives of SCA 4 are:

- (a) To protect the use of the Exmouth Aerodrome for the operation of private, recreational or commercial aircraft and associated functions including the storage of aircraft and all parts relating to their operation, maintenance, repair and radio communication facilities.

- (b) To ensure that development in the vicinity of the Exmouth Aerodrome is compatible with any existing development and operation of the aerodrome.

5.5.2 Additional Provisions

In considering any application for development approval, scheme amendment request, structure plan or subdivision application, and in addition to matters listed in clause 67 of the deemed provisions the local government shall have regard to:

- (a) The Exmouth Aerodrome Master Plan;
- (b) Any sensitive land use shall have regard for the ANEF (Australian Noise Exposure Forecast) or any other relevant noise modelling applying to the Aerodrome operation;
- (c) Structures must be built with non-reflective materials and in accordance with the local government's colour palette. Zinalume is not a permitted building material;
- (d) All new development and structures, including towers, antennae, and any alterations to roof lines and any increase to building heights on land within SCA 4 will not be permitted unless the proposed height of the development has been considered and approved by the relevant authority controlling airport operations and complies with any Obstacle Limitation Surface that applies to the Exmouth Aerodrome; and
- (e) Illuminated signs, pylon signs, signs above a roof line, flashing lights on buildings on land within SCA 4 will not be permitted unless the proposed signs and lights have been approved by the relevant authority controlling airport operations.

5.6 Floodplain (SCA 5)

5.6.1 Purpose and objectives

The Department of Water and the local government's consultants have produced floodplain mapping creeklines that are affected by a 100 year average recurrence interval (ARI) flood. Floods higher than this level will occur but, on average, will be less frequent. The objectives of SCA 5 are:

- (a) To limit impacts on the floodplain from inappropriate encroachment of development.
- (b) To avoid subdivision and development within the high hazard floodplain.
- (c) To ensure that proposed floodplain development has adequate flood protection and does not impact on the existing flood regime of the area.

Note: The designation of particular parts of the district as flood prone areas should not be interpreted to imply that areas outside the designated areas are necessarily free from risk associated with flood or extreme rainfall events.

5.6.2 Additional Provisions

In considering any application for development approval, scheme amendment request, structure plan or subdivision application, and in addition to matters listed in clause 67 of the deemed provisions the local government shall have regard to:

- (a) The general presumption against subdivision and development within the flood plain unless:

- (i) Hydraulic Modelling has been prepared to the satisfaction and approval of the Department of Water;
 - (ii) In respect of land within the high hazard flood plain, suitable controls are in place to ensure no development will encroach into the high hazard floodplain, excluding earthworks for the provision of essential roads, bridges, footpaths, jetties and upgrades to existing high hazard floodplains.
- (b) Building levels within the floodplain achieving the recommended minimum floor level of at least 0.5 metres above the relevant 100 year ARI flood level for the location having regard to advice from the Department of Water.

5.7 Minilya-Exmouth Road (SCA 6)

5.7.1 Purpose and objectives

Minilya-Exmouth Road is the primary entrance road to the town site, and in itself is a tourism experience showcasing the environmental and landscape qualities of the district. The purpose of SCA 6 is to preserve the landscape values along the Minilya-Exmouth Road from the encroachment of inappropriate development, and maintain view sheds along Minilya-Exmouth Road. This 100 metre wide area on either side of the Minilya-Exmouth Road is from the southern edge of the gazetted Exmouth Townsite Boundary to the southern local government boundary. The objectives of SCA6 are:

- (a) To protect natural environmental and landscape features along Minilya-Exmouth Road;
- (b) To maintain views of the Cape Range, Exmouth Gulf, and rural lands; and
- (c) To ensure that inappropriate development and use does not occur that would compromise the visual experience along Minilya-Exmouth Road.

5.7.2 Additional Provisions

In addition to matters listed in clause 67 of the deemed provisions the local government shall have regard to:

- (a) The local government shall not permit any new development other than open style rural fencing to be situated on land within SCA 6, excluding exemptions under clause 5.7.2(b);
- (b) No clearing or destruction of any remnant native vegetation shall be permitted except for:
 - (i) Development supported by a Visual Landscape Assessment prepared in accordance with the *West Australian Planning Commission: Visual Landscape Planning in Western Australia* a manual for evaluation, assessment, siting and design document to the satisfaction and approval of the local government. The Visual Landscape Assessment shall include identification of all viewpoints background and foreground from Minilya-Exmouth Road to the site, photographic imagery to accurately transpose the proposal from all significant viewpoints, nature and extent of existing and proposed vegetation, and cross sections through all major viewpoints;
 - (ii) Clearing to comply with the requirements of the *Bush Fires Act 1954*, the local government's Bush Fire Notice and/or any fire management plan endorsed by the local government;

- (iii) A single vehicle crossover providing access between Minilya-Exmouth Road and development on a lot, which shall be a maximum width of 6 metres;
 - (iv) The provision of underground infrastructure between Minilya-Exmouth Road and development within a lot;
 - (v) Public Works including the provision of infrastructure and signage; and
 - (vi) Clearing as may be allowed under the Department of Environment Regulation Land Clearing Regulations.
- (c) Rural land uses may be permitted in accordance with the Zoning Table, where the local government is satisfied that the use of the land:
 - (i) Is consistent with the objectives of SCA 6;
 - (ii) Will not require clearing of vegetation except in accordance with clause 5.7.2(b); and
 - (iii) Will not require the temporary or permanent erection of a building, outbuilding or structure.
- (d) Access to the development shall not adversely impact on the safe use or functionality of Minilya-Exmouth Road.

SCHEDULES

Schedule 1	Terms referred to in Scheme
	1. Terms used
	2. Land use terms used
Schedule 2	Additional uses
Schedule 3	Restricted uses
Schedule 4	Special use zones
Schedule 5	Special use zone 6 - Marina

SCHEDULE 1 — TERMS REFERRED TO IN SCHEME

1. Terms used

In this Scheme:

advertisement means any object or structure on which words, numbers, figures or drawings are displayed for the purpose of advertising, announcing or providing direction to any business, function, operation, development, event undertaking or any product.

annexe has the meaning given in the *Caravan Park and Camping Ground Regulations 1997* (as amended).

aquaculture, in relation to agriculture - intensive, means any fish farming operation for which a fish farm licence issued pursuant to the provisions of Part V of the *Fisheries Act 1905* and the *Fisheries Regulations 1938* is required.

artificial waterway means any artificial channel, lake, harbour or embayment for use or intended for use by vessels for navigation purposes and which may also be used for ornamental and recreational purposes. The term includes any access channel or connecting channel, any addition to or alteration of any waterway within the meaning of this definition and any system of waterways within the meaning of this definition provided in any development of land. The term also includes any other waterway designed for other purposes such as drainage, but which is capable of use as a waterway as herein defined.

artificial waterway structures means any structures on, in or over the artificial waterway, and includes jetties, launching ramps, bridges, moorings and water control structures.

boat harbour means an area of protected navigable waters where boats can shelter and where boat-to-shore (and vice versa) transfers of people or goods can be made. Includes the associated land, breakwaters and dredged waterways.

building has the meaning given in the R-Codes.

building envelope means an area of land within which all buildings and effluent disposal facilities on a lot must be contained.

building height, in relation to a building:

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above, excluding minor projections as that term is defined in the R-Codes;

cabin means a dwelling forming part of a tourist development or caravan park that is:

- (a) an individual unit other than a chalet; and
- (b) designed to provide short-term accommodation for guests;

camp means any portable shed or hut, tent, tent fly, awning, blind or other portable thing used as or capable of being used for habitation and includes a vehicle of a prescribed type or in prescribed circumstances.

canal estate means a development or subdivision that adjoins or directly influences an existing or proposed artificial waterway. For planning purposes, any development where the titles to the subdivided lots extend into, abut or are proximate to an artificial waterway shall be deemed to be part of a canal estate unless the Western Australian Planning Commission determines otherwise.

chart datum means a permanently established surface from which soundings or tide heights are established, and are the theoretical level of water in any tidal area during the lowest possible astronomical tide as defined in the Australian National Tide Tables.

commencement day means the day this Scheme comes into effect under section 87(4) of the Act.

commercial vehicle means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including:

- (a) a utility, van, truck, tractor, boat, bus or earthmoving equipment; and
- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a).

connecting channel means any channel in navigable water associated with the construction of an artificial waterway and connected or intended to be connected to the artificial waterway, and retaining wall or other works associated with such channels. The term includes any addition or alteration to any such channel, retaining wall or other works.

conservation has the meaning given in the *Heritage of Western Australia Act 1990* section 3(1).

construction of a building includes the erection, assembly or placement of a building but does not include the renovation, alteration, extension, improvement or repair of a building.

contiguous means separated by less than 20 metres.

curtilage in relation to a dwelling means the yard of the dwelling, or an area in the immediate vicinity of the dwelling on the same lot used for purposes ancillary to the dwelling. The curtilage shall not include the area located between the street frontage of the lot and the dwelling thereon except with the special approval of the local government. The term shall have a like meaning in relation to land around buildings other than dwellings.

design life means the period over which a structure or a structural element remains fit for use for its intended purpose with appropriate maintenance.

development has the meaning given in the *Planning and Development Act 2005*.

development approval means approval obtained upon the making of a development application to the local government.

development contribution area means an area of land identified in a development contribution plan as an area to which the plan applies.

development site means the land on which a building that is the subject of development stands or is to be constructed.

environment has the meaning given in the *Environment Protection Act 1986*.

FES Commissioner has the meaning given to that term in the *Fire and Emergency Services Act 1998* section 3.

floodplain means the extent of flooding in a 1 to 100-year flood event for a particular watercourse, which includes the high and low hazard floodplain areas:

- (a) the **high hazard floodplain** means the area of land that would be affected by river flooding in a 1 to 100-year flood event for a particular watercourse, where development and land uses should be limited to those which would not affect the flow of floodwaters.
- (b) the **low hazard floodplain** means the area of land that would be affected by river flooding in a 1 to 100-year flood event, where development would normally be permitted subject to a specified minimum habitable floor level above the relevant 1 in 100-year flood level to provide adequate flood protection.

floor area has the meaning given in the Building Code.

foreshore reserve means a reserve established for the management and protection of the foreshore of a natural waterway

frontage in relation to a building:

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the line where a road reserve and the front of a lot meet and, if a lot abuts 2 or more road reserves, the one to which the building or proposed building faces

Gazetted date, in relation to a Scheme, means the date on which the Scheme is published in the *Government Gazette* under the *Planning and Development Act 2005*.

habitable building means a permanent or temporary structure on land that:

- (a) is fully or partially enclosed; and
- (b) has at least one wall of solid material and a roof of solid material; and
- (c) is used for a purpose that involves the use of the interior of the structure by people for living, working, studying, being entertained or undertaking other activities.

heritage precinct means a precinct of heritage value having a distinctive nature, which may contain elements of only minor individual significance but heightened collective significance, and within whose boundaries controls may be necessary to retain and enhance its character.

incidental use means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use;

jetty has the meaning given in the *Port Authorities Act 1999* section 3(1).

lot has the same meaning as in the *Planning and Development Act 2005* but does not include a strata or survey strata lot.

minerals has the meaning given in the *Mining Act 1978* section 8(1).

natural water body means the water body adjacent to a proposed canal estate that will be used to provide the source water for natural flushing.

navigable waters means rivers, lakes, inlets and other waters on which any vessel or any type of marine craft can be navigated.

net lettable area (NLA) means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas —

- (a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building;

non-conforming use has the meaning given in the *Planning and Development Act 2005* section 172.

obstacle limitation surface means a horizontally and vertically defined airspace boundary in the vicinity of an airport that has been specified and/or endorsed by the airport operator as representing the maximum desirable height above Australian Height Datum of any building, antenna, other structure or natural feature on land directly underneath the surface.

park home shall have the same meaning given to it in the *Caravan Park and Camping Ground Regulations 1997* (as amended).

plot ratio, means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located;

precinct means a definable area where particular planning policies, guidelines or standards apply.

predominant use means the primary use of premises to which all other uses carried out on the premises are incidental; .

retail means the sale or hire of goods or services to the public.

sea container means a standardised re-usable metal container used to store and move materials and products in ground and sea (surface) freight transportation.

sensitive land use has the same meaning as it has in *State Planning Policy 4.1 State Industrial Buffer* (as amended).

short-term accommodation means premises providing temporary accommodation, either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.

specified building means a structure of a kind specified in the scheme as a kind of structure to which this Schedule applies in addition to its application to habitable buildings.

third party advertising means signage or advertising promoting other companies, goods or services not directly part of the subject business.

transportable structure means any building or structure that is wholly or partly prefabricated at any place other than the lot upon which it is to be erected or placed, including an established structure transported from another site.

wall height, in relation to a wall of a building —

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the vertical distance from the natural ground level of the boundary of the property that is closest to the wall to the point where the wall meets the roof or parapet;

waterway banks means all natural or constructed boundaries to the waters, extending from the waterway bed to the upper level of the flood and wave affected waterway shore. This upper level shall be defined with respect to a 1:100 year flood event.

waterway bed means land below the water of the artificial waterway.

waterway management authority means the authority responsible for managing a natural waterway.

waterways manager means the agency (normally local government) responsible for the management, monitoring and maintenance works within the boundaries of the water bodies of an artificial waterway and its entrance channel.

wholesale means the sale of goods or materials to be sold by others.

2. A word or expression that is not defined in this Scheme —

- (a) has the meaning it has in the *Planning and Development Act 2005*; or
- (b) if it is not defined in that Act — has the same meaning as it has in the R-Codes.

3. Land use terms used

If this Scheme refers to a category of land use that is listed in this provision the meaning of that land use is as follows:

abattoir means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.

aged or dependant persons dwelling has the meaning given in the R-Codes.

agriculture - extensive means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture — intensive or animal husbandry — intensive.

agriculture - intensive means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following:

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- (d) aquaculture.

ancillary dwelling has the meaning given in the R-Codes.

animal establishment means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry - intensive or veterinary centre.

animal husbandry - intensive means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens.

bed and breakfast means a dwelling:

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and
- (b) containing not more than 2 guest bedrooms.

betting agency means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*.

brewery means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the *Liquor Control Act 1988*.

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 childrens' 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.

bus depot means a building or place used for the servicing, repair and garaging of buses and other vehicles used for the purposes of a bus transport undertaking.

camping ground means an area of land on which camps or camp sites are situated for habitation, but excludes caravans as per the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997* (as amended).

car park means premises used primarily for parking vehicles whether open to the public or not but does not include:

- (a) any part of a public road used for parking or for a taxi rank; or
- (b) any premises in which cars are displayed for sale.

caravan park means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1).

caretaker's dwelling means a dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building, operation or plant.

chalet means a dwelling forming part of a tourist facility that is:

- (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
- (b) designed to accommodate short-term guests with no guest accommodated for periods totalling more than 3 months in any 12 month period.

child care premises means premises where:

- (a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided; or

- (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.

cinema / theatre means premises where the public may view a motion picture or theatrical production.

civic use means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.

club premises means premises used by a legally constituted club or association or other body of persons united by a common interest.

community purpose means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.

consulting rooms means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

convenience store means premises —

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 300m² net lettable area.

corrective institution means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility.

discount department store means large retail premises selling a wide variety of different goods organised into various departments.

dwelling has the meaning given in the R-Codes.

educational establishment means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.

exhibition centre means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.

family day care means premises where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided;

fast food outlet / lunch bar means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten —

- (a) without further preparation; and
- (b) primarily off the premises.

fish shop means premises where wet fish and similar foods are processed and displayed only for sale on the premises.

fuel depot means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include premises used:

- (a) as a service station; or
- (b) for the sale of fuel by retail into a vehicle for use by the vehicle.

funeral parlour means premises used —

- (a) to prepare and store bodies for burial or cremation;
- (b) to conduct funeral services.

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.

grouped dwelling has the meaning given in the R-Codes.

guesthouse means a dwelling or part of a dwelling occupied by a person but containing rooms used to accommodate short-term guests for hire or reward.

health centre means premises in which facilities are provided for one or more of the following: a medical practitioner, a dental practitioner, physiotherapist, chiropractor, masseur, naturopath, or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental conditions, injuries or ailments.

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.

holiday house means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.

home business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out business, service or profession if the carrying out of the business, service or profession:

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50m²; and
- (d) does not involve the retail sale or display of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

home occupation means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and

- (c) does not occupy an area greater than 20m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2m²; and
- (e) does not involve the retail sale, display or hire of any goods, unless the sale, display or hire is done only by means of the Internet; and
- (f) does not:
 - (i) require a greater number of parking spaces than normally required for a single dwelling; or
 - (ii) result in an increase in traffic volume in the neighbourhood;
 and
- (g) does not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.

home office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation:

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling.

hospital means premises used as a hospital as defined in the *Hospitals and Health Services Act 1927* section 2(1).

hotel means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including any betting agency on the premises.

industry means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes:

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes.

industry - cottage means premises, other than premises used for a home occupation, that are used by the occupier of the premises for the purpose of carrying out a trade or light industry producing arts and crafts goods if the carrying out of the trade or light industry:

- (a) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (b) if the premises is located in a residential zone – does not employ any person other than a member of the occupier's household; and
- (c) is compatible with the principal uses to which land in the zone in which the premises is located may be put; and
- (d) does not occupy an area greater than 50m²; and
- (e) does not involve the display on the premises of a sign with an area exceeding 0.2m².

industry - extractive means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes —

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.

industry - hazardous means premises used for an industry which by reason of the processes involved or the method or manufacture or the nature of the materials used or produced requires isolation from other buildings, but does not include a nuclear activity.

industry - light means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed.

industry - noxious means an industry in which the processes involved constitute an offensive trade within the meaning of the *Health Act 1911* (as amended).

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.

industry - service means premises with a retail shop front:

- (a) from which goods manufactured on the premises are sold; or
- (b) used as a depot for receiving goods to be serviced.

laundromat means premises used for the commercial cleaning of clothes and laundry either in a self-service or serviced manner.

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 300m².

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 300m².

machinery sales means premises used for the display and/or sale of agricultural or transport machinery and equipment.

marina means:

- (a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and
- (b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services.

marine filling station means premises used for the storage and supply of liquid fuels and lubricants for marine craft.

marine support facility means premises used for lay-down, fabrication, repair and maintenance purposes associated with marine based industry, and may include a marine based component as a single operator or common use facility and terrestrial based components, whether contiguous or not.

market means premises used for the display and sale of goods from stalls by independent vendors.

medical centre means premises, other than a hospital, used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

mining operations means premises where mining operations, as that term is defined in the *Mining Act 1978* section 8(1) is carried out.

mixed development means any building used for the purpose of both:

- (a) one or more non-residential uses; and
- (b) one or more dwellings vertically above one or more non-residential uses

motel means premises, which may be licensed under the *Liquor Control Act 1988*:

- (a) used to accommodate guests in a manner similar to a hotel; and
- (b) with specific provision for the accommodation of guests with motor vehicles.

motor vehicle, boat or caravan sales means premises used to sell or hire motor vehicles, boats or caravans.

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

motor vehicle repair means premises used for or in connection with:

- (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or
- (b) repairs to tyres other than recapping or retreading of tyres.

motor vehicle wash means premises primarily used to wash motor vehicles.

motor vehicle wreckers means premises used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts.

multiple dwelling has the meaning given in the R-Codes.

nature based park has the meaning given in the *Caravan Parks and Camping Grounds Regulations 1997* Regulation 3.

nightclub means premises the subject of a nightclub license granted under the *Liquor Control Act 1988*.

office means premises used for administration, clerical, technical, professional or similar business activities, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking.

outbuilding has the meaning given in the R-Codes.

park home park means premises used as a park home park as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Schedule 8.

place of worship means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.

prescribed premises has the meaning given in *Civil Aviation Act 1988*.

produce stall means a stall used to sell produce grown or made locally.

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

reception centre means premises used for hosted functions on formal or ceremonial occasions.

recreation - private means premises that are:

- (a) used for indoor or outdoor leisure, recreation or sport; and
- (b) not usually open to the public without charge.

repurposed dwelling means a building or structure not previously used as a single house, which has been repurposed for use as a dwelling.

resource recovery centre means premises other than a waste disposal facility used for the recovery of resources from waste.

renewable energy facility means premises used to generate energy by a renewable resource and includes any building or other structure used in, or in connection with, the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for a domestic property or existing use of premises.

residential building has the meaning given in the R-Codes.

restaurant/cafe means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*.

restricted premises means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of —

- (a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth); or
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or
- (c) smoking-related implements.

road house means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services —

- (a) a full range of automotive repair services;
- (b) wrecking, panel beating and spray painting services;
- (c) transport depot facilities;
- (d) short-term accommodation for guests;
- (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies.

rural pursuit/hobby farm means any premises, other than premises used for agriculture — extensive or agriculture — intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household —

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises.

salvage yard means land and buildings used for the storage and sale of materials salvaged from the demolition or renovating of buildings or machinery.

second-hand dwelling means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular or transportable dwelling.

service station means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for:

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.

serviced apartment means a group of units or apartments providing —

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities.

shop means premises other than a bulky goods showroom, a liquor store — large or a liquor store — small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

shopping centre means a group of retail shops and other incidental commercial establishments that is planned and managed as a single complex, typically with on-site parking provided.

single house has the meaning given in the R-Codes.

small bar means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*.

storage yard means premises used for the storage of goods, equipment, plant or materials, and may include the cleaning, repair, servicing, painting, fumigation or storage of sea containers.

supermarket means a single, large retail premises selling primarily food products and other incidental goods to meet daily needs organised into aisles.

tavern means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*.

telecommunications infrastructure means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit, or other structure related to the network.

tourist development means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide —

- (a) short-term accommodation for guests; and
- (b) onsite facilities for the use of guests; and
- (c) facilities for the management of the development.

trade display means premises used for the display of trade goods and equipment for the purpose of advertisement.

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.

transport depot means premises used primarily for parking or garaging of 3 or more commercial vehicles including:

- (a) any ancillary maintenance or refuelling of those vehicles; and
- (b) any ancillary storage of goods bought to the premises by those vehicles; and
- (c) the transfer of goods or persons from one vehicle to another.

veterinary centre means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.

warehouse/storage means premises including indoor or outdoor facilities used for —

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods;

waste disposal facility means premises used —

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

workforce accommodation means premises, which may include modular or relocatable buildings, used —

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

SCHEDULE 2 — ADDITIONAL USES

Clause 3.4

No	Description of Land	Additional Use	Conditions
A1	L311 (H12) Maidstone Crescent, Exmouth Scheme Map 4	'Consulting Room' D use	As determined by the local government.
A2	L312 (H561) Murat Road, Exmouth Scheme Map 4	Tavern 'D' use	As determined by the local government.
A3	L315 (H77) Maidstone Crescent, Exmouth Scheme Map 4	Service Station 'D' use	As determined by the local government.
A4	L1 Kailis Road, Learmonth Scheme Map 9	Caretakers Dwelling 'I' use	As stated in clause 4.18 and may only be permitted in existing dwellings as approved by the Local Government.

SCHEDULE 3 — RESTRICTED USES

Clause 3.5

No	Description of Land	Restricted Use	Conditions
R1	<p>Lots 910, 1364 and Portion of Lot 1030 Maidstone Crescent, and Lots 913 and 1027 Payne Street, Exmouth</p> <p>Scheme Map 4</p>	Supermarket and small scale retail and commercial uses	<p>Site Requirements</p> <p>The minimum building setbacks shall be:</p> <ul style="list-style-type: none"> (i) Street: Nil (ii) Federation Park: 7 metres (iii) Other/Rear: Nil <p>Development Requirements</p> <p>In addition to the provisions of clause 3.12 the following requirements shall apply:</p> <ol style="list-style-type: none"> 1. Development shall require development approval in accordance with clause 60 of the deemed provisions. 2. The predominant use of the area shall be Supermarket. 3. The following uses shall be classified as 'D': <ul style="list-style-type: none"> • Restaurant/Café; • Supermarket; • Convenience Store; • Fast Food Outlet; • Liquor Store - Small; • Liquor Store – Large; • Shop; • Small Bar; • Tavern; • Car Park. <p>All other uses are classified 'X'.</p> 4. Small scale retail and commercial activities shall: <ul style="list-style-type: none"> (i) Sleeve any supermarket proposal on a minimum of two sides providing active frontages to Federation Park and Maidstone Crescent; (ii) be incidental to the predominant supermarket use; and (iii) have a maximum individual street frontage of 15 metres. 5. Development shall provide pedestrian shelter, a minimum of 2 metres wide in the form of an awning, canopy, balcony or verandah on a minimum of three (3) sides to provide articulation to Federation Park, Maidstone Crescent and Payne Street. The pedestrian shelter shall be designed to appear as thin, lightweight elements. Bull nose verandahs shall not be permitted. 6. Awnings shall be cantilevered with no structural components or supporting structures permitted in the public realm. 7. The minimum height from ground level for a canopy or awning overhanging a footpath is 2.75 metres. Signage suspended

No	Description of Land	Restricted Use	Conditions
			<p>beneath a canopy shall have a minimum clearance of 2.4 metres.</p> <p>8. Provision and maintenance of canopies and awnings is the responsibility of the building owner.</p> <p>9. Built Strata subdivision shall only be supported where there is consistent building design and internal fit out for the overall site. No other form of subdivision will be supported.</p> <p>10. On corner sites, buildings must address both street frontages.</p>
R2	<p>Lot 902 Madaffari Drive, Exmouth</p> <p>Scheme Map 5</p>	Tourist Development	<p>Site Requirements</p> <p>The minimum building setbacks shall be:</p> <ul style="list-style-type: none"> (i) Front (Madaffari Drive): 5 metres. (ii) Rear (Sunrise Beach): 5 metres. (iii) All other boundaries: in accordance with the R40 Density Code. <p>Development Requirements</p> <ol style="list-style-type: none"> 1. 'Tourist Development' shall be classified as a 'D' use. <p>All other uses are classified as 'X' not permitted.</p> <ol style="list-style-type: none"> 2. Strata subdivision shall only be supported subject to consistent building design and internal fit out for the overall site. 3. A consistent landscaping theme shall be adopted throughout the development to provide visual consistency. The first 2 metres of the front setback from Madaffari Drive shall be landscaped. 4. Building Heights shall be a maximum 12 metres above natural ground level. The maximum height of wall shall be 9.75 metres above natural ground level. 5. Access to the resort shall be provided from Madaffari Drive via a maximum of two access points. 6. Building design shall provide a clear expression of the architectural style envisaged for the overall site including height, colour, texture, external material, roof pitch and character to existing development. 7. Pedestrian paths shall be provided within the resort to provide internal pedestrian accessibility. 8. Boundary fencing shall be 2x courses of reconstituted limestone blocks with intermittent dividing limestone pylons, separated by visually permeable uniform fencing.

No	Description of Land	Restricted Use	Conditions
R3	<p>Portion lot 857 Murat road, lots 854, 853 Murat Road, lots 856, 858, 855, 859, 860, 861, 865, 852, 851 McLeod Street, and Lot 316 Minilya-Exmouth road.</p> <p>Scheme Map 6</p>	Agriculture – Extensive	<p>Site Requirements</p> <p>The minimum building setbacks shall be:</p> <ul style="list-style-type: none"> (i) Street: 20 metres. (ii) Other Boundaries: 10 metres. <p>Development Requirements</p> <ol style="list-style-type: none"> 1. 'Agriculture – Extensive' shall be classified as a 'D' use. <p>All other uses are classified as 'X' not permitted.</p> <ol style="list-style-type: none"> 2. Minimum Lot Size: 3ha.

SCHEDULE 4 — SPECIAL USE ZONES

Clause 3.6

No	Description of Land	Special Use	Conditions
SU1	<p>Lots fronting Ingram Street, Tuckey Street, Young Street, Hunt Street and Thresher Street, North West Cape</p> <p>Scheme Map 7</p>	<p>Industrial</p> <p>Composite development comprising a combination of industrial and single housing on each lot</p>	<p>Land Use</p> <ol style="list-style-type: none"> 1. A Caretaker's Dwelling may only be supported on the lots specifically designated for this purpose on the Structure Plan, and as referenced in this Schedule, and may only be approved in accordance with the provisions of the Scheme. <p>Site and Development Requirements</p> <ol style="list-style-type: none"> 1. Subdivision and development of land shall be generally in accordance with the Structure Plan for the area, appended to this Schedule. 2. Requirements pertaining to the General Industry zone under the Scheme apply to all development except as may be otherwise provided in this Schedule and the Structure Plan. 3. In addition to those matters prescribed in Clause 67 of the deemed provisions the local government shall have regard to: <ol style="list-style-type: none"> i. any approved Environmental Management Plan applying to land included in this zone; ii. buffer separation distances as prescribed in the Environmental Protection Authority's Guidelines for Environment and Planning; iii. the level and extent of emissions likely to be generated by the proposed use; and iv. the adequacy of the proposed method of onsite effluent, trade waste and stormwater disposal that will be generated by the proposed use. 4. Development Approval is required for all land uses which may be supported pursuant to the provisions of this Schedule. <p>Industrial Precinct</p> <p>Precinct Land Use</p> <ol style="list-style-type: none"> 1. Use of land designated as Industrial on the Structure Plan shall be in accordance with Scheme requirements for the General Industry zone, except as may be otherwise provided in this Schedule and the Structure Plan. 2. The following uses shall be classified as 'X' uses under the scheme: <ul style="list-style-type: none"> • Fuel Depot; • Industry – Noxious; and • Service Station. 3. The following uses shall be classified as 'D' uses under the scheme: <ul style="list-style-type: none"> • Caretaker's Dwelling

No	Description of Land	Special Use	Conditions
			<p>Precinct Site and Development Requirements</p> <ol style="list-style-type: none"> 1. Development of land designated as Industrial on the Structure Plan shall be in accordance with Scheme requirements for the General Industry zone, except as may be otherwise provided in this Schedule and the Structure Plan. 2. A Caretaker's Dwelling shall be situated on a lot as follows: <ol style="list-style-type: none"> i. For non-corner lots any Caretaker's Dwelling shall not protrude forward of the rear most setback of the industrial use as either constructed or operating on the land. ii. For those corner lots designated Ind.1 and Ind.2 on the Structure Plan any Caretaker's Dwelling shall be located forward of the front most setback of the industrial use as either constructed or operating on the land. <p>Composite Development Precinct</p> <p>Precinct Land Use</p> <ol style="list-style-type: none"> 1. Land designated as Composite on the Structure Plan may be used for Industrial and Residential uses, within defined building envelopes separated by a vegetated buffer. 2. Only one (1) industrial business is permitted to be established on each lot within the Composite Area. 3. Only one (1) residential land use shall be permitted on each lot within the Composite Area. 4. No administrative and other associated functions of the approved industrial use are to be carried out within the associated dwelling, unless approval for a Home Occupation has first been granted by the local government. 5. The permissibility of land uses shall be as per the General Industry zone except that the following land uses shall be classified as 'X' uses under the scheme: <ul style="list-style-type: none"> • Abattoir; • Fuel Depot; • Industry – Extractive; • Industry – Hazardous; • Industry – Noxious; • Motor Vehicle Wreckers; • Service Station; • Transport Depot; • Renewable Energy Facility. <p>and the following land uses shall be classified as 'D' under the scheme:</p> <ul style="list-style-type: none"> • Dwelling; • Repurposed Dwelling;

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> • Secondhand Dwelling. <p>Precinct Site and Development Requirements</p> <ol style="list-style-type: none"> 1. Land designated as Composite on the Structure Plan may be developed, within defined building envelopes separated by a vegetated buffer. 2. An industrial use permitted by the Scheme and approved by the local government is to be contained within the Industrial Building Envelope only and is subject to the General Industry zone provisions prescribed by the Scheme, except as may be otherwise provided in this Schedule and the Structure Plan. 3. The industrial envelope within the Composite Industrial Precinct shall not comprise less than 60% of the area of the lot (including the vegetated buffer but excluding the access easement). 4. Approval by the local government of a residential land use in the Composite Area shall only be granted where: <ol style="list-style-type: none"> i. The applicant has submitted an acoustic report which provides an assessment of noise impact associated with current and potential industrial uses and recommends appropriate noise attenuation measures to the residential use to address any such impact. ii. An industrial use has been lawfully established on the same lot upon which the residential use is intended to be established; <p style="text-align: center;">OR</p> <ol style="list-style-type: none"> iii. Simultaneous approval has been granted by the local government for an industrial use on the same lot. 5. Where simultaneous approval has been granted by the local government for both an industrial and residential use on the same lot, the physical development approved within the Industrial Envelope must be completed prior to occupation of the residential use. 6. A residential use may only be occupied by the owner, manager, lessee or employee (and immediate family thereof) of the approved industrial use on that lot. 7. Any proposed vegetated buffer and landscaped areas shall only be used for their intended and approved purpose, and shall be established prior to any approved use commencing. 8. Industrial uses shall be in accordance with the General Industry zone provisions of the Scheme except as may be otherwise provided in this Schedule and the Structure Plan.

No	Description of Land	Special Use	Conditions
			<p>9. Any residential development shall accord with the R-Codes, and other applicable provisions of the Scheme.</p> <p>10. The minimum site area per residential use, minimum frontage, minimum open space, minimum outdoor living area and minimum boundary setbacks shall be equivalent to the R20 density code site requirements prescribed in the R-Codes.</p> <p>11. Separate vehicle crossovers and driveways shall be provided to both the Industrial Building Envelope and the Residential Building Envelope contained on the same lot.</p> <p>12. All parking provided for any approved industrial use shall be in accordance with the Scheme and shall be contained wholly within the Industrial Building Envelope.</p> <p>13. Additional parking may be permitted within the Residential Building Envelope where a Home Occupation approval has been granted for the carrying out of administrative and associated functions related to the industrial use on that lot.</p> <p>14. Variations to the location of nominated vehicle crossover and access easement to the Industrial Building Envelope, or reductions in road reserve widths, as may be indicated on the Structure Plan, are permitted at the discretion of the local government.</p> <p>15. Memorials are required on all new titles at the time of lot creation to advise prospective purchasers that lots in the area will be developed for Industrial uses. Final wording to be to the satisfaction of the local government.</p>
SU2	<p>Lot 2, a portion of Lot 6 and Lot 319 Yardie Creek Road, North West Cape</p> <p>Scheme Map 3</p>	Tourist Accommodation	<p>Land Use</p> <p>1. The following uses shall be classified as 'A' uses under the Scheme:</p> <ul style="list-style-type: none"> • Caravan Park; • Camping Ground; • Chalet; • Holiday Accommodation; • Holiday House; • Tourist Development; • Restaurant/Cafe; • Shop; and • Caretaker's Dwelling. <p>Site and Development Requirements</p> <p>1. Detailed site and development requirements shall be in accordance with the Vlamingh Head Masterplan.</p>
SU3	<p>Exmouth Aerodrome, Reserve 32867, Lot 73, No. 73 Minilya-Exmouth Road</p> <p>Scheme Maps 7 & 8</p>	Aerodrome	<p>Land Use</p> <p>1. Uses shall be related to the Exmouth Aerodrome operations and shall be considered based on their merits, having regard to the Exmouth Aerodrome Locality Site Plan.</p>

No	Description of Land	Special Use	Conditions
			<p>2. Land uses shall generally be in accordance with the Exmouth Aerodrome Locality Site Plan and the precincts therein.</p> <p>3. The following uses shall be classified as 'D' uses under the Scheme:</p> <ul style="list-style-type: none"> • Car Park; • Fuel Depot; • Prescribed Premises; and • Telecommunications Infrastructure. <p>4. Notwithstanding Point 3 above, the leasehold lots 15 and 18 depicted on the Exmouth Aerodrome Locality Site Plan shall only be developed for aviation fuel purposes.</p> <p>5. No development is permitted in the Aircraft Taxiway/Runway or the Apron Area as depicted on the Exmouth Aerodrome Locality Site Plan, excluding the sealing of runways, taxiways and apron areas.</p> <p>Site Requirements</p> <p>1. Setbacks:</p> <p style="padding-left: 20px;">A minimum 5 metre setback shall be provided off any side leasehold lot boundary (inclusive of openable hangar doors).</p> <p>2. Development shall not exceed 60% of the leasehold lot area excluding the apron area.</p> <p>Development Requirements</p> <p>1. An Exmouth Aerodrome Locality Site Plan and a Subdivision Guide Plan shall be prepared for the reserve and adopted by the local government.</p> <p>2. Development shall be considered having regard to the adopted Exmouth Aerodrome Locality Site Plan and Subdivision Guide Plan.</p> <p>3. The runway shall be protected from development so as to protect an obstacle-free gradient of less than 1.6% for the take-off runway.</p> <p>4. All new development and structures, including towers, antennae, and any alterations to roof lines and any increase to building heights on land within the reserve will not be permitted unless the proposed height of the development has been considered and approved by the local government and complies with any Obstacle Limitation Surface that applies to the Exmouth Aerodrome.</p> <p>5. Development on the minimum western side setback, shall not exceed a maximum height of 5 metre (applicable to leasehold lots 1, 11, 12, and 15).</p> <p>6. For every 7 metres from the runway strip edge, the maximum permissible height increases by 1 metre.</p> <p>7. Structures must be built with non-reflective materials and in accordance with the local</p>

No	Description of Land	Special Use	Conditions
			<p>government's colour palette. Zincalume is not a permitted building material.</p> <p>8. Solar panels where installed shall be non-reflective or situated in such a position so as to prevent pilot blinding.</p> <p>9. Advertising devices are not permitted, except for wall signs that are not illuminated nor have flashing lights, unless the proposed signs and lights have been approved by the local government.</p> <p>10. The local government shall be responsible for fencing of any airside boundary of public car parks and any other non-leasable area. Where a fence is provided to a leasehold lot boundary, the fence shall thereafter be maintained by the leaseholder to the satisfaction of the local government.</p> <p>11. Fencing shall be constructed to a minimum standard of 7-strand 2.50mm heavy galvanised high tensile ring-lock fencing, 1.8m high uprights every 15 metres.</p> <p>12. One airside vehicle gate and one airside personnel gate is permitted per leasehold lot.</p> <p>13. Every leasehold lot shall include car parking at a ratio of one bay per employee. Car parking shall be accessed from roads and located within the leasehold lot.</p> <p>14. The total combined width of crossovers shall not exceed 50% of the frontage width of the leasehold front lot boundary.</p> <p>15. The local government shall landscape and maintain green spaces and vegetation buffer areas within any non-leasable area.</p> <p>16. Landscaping shall incorporate species contained on the local government's recommended plant species list, and shall be undertaken in accordance with the local government's Landscaping local planning policy.</p> <p>17. Power, sewer and water storage and supply (if no reticulated system connected to mains is not provided) shall be provided within the leasehold lot, including any fire hydrant system (if so required).</p> <p>18. Bush Fire Management, including provision of firebreaks, shall be undertaken and maintained by the local government.</p> <p>19. The keeping of livestock is prohibited within the reserve.</p> <p>General Aviation (GA) Precinct</p> <p>Precinct Site Requirements</p> <p>1. Each leasehold lot has a depth of 57 metres, of which 45 metres depth is developable land. The additional 12 metre depth is allocated as apron area which cannot be developed or have any permanently affixed structures.</p>

No	Description of Land	Special Use	Conditions
			<p>Precinct Development Requirements</p> <p>1. General aviation operations are only permitted within this precinct (maximum Code A aircraft).</p> <p>Helicopter Precinct</p> <p>Precinct Site Requirements</p> <p>1. The 25 metre apron area cannot be developed or have any permanently affixed structures.</p> <p>Precinct Development Requirements</p> <p>1. Helicopter operations only permitted within this precinct.</p> <p>Commercial Precinct</p> <p>Precinct Site Requirements</p> <p>1. The 30 metre apron area cannot be developed or have any permanently affixed structures.</p> <p>Precinct Development Requirements</p> <p>1. Commercial aviation operations are only permitted within this precinct (maximum Code B aircraft).</p> <p>Commercial Precinct Future</p> <p>Precinct Site Requirements</p> <p>1. Each leasehold lot has a depth of 50 metres, of which 35 metres depth is developable land. The additional 15 metres is apron area which cannot be developed or have any permanently affixed structures.</p> <p>Precinct Development Requirements</p> <p>1. Commercial aviation operations are only permitted within this precinct (maximum Code C aircraft).</p>
SU4	<p>Lot 149 Hunt Street, reserve 38704, lots 1, 1403, 1404 Truscott Crescent, lot 198 Pace Rtt, and portion reserve 27648</p> <p>Scheme Maps 3, 4, 5 and 7</p>	Caravan Park and Camping Ground	<p>The objectives of Special Use Zone 4 are as follows:</p> <p>1. To cater for the current and future supply of affordable tourist accommodation, in the form of caravan parks and camping grounds, to meet the current and anticipated demand.</p> <p>2. To control the location, form, character and density of development to complement the natural and built features within the locality.</p> <p>3. To provide for high quality short-term accommodation and tourist facilities.</p> <p>4. To protect potential and existing caravan and camping areas from the encroachment by other incompatible use or development.</p>

No	Description of Land	Special Use	Conditions
			<p>Land Use</p> <ol style="list-style-type: none"> The following uses shall be classified as 'D' uses under the Scheme: <ul style="list-style-type: none"> Chalet; Restaurant/Café; Convenience store; Fast Food Outlet; Shop; Car Park; Civic Use; Club Premises; Community Purpose; Public Utility; Recreation –Private; Telecommunications Infrastructure; Camping Ground; and Caravan Park. The following uses shall be classified as 'I' uses under the Scheme: <ul style="list-style-type: none"> Caretakers Dwelling. All other uses are 'X' not permitted. <p>Site requirements</p> <ol style="list-style-type: none"> All development shall comply with the following site requirements: <ol style="list-style-type: none"> Setbacks: <ol style="list-style-type: none"> Where applicable, in accordance with the <i>Caravan Parks and Camping Grounds Regulations 1997</i> (as amended); and For all other elements of a proposal, as determined by the local government. <p>Development requirements</p> <ol style="list-style-type: none"> Development shall comply with all requirements prescribed under the <i>Caravan Parks and Camping Grounds Act 1995</i> (as amended) and <i>Caravan Parks and Camping Grounds Regulations 1997</i> (as amended). Development shall not exceed 1 storey in height, above natural ground level except where the local government considers that particular circumstances may warrant an exception and provided the objectives of the special use zone and the Scheme are not compromised. In considering any development application for a new Caravan Park and Camping Ground development, the local government shall require a detailed report addressing the following: <ol style="list-style-type: none"> Landform, drainage and topography; Soils and vegetation; Internal vehicle and pedestrian movement system, including location and dimensions of roads and footpaths; The location, size and function of all communal open space areas;

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> v. Land uses; vi. Indicative lot/site layout; vii. Servicing, including sewer, water, drainage and power; and viii. Such other information as may be required by the local government. <ol style="list-style-type: none"> 4. Accommodation for an on-site manager shall be provided in any Caravan Park and Camping Ground. 5. Additional accommodation for up to a maximum of two permanent staff of the Caravan Park and Camping Ground may be permitted. 6. Landscaping shall be provided to integrate the development into the natural landscape and provide screening from visual and noise impacts of surrounding land uses. 7. Commercial uses may be permitted as part of a development provided that: <ul style="list-style-type: none"> i. The use is incidental to the main caravan park and camping use, and offers a service that is relevant to the park's occupants; and ii. The combined gross floor area allocated for such uses does not exceed 500m². 8. Notwithstanding the requirements of the <i>Caravan Park and Camping Ground Regulations 1997</i> (as amended), the maximum period of occupation of a site by any person or persons is 4 months. 9. Fencing shall be in accordance with the <i>Caravan Park and Camping Ground Regulations 1997</i> (as amended). Fencing of individual caravan or camping sites is not permitted. 10. Freehold or Strata subdivision will not be supported.
SU5	Reserve 47807, lot 1481 Neale Cove, portion of reserve 47981, portion of reserve 49037, and reserve 49039 Scheme Maps 5, P1 and P2	Boat Harbour	<p>The objectives of Special Use Zone 5 are as follows:</p> <ol style="list-style-type: none"> 1. To set aside land for the development of port or marine facilities and marine industry. 2. To facilitate uses that complement the operation of the Exmouth Boat Harbour. 3. To provide guidance on the built form to ensure an appropriate transition from the residential canal estates to the Exmouth Boat Harbour. 4. To minimise the visual impact of the marine industrial area within the South Harbour on the surrounding residential and tourist uses.

No	Description of Land	Special Use	Conditions
			<p>5. To ensure a high standard of development that responds to the unique location.</p> <p>Land Use</p> <p>1. All land uses shall be marine and port related as per the objectives of the Special Use Zone.</p> <p>Site and Development Requirements</p> <p>1. The permissibility of sign types shall be in accordance with the 'Special Use Zone' column in Table 5 Signage Zoning and Permissibility Table.</p> <p>2. Siting and Development shall be in accordance with the requirements prescribed in the provisions below.</p> <p>P1 South Harbour Development Requirements</p> <p>Precinct Land Use</p> <p>1. The following uses shall be classified as 'A' use under the scheme:</p> <ul style="list-style-type: none"> • Industry – Light (considered to include boat repairs); • Fuel Depot; • Marine Filling Station; • Marine Support Facility; • Transport Depot (considered to include refuelling); • Industry - Service; • Telecommunications Infrastructure; • Warehouse/storage; and • Storage Yard. <p>2. The following use shall be classified as 'I' use under the scheme:</p> <ul style="list-style-type: none"> • Office. <p>3. All other uses shall be classified as 'X' not permitted.</p> <p>Precinct Site requirements</p> <p>1. Setbacks:</p> <p>(a) Front: 7.5 metres.</p> <p>(b) All other boundaries: at the discretion of the local government.</p> <p>Precinct Development requirements</p> <p>1. Maximum building height shall be 8 metres to the top of wall and 10 metres to the top of roof, above natural ground level.</p> <p>2. The first 1.5 metres of the front setback shall be landscaped so as to provide screening from surrounding land uses, excluding any crossover.</p> <p>3. At development application stage the local government shall require a management plan to be prepared by the applicant to address matters including:</p>

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> i. Level, extent and control of emissions likely to be generated by the proposed use; ii. On site effluent and trade waste disposal; iii. Drainage, flooding and storm water management; iv. Visual amenity/landscaping/clearing of vegetation; v. Hours of operation; vi. Buffer and relevant buffer requirements; vii. Fire management; and viii. Cyclones. <p>4. Manoeuvring area shall be provided for all vehicles to enter and exit the lot in a forward gear.</p> <p>5. Roof form shall be complementary to the surrounding Marina area at the discretion of the local government.</p> <p>6. Boundary fencing shall be maximum 1.8 metres high and shall be a minimum 90% visually permeable.</p> <p>7. The local government shall not grant development approval for a jetty until the primary building on the lot has been completed.</p> <p>P2 North Harbour Development Requirements</p> <p>Precinct Land Use</p> <p>1. The following uses shall be classified as 'D' use under the scheme:</p> <ul style="list-style-type: none"> • Restaurant/café; • Car Park; • Civic Use; • Club Premises; • Community Purpose; • Convenience Store; • Fish Shop; • Marina; and • Public Utility. <p>2. The following uses shall be classified as 'A' use under the scheme:</p> <ul style="list-style-type: none"> • Shop; and • Small Bar. <p>3. The following use shall be classified as 'I' use under the scheme:</p> <ul style="list-style-type: none"> • Industry – Service; and • Office. <p>4. All other uses shall be classified as 'X' not permitted.</p> <p>Precinct Site and Development requirements</p> <p>1. Prior to any development of P2, the adoption of a Local Development Plan pursuant to clause 48 of the deemed provisions shall be required.</p>

No	Description of Land	Special Use	Conditions
			<p>2. Siting and Development requirements shall thereafter be in accordance with any approved Local Development Plan over the subject land.</p>
SU6	Scheme Map 5	Marina	<p>The overall objectives of Special Use Zone 6 are as follows:</p> <ol style="list-style-type: none"> 1. To provide for public marina uses, tourist, commercial and residential components for the local and visiting community, which has strong links to the existing cultural and town precincts, in recognition of the strategic location of the site in its local regional context. 2. To ensure a consistently high standard of development with quality design that provides visual interest through detail and scale, and positively contributes to the streetscape and canal environments. 3. To complement and not compete with other zones for civic, tourist and commercial uses. <p>Overall development requirements</p> <ol style="list-style-type: none"> 1. Subdivision or amalgamation will not be supported unless otherwise stated in the respective Area. 2. All development shall require development approval in accordance with clause 60 of the deemed provisions. Development includes the sinking of a bore or well, and swimming pools. 3. Notwithstanding the provisions of this Scheme, development shall comply with the easements, encumbrances and other limitations notated on the certificate of title for the land. 4. Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the R Codes is to conform with the provisions of those Codes. 5. Zincalume shall not be permitted as a building material. 6. Storm water drainage from the lot frontage including garden and paved areas shall be retained on-site and/or directly discharged into the local government's road drainage system via fully controlled drainage systems. 7. All development shall be in accordance with the local government's adopted colour palette. 8. Developments shall be provided with a sealed driveway and crossover in colours and materials that complement the development. 9. Wherever development abuts public open space, it shall be designed to address the space and establish an 'urban edge' to provide natural surveillance and allow casual interaction

No	Description of Land	Special Use	Conditions
			<p>between the development and the open space.</p> <p>10. Developments shall have front entries addressing the street through elements such as entry porticos or other design features.</p> <p>11. Large areas of blank wall will not be accepted on the front and / or street façade, and the canal waterway. The public face of each dwelling shall be detailed to provide visual richness, and reduce bulk.</p> <p>12. Formal modulation shall be sought through placement of windows and openings, balconies and material changes to street and open spaces.</p> <p>13. All fences and retaining walls where provided by the developer shall not be altered with all maintenance of such fences being the responsibility of the landowner. New fences and retaining walls may require a building licence from the local government.</p> <p>14. No obstructions shall be placed so as to restrict or hinder access along any canal edge or street side footpath.</p> <p>Area A</p> <p>Area A consists of canal lots, dry lots and a landmark site as identified in Figure A1 in Schedule 5.</p> <p>Area A – Canal Lots</p> <p>Area A – Canal Lots consist of a Net Developable Area (NDA), Conditional Development Area (CDA) and a Nutrient Retention Area (NRA) as identified in Figure A2 in Schedule 5.</p> <p>Site requirements:</p> <p>1. Setbacks</p> <p>(a) Front:</p> <p>i. Dwelling – Ground Floor: average 4.5 metres with a minimum 3 metres.</p> <p>ii. Upper Floor: average 6 metre minimum, with a minimum 3 metres.</p> <p>iii. Garage/Carport: minimum 5.5 metres.</p> <p>(b) Secondary Street: 1.5 metres ground and upper floor.</p> <p>(c) Side: In accordance with the R20 Density Code.</p> <p>(d) Rear (Canal): Nil to CDA for the main dwelling. This does not include open structures such as pergolas, patios or gazebos.</p> <p>(e) Conditional Development Area</p>

No	Description of Land	Special Use	Conditions
			<p>i. Canal minimum 6 metres from the canal side of the upper retaining wall; OR 4 metres from the canal side of the upper retaining wall if the maximum FFL is 5.00m AHD.</p> <p>ii. Side 1.5 metres ground and upper floor.</p> <p>Development requirements</p> <ol style="list-style-type: none"> Land use and development shall be in accordance with the 'Residential' zone in the zoning table and the R20 Density Code under the R Codes where the provisions of the scheme are silent, except that 'Dwelling', 'Single House', 'Ancillary Dwelling', 'Outbuilding' and 'Jetty' shall be classified as 'D' and 'Industry – Cottage', 'Home Business', 'Child Care Premises', 'Consulting Rooms' and 'Place of Worship' shall be classified as 'X' not permitted. Outbuildings shall have a maximum area of 32m², having a maximum width of 4.5 metres, max wall height tops of external wall (roof above) and top of external wall (concealed roof) of 3 metres and max ridge height of 4.5 metres, above natural ground level. External materials and colours shall be consistent with that of the main dwelling. Jetty structures shall be located wholly within the Jetty envelope and the mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan. Storm water from garden areas abutting the canal shall be directed to the NRA. Clean rainwater from roofed areas may be directly discharged via fully controlled drainage systems to the waterway. No dwelling shall be approved unless it has a minimum floor area of 150m², inclusive of all floors, measured to include the external walls of the dwelling, excluding balconies, verandahs, garages, carports, patios, pergolas and external storage or outdoor living areas. The maximum height of walls shall be 6.2m above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum height of wall is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above. The minimum finished floor level for all habitable buildings shall be 5.25m AHD

No	Description of Land	Special Use	Conditions
			<p>except for lots 365, 366, 367, 397, 398 and 399 which require a minimum FFL of 5.50m AHD.</p> <p>9. The total width of the crossover(s) at street frontage shall not exceed 40% of the frontage of a lot.</p> <p>10. Garages and carports are to remain residential size and scale and shall not occupy more than 50% of the lot frontage for single storey development, or 60% for 2 storey development.</p> <p>11. Development shall maintain protection of the NRA. The NRA shall not be sealed but can be used for landscaping, grated or otherwise covered with permeable materials that allow nutrient run-off to be contained on site.</p> <p>12. Retaining walls shall be a maximum height of 0.75 metres setback a minimum of 2 metres from the canal side of the upper retaining wall OR a maximum height of 1.5 metres setback 4 metres from the canal side of the upper retaining wall. A subsoil drainage system shall be provided to divert water away from retaining walls.</p> <p>13. Conditional Development Area</p> <p>(a) Development within the CDA shall be designed to complement the main dwelling in terms of architectural style, colours and materials, and shall maintain view lines to the canal from neighbouring dwellings.</p> <p>(b) Development within the CDA shall be open sided.</p> <p>(c) The visual privacy provisions of the R Codes shall not apply to development in the CDA.</p> <p>(d) All balustrades within the CDA shall be a minimum 90% visually permeable and shall have a maximum height of 1 metre, excluding swimming pool barriers.</p> <p>(e) All construction in the CDA shall require certification from a structural engineer that the building does not impose any surcharge load contrary to the global stability of the canal wall.</p> <p>(f) Development above natural ground level shall have the underside screened from the canal waterway.</p> <p>14. Fencing Height</p> <p>(a) Front Setback Area: maximum 0.9 metres including the street front boundary and side boundary.</p> <p>(b) Side: maximum 1.8 metres (NDA) and a maximum 0.9 metres (CDA) solid. Between 0.9 metres and 1.5 metres (CDA) shall be a minimum 90% visually permeable. No fence</p>

No	Description of Land	Special Use	Conditions
			<p>permitted within 2 metres of any shared stair access to the canals.</p> <p>(c) Canal: maximum 1.2 metres and shall be a minimum 90% visually permeable. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances. The minimum setback for canal frontage fencing is on top of the secondary retaining wall.</p> <p>Area A – Dry Lots</p> <p>Site requirements:</p> <p>1. Setbacks</p> <p>(a) Front:</p> <p>i. Dwelling – Ground Floor: average 4.5 metres with a minimum 3 metres.</p> <p>ii. Upper Floor: average 6 metre minimum with a minimum 3 metres.</p> <p>iii. Garage/Carport minimum 5.5 metres.</p> <p>(b) Secondary Street: 1.5 metres ground and upper floor.</p> <p>(c) Side and Rear: In accordance with R20 Density Code with the exception of lots adjoining Warne Street and the foreshore reserve which shall have a minimum setback of 4 metres for all development.</p> <p>Development requirements:</p> <p>1. Land use and development shall be in accordance with the 'Residential Zone' in the zoning table, except that 'Dwelling', 'Ancillary Dwelling', 'Outbuilding' and 'Single House' shall be classified as 'D' and 'Industry – Cottage', 'Child Care Premises', 'Consulting Rooms', 'Home Business' and 'Place of Worship' shall be classified as 'X' not permitted.</p> <p>2. All residential development shall comply with the R20 Density Code, where the provisions of the scheme are silent.</p> <p>3. Outbuildings shall be a maximum area of 32m², having a maximum width of 4.5 metres, max wall height tops of external wall (roof above) and top of external wall (concealed roof) of 3 metres and max ridge height of 4.5 metres, above natural ground level. Materials and colours shall be consistent with that of the main dwelling.</p> <p>4. No dwelling shall be approved unless it has a minimum floor area of 150m², inclusive of all floors, measured to include the external walls of the dwelling, excluding balconies, verandahs, garages, carports, patios, pergolas and external storage or outdoor living areas.</p>

No	Description of Land	Special Use	Conditions
			<p>5. The maximum height of walls shall be 6.2m above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum height of wall is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above.</p> <p>6. The minimum finished floor level for all habitable buildings shall be 5.25m AHD with the exception of Lots 463, 464, 465, 466, 467, 468, 469, 470, 471, 472 where the finished floor level shall not vary from the original lot level by a more than 600mm for the building pad only. The ground level of the balance of the lot shall not be altered.</p> <p>7. The size and scale of garages and carports are to remain residential in nature and not detract from the main dwelling being less than 50% of the lot frontage for single storey development, or 60% if there is a second storey above.</p> <p>8. The total width of the crossover(s) at the street frontage shall not exceed 40% of the frontage of a lot.</p> <p>9. Vehicle access to Warne Street is not permitted from Lots 472, 474, 475, 476, 477, and 478.</p> <p>10. Fencing Height:</p> <p>(a) Front Setback Area: maximum 0.9 metres including the street front boundary and side boundary.</p> <p>(b) Side/Rear: maximum 1.8 metres.</p> <p>(c) Fencing to Warne Street: shall be constructed with uniform fencing to Warne Street along the rear boundaries, with the design and standard of fencing to be approved by the local government.</p> <p>Area A – Landmark</p> <p>Site requirements:</p> <p>1. Setbacks</p> <p>(a) Murat Road: average of 5 metres with a minimum of 4 metres.</p> <p>(b) Warne St/Madaffari Drive: minimum 6 metres.</p> <p>(c) Open Space/Spill Way: minimum 1.5 metres.</p> <p>(d) Rear (Canal): Nil to CDA for the main dwelling. This does not include open structures such as pergolas, patios or gazebos.</p> <p>(e) Side: In accordance with the R60 Density Code for all other residential land; and</p>

No	Description of Land	Special Use	Conditions
			<p>(f) At the discretion of the local government for all other uses.</p> <p>(g) Conditional Development Area</p> <ol style="list-style-type: none"> i. Canal minimum 6 metres from the canal side of the upper retaining wall; OR 4 metres from the canal side of the upper retaining wall if the maximum FFL is 5.00m AHD. ii. Side 1.5 metres ground and upper floor. <p>Development requirements:</p> <ol style="list-style-type: none"> The following uses shall be classified as 'D': 'Grouped Dwelling'; 'Multiple Dwelling' or 'Tourist Development'; 'Hotel'; 'Motel'; 'Serviced Apartment' (no integration of residential dwellings); with incidental uses at the discretion of the local government. The following uses shall be classified as 'A': 'Telecommunications Infrastructure'. All other uses are 'X' not permitted. All residential development shall comply with the R60 Density Code. Jetties shall not be permitted. Storm water from garden areas abutting the canal shall be directed to the NRA. Clean rainwater from roofed areas may be directly discharged via fully controlled drainage systems to the waterway. Development shall maintain protection of the NRA. The NRA shall not be sealed but can be used for landscaping, grated or otherwise covered with permeable materials that allow nutrient run-off to be contained on site. Development on the landmark site should draw attention to this location whilst reinforcing the sense of architectural identity. The minimum finished floor level for all habitable rooms shall be 5.50m AHD. This site shall include a prominent architectural tower structure, and may be constructed to a maximum height of up to 14 metres above natural ground level. The tower may include an observation deck overlooking the locality with external design features complementary to the immediate building design on the site. With the exception of the architectural tower structure, the development shall be a maximum of 9 metres above natural ground level at 5.50m AHD. A third level is permissible within the roof structure, provided that the roof structure shall have a maximum pitch of 33 degrees. Internal movement system shall be designed to ensure that rubbish collection

No	Description of Land	Special Use	Conditions
			<p>vehicles can enter, empty bins and exit the site in forward gear.</p> <p>13. Retaining walls shall be a maximum height of 0.75 metres, setback a minimum of 2 metres from the canal side of the upper retaining wall, or a maximum height of 1.5 metres setback 4 metres from the canal side of the upper retaining wall. A subsoil drainage system shall be provided to divert water away from retaining walls.</p> <p>14. Conditional Development Area</p> <p>(a) Development within the CDA shall be designed to complement the main dwelling in terms of architectural style, colours and materials, and shall maintain view lines to the canal from neighbouring dwellings.</p> <p>(b) Development within the CDA shall be open sided.</p> <p>(c) The visual privacy provisions of the R Codes shall not apply to development in the CDA.</p> <p>(d) All balustrades within the CDA shall be a minimum 90% visually permeable and shall have a maximum height of 1 metre, excluding swimming pool barriers.</p> <p>(e) All construction in the CDA shall require certification from a structural engineer that the building does not impose any surcharge load contrary to the global stability of the canal wall.</p> <p>(f) Development above natural ground level shall have the underside screened from the canal waterway.</p> <p>15. Fencing Height</p> <p>(a) Front Setback Area: maximum 0.9 metres including the street front boundary and side boundary.</p> <p>(b) Side: maximum 1.8 metres (NDA) and a maximum 0.9 metres (CDA) solid. Between 0.9 metres and 1.5 metres (CDA) shall be a minimum 90% visually permeable. No fence permitted within 2 metres of any shared stair access to the canals.</p> <p>(c) Canal: maximum 1.2 metres and shall be a minimum 90% visually permeable. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances. The minimum setback for canal frontage fencing is on top of the secondary retaining wall.</p> <p>Area B</p> <p>Area B consists of 10 precincts as identified in Figure B1 of Schedule 5.</p> <p>Area B – Precinct 1 Revetment Lots</p>

No	Description of Land	Special Use	Conditions
			<p>Site requirements:</p> <p>1. Setbacks</p> <p>(a) Front:</p> <ul style="list-style-type: none"> i. 5.0 metres for garages and carports. ii. 4.0 metres for the building envelope. <p>(b) Rear:</p> <ul style="list-style-type: none"> i. 5.0 metres from the canal set out line for a maximum of 50% of the width of the lot. The balance shall be set back a minimum of 8 metres from the canal set out line. ii. Upper floor rear balconies may project up to 0.5 metres into the rear setback but must be setback 0.5 metres from a side boundary. iii. Retractable Stairs are permitted from the ground floor down to the lower terrace within the 1.25 metre zone directly adjacent the secondary wall including the landing. iv. Ground floor rear balconies are permitted to be built against the side boundary provided a 1.65 metre high screen is provided. <p>(c) Side:</p> <ul style="list-style-type: none"> i. Ground floor: Nil. ii. 1st Floor: Single residential lots with a primary street frontage of 13 metres or greater – in accordance with the R Codes; or iii. Single residential lots with a primary street frontage of less than 13 metres – at the discretion of the local government. iv. Where side boundaries abut Public Open Space a side setback of 1 metres shall apply to 50% of the dwelling envelope, the balance may have a zero setback. <p>Development requirements:</p> <p>1. The following uses shall be classified as 'D': 'Dwelling'; 'Single House'; 'Grouped Dwelling'; 'Multiple Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Bed and Breakfast'; 'Guesthouse'; 'Serviced Apartment'; 'Home Occupation'.</p> <p>2. The following uses shall be classified as 'A': 'Industry – Cottage'; 'Residential Building', and 'Telecommunications Infrastructure'.</p>

No	Description of Land	Special Use	Conditions
			<p>3. All other uses shall be classified as 'X' not permitted.</p> <p>4. All residential development shall comply with the R40 Density Code.</p> <p>5. The finished ground level at the time of subdivision shall not be raised.</p> <p>6. The maximum height of walls shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum height of wall is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above.</p> <p>7. Crossovers shall not exceed 4.5 metres in width and shall be a minimum 0.75 metres from any side boundary on the front lot boundary.</p> <p>8. The area of private open space shall have a minimum dimension of 3.3 metres and a minimum area of 16m².</p> <p>9. Weather protection shall be provided to entrances of residential buildings.</p> <p>10. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>11. Minimum pitch to conventional roof forms shall be 35 degrees for single storey dwellings, excluding carports. Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey dwellings.</p> <p>12. No building, including stores, shall be approved on the lower terrace of any lot.</p> <p>13. Landscaping is not permitted within 2.2 metres of the second (upper) retaining wall.</p> <p>14. Fencing:</p>

No	Description of Land	Special Use	Conditions								
			<p>(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:</p> <table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table> <p>(b) Fencing Height as follows:</p> <p>i. Side: 1.8 metres with the exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height.</p> <p>ii. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances.</p> <p>iii. Fencing to the front boundary or forward of the building line on the side boundaries is not permitted under any circumstances.</p> <p>15. Buildings within the 3 metres 'no load' zone behind the second retaining wall shall be certified a structural engineer.</p> <p>16. No development shall be permitted within 6 metres of the second retaining wall below the finished ground level at the time of subdivision.</p> <p>17. Jetty structures shall be located wholly within the Jetty envelope and the mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.</p> <p>18. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 2 – Vertical Canal Lots</p> <p>Site requirements:</p> <p>1. Setbacks</p> <p>(a) Front:</p> <p>i. 5.0 metres for garages and carports.</p> <p>ii. 4.0 metres for the building envelope.</p> <p>(b) Rear:</p>	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Material	Colour										
Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> i. 4.3 metres from the canal set out line with the exception of a 0.5 metre cantilever which is permissible over the secondary retaining wall for 50% of the width of the lot. ii. Upper floor rear balconies may project up to 1 metre into the rear setback but must be setback 0.5 metre from a side boundary. iii. Ground floor rear balconies shall have a minimum setback of 2.3 metres to the primary retaining wall and are permitted to be built against the side boundary provided a 1.65 metre high screen is provided. <p>(c) Side:</p> <ul style="list-style-type: none"> i. Ground floor: Nil. ii. 1st Floor: Single residential lots with a primary street frontage of 13 metres or greater – in accordance with the R Codes; or iii. Single residential lots with a primary street frontage of less than 13 metres – at the discretion of the local government. iv. Where side boundaries abut Public Open Space a side setback of 1 metres shall apply to 50% of the dwelling envelope, the balance may have a zero setback. <p>Development requirements:</p> <ul style="list-style-type: none"> 1. The following uses shall be classified as 'D': 'Dwelling'; 'Single House'; 'Grouped Dwelling'; 'Multiple Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Bed and Breakfast'; 'Guesthouse'; 'Serviced Apartment'; 'Home Occupation'. 2. The following uses shall be classified as 'A': 'Industry – Cottage'; 'Residential Building', and 'Telecommunications Infrastructure'. 3. All other uses shall be classified as 'X' not permitted. 4. All residential development shall comply with the R40 Density Code. 5. The finished ground level at the time of subdivision shall not be raised. 6. The maximum height of walls shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum height of wall is not exceeded. Modifications to conventional loft construction are acceptable provided

No	Description of Land	Special Use	Conditions								
			<p>the building remains within the envelope described above.</p> <p>7. Crossovers shall not exceed 4.5 metres in width and shall be a minimum 0.75 metres from the side boundary.</p> <p>8. The area of private open space shall have a minimum dimension of 3.3 metres and a minimum area of 16m².</p> <p>9. Weather protection shall be provided to entrances of residential buildings.</p> <p>10. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none">i. Rendered brickwork (light, flat, bagged texture).ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber).iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber).iv. Painted timber or fibre cement weather boarding.v. Painted flat fibre cement sheet.vi. Custom orb (for walls).vii. Limestone blocks (natural or reconstituted).viii. Tilt concrete or precast concrete with textured and painted finishes. <p>11. Minimum pitch to conventional roof forms shall be 35 degrees for single storey dwellings, excluding carports. Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey dwellings.</p> <p>12. Landscaping is not permitted within 2.2 metres of the second (upper) retaining wall.</p> <p>13. Fencing:</p> <p>(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:</p> <table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table> <p>(b) Fencing Height as follows:</p>	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Material	Colour										
Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> i. Side: 1.8 metres with the exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height. ii. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances. iii. Fencing to the front boundary or forward of the building line on the side boundaries is not permitted under any circumstances. <p>14. A store may be permitted on the lower terrace of a lot provided it complies with the following requirements:</p> <ul style="list-style-type: none"> (a) The building occupies a maximum of 50% of the block width; (b) It shall be setback a minimum of 2.3 metres from the primary retaining wall; (c) The store shall be constructed at the 1.875 metre AHD level; (d) The store shall have a concrete slab with a minimum finished level of 1.975 metres AHD; (e) The height of the store shall not exceed the height of the existing retaining wall; (f) It shall be constructed of lightweight materials and clad in a weatherboard-style material or similar, provided that the finished presentation has a similar profile effect; (g) The construction of the store shall be certified by a structural engineer; (h) Signage shall be attached to store door or adjacent to store door to read "Residents to ensure all chemicals or petroleum products are securely stored at least 1.3 metres above the floor level to avoid contamination in the event of a flood"; and (i) Doors shall be designed and constructed such that in the event of a flood, the door will remain in the closed position. <p>15. Buildings within the 3 metre 'no load' zone behind the second retaining wall shall be certified a structural engineer.</p> <p>16. No development shall be permitted within 6 metres of the second retaining wall below the finished ground level at the time of subdivision.</p> <p>17. The mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.</p>

No	Description of Land	Special Use	Conditions
			<p>18. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 3 – Residential Dry Lots</p> <p>Site requirements:</p> <p>1. Setbacks</p> <p>(a) Front:</p> <p>i. 5.0 metres for garages and carports.</p> <p>ii. 4.0 metres for the building envelope.</p> <p>(b) Rear: In accordance with the R40 Density Code.</p> <p>(c) Side:</p> <p>i. Ground floor: Nil.</p> <p>ii. 1st Floor: Single residential lots with a primary street frontage of 13 metres or greater – in accordance with the R-Codes.</p> <p>iii. Single residential lots with a primary street frontage of less than 13 metres at the discretion of the local government.</p> <p>iv. Where side boundaries abut Public Open Space or a Public Road not more than 50% of the building may be positioned on the boundary. The balance shall be setback a minimum 1 metre.</p> <p>v. Upper floor rear balconies shall have a minimum side setback of 0.5 metres.</p> <p>Development requirements:</p> <p>1. The finished ground level at the time of subdivision shall not be raised.</p> <p>2. The following uses shall be classified as 'D': 'Dwelling'; 'Grouped Dwelling'; 'Multiple Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Bed and Breakfast'; 'Guesthouse'; 'Serviced Apartment'; 'Home Occupation'.</p> <p>3. The following uses shall be classified as 'A': 'Industry – Cottage'; 'Residential Building', and 'Telecommunications Infrastructure'.</p> <p>4. All other uses being classified as 'X' not permitted.</p> <p>5. The maximum height of walls shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum height of wall is not exceeded. Modifications to conventional loft construction are acceptable provided</p>

No	Description of Land	Special Use	Conditions								
			<p>the building remains within the envelope described above.</p> <p>6. Where access from the rear of a lot is available, on-site car parking for residents may be accessed from the rear.</p> <p>7. Crossovers shall not to exceed 4.5 metres in width and shall be a minimum 0.75 metres from the side boundary.</p> <p>8. The area of private open space shall have a minimum dimension of 3.3 metres and a minimum area of 16m2.</p> <p>9. Weather protection shall be provided to entrances of residential buildings.</p> <p>10. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <p>i. Rendered brickwork (light, flat, bagged texture).</p> <p>ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber).</p> <p>iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber).</p> <p>iv. Painted timber or fibre cement weather boarding.</p> <p>v. Painted flat fibre cement sheet.</p> <p>vi. Custom orb (for walls).</p> <p>vii. Limestone blocks (natural or reconstituted).</p> <p>viii. Tilt concrete or precast concrete with textured and painted finishes.</p> <p>11. Minimum pitch to conventional roof forms shall be 35 degrees for single storey dwellings, excluding carports. Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey dwellings.</p> <p>12. Fencing:</p> <p>(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:</p> <table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table> <p>(b) Fencing Height as follows:</p>	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Material	Colour										
Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

No	Description of Land	Special Use	Conditions
			<p>i. Side: 1.8 metres with the exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height.</p> <p>ii. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances.</p> <p>iii. Fencing to the front boundary or forward of the building line on the side boundaries is not permitted under any circumstances.</p> <p>Area B – Precinct 4 – Icon Site A and B</p> <p>Site requirements</p> <p>1. Setbacks</p> <p>(a) Front:</p> <p>i. 5.0 metres for garages and carports.</p> <p>ii. 4.0 metres for the building envelope.</p> <p>(b) Rear:</p> <p>i. to the North a minimum of 5.0 metres from the canal set out line.</p> <p>ii. 0.5 metre cantilever is permissible over the secondary retaining wall for 50% of the length of the secondary retaining wall that faces North.</p> <p>iii. The minimum setback to the primary retaining wall is 3.8 metres.</p> <p>iv. Balconies/decks minimum setback (to the North) 2.3 metres from the canal set out line.</p> <p>(c) Side:</p> <p>i. Nil.</p> <p>ii. Third level roof gables facing common side boundaries are to have a minimum setback of 2.5 metres.</p> <p>Development requirements</p> <p>1. The following uses shall be classified as 'D': 'Grouped Dwelling'; 'Multiple Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Serviced Apartment'; 'Home Occupation'.</p> <p>2. The following use being classified as 'A': 'Residential Building', and 'Telecommunications Infrastructure'.</p> <p>3. All other uses being classified as 'X' not permitted.</p>

No	Description of Land	Special Use	Conditions
			<ol style="list-style-type: none"> 4. The building envelope is to be a minimum of two storeys high and a maximum of three storeys, above natural ground level. 5. The finished ground level at the time of subdivision shall not be raised. 6. Buildings within the 3 metre 'no load' zone behind the second retaining wall shall be certified by a structural engineer. 7. No development shall be permitted within 6 metres of the second retaining wall below the finished ground level at the time of subdivision. 8. Car Parking: <ol style="list-style-type: none"> (a) Car parking areas shall be located on site and screened from public view. (b) Basement parking may be permitted subject to certification from a structural engineer and having appropriate drainage management with due regard for the waterways flood level. (c) A minimum of 2 car bays is to be provided per dwelling with 2 or more bedrooms. 9. Store(s) may be approved on the lower terrace of a lot provided they comply with the following requirements: <ol style="list-style-type: none"> (a) The store shall be non-habitable store, constructed at the 1.875 metre AHD level; (b) The height of the store(s) shall not exceed the height of the existing retaining wall; (c) The store shall be setback a minimum of 2.3 metres from the primary retaining wall; (d) Stores are only permitted in Canal Arm 4A; (e) The store shall have a concrete slab with a minimum finished level of 1.975 metres AHD; (f) The maximum cumulative width of the stores shall be limited to 50% width of the second retaining wall; (g) The store shall be constructed of lightweight materials and clad in the Primeline Weatherboard or similar material, provided that the finished presentation has a similar profile effect; (h) The construction of the store shall be certified by a structural engineer; (i) Signage shall be attached to store door or adjacent to store door to read "Residents to ensure all chemicals or petroleum products are securely stored at least 1.3 metres above the floor level to avoid contamination in the event of a flood";

No	Description of Land	Special Use	Conditions								
			<div><div><div>(j) Store doors shall be designed and constructed such that in the event of a flood, the door will remain in the closed position;</div><div>(k) Stores shall not be used actively in the event of a cyclone or significant rainfall event.</div></div><div>10. Fencing:<div><div>a. Fencing on side boundaries shall be constructed in one or a combination of the following materials:</div><table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table></div><div>b. Fencing height shall be as follows:<div><div>i. Side: 1.8 metres with the exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height.</div></div></div><div>c. Fencing may be permitted at the entry of the lot by way of a combination of the following:<div><div>i. Permeable powder coated aluminium or steel vehicle entry gate 1.8 metres high.</div><div>ii. Permeable powder coated aluminium or steel pedestrian entry gate 1.8 metres high.</div><div>iii. Low masonry wall, rendered and painted (up to 0.6 metres high) with panels of permeable powder coated aluminium or steel between rendered masonry piers to a total height of 1.8 metres. Maximum pier spacing of 3.0 metres.</div><div>iv. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances.</div><div>v. No solid fence wall panels are permitted forward of the building setback of the adjoining lot, or across the front boundary.</div></div></div></div><div>11. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</div><div>12. Development shall provide bin storage areas that can be serviced by rubbish</div></div>	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Material	Colour										
Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

No	Description of Land	Special Use	Conditions
			<p>trucks within the property or the verge immediately adjoining the property.</p> <p>13. Weather protection shall be provided to entrances of residential buildings.</p> <p>14. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>15. Landscaping is not permitted within 2.2m of the second (upper) retaining wall.</p> <p>16. For all design criteria other than density, the provisions of the R60 Density Code shall apply.</p> <p>17. Density shall be R70 calculated as an average of the R60 and R80 Density Codes.</p> <p>18. Jetty structures shall be located wholly within the Jetty envelope and the mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.</p> <p>19. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 5 – Icon Site C</p> <p>Site requirements:</p> <p>1. Setbacks</p> <ul style="list-style-type: none"> (a) 3.6 metres to the East boundary. (b) Nil setback to Northern Boundary permitted, at the discretion of the local government. (c) 3.0 metres setback to Western Boundary. (d) Nil setback permitted to South Boundary for 50% of the building

No	Description of Land	Special Use	Conditions								
			<p>with the balance setback a minimum of 1.5 metres.</p> <p>(e) Balconies permitted to encroach into Eastern setback by 1.5 metres.</p> <p>Development requirements:</p> <ol style="list-style-type: none">1. The following uses shall be classified as 'D': 'Grouped Dwelling'; 'Multiple Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Serviced Apartment'; 'Home Occupation'.2. The following use being classified as 'A': 'Residential Building', and 'Telecommunications Infrastructure'.3. All other uses being classified as 'X' not permitted.4. The building envelope is to be minimum two storeys high and maximum three storeys high.5. Ground floor areas shall provide an outlook to the Public Boulevard and canal to the East.6. The finished ground level at the time of subdivision shall not be raised.7. For all design criteria other than density, the provisions of the R60 Density Code shall apply.8. Density shall be R70 calculated as an average of the R60 and R80 Density Codes.9. Fencing:<ol style="list-style-type: none">(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:<table border="1"><thead><tr><th>Material</th><th>Colour</th></tr></thead><tbody><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></tbody></table>(b) Fencing Height shall be as follows:<ol style="list-style-type: none">i. Side: 1.8 metres.(c) Fencing may be permitted to the Western & Southern boundary and at the entry into the lot for the purpose of providing security by way of a combination of the following:<ol style="list-style-type: none">i. Permeable powder coated aluminium or steel vehicle entry gate 1.8 metres high.ii. Permeable powder coated aluminium or steel pedestrian entry gate 1.8 metres high.	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Material	Colour										
Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

No	Description of Land	Special Use	Conditions
			<p>iii. Low masonry wall, rendered and painted (up to 0.6 metres high) with panels of permeable powder coated aluminium or steel between rendered masonry piers to a total height of 1.8 metres. Maximum pier spacing of 3.0 metres.</p> <p>iv. Balustrading to the Eastern boundary shall be 1.0m high, constructed as above, where constructed above a retaining wall.</p> <p>10. Car Parking:</p> <p>(a) Car parking areas shall be located on-site and screened from public view.</p> <p>(b) Basement parking is allowed subject to certification from a structural engineer having due regard for waterways flood levels and adequate drainage design.</p> <p>(c) A minimum of 2 car bays is to be provided per dwelling with 2 or more bedrooms. 1 car bay shall be provided for one-bedroom apartments.</p> <p>11. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</p> <p>12. Development shall ensure that it is capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and / or the verge immediately adjoining the property.</p> <p>13. Weather protection shall be provided to entrances of residential buildings.</p> <p>14. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <p>i. Rendered brickwork (light, flat, bagged texture).</p> <p>ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber).</p> <p>iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber).</p> <p>iv. Painted timber or fibre cement weather boarding.</p> <p>v. Painted flat fibre cement sheet.</p> <p>vi. Custom orb (for walls).</p> <p>vii. Limestone blocks (natural or reconstituted).</p> <p>viii. Tilt concrete or precast concrete with textured and painted finishes.</p>

No	Description of Land	Special Use	Conditions
			<p>Area B – Precinct 6 and 6A – Horwood Quays and Landing Park Tourist Commercial</p> <p>Site requirements</p> <p>1. Setbacks:</p> <ul style="list-style-type: none"> (a) A nil front setback to Horwood Quays and Landing Park shall be required to ground level tourist-commercial development. (b) Nil setback to 50% of upper floor setback to Landing Park, Horwood Quays. Balance to be a minimum of 1.5 metres. (c) Where apartments are to face away from Horwood Quays (only allowed subject to an apartment being built on the same level and vicinity facing Horwood Quays) upper floor setbacks shall be nil for 50% of the boundary with the balance to be a minimum of 1.5 metres. (d) Nil setback permitted to side boundaries adjoining another lot. (e) Where the side boundary fronts a public road / access way, a nil setback is permitted for 50% of the building, the balance shall be set back a minimum of 1.0 metre. (f) Canal setback to be a minimum 3.8 metres from primary retaining wall for a maximum of 50% of the Lot the remaining canal setback shall be a minimum of 4.3 metres from the primary retaining wall. <p>Development requirements</p> <ul style="list-style-type: none"> 1. Residential use shall not be permitted on the ground level any development. 2. Upper floors shall be residential and the local government may consider applications for home occupation or home business at its discretion. 3. Development shall comprise both commercial and residential uses to take advantage of the Landing Park. 4. The following uses shall be classified as 'D': 'Grouped Dwelling'; 'Multiple Dwelling'; 'Mixed Development'; 'Holiday Accommodation'; 'Holiday House'; 'Serviced Apartment'; 'Home Occupation'; 'Consulting Room'; 'Dwelling'; 'Office'; 'Restaurant/Café'; 'Fast Food Outlet'; 'Shop'. 5. The following uses being classified as 'A': 'Residential Building'; 'Liquor Store - Small'; 'Bulky Goods Showroom'; 'Tavern'; and 'Telecommunications Infrastructure'. 6. All other uses being classified as 'X' not permitted.

No	Description of Land	Special Use	Conditions
			<p>7. Horwood Quays and canal frontage: office, retail and café uses are required to provide ground level frontage activation.</p> <p>8. A shop shall be no greater than 300m2 in net lettable area.</p> <p>9. Car Parking:</p> <ul style="list-style-type: none"> (a) Car parking areas shall be located on-site and screened from public view. (b) A minimum of 2 car bays is to be provided per dwelling with 2 or more bedrooms. 1 car bay shall be provided for single-bedroom dwellings. (c) Commercial development car parking for Ground Floor Commercial has been provided in adjoining public car parking facilities with the exception of the lots to the West of both North and South finger canals on Horwood Quays. Subject to the local government at its discretion approving first floor home business use, then car parking related to that use must be provided on-site. <p>10. Fencing:</p> <ul style="list-style-type: none"> (a) Rear boundary and side boundaries to corner lots to be fully fenced/ screened to a height of 1.8 metres with the exception of fences at canal lots. (b) All fencing to these areas shall be non-permeable. (c) Side boundary fences shall be 1.8 metres rendered masonry or paint finish to complement the building at the local government's discretion. (d) Fences or barriers facing canals up to but not beyond the secondary retaining walls are to be a maximum of 1.1 metres high and be constructed of masonry block work, concrete panel, aluminium and glass or permeable steel. <p>11. The finished ground level at the time of subdivision shall not be raised.</p> <p>12. Buildings within the 3 metres 'no load' zone behind the second retaining wall shall be certified a structural engineer.</p> <p>13. No development shall be permitted within 6 metres of the second retaining wall below the finished ground level at the time of subdivision.</p> <p>14. The building envelope is to be minimum 2 storeys and maximum 3 storeys, above natural ground level.</p> <p>15. The maximum wall height shall be 9.75 metres above natural ground level. (5.35 AHD).</p>

No	Description of Land	Special Use	Conditions
			<p>16. Dwellings may be built over parking garages.</p> <p>17. Buildings must address Landing Park, Horwood Quays, secondary road and canals.</p> <p>18. Where possible, outdoor living areas associated with residential dwellings shall have a minimum dimension of 3.0 metres and address Landing Park, Horwood Quays or the Canal.</p> <p>19. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</p> <p>20. Development shall ensure that it is capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and / or the verge immediately adjoining the property.</p> <p>21. Weather protection shall be provided to entrances of residential buildings.</p> <p>22. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>23. Store(s) may be approved on the lower terrace of a lot provided they comply with the following requirements:</p> <ul style="list-style-type: none"> (a) The store(s) shall be non-habitable store, constructed at the 1.875m AHD level; (b) The store shall have a concrete slab with a minimum finished level of 1.975 metres AHD; (c) The store(s) shall be setback a minimum of 2.3 metres from the primary retaining wall; (d) The maximum cumulative width of the store(s) shall be limited to 50% width of the second retaining wall;

No	Description of Land	Special Use	Conditions
			<p>(e) The store(s) shall be constructed of lightweight materials and clad in Primeline Weatherboard or similar material, provided that the finished presentation has a similar profile effect;</p> <p>(f) The construction of the store(s) shall be certified by a structural engineer;</p> <p>(g) Signage shall be attached to store(s) door or adjacent to store door to read "Residents to ensure all chemicals or petroleum products are securely stored at least 1.3 metres above the floor level to avoid contamination in the event of a flood";</p> <p>(h) Store(s) doors shall be designed and constructed such that in the event of a flood, the door will remain in the closed position;</p> <p>(i) Store(s) must not be used actively in the event of a cyclone or significant rainfall event;</p> <p>(j) The height of the store(s) shall not exceed the height of the existing retaining wall.</p> <p>24. The minimum height from ground level for a canopy or awning overhanging a footpath is 2.75 metres. Signage suspended beneath a canopy should have a minimum clearance of 2.4 metres.</p> <p>25. Awnings shall project into the pedestrian area of a street space by 1.5 metres. Awnings shall be designed to appear as thin, lightweight elements. Bull nose verandahs shall not be permitted.</p> <p>26. Where access from the rear is available all on-site car parking for residents and/or employees is to be accessed from the rear.</p> <p>27. Where commercial buildings have a nil front setback, the provision of weather protection to the public footpath in the form of a verandah, canopy or awning is required.</p> <p>28. Residential awnings on street boundaries and Lot 77 (POS) are permitted to project 1.0 metre into street.</p> <p>29. The mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.</p> <p>30. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 7 – Tourist Commercial Mixed Use</p> <p>Site requirements:</p> <p>1. Setbacks</p>

No	Description of Land	Special Use	Conditions
			<p>(a) Nil setback: to Landing Park boundaries on ground floor, permitted to 50% of upper floors fronting Landing Park, with the balance a minimum of 1.5 metres; and to side boundaries adjoining other lots.</p> <p>(b) Eastern Boundary (public boulevard) setbacks to both lots to be as follows:</p> <ol style="list-style-type: none"> Ground floor: 3.6 metres from boundary. First floor and above: 50% of the building may project 1.0 metre into the Ground floor setback by way of cantilever only. The balance to be a minimum of 3.6 metres from the boundary. The façade of buildings facing the eastern boundary are to be designed to minimise large areas of wall/glass on the same plane. To break up this façade, no more than 50% of the area of the façade is permitted to be built at the same setback. The balance is to be constructed at a minimum of 1.0 metre forward or back from the façade. <p>Development requirements</p> <ol style="list-style-type: none"> Commercial uses shall occupy the ground floor of any development. Development shall comprise both commercial and residential uses to take advantage of the park frontage and canal views. Upper floors use shall be residential and the local government may consider applications for 'Home Occupation' or 'Home Business' at its discretion. The development shall be used for the following uses classified as 'D': 'Grouped Dwelling'; 'Mixed Development'; 'Multiple Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Serviced Apartment'; 'Home Occupation'; 'Consulting Room'; 'Dwelling'; 'Office'; 'Restaurant/Café'; 'Fast Food Outlet'; 'Shop'. The following uses being classified as 'A': 'Industry – Cottage'; 'Residential Building'; 'Liquor Store - Small'; 'Tavern'; and 'Telecommunications Infrastructure'. All other uses being classified as 'X' not permitted. A shop shall not be greater than 300m² in net lettable area. The minimum height from ground level for a canopy or awning overhanging a footpath is 2.75 metres. Signage

No	Description of Land	Special Use	Conditions
			<p>suspended beneath a canopy should have a minimum clearance of 2.4 metres.</p> <p>9. Awnings shall project into the pedestrian area of a street space by 1.5 metres. Awnings shall be designed to appear as thin, lightweight elements. Bull nose verandahs shall not be permitted.</p> <p>10. Where access from the rear is available all on-site car parking for residents and/or employees is to be accessed from the rear.</p> <p>11. Where commercial buildings have a nil front setback, the provision of weather protection to the public footpath in the form of a verandah, canopy or awning is required.</p> <p>12. Residential awnings on street boundaries and Lot 77 (POS) are permitted to project 1.0 metre into the road reserve.</p> <p>13. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</p> <p>14. Development shall ensure that it is capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and / or the verge immediately adjoining the property.</p> <p>15. Weather protection shall be provided to entrances of residential buildings.</p> <p>16. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>17. Buildings must address the Landing Park, Horwood Quays, secondary road and canals.</p> <p>18. Car Parking:</p> <p>(a) Residential:</p>

No	Description of Land	Special Use	Conditions
			<ul style="list-style-type: none"> i. Car parking areas shall be located on site and screened from public view. ii. A minimum of 2 car bays is to be provided per dwelling with 2 or more bedrooms. 1 car bay shall be provided for single-bedroom dwellings. <p>(b) Commercial development car parking has been provided either at car parking facilities north and south of Horwood Quays.</p> <p>19. The building envelope is to be minimum 2 storeys and maximum 3 storeys.</p> <p>(a) Fencing:</p> <ul style="list-style-type: none"> i. Rear boundary and side boundaries to corner lots to be fully fenced/screened to a height of 1.8 metres. ii. Garage doors will be permitted to the rear boundary. All fencing to these areas to be non-permeable. iii. Side boundary fences in these locations to be rendered masonry/paint finish – complimenting the building at the local government's discretion. <p>Area B – Precinct 8 – Murat Road</p> <p>Site requirements</p> <p>1. Setbacks</p> <ul style="list-style-type: none"> (a) Murat Road and Horwood Quays: 6.0 metres. (b) Rear: commercial use – at the discretion of the local government. (c) Rear: residential use – as per the R40 Density Code. (d) Canal arm 4: 5.0 metres from canal set out line. Setback to 50% of canal frontage can be reduced to 4.5 metres from canal set out line. (e) Nil setbacks permitted to side boundaries at the discretion of the local government. (f) Canal arm 5: minimum 4.3 metres from canal wall face. 0.5 metres cantilever permitted to 50% of canal frontage into setback. <p>Development requirements</p> <p>1. The following uses shall be classified as 'D': 'Grouped Dwelling'; 'Multiple Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Serviced Apartment'; 'Home Occupation'; 'Motel'; 'Consulting Room'; 'Dwelling'; 'Restaurant/Café';</p>

No	Description of Land	Special Use	Conditions
			<p>'Service Station'; 'Fast Food Outlet'; 'Shop'.</p> <p>2. The following uses being classified as 'A': 'Industry – Cottage'; 'Residential Building'; 'Liquor Store - Small'; 'Bulky Goods Showroom'; 'Tavern'; and 'Telecommunications Infrastructure'.</p> <p>3. All other uses being classified as 'X' not permitted.</p> <p>4. A shop shall be no greater than 300m² in net lettable area, with the exception of Lot 30 where a shop of up to 350m² net lettable area is permitted for retail use other than a supermarket.</p> <p>5. The finished ground level at the time of subdivision shall not be raised.</p> <p>6. Buildings within the 3 metre 'no load' zone behind the second retaining wall shall be certified a structural engineer.</p> <p>7. No development shall be permitted within 6 metres of the second retaining wall below the finished ground level at the time of subdivision.</p> <p>8. The maximum height of walls shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum height of wall is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above.</p> <p>9. Store(s) are not permitted to be built on the lower level.</p> <p>10. Fencing:</p> <p>(a) No fencing permitted on boundaries fronting Horwood Quays.</p> <p>(b) Fencing generally to be in accordance with the general intent of fencing in adjoining precincts.</p> <p>(c) Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances.</p> <p>11. Parking:</p> <p>(a) Car parking to be contained on site and screened from public view where possible.</p> <p>(b) For non-residential development, parking shall be in accordance with the scheme.</p> <p>(c) Where a rear lane is available, vehicle access must be from this lane.</p> <p>(d) Residential parking shall comply with the R Codes.</p> <p>12. Residential development shall be either short-term tourism or permanent grouped or multiple residential dwellings. Where short-term and permanent</p>

No	Description of Land	Special Use	Conditions
			<p>accommodation is combined, no more than 20% of the total accommodation units shall be approved for permanent accommodation, unless otherwise approved by the local government.</p> <p>13. The maximum residential density shall be R40. Strata subdivision may be permitted.</p> <p>14. Vehicle crossovers shared between adjoining properties shall not exceed 6 metres in width.</p> <p>15. Development shall ensure that it is capable of accommodating bin storage areas that can be serviced by rubbish trucks within the property and / or the verge immediately adjoining the property.</p> <p>16. Weather protection shall be provided to entrances of residential buildings.</p> <p>17. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>18. Buildings must address the Landing Park, Horwood Quays, secondary road and canals.</p> <p>19. Minimum pitch to conventional roof forms shall be 35 degrees for single storey development, excluding carports. Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey development.</p> <p>20. The mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.</p> <p>21. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p>

No	Description of Land	Special Use	Conditions
			<p>Area B – Precinct 9 – Southern Revetment Lots</p> <p>Site requirements</p> <p>1. Setbacks:</p> <ul style="list-style-type: none"> (a) 5.0 metres for garages and carports. (b) 4.0 metres for the main dwelling. (c) The southern boundary setback is 13.5 metres from the cadastral boundary for 50% of the length of the boundary. The setback for the balance of the boundary to be a minimum of 16.5 metres from the cadastral boundary. (d) The eastern boundary setback is 5.0 metres from the canal set out line for a maximum of 50% of the envelope. The balance to be setback a minimum of 7.0 metres from the canal set out line. (e) Side setbacks: Nil. Lots with a primary street frontage of 13 metres or greater are restricted to zero side setbacks to the ground floor only. First floor side setbacks must comply with the R Codes. (f) Upper floor rear balconies may project up to 0.5 metres into the rear setback but must be setback 0.5 metres from a side boundary. (g) Ground floor rear balconies and decks shall have a minimum setback 2.3 metres to the canal set out line. (h) Where side boundaries abuts a public road the minimum setback from the common boundary shall be 1 metre for a minimum of 50% of the length of the building and a nil setback for the remainder. (i) Ground floor rear decks / terraces are permitted to be built against the side boundary provided a 1.65 metre high screen fence is constructed on the boundary. The screen fence shall be constructed of materials that complement the dwelling. <p>Development requirements</p> <ul style="list-style-type: none"> 1. The following uses shall be classified as 'D': 'Grouped Dwelling'; 'Multiple Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Serviced Apartment'; 'Home Occupation'; 'Dwelling'. 2. The following uses being classified as 'A': 'Industry – Cottage'; 'Residential Building'; and 'Telecommunications Infrastructure'.

No	Description of Land	Special Use	Conditions
			<p>3. All other uses being classified as 'X' not permitted.</p> <p>4. The maximum height of walls shall be 6.2 metres above natural ground level. A loft may be provided and may be partly within the main structure of the building provided the maximum height of wall is not exceeded. Modifications to conventional loft construction are acceptable provided the building remains within the envelope described above.</p> <p>5. The finished ground level at the time of subdivision shall not be raised.</p> <p>6. Buildings within the 3 metre 'no load' zone behind the second retaining wall shall be certified a structural engineer.</p> <p>7. No development shall be permitted within 6 metres of the second retaining wall below the finished ground level at the time of subdivision.</p> <p>8. Parking:</p> <p>(a) Car parking areas shall be located on site.</p> <p>(b) A minimum of 2 car bays are to be provided per dwelling.</p> <p>9. Stores(s) may be approved on the lower terrace of a lot within canal arm 5 provided they comply with the following requirements:</p> <p>(a) The store(s) shall be non-habitable store, constructed at the 1.875m AHD level;</p> <p>(b) The store shall have a concrete slab with a minimum finished level of 1.975 metres AHD;</p> <p>(c) The store(s) shall be setback a minimum of 10.8 metres from the cadastral boundary;</p> <p>(d) The maximum width of the store(s) shall be limited to 50% width of the block width;</p> <p>(e) The store(s) shall be constructed of lightweight materials and clad in Primeline Weatherboard or similar material, provided that the finished presentation has a similar profile effect;</p> <p>(f) The construction of the store(s) shall be certified by a structural engineer;</p> <p>(g) Signage shall be attached to store(s) door or adjacent to store door to read "Residents to ensure all chemicals or petroleum products are securely stored at least 1.3 metres above the floor level to avoid contamination in the event of a flood";</p> <p>(h) Store(s) doors shall be designed and constructed such that in the event of a flood, the door will remain in the closed position;</p>

No	Description of Land	Special Use	Conditions								
			<p>(i) Store(s) must not be used actively in the event of a cyclone or significant rainfall event;</p> <p>(j) The height of the store(s) shall not exceed the height of the existing retaining wall.</p> <p>10. Landscaping is not permitted within 2.2 metres of the second (upper) retaining wall.</p> <p>11. Fencing:</p> <p>(a) Fencing on side boundaries shall be constructed in one or a combination of the following materials:</p> <table><tr><th>Material</th><th>Colour</th></tr><tr><td>Colorbond Steel</td><td>Terrace or Similar</td></tr><tr><td>Painted / Rendered Masonry</td><td>Limestone or Similar</td></tr><tr><td>Limestone</td><td>Natural</td></tr></table> <p>(b) Fencing Height as follows:</p> <p>i. Side Boundaries: generally 1.8 metres with the exceptions of the side boundary between the secondary retaining wall and the rear of the dwelling to be a maximum of 1.5 metres in height.</p> <p>ii. Fencing to the lower terrace level (1.85m AHD) is not permitted under any circumstances.</p> <p>iii. No fencing is permitted to the front boundary or forward of the building line on the side boundaries.</p> <p>iv. Fencing above Eastern secondary retaining wall and to the North boundary of the Eastern lot must be constructed as one of the following:</p> <p>(i) 1.0 metre high powder coated aluminium and glass balustrading.</p> <p>(ii) 1.0-1.8 metre powder coated aluminium or steel permeable fence between rendered and painted masonry piers.</p> <p>(iii) 1.8 metre rendered and painted masonry wall.</p>	Material	Colour	Colorbond Steel	Terrace or Similar	Painted / Rendered Masonry	Limestone or Similar	Limestone	Natural
Material	Colour										
Colorbond Steel	Terrace or Similar										
Painted / Rendered Masonry	Limestone or Similar										
Limestone	Natural										

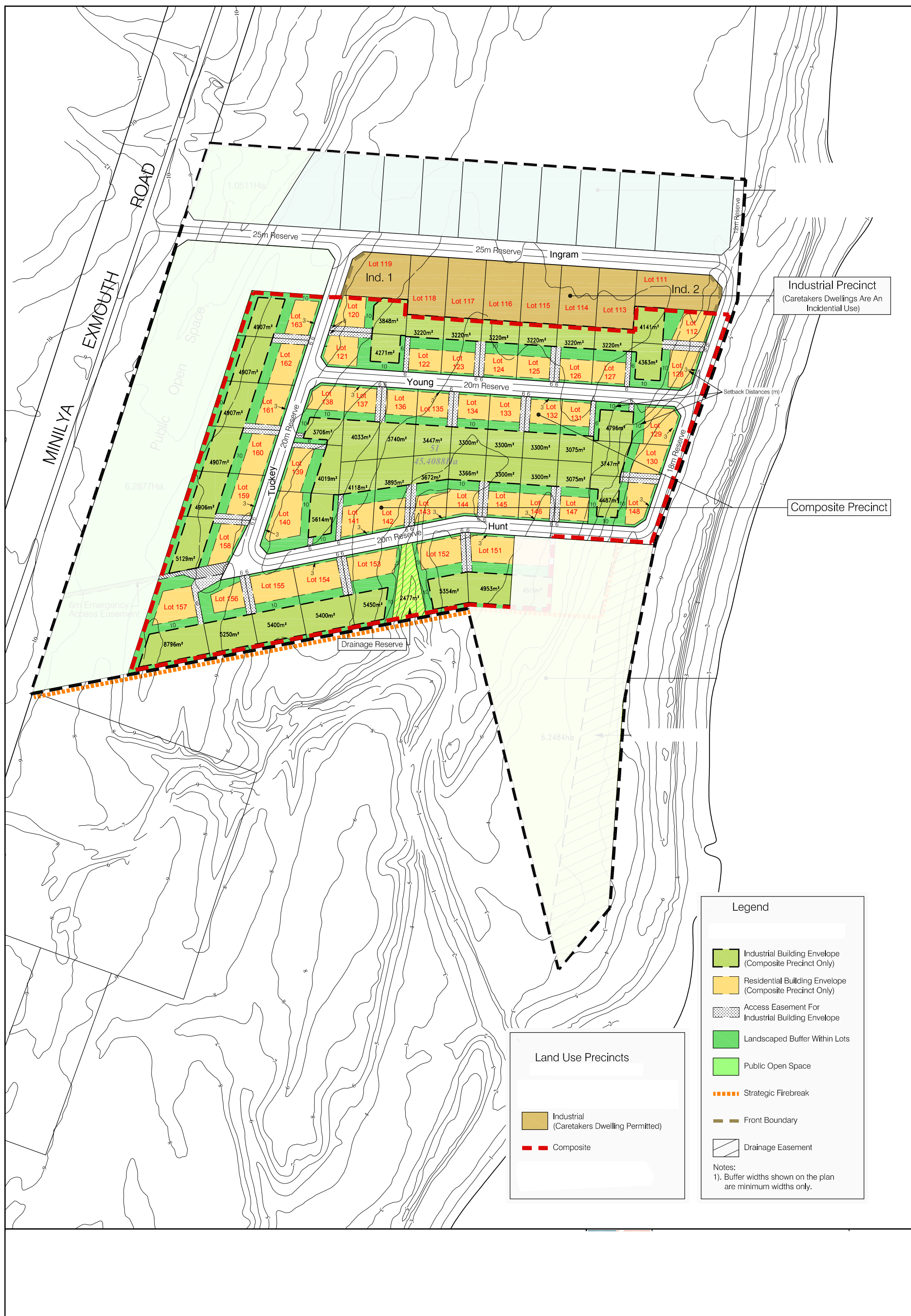
No	Description of Land	Special Use	Conditions
			<p>12. Weather protection shall be provided to entrances of residential buildings.</p> <p>13. External Materials:</p> <p>(a) At least two different materials must be featured on external walls and shall be selected from the following:</p> <ul style="list-style-type: none"> i. Rendered brickwork (light, flat, bagged texture). ii. Timber boarding (to provide the appearance of clear finished or weatherboard timber). iii. Fibre cement boards (to provide the appearance of clear finished or weathered timber). iv. Painted timber or fibre cement weather boarding. v. Painted flat fibre cement sheet. vi. Custom orb (for walls). vii. Limestone blocks (natural or reconstituted). viii. Tilt concrete or precast concrete with textured and painted finishes. <p>14. Minimum pitch to conventional roof forms shall be 35 degrees for single storey dwellings, excluding carports. Flat and skillion roofs of 15 degrees or less may be permitted only on 2 storey dwellings.</p> <p>15. Jetty structures shall be located wholly within the Jetty envelope and the mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.</p> <p>16. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>Area B – Precinct 10 – Private Moorings</p> <p>Development requirements</p> <ul style="list-style-type: none"> 1. The development shall be piles, jetty, gangway and signage frame with all other development classified as 'X' not permitted. 2. Locations of gangways and signage structures to each mooring is fixed and determined by the existing concrete footing blocks. 3. Jetty structures shall be located wholly within the Jetty envelope and the mooring of boats, including associated mooring piles, shall be located wholly within the Mooring Envelope as approved by the Department of Transport.

No	Description of Land	Special Use	Conditions
			<p>4. The mooring of vessels shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.</p> <p>5. Jetty Mooring envelope:</p> <p>(a) Floating jetty to be a maximum of 75% the length of the mooring envelope.</p> <p>(b) Mooring envelopes to run adjacent to the precinct to be defined by four piles, the outside two which will be located outside the precinct within the canal. The inside two will be located on the eastern boundary of the Precinct.</p> <p>(c) Mooring piles between adjoining moorings shall be shared.</p> <p>6. Car Parking:</p> <p>(a) One service vehicle parking space shall be provided adjacent to each mooring for use by the lessee / operator only.</p> <p>(b) Vehicle access to the road serving the moorings shall be restricted to the lessee / operators only and shall not be accessed to deliver passengers or customers from buses and charter operators.</p> <p>Area C</p> <p>Area C consists of the Residential precinct and Built Strata Permanent Residential as defined in Figure C1 in Schedule 5.</p> <p>Area C – Residential</p> <p>Site requirements</p> <p>1. Setbacks shall be in accordance with Figure C2 in Schedule 5.</p> <p>Development requirements</p> <p>1. The following uses shall be classified as 'D': 'Dwelling'; 'Single House'; 'Grouped Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Bed and Breakfast'; 'Guesthouse'; 'Serviced Apartment'; and 'Home Occupation'.</p> <p>2. The following uses shall be classified as 'A': 'Telecommunications infrastructure'.</p> <p>3. All other uses being classified as 'X' not permitted.</p> <p>4. Single dwellings may be constructed on duplex lots in accordance with Figure C2 in Schedule 5.</p> <p>5. The maximum height of walls shall be 6.2 metres above natural ground level.</p> <p>6. The minimum finished floor level for all habitable rooms shall be 5.25m AHD.</p> <p>7. A minimum of 35% open space is required within each lot.</p>

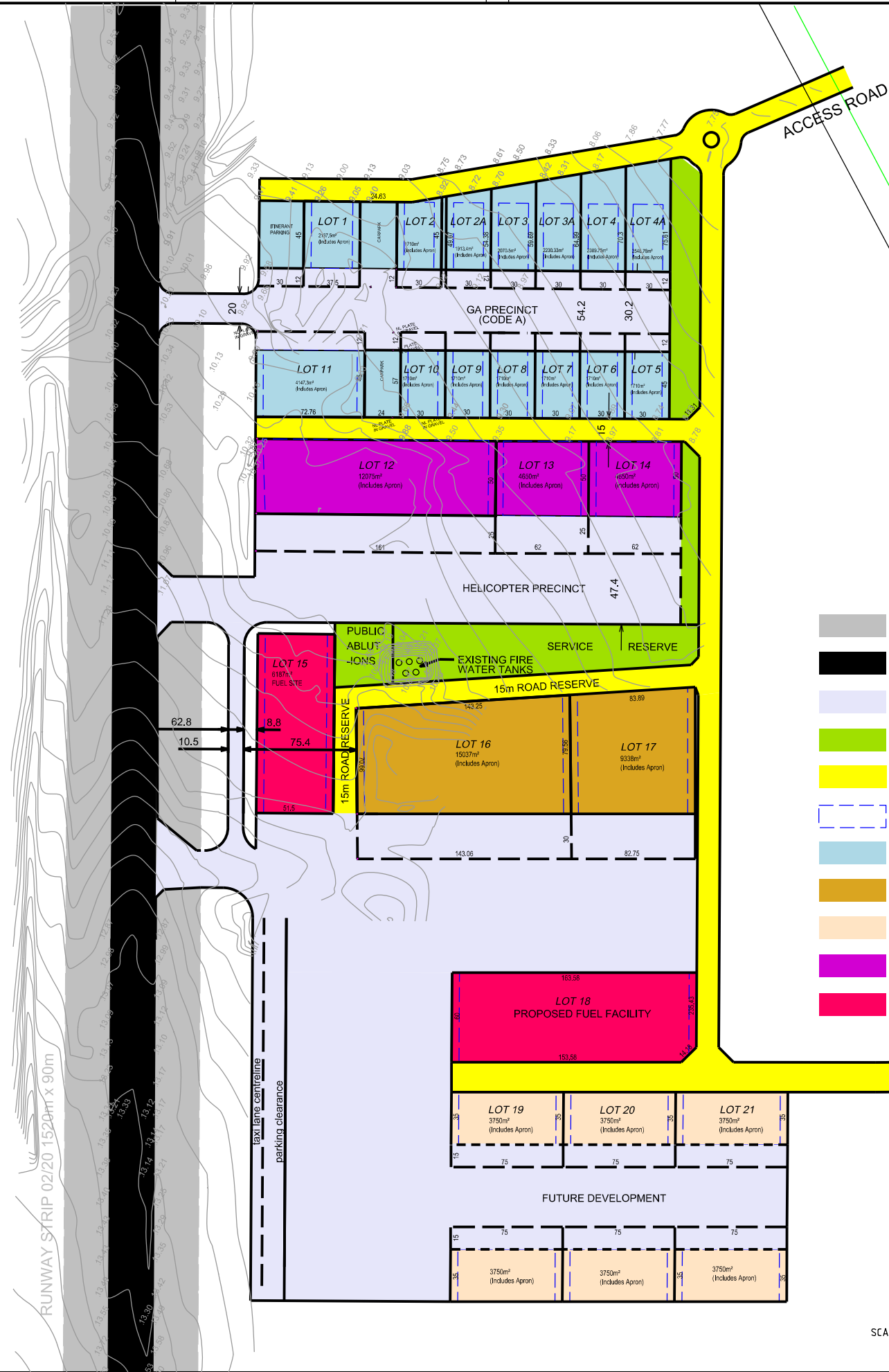
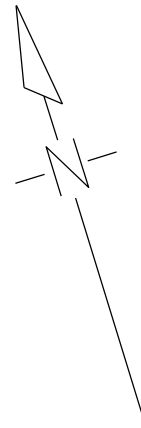
No	Description of Land	Special Use	Conditions
			<p>8. Vehicle crossovers shall be in accordance with Figure C2 in Schedule 5.</p> <p>9. Fencing shall be in accordance with Figure C2 in Schedule 5.</p> <p>10. Fencing in the street setback area which includes the street front lot boundary and side lot boundary, shall be a maximum 0.9 metres high above natural ground level.</p> <p>Area C – Built Strata Permanent Residential</p> <p>Site requirements</p> <p>1. Setbacks shall be in accordance with the R30 Density Code.</p> <p>Development requirements</p> <p>1. The following uses shall be classified as 'D': 'Grouped Dwelling'; 'Holiday Accommodation'; 'Holiday House'; 'Bed and Breakfast'; 'Guesthouse'; 'Serviced Apartment'; 'Home Occupation'.</p> <p>2. The following uses shall be classified as 'A': 'Telecommunications infrastructure'.</p> <p>3. All other uses being classified as 'X' not permitted.</p> <p>4. All residential development shall comply with the R30 Density Code.</p> <p>5. Building Heights shall be a maximum of 12 metres, above natural ground level.</p> <p>6. Roof form shall be complementary to the existing resort development at the discretion of the local government.</p> <p>7. Boundary fencing shall be 2x courses of reconstituted limestone blocks with intermittent dividing limestone pylons, separated by visually permeable uniform fencing. Internal fencing shall be at the discretion of the local government.</p> <p>8. A high standard entry statement sign shall be installed between Madaffari Drive and the Built Strata Permanent Residential.</p> <p>9. Building design shall provide a clear expression of the architectural style envisaged for the overall site including height, colour, texture, external material, roof pitch and character to existing development.</p> <p>10. Pedestrian paths shall be provided within the development to provide internal pedestrian connectivity to the resort.</p> <p>11. A consistent landscaping theme shall be adopted throughout the development to provide visual consistency with the existing resort.</p> <p>Area D</p> <p>Development requirements</p> <p>1. The local government will not:</p>

No	Description of Land	Special Use	Conditions
			<p>(a) recommend approval to any subdivision application; or</p> <p>(b) approve any development application,</p> <p>unless the Exmouth Marina Village Outline Development Plan Including Broad Design Guidelines have been amended to the satisfaction of the local government, pursuant to clause 29 of the deemed provisions. The application shall be generally in accordance with the amended Exmouth Marina Village Outline Development Plan.</p>

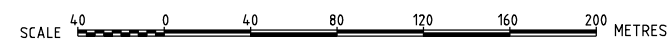
Special Use Zone SU1
Structure Plan – Lot 51 Minilya-Exmouth Road



**Special Use Zone SU3
Exmouth Aerodrome Locality Site Plan**



- RUNWAY STRIP
- RUNWAY
- TAXIWAYS & APRONS
- POS
- ROAD RESERVE
- BUILDING ENVELOPE
- GA PRECINCT
- COMMERCIAL PRECINCT
- COMMERCIAL PRECINCT FUTURE
- HELICOPTER PRECINCT
- FUEL PRECINCT



**Special Use Zone SU5
Boat Harbour - Precincts P1 and P2**



LEGEND



BOAT HARBOUR

DENOTED AS FOLLOWS:

P1

SOUTH HARBOUR

P2

NORTH HARBOUR

Figure A1 – Area A

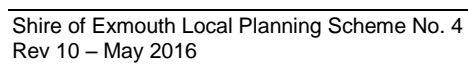


Figure A2 – Canal Lots

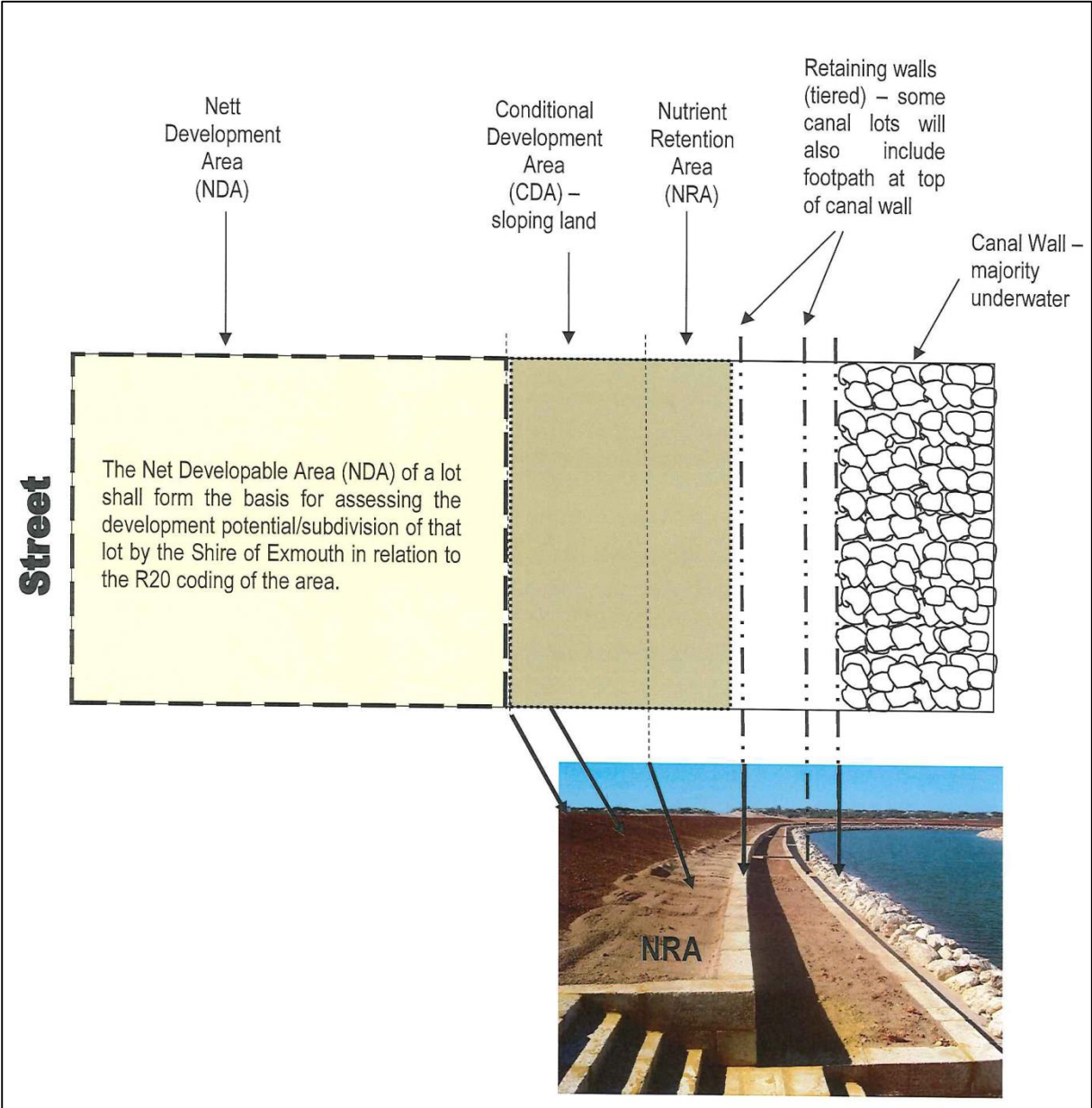


Figure B1 – Area B

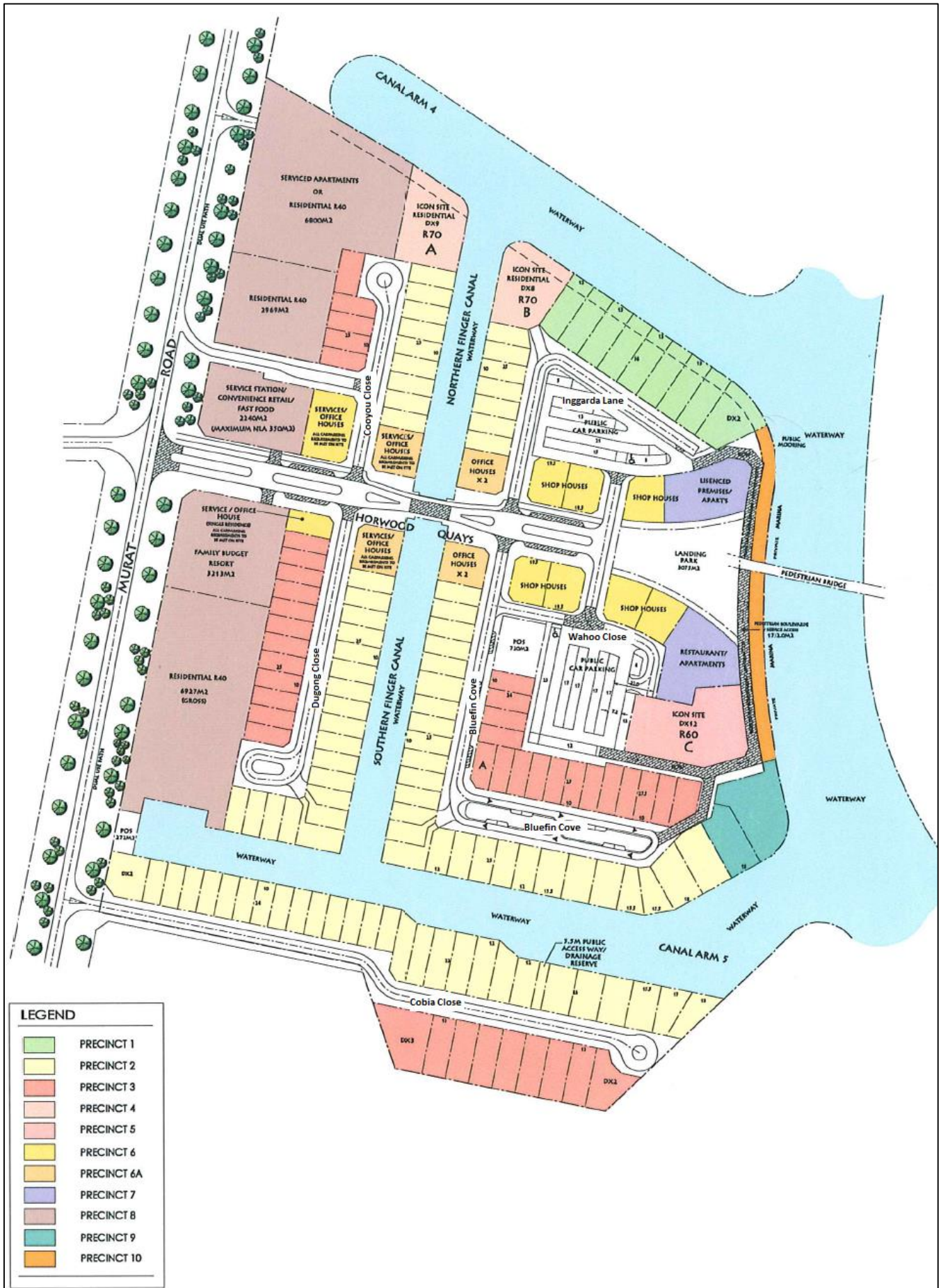
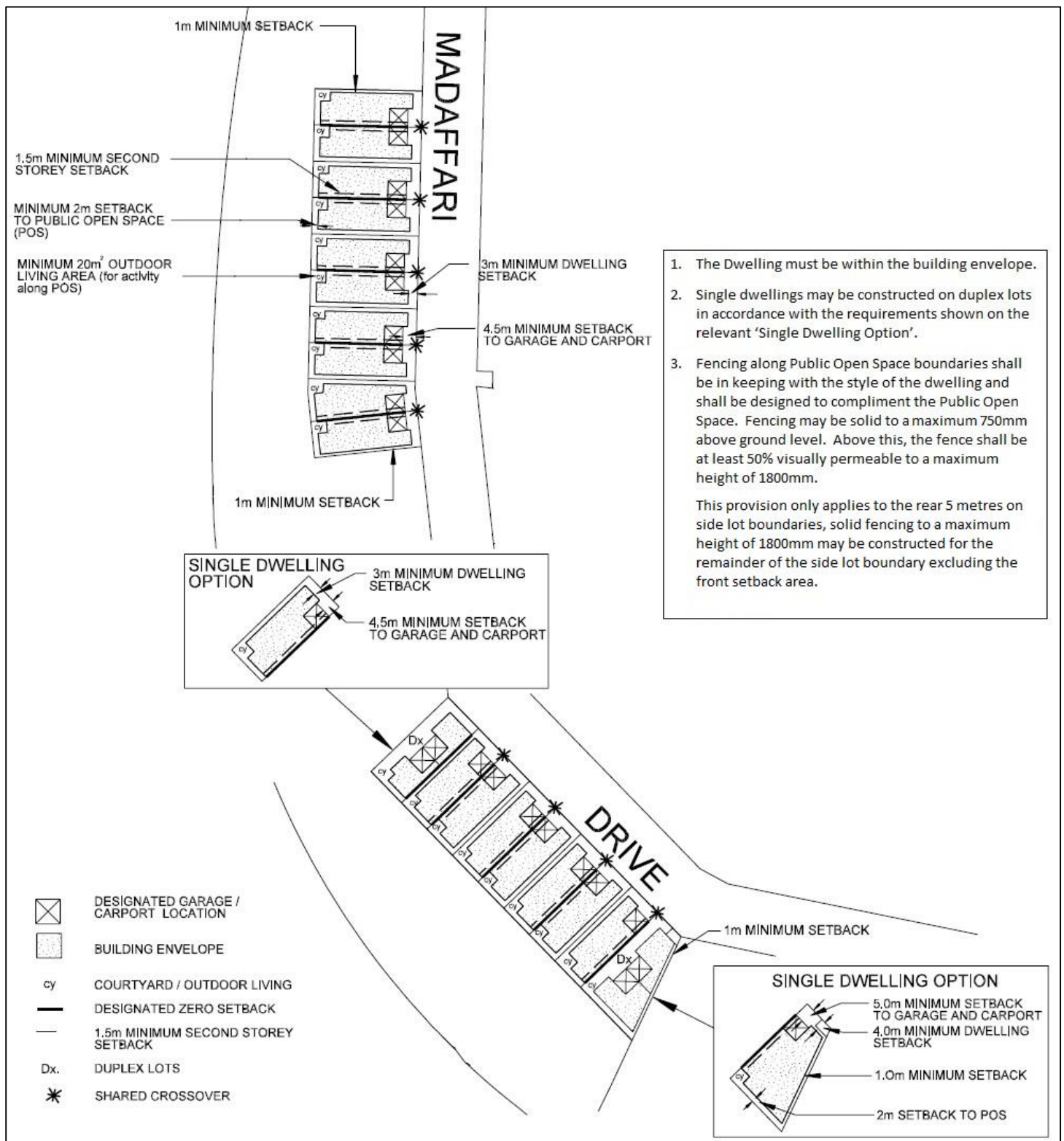


Figure C1 – Area C



Figure C2 – Area C



COUNCIL ADOPTION FOR ADVERTISING

Adopted for advertising by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the 29th day of October 2015.



SHIRE PRESIDENT



CHIEF EXECUTIVE OFFICER

COUNCIL ADOPTION FOR FINAL APPROVAL

Adopted for submission to the Minister for Planning for approval by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the day of 20 and the Common Seal of the Shire of Exmouth was hereunto affixed by the authority of a resolution of the Council in the presence of:

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDED/SUBMITTED FOR APPROVAL

DELEGATED UNDER S.16 OF
THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE

APPROVAL GRANTED

MINISTER FOR PLANNING
S.87 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE

APPENDIX 1 — SCHEME MAPS



LEGEND

LOCAL SCHEME RESERVES

	ENVIRONMENTAL CONSERVATION		PUBLIC PURPOSES
	PUBLIC OPEN SPACE		DENOTED AS FOLLOWS:
	PRIMARY DISTRIBUTOR ROAD	CE	CEMETERY
	DISTRICT DISTRIBUTOR ROAD	CP	CARPARK
	LOCAL DISTRIBUTOR ROAD	E	EDUCATION
	DRAINAGE/WATERWAY	IS	INFRASTRUCTURE SERVICES
		GS	GOVERNMENT SERVICES
		M	MEDICAL SERVICES
		R	RECREATIONAL
			CIVIC AND COMMUNITY
			STRATEGIC INFRASTRUCTURE

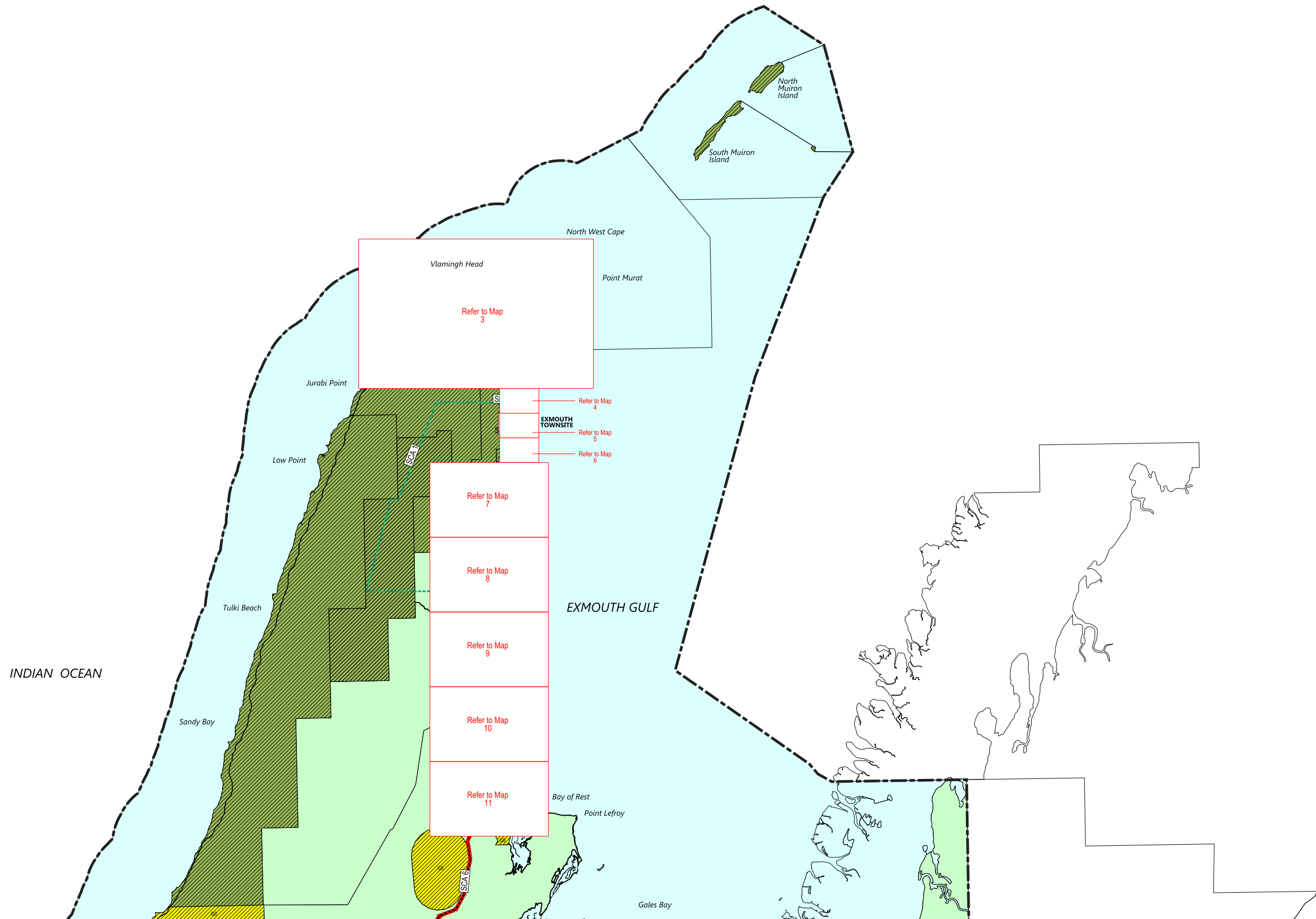
ZONES

	RESIDENTIAL		INDUSTRIAL DEVELOPMENT
	URBAN DEVELOPMENT		GENERAL INDUSTRY
	RURAL RESIDENTIAL		LIGHT INDUSTRY
	COMMERCIAL		SERVICE COMMERCIAL
C1	DENOTED AS FOLLOWS:		
C2	RETAIL CORE		
C3	MIXED USE		
	MIXED BUSINESS		RURAL
	TOURISM		

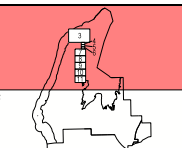
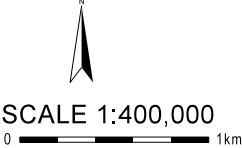
OTHER

	ADDITIONAL USE
	RESTRICTED USE
	SPECIAL USE
	R-CODES
	EXMOUTH WATER RESERVE SPECIAL CONTROL AREA 1
	EXMOUTH WASTE WATER TREATMENT PLANT SPECIAL CONTROL AREA 2
	EXMOUTH POWER STATION SPECIAL CONTROL AREA 3
	EXMOUTH AERODROME SPECIAL CONTROL AREA 4
	FLOODPLAIN SPECIAL CONTROL AREA 5
	MINILYA-EXMOUTH ROAD SPECIAL CONTROL AREA 6
	SCHEME BOUNDARY & LOCAL GOVERNMENT BOUNDARY
	TOWNSITE BOUNDARY LAND ACT
	WATERWAYS

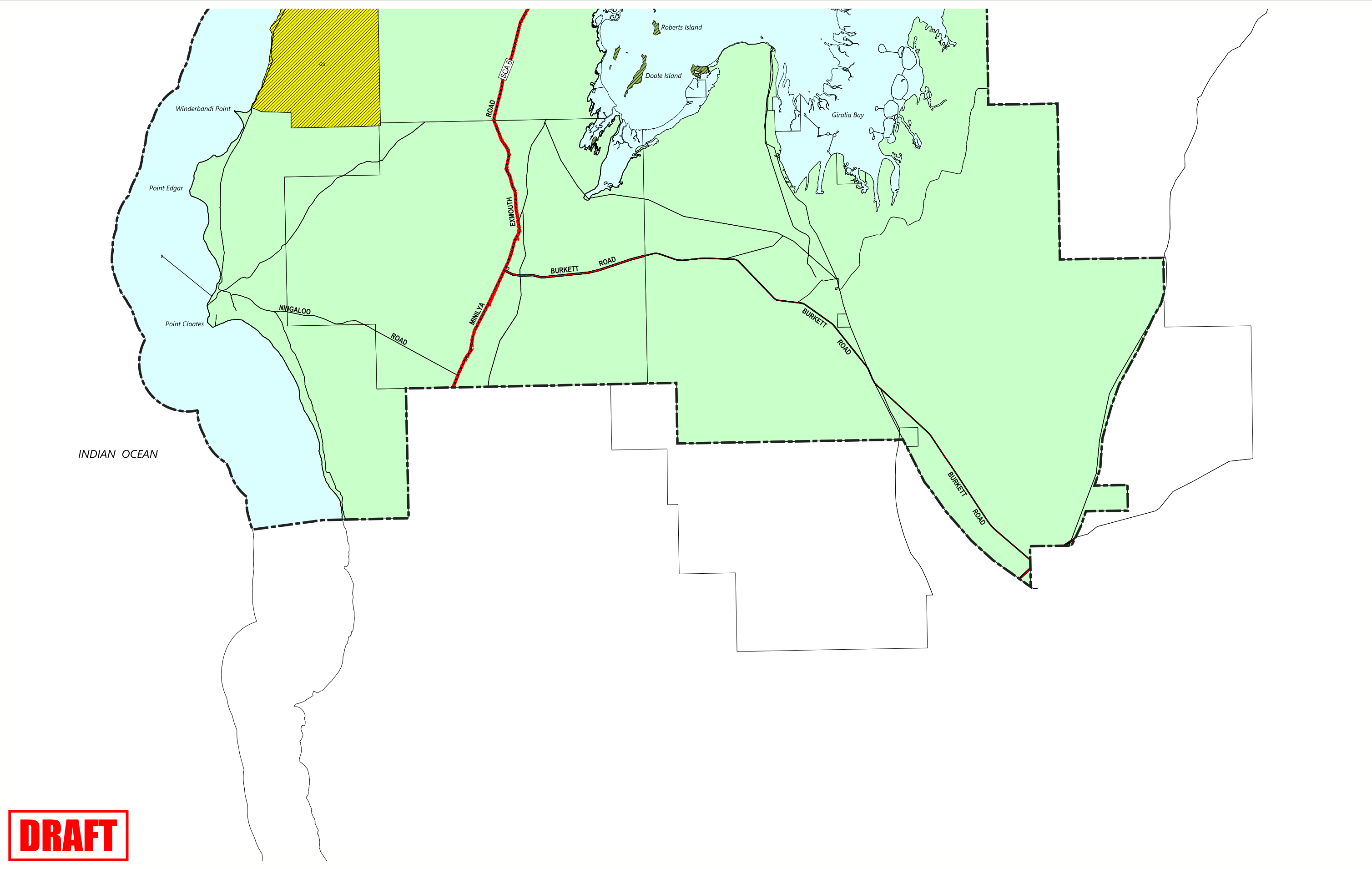
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(DISTRICT SCHEME)

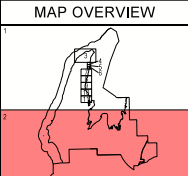
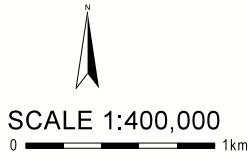


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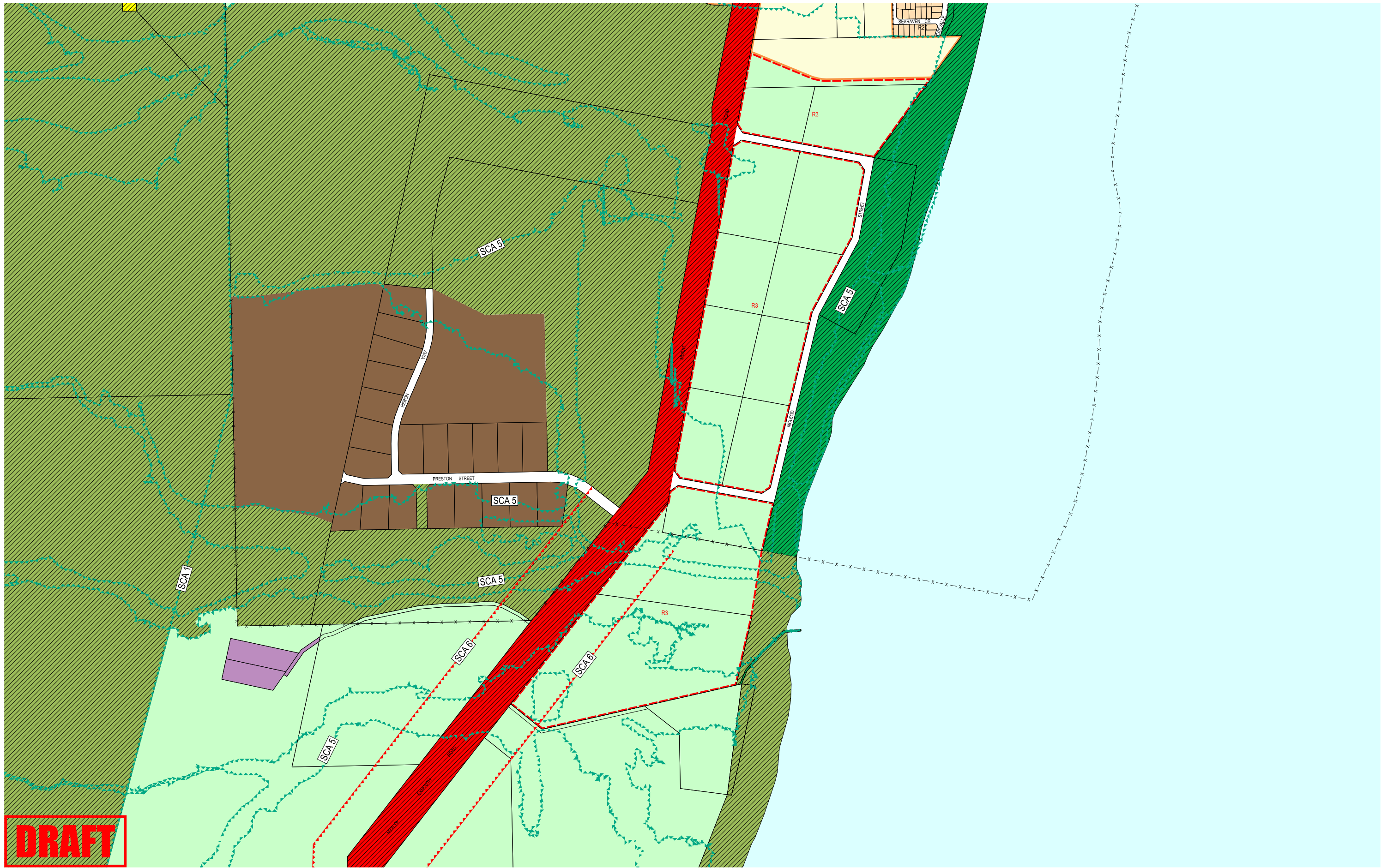


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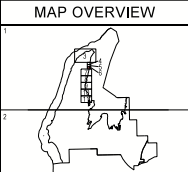
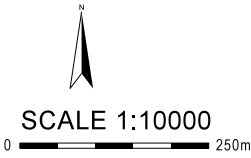


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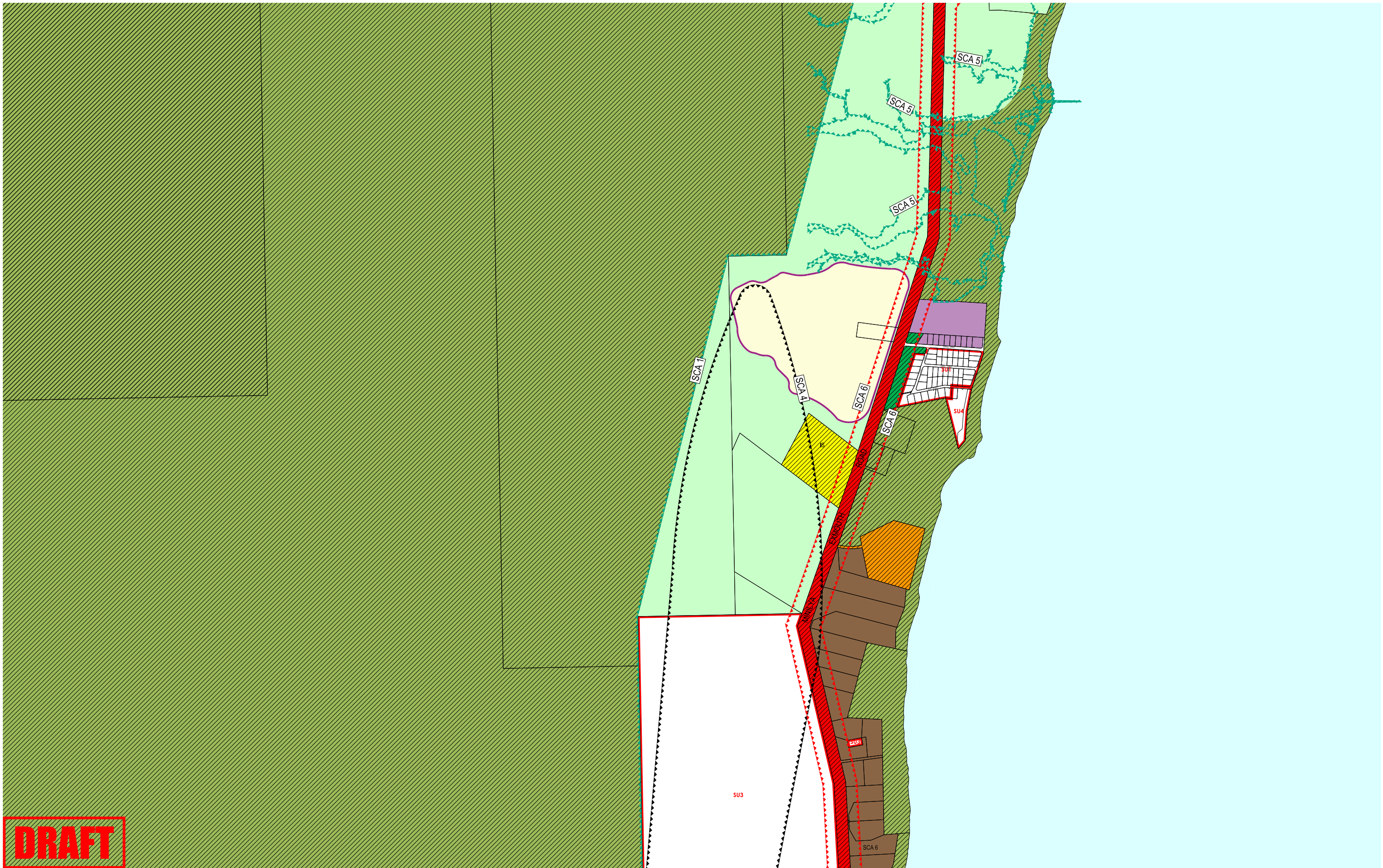
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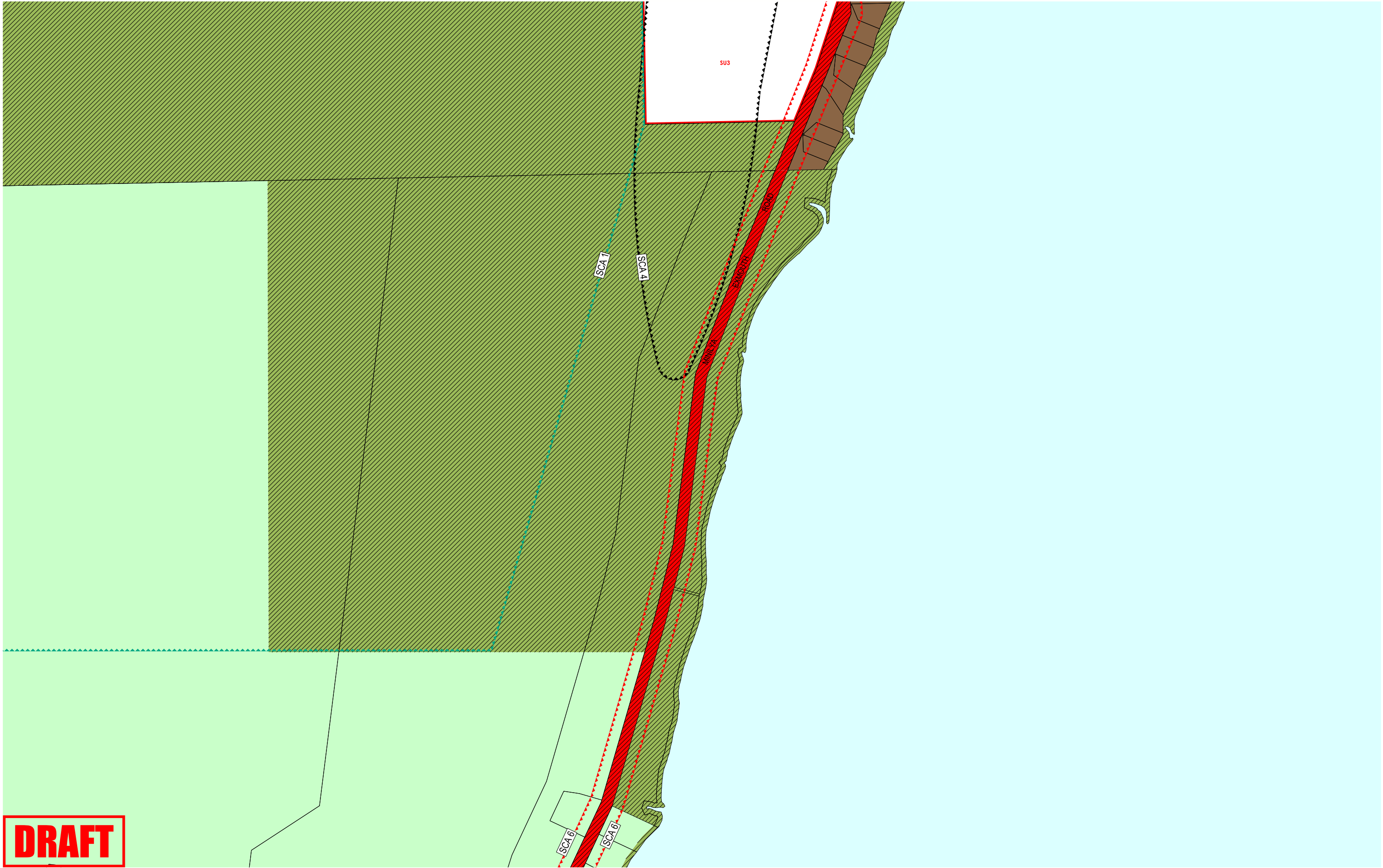
SHIRE OF EXMOUTH
LOCAL PLANNING SCHEME NO. 4
(DISTRICT SCHEME)



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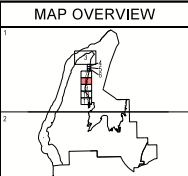
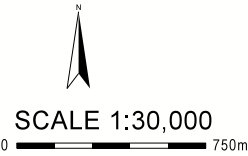
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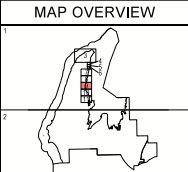
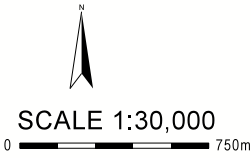


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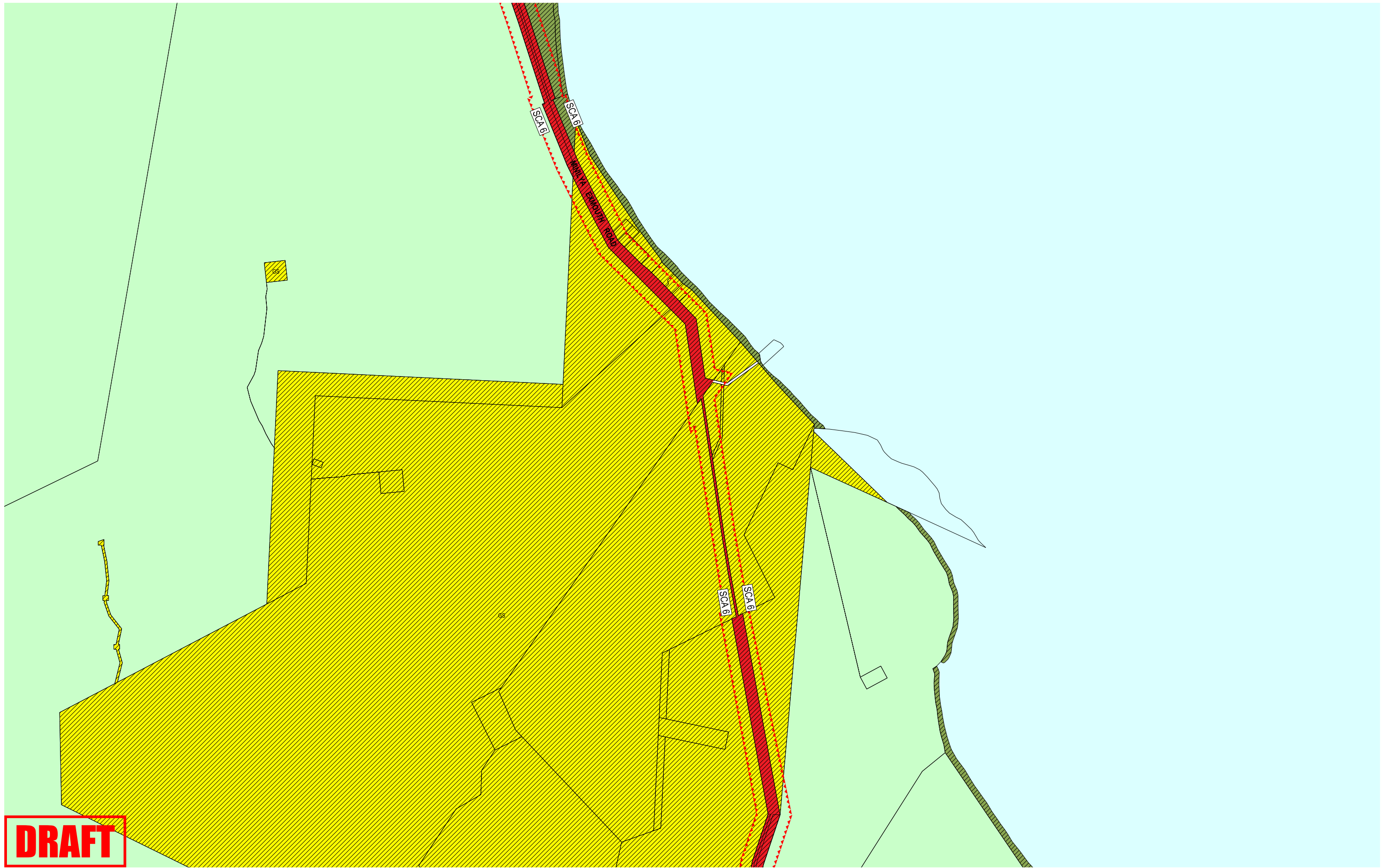


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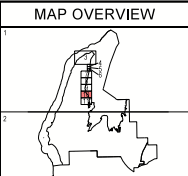
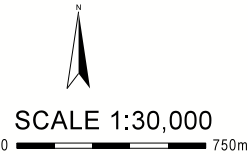


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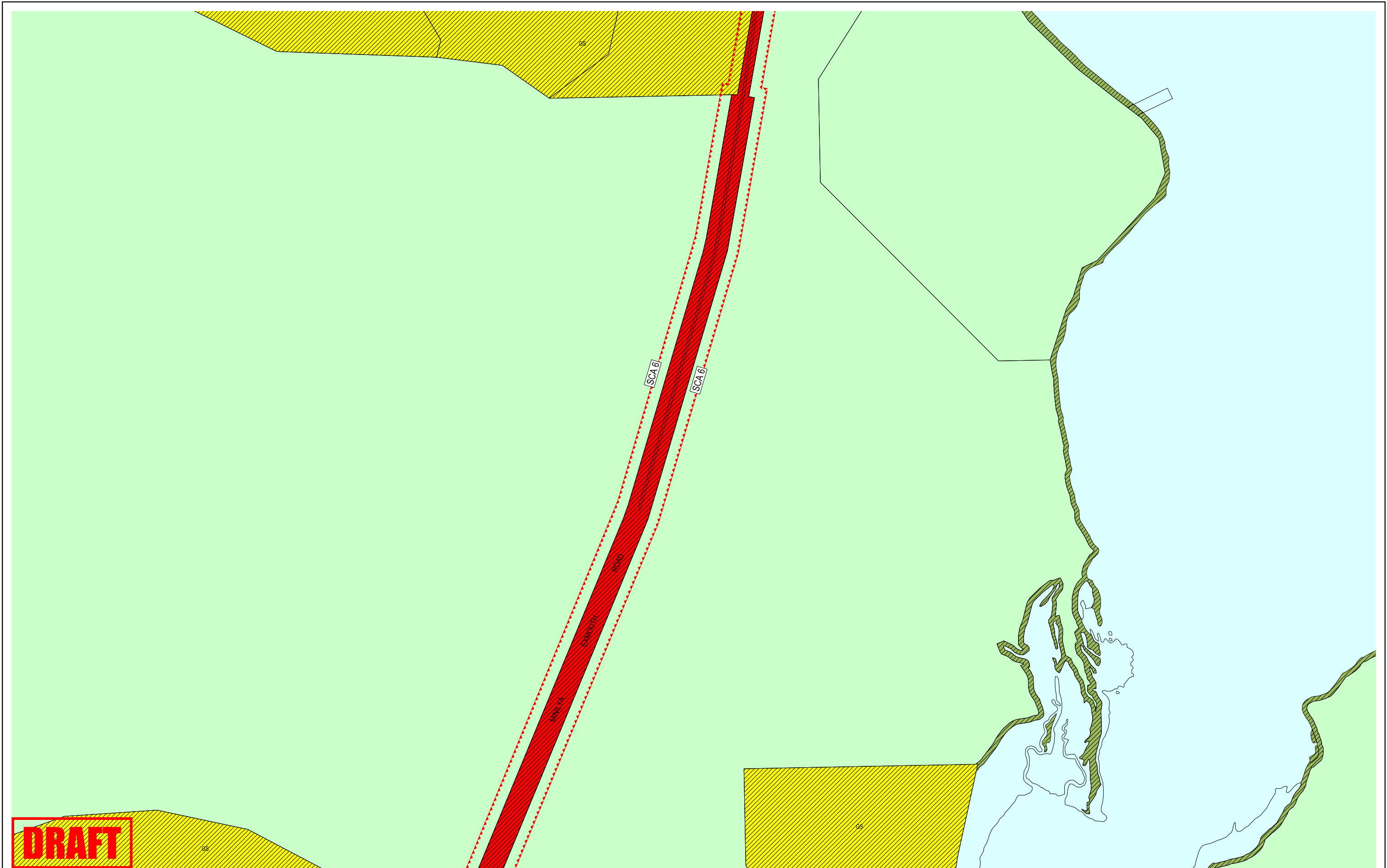


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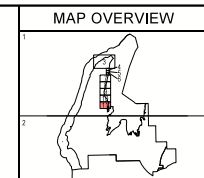


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SHIRE OF EXMOUTH
LOCAL PLANNING SCHEME NO. 4
(DISTRICT SCHEME)



Authorised:
Plot Date:
G. Gazette:

Shire of Exmouth Local Planning Scheme No. 4 (Revision 10) – Proposed Modifications					
Modification Number	Scheme Page Number	Section within Rev.10	Modification	Reason	Submission
1.	Cover	Cover Page and Footer	Substitute ‘ <i>Revision 10 – May 2016</i> ’ with ‘ <i>Revision 11 – December 2016</i> ’	Grammar, reflects accurate date and revision number.	N/A
2.	Content	Table of Contents	Updated	Updated to cover proposed modifications.	N/A
3.	1.	1.3 Scheme revoked	Delete (a) and delete colon after the word ‘ <i>revoked</i> ’ and replace with a hyphen.	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod’s
4.	1.	1.4 Notes do not form part of Scheme	Substitute ‘from’ with ‘form’	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . Spelling error.	N/A
5.	1.	1.4 Notes do not form part of Scheme	Add – ‘ <i>Note: The Interpretation Act 1984 section 32 makes provision in relation to whether headings form part of the written law.</i> ’	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod’s
6.	1.	1.6 Scheme Area	Delete ‘ <i>which comprises sheets 1 – 11 set out in Appendix 1.</i> ’	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . S.87(5) of the <i>Planning and Development Act 2005</i> makes it clear that Scheme maps do not need to be published in the Gazette.	1. McLeod’s
7.	1.	1.7 (b) Contents of the Scheme	Delete ‘ <i>, sheets 1-11</i> ’	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . S.87(5) of the <i>Planning and Development Act 2005</i> makes it clear that Scheme maps do not need to be published in the Gazette.	1. McLeod’s
8.	1.	1.7 Contents of the Scheme	Add 1.7.1 ‘(c) <i>the following plans, maps, diagrams, illustrations or materials - Special Use Zone SU1 Structure Plan – Lot 51 Minilya-Exmouth Road; Special Use Zone SU3 Exmouth Aerodrome Locality Site Plan; Special Use Zone SU5 Boat Harbour - Precincts P1 and P2; Figure A1 – Area A; Figure A2 – Canal Lots; Figure B1 – Area B; Figure C1 – Area C; Figure C2 – Area C (inclusive).</i> ’	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
9.	1.	1.8 Purposes of Scheme	Delete colon after ‘to’ and add hypen	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod’s
10.	1	1.8 Purposes of Scheme	In (b) add the word ‘ <i>local</i> ’ before the word ‘ <i>reserves</i> ’	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
11.	2	1.8 Purposes of Scheme	In (e) substitute the word ‘ <i>planning</i> ’ with ‘ <i>development</i> ’	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A

Yellow colour indicates proposed modifications to correct grammatical errors.

Green colour indicates proposed modifications to ensure consistency with the Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015 or other regulations.

Blue colour indicates proposed modifications to ensure consistency within the draft scheme.

12.	2.	1.9 Aims of the scheme	Delete colon after the word 'are' and add to passage 'to'	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
13.	2.	1.9 (c) Aims of the scheme	Add ', public health' after the word 'social development'	To recognise good public health as an aim of the scheme.	16. Department of Health
14.	3.	2.1 Regional Reserves	Add – 'Note: The process of reserving land under a regional and local planning scheme is separate from the process of reserving land under the Land Administration Act 1997 section 41.'	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , with the words and local added to the note to provide greater clarity.	1. McLeod's
15.	3.	2.2.2 Local Reserves	Substitute 'set out in Appendix 1' with 'on the scheme map'	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . S.87(5) of the <i>Planning and Development Act 2005</i> (P & D Act) makes it clear that Scheme maps do not need to be published in the Gazette.	1. McLeod's
16.	3.	2.2.3 (b) Environmental Conservation	Add to (ii) 'World Heritage Areas' after the words 'significance within'	To recognise the importance of World Heritage within areas classified 'Environmental Conservation Reserve' in proposed Scheme 4.	24. Ningaloo Coast World Heritage Advisory Committee
17.	4.	2.2.3 (d) Public Purpose	Add 's' after 'Public Purpose'	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
18.	4.	2.2.3 (e) Strategic Infrastructure	Add to (i) 'or airport' after the word 'port'.	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
19.		2.2.3 (f) and (g)	In (ii) substitute 'safety or amenity' with 'safety and amenity'	To fix grammatical error.	N/A
20.	5.	2.2.3 Local Reserves	Add (j) 'Local Road' (i) 'To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.'	Required to cover many local roads within the Exmouth Townsite. Also required to be referenced on the legend in the scheme maps. Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
21.	5.	2.4 Use and development of local reserves	Delete all	Covered by sections 60 & 67 of the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's 22. Department of Transport
22.	6.	3.1 Zones	Delete 'set out in appendix 1'	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
23.	6, 7.	3.2 Zoning Table	Modify land uses in the Residential zone as follows: - Industry – Cottage to 'A' - Aged or Dependant Persons Dwelling to 'P'	The land use 'Industry – Cottage' may cause conflict with adjoining dwellings/single houses and should therefore be required to be referred to neighbours. The land use 'Aged or Dependant Persons Dwelling' is suitable in the Residential zone considering objectives of the zone.	N/A 1. McLeod's

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24.	6, 7, 8, 9.	3.2 Zoning Table	Substitute 'Refer clause 3.3.7' with 'Refer clause 3.11' in the Urban Development zone.	Ensures no land uses can occur until a structure plan has been prepared and approved, and there has been a subsequent scheme amendment to implement the structure plan. As a structure plan is only given due regard in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
25.	7.	3.2 Zoning Table	Modify land uses in the Commercial Retail Core – C1 zone as follows: - Cinema/Theatre to 'X' - Convenience Store to 'P' - Laundromat to 'P' - Shop to 'P'	The land use 'Cinema/Theatre' requires a large area, is not a highly active use and therefore not suitable considering the development requirements of C1. Designating land uses as 'P' removes any possible claims for injurious affection in the C1 zone. These land uses are highly desired in the C1 zone considering the objectives of the zone.	N/A 1. McLeod's
26.	7.	3.2 Zoning Table	Modify land uses in the Commercial Mixed Use – C2 zone as follows: - Cinema/Theatre to 'X' - Mixed Development to 'P'	The land use 'Cinema/Theatre' is likely to cause conflict with adjoining dwellings/single houses, considering noise and lighting impacts and is therefore not suitable in C2. The land use 'Mixed Development' is the intended use for C2 considering the development requirements for C2. The P designation removes any possible claims for injurious affection.	N/A 1. McLeod's
27.	6, 7, 8, 9.	3.2 Zoning Table	Modify land uses in the Commercial Mixed Business – C3 zone as follows: - Caretakers Dwelling to 'I' - Tourist Development to 'X' - Cinema/Theatre to 'D' - Office to 'P' - Reception Centre to 'P' - Bulky Goods Showroom to 'P' - Civic Use to 'P'	The land use 'Caretakers Dwelling' is required to be incidental to another predominant land use as per the definition of the land use and provisions of clause 4.18. It is more appropriate for the land use 'Tourist Development' to be located in the Tourism zone, rather than C3. The land use 'Cinema/Theatre' may be suitable in C3 considering existing lot sizes and proximity to C1 - Retail Core. Designating land uses as 'P' removes any possible claims for injurious affection in the C3 zone. These land uses are highly desired in the C3 zone considering the objectives of the zone.	N/A N/A N/A 1. McLeod's
28.	6, 7.	3.2 Zoning Table	Modify land uses in the Tourism zone as follows: - Hotel to 'P' - Motel to 'P' - Serviced Apartment to 'P'	Designating land uses as 'P' removes any possible claims for injurious affection in the Tourism zone. These land uses are highly desired in the Tourism zone considering the objectives of the zone.	1. McLeod's

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			- Convenience Store to 'I'	The land use 'Convenience Store' should not be a stand-alone land use in the Tourism zone, considering the objectives of the zone.	N/A
29.	7, 8.	3.2 Zoning Table	Modify land uses in the Light Industry zone as follows: - Bulky Goods Showroom to 'P' - Industry – Light to 'P' - Industry – Service to 'P'	Designating land uses as 'P' removes any possible claims for injurious affection in the Light Industry zone. These land uses are highly desired in the Light Industry zone considering the objectives of the zone.	1. McLeod's
30.	7, 8.	3.2 Zoning Table	Modify land uses in the Service Commercial zone as follows: - Bulky Goods Showroom to 'P' - Industry – Cottage to 'P' - Industry – Light to 'P' - Industry – Service to 'P' -	Designating land uses as 'P' removes any possible claims for injurious affection in the Service Commercial zone. These land uses are highly desired in the Service Commercial zone considering the objectives of the zone.	1. McLeod's
31.	7, 8.	3.2 Zoning Table	Modify land uses in the General Industry zone as follows: - Industry to 'P' - Renewable Energy Facility to 'A'	Designating a land use as 'P' removes any possible claims for injurious affection in the Industry zone. The land use 'Industry' is highly desired in the General Industry zone considering the objectives of the zone. The land use 'Renewable Energy Facility' may be suitable in the General Industry zone. The designation of 'Renewable Energy Facility' as a D use provides consistency with current Town Planning Scheme No.3.	1. McLeod's 11. Rowe Group on behalf of Kailis
32.	6, 7, 8, 9.	3.2 Zoning Table	Substitute 'Refer clause 3.3.7' with 'Refer clause 3.15' in the Industrial Development zone.	Ensures no land uses can occur until a structure plan has been prepared and approved, and there has been a subsequent scheme amendment to implement the structure plan. As a structure plan is only given due regard in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
33.	6, 7, 8.	3.2 Zoning Table	Modify land uses in the Rural Residential zone as follows: - Ancillary Dwelling to 'P' - Dwelling to 'P' - Single House to 'P' - Garden Centre to 'X'	Designating land uses as 'P' removes any possible claims for injurious affection in the Rural Residential zone. These land uses are highly desired in the Rural Residential zone considering the objectives of the zone. The land use 'Garden Centre' is not considered an acceptable land use in the Rural Residential zone, as it can involve the extensive propagation and rearing plants which is considered to be incompatible with adjoining Dwellings/Single Houses.	1. McLeod's N/A
34.	6, 7, 8, 9.	3.2 Zoning Table	Modify land uses in the Rural zone as follows: - Family Day Care to 'P' - Home Business to 'P' - Home Occupation to 'P'	Designating land uses as 'P' removes any possible claims for injurious affection in the Rural zone. These land uses are highly desired	1. McLeod's

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			<ul style="list-style-type: none"> - Exhibition Centre to 'P' - Veterinary Centre to 'P' - Industry –Cottage to 'P' - Animal Establishment to 'P' - Produce Stall to 'P' - Place of Worship to 'P' - Holiday Accommodation to 'X' - Industry – Extractive to 'A' - Mining Operations to 'A' - Recreation –Private to 'D' 	<p>in the Rural zone considering the objectives of the zone.</p> <p>The land use 'Holiday Accommodation' relates to the use of Grouped Dwellings which are not permitted in the Rural Residential zone.</p> <p>The land uses 'Industry – Extractive' and 'Mining Operations' may have significant impacts on adjoining properties and the wider Exmouth locality and therefore should have an 'A' designation.</p> <p>The land use 'Recreation – Private' may be suitable in the Rural zone, considering existing uses occurring on Pastoral Stations.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
35.	7.	3.2 Zoning Table	Add under Commercial Land Uses ' <i>Prescribed Premises</i> ' to be 'A' in Rural zone and 'X' in all other zones.	Required to cover aeroplane landing on pastoral stations and rural lot adjacent Yardie Creek Caravan park where there is an existing runway. The designation of 'A' is recommended as there may be conflict with Exmouth Aerodrome and Learmonth Airport.	N/A
36.	6.	3.2 Zoning Table	Delete ' <i>Chalet</i> ' entirely.	A 'Chalet' forms part of a tourist development or caravan park and is not a stand-alone land use in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
37.	7.	3.2 Zoning Table	Modify ' <i>Consulting Room</i> ' by adding 's' after ' <i>room</i> '	Consistent with land use definition in Schedule 1 of the proposed Scheme.	N/A
38.	7.	3.2 Zoning Table	Modify ' <i>Fast Food Outlet/Lunch Bar</i> ' by deleting ' <i>Lunch Bar</i> '	The land use lunch bar may be suitable in an industrial area but not a Fast Food Outlet. This change is proposed in amendments to the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
39.	7.	3.2 Zoning Table	Add 'Lunch Bar' as a separate commercial land use to be: <ul style="list-style-type: none"> - 'P' in Commercial Retail Core – C1 zone - 'D' in Commercial Mixed Use – C2 zone, Tourism zone, Light Industry zone, Service Commercial zone, General Industry zone - 'X' in Residential zone, Commercial Mixed Business –C3 zone, Rural Residential zone and Rural zone. 	This proposed change is consistent, with WAPC proposed changes to the Planning and Development (Local Planning Schemes) Regulations 2015, which separates the uses Fast Food Outlet and Lunch Bar. A lunch bar is considered to be a suitable land use in Commercial and Industrial zones as per the definition of Lunch Bar.	N/A
40.	8	3.2 Zoning Table	Delete 'Storage Yard' land use.	As this land use is covered by Warehouse/storage.	11. Rowe Group on behalf of Kailis

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41.	9.	3.3.2 Interpreting the zoning table	Modify sentence after 'P' by changing the word 'any' to 'all'.	Changing the word 'any' to 'all' in the statement ensures all relevant development standards and requirements of the scheme are applied.	1. McLeod's
42.	9.	3.3.2 Interpreting the zoning table	Modify sentence after 'I' by changing the word 'any' to 'all'.	Changing the word 'any' to 'all' in the statement ensures all relevant development standards and requirements of the scheme are applied.	1. McLeod's
43.	10.	3.3.5 Interpreting the zoning table	Modify by substituting the words 'being a class P or class I use' with 'having a P or I designation'	The term 'class' is being used to refer to a use class, and to a permissibility designation which can only lead to confusion.	1. McLeod's
44.	10.	3.3.6 Interpreting the zoning table	Modify by substituting the words 'being a class X use' with 'having an X designation'.	The term 'class' is being used to refer to a use class, and to a permissibility designation which can only lead to confusion.	1. McLeod's
45.	11.	3.6.1 Special Use Zones	Modify (b) by substituting 'that zone' with 'each Special Use Zone'.	The model clause of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> is confusing in that it paragraph (b) refer to 'that zone' which refers back to paragraph (a), where two types of zone are referred to, namely the Special Use zones, and the zones in the Zoning Table.	1. McLeod's
46.	12.	3.8.3 Changes to non-conforming use	Modify by adding '(d)' after clause 3.8.1	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
47.	12.	Between 3.9.4 and 3.10	Add heading - ' Zone Objectives and Site and Development Requirements '	To maintain a proper sequence.	1. McLeod's
48.	12.	3.10.1 Residential Zone	Un underline 'are as follows' in the heading.	To maintain a proper sequence.	1. McLeod's
49.	13.	3.10.2 Residential Zone	Modify heading to state ' <u>The site and development requirements of the Residential zone are as follows:</u> '	To maintain a proper sequence.	1. McLeod's
50.	13.	3.11.1 Urban Development Zone	Un underline 'are as follows' in the heading.	To maintain a proper sequence.	1. McLeod's
51.	13.	3.11.2 Urban Development Zone	Modify heading to state ' <u>The site and development requirements of the Urban Development zone are as follows:</u> '	To maintain a proper sequence.	1. McLeod's
52.	13.	3.11.2 Urban Development zone	Delete symbol '(a)'	Is not required as there is only one provision.	1. McLeod's
53.	13.	3.11.2 Urban Development zone	Modify by substituting 'in accordance with clause 16' with 'in accordance with Part 4'	It is Part 4 of the deemed provisions which contains provisions for preparing an approval of a structure plan, not just cl.16.	1. McLeod's

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54.	13.	3.11.2 Urban Development zone	Modify by substituting the words <i>'the application shall be generally be generally in accordance with the Structure Plan.'</i> with <i>'the area is subsequently rezoned in accordance with the approved structure plan.'</i>	Required to implement a structure plan beyond it only being given due regard in the decision making process in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
55.	13.	3.12.1 Commercial Zone	Delete <i>'in Appendix 1'</i>	S.87(5) of the <i>Planning and Development Act 2005</i> (P & D Act) makes it clear that Scheme maps do not need to be published in the Gazette.	1. McLeod's
56.	13.	3.12.2 Commercial zone	Un underline <i>'are as follows'</i> in the heading.	To maintain a proper sequence.	1. McLeod's
57.	14.	3.12.3 Commercial Zone	Modify heading to state <i>'The general development requirements applicable to the whole of the Commercial zone are as follows:'</i>	To maintain a proper sequence.	1. McLeod's
58.	14.	3.12.3 Commercial Zone	Modify (j) by substituting <i>'footpaths abutting thereto'</i> with <i>'abutting footpaths'</i>	As the language is outdated.	1. McLeod's
59.	14.	3.12.3 Commercial Zone	Modify (j) by adding <i>'and flooding'</i> after the word drainage.	To ensure there is no conflict with Special Control Area 5 flooding, which requires a minimum floor level of at least 0.5 metres above the relevant 100 year ARI flood level.	N/A
60.	14.	3.12.4.1 Retail Core – C1	Modify heading to state <i>'The site requirements of the Retail Core – C1 area are as follows:'</i>	To maintain a proper sequence.	1. McLeod's
61.	15.	3.12.4.2 Retail Core – C1	Modify heading to state <i>'The specific development requirements of the Retail Core – C1 area are as follows:'</i>	To maintain a proper sequence.	1. McLeod's
62.	15.	3.12.5.1 Mixed Use – C2	Modify heading to state <i>'The site requirements of the Mixed Use – C2 area are as follows:'</i>	To maintain a proper sequence.	1. McLeod's
63.	15.	3.12.5.2 Mixed Use – C2	Modify heading to state <i>'The specific development requirements of the Mixed Use – C2 area are as follows:'</i>	To maintain a proper sequence.	1. McLeod's
64.	15.	3.12.5.2 Mixed Use –C2	Modify (b) by replacing <i>'6.5 metres'</i> with <i>'7 metres'</i>	Consistent with R-Codes top of external wall concealed roof, for standard two storey residential building.	N/A
65.	15.	3.12.5.2 Mixed Use –C2	Modify (d) by adding <i>',' unless otherwise provided for by the Scheme.'</i> after the word <i>'Code.'</i>	Provides clarity on development requirements as some scheme provisions may conflict with R-Codes R40 as designated on the scheme maps. Removes conflict with clause 4.1.4 of the scheme.	N/A
66.	16.	3.12.6.1 Mixed Business – C3	Modify heading to state <i>'The site requirements of the Mixed Business – C3 area are as follows:'</i>	To maintain a proper sequence.	1. McLeod's
67.	16.	3.12.6.1 Mixed Business – C3	Delete the word <i>'secondary street or'.</i>	Removes conflict with clause 4.26 of the scheme.	N/A

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68.	16.	3.12.6.2 Mixed Business – C3	Modify heading to state <i>'The specific development requirements of the Mixed Business – C3 area are as follows.'</i>	To maintain a proper sequence.	1. McLeod's
69.	16.	3.12.6.2 Mixed Business – C3	Modify (b) substituting <i>'in accordance with clause 16'</i> with <i>'in accordance with Part 4'</i>	It is Part 4 of the deemed provisions which contains provisions for preparing an approval of a structure plan, not just cl.16.	1. McLeod's
70.	16.	3.12.6.2 Mixed Business – C3	Modify (b) substituting <i>'in accordance with clause 48'</i> with <i>'in accordance with Part 6'</i>	It is Part 6 of the deemed provisions which contains provisions for preparing an approval of a local development plan, not just cl.46.	1. McLeod's
71.	16.	3.13.1 Tourism zone	Un underline <i>'are as follows'</i> in the heading.	To maintain a proper sequence.	1. McLeod's
72.	17.	3.13.2 Tourism Zone	Modify heading to state <i>'The site requirements of the Tourism zone are as follows.'</i>	To maintain a proper sequence.	1. McLeod's
73.	17.	3.13.3 Tourism Zone	Modify heading to state <i>'The development requirements of the Tourism zone are as follows.'</i>	To maintain a proper sequence.	1. McLeod's
74.	17.	3.13.3 Tourism Zone	Modify (b) substituting <i>'the local government will, pursuant to clause 67 of the deemed provisions, have regard to the following'</i> with <i>'the local government shall generally in accordance with clause 67 of the deemed provisions, but particularly items (m), (n) and (zb) have due regard to the following.'</i>	As the current reference to the deemed provisions is inappropriate.	1. McLeod's
75.	17.	3.13.3 Tourism Zone	Modify (b) (i) by adding <i>'and/or glass material or similar'</i> after the word <i>'masonry'</i>	Consistent with other sections of the scheme, and allows for variation of materials which appear similar.	N/A
76.	18.	3.13.3 Tourism Zone	Modify (e) by substituting the word <i>'tourism development'</i> with <i>'tourist development'</i>	Consistent with the model land use definition of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
77.	19.	3.14.1 General Industry	Un underline <i>'are as follows'</i> in the heading	To maintain a proper sequence.	1. McLeod's
78.	19.	3.14.2 General Industry	Modify heading to state <i>'The site requirements of the General industry zone are as follows.'</i>	To maintain a proper sequence.	1. McLeod's
79.	19.	3.14.2 General Industry	Modify (b) (i) by adding <i>'Primary'</i> before the word <i>'Street'</i>	Removes confliction with clause 4.26 of the scheme.	N/A
80.	19.	3.14.3 General Industry	Modify heading to state <i>'The development requirements of the General Industry zone are as follows.'</i>	To maintain a proper sequence.	1. McLeod's
81.	19.	3.14.3 General Industry	Modify (a) by substituting <i>'clause 16'</i> with <i>'Part 4'</i>	As it is all of Part 4 that deals with structure plans in the Regulations not only clause 16.	1. McLeod's
82.	19.	3.14.3 General Industry	Modify (c) by adding <i>'excluding any crossover'</i> after the word <i>'boundary'</i>	Consistent with other sections of the scheme.	N/A
83.	20.	3.15.1	Un underline <i>'are as follows'</i> in the heading	To maintain a proper sequence.	1. McLeod's
84.	20.	3.15.2 Industrial	Modify heading to state <i>'The site and development requirements of the Industrial Development zone are as follows.'</i>	As per McLeod's comments recommended to maintain a proper sequence.	1. McLeod's

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		Development zone			
85.	20.	3.15.2 Industrial Development zone	Modify (a) by substituting 'clause 16' with 'Part 4'	As it is all of Part 4 that deals with structure plans in the Regulations not only clause 16.	1. McLeod's
86.	20.	3.15.2 Industrial Development zone	Delete symbol '(a)'	Is not required as there is only one provision.	1. McLeod's
87.	20.	3.15.2 Industrial Development zone	Modify by substituting the words ' <i>the application shall be generally be generally in accordance with the Structure Plan.</i> ' with ' <i>the area is subsequently rezoned in accordance with the approved structure plan.</i> '	Required to implement a structure plan beyond it only being given due regard in the decision making process in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
88.	20.	3.16.1 Light Industry	Un underline ' <i>are as follows</i> ' in the heading	To maintain a proper sequence.	1. McLeod's
89.	20.	3.16.2 Light Industry	Modify heading to state ' <i>The site requirements of the Light Industry zone are as follows:</i> '	To maintain a proper sequence.	1. McLeod's
90.	20.	3.16.2 Light Industry	Modify (b) (i) add ' <i>Primary</i> ' before the word ' <i>Street</i> '	Removes confliction with clause 4.26 of the scheme.	N/A
91.	21.	3.16.3 Light Industry	Modify heading to state ' <i>The development requirements of the Light Industry zone are as follows:</i> '	To maintain a proper sequence.	1. McLeod's
92.	21.	3.16.3 Light Industry	Modify (a) by substituting 'clause 16' with 'Part 4'	As it is all of Part 4 that deals with structure plans in the Regulations not only clause 16.	1. McLeod's
93.	21.	3.16.3 Light Industry	Modify (d) adding ' <i>excluding any crossover</i> ' after the word ' <i>boundary.</i> '	Consistent with other sections of the scheme.	N/A
94.	21.	3.17.1 Service Commercial	Un underline ' <i>are as follows</i> ' in the heading	To maintain a proper sequence.	1. McLeod's
95.	21.	3.17.2 Service Commercial	Modify heading to state ' <i>The site requirements of the Service Commercial zone are as follows:</i> '	To maintain a proper sequence.	1. McLeod's
96.	21.	3.17.2 Service Commercial zone	Modify (b) (i) adding ' <i>Primary</i> ' before the word ' <i>Street</i> '	Removes confliction with clause 4.26 of the scheme.	N/A
97.	21.	3.17.3 Service Commercial zone	Modify heading to state ' <i>The development requirements of the Service Commercial zone are as follows:</i> '	To maintain a proper sequence.	1. McLeod's
98.	21.	3.17.3 Service Commercial zone	Modify (a) by substituting 'clause 16' with 'Part 4'	As it is all of Part 4 that deals with structure plans in the Regulations not only clause 16.	1. McLeod's
99.	22.	3.17.3 Service Commercial zone	Modify (d) adding ' <i>excluding any crossover</i> ' after the word ' <i>boundary.</i> '	Consistent with other sections of the scheme.	N/A

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100.	22.	3.17.3 Service Commercial zone	Modify (f)(ii) adding ' <i>unless otherwise provided for by the scheme.</i> ' after the current sentence.	Provides clarity on development requirements as some scheme provisions may conflict with R-Codes R10. Removes conflict with clause 4.1.4 of the scheme.	N/A
101.	22.	3.18.1 Rural Residential zone	Un underline ' <i>are as follows</i> ' in the heading	To maintain a proper sequence.	1. McLeod's
102.	23.	3.18.2 Rural Residential Zone	Modify heading to state ' <i>The general development requirements of the Rural Residential zone are as follows:</i> '	To maintain a proper sequence.	1. McLeod's
103.	23.	3.18.2 Rural Residential Zone	Modify (a) substituting ' <i>approved pursuant to clause 16</i> ' with ' <i>approved in accordance with Part 4</i> '	It is Part 4 of the deemed provisions which contains provisions for preparing an approval of a structure plan, not just cl.16.	1. McLeod's
104.	23.	3.18.2 Rural Residential Zone	Modify (a) substituting ' <i>application shall be generally</i> ' with ' <i>application is generally</i> '	As per McLeod's comments recommended for accurate grammar.	1. McLeod's
105.	23.	3.18.2 Rural Residential Zone	Modify (c) by deleting ' <i>Notwithstanding the provisions in clause 16 of the deemed provisions</i> '	Not required as no provision in the proposed LPS 4 can have effect 'notwithstanding the provisions in clause 16 of the deemed provisions'.	1. McLeod's
106.	23.	3.18.2 Rural Residential Zone	Modify (c) (ii) by substituting ' <i>adjacent natural ground level</i> ' with ' <i>minimum required finished floor level, except where there is no minimum required finished floor level the maximum wall height shall be measured from the point where the wall directly intersects with natural ground level.</i> '	The current definition for wall height requires it to be measured from natural ground level at the lot boundary. A dwelling on a Rural Residential lot could be setback 50 metres from the nearest lot boundary with significantly different AHD levels between the actual building pad and lot boundary.	N/A
107.	24.	3.18.2 Rural Residential Zone	Modify (c) (xii) substituting ' <i>planning</i> ' with ' <i>development</i> '	Consistent with the provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
108.	24.	3.18.3.1 Area A – Preston Street	Modify heading to state ' <i>The special site requirements of the Rural Residential zone Area A- Preston Street are as follows:</i> '	To maintain a proper sequence.	1. McLeod's
109.	24.	3.18.4.1 Area B – Cape Wilderness Estate	Modify heading to state ' <i>The special development requirements of the Rural Residential zone Area B – Cape Wilderness Estate are as follows:</i> '	To maintain a proper sequence.	1. McLeod's
110.	24.	3.18.4.1 Area B – Cape Wilderness Estate	Modify (b) adding ' <i>and in accordance with the approved Foreshore Management Plan,</i> ' after the word 'owner'	To ensure building envelopes are in accordance with the approved Foreshore Management Plan.	N/A
111.	24.	3.18.4.1 Area B – Cape Wilderness Estate	Modify (d) substituting ' <i>with advice from Main Roads WA</i> ' with ' <i>and consistent with advice received from Main Roads WA.</i> '	Ensures proposed access is consistent with Main Roads requirements.	15. Main Roads
112.	24.	3.19.1 Rural Zone	Un underline are as follows.	To maintain a proper sequence.	1. McLeod's

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113.	25.	3.19.2 Rural Zone	Modify heading to state ' <i>The site requirements of the Rural zone are as follows:</i> '	To maintain a proper sequence.	1. McLeod's
114.	25.	3.19.2 Rural Zone	Modify by deleting ' <i>subject to clause 5.7.2(a)</i> '	The text is not required as all development in the rural zone will be subject to all provisions within the scheme including SCA6.	N/A
115.	25.	3.19.3 Rural Zone	Modify heading to state ' <i>The development requirements of the Rural zone are as follows:</i> '	To maintain a proper sequence.	1. McLeod's
116.	26.	4.1.4 R-Codes	Add ' <i>unless otherwise provided for in this scheme.</i> ' after the word ' <i>clause 4.1.3.</i> '	Required to ensure all provisions of the scheme are fully enforced as the Service Commercial zone, Tourist zone, Commercial C2 zone, and Special Use 6 Zone have a coding number superimposed thereon where specific siting and design provisions written in the scheme are applicable.	N/A
117.	26.	4.2.1 Modification of R-Codes	Modify (a) substituting ' <i>of the site area</i> ' with ' <i>or 10 per cent of the site area whichever is lesser</i> '	Consistent with definition of open space in the R-Codes.	N/A
118.	26.	4.2.1 Modification of R-Codes	Modify (a) deleting ' <i>eaves, overhang</i> '	Consistent with definition of open space in the R-Codes.	N/A
119.	26.	4.2.1 Modification of R-Codes	Add to (a) ' <i>or other such structures not more than 0.5 metres above natural ground level, unenclosed on at least two sides;</i> '	Consistent with definition of open space in the R-Codes.	N/A
120.	26.	4.3 State Planning Policy 3.6 to be read as part of Scheme	Delete all of 4.3	The inclusion of state planning policies in a local planning scheme is inappropriate considering that the context of the scheme is treated as written law not as policy. A part of a local planning scheme is subject to section 87(4) of the Planning and Development Act, which gives it the same effect as if enacted in the Planning and Development Act. This is contrary to the way in which a policy should operate. A policy should be treated as a guide to decision making, and a decision maker ordinarily would make an error of law if it treated a policy as binding.	1. McLeod's
121.	26.	4.4 Modification of State Planning Policy 3.6	Delete all of 4.4	The inclusion of state planning policies in a local planning scheme is inappropriate considering that the context of the scheme is treated as written law not as policy. A part of a local planning scheme is subject to section 87(4) of the Planning and Development Act, which gives it the same effect as if enacted in the Planning and Development Act. This is contrary to the way in which a policy should operate. A policy should be treated as a guide to decision making, and a decision maker ordinarily would make an error of law if it treated a policy as binding.	1. McLeod's
122.	26.	4.5 Other State Planning Policies	Modify by deleting all of current 4.5.1 and 4.5.2 and inserting ' <i>There are no other State Planning Policies that are to be read as part of this Scheme.</i> '	The inclusion of state planning policies in a local planning scheme is inappropriate considering that the context of the scheme is treated as written law not as policy. A part of a local planning scheme is subject to section 87(4) of	1. McLeod's

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				the Planning and Development Act, which gives it the same effect as if enacted in the Planning and Development Act. This is contrary to the way in which a policy should operate. A policy should be treated as a guide to decision making, and a decision maker ordinarily would make an error of law if it treated a policy as binding.	
123.		All	Adjust all numbering accordingly considering proposed removal of clauses 4.3 and 4.4.	Correct updated numbering.	1 McLeod's
124.	27.	4.8 Additional site and development requirements	Modify by substituting ' <i>The following sets out</i> ' with ' <i>4.6.1 The following provisions in this clause 4.6 set out</i> '	The modification is required considering the proposed inclusion of additional clauses within the additional site and development requirements heading.	1. McLeod's
125.	27.	4.8 Additional site and development requirements	Add ' <i>4.6.2 To the extent that a requirement referred to in clause 4.6.1 is inconsistent with a requirement in the R Codes, an Activity Centre Plan, a Local Development Plan or a State or Local Planning Policy, the requirement referred to in clause 4.6.1 prevails.</i> ' after proposed 4.6.1.	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
126.	27.	4.8 Additional site and development requirements	Modify by incorporating provisions of clause 4.9 into clause 4.6 as 4.6.3. Not including clause 4.9.3	There is currently nothing in cl.4.6 which indicates the extent of the provisions intended to be referred to in that clause. Additional provisions intended to be referred to in cl.4.6 are cl.4.9 Ancillary Dwelling, and 4.10 Outbuildings. Clause 4.9.3 is inconsistent with the R-Codes.	1. McLeod's
127.	27.	4.8 Additional site and development requirements	Modify by incorporating provisions of clause 4.10 into clause 4.6 as 4.6.4. Not including clauses 4.10.3, 4.10.5, 4.10.6 and 4.10.7.	There is currently nothing in cl.4.6 which indicates the extent of the provisions intended to be referred to in that clause. Additional provisions intended to be referred to in cl.4.6 are cl.4.9 Ancillary Dwelling, and 4.10 Outbuildings. Clause 4.10.3 is not required as every development application is subject to all relevant provisions of the scheme. Clause 4.10.5 is not required an outbuilding on vacant land prior to a dwelling is not defined as an outbuilding. It is a dwelling in the form of a shed. Clause 4.10.6 and 4.10.7 is not required as an outbuilding used for habitable purposes is not defined as an outbuilding, it is defined as a dwelling or ancillary dwelling.	1. McLeod's
128.	27.	4.9 Ancillary Dwelling	Delete – all 4.9	Consistent with proposed modification above.	1. McLeod's
129.	27.	4.9 Ancillary Dwelling	Add new clause 4.6.3(a) stating ' <i>The deemed-to-comply provisions of the R Codes in relation to ancillary dwellings are varied by inclusion of the items (b) to (g) inclusive.</i> '	The proposed provision makes specific reference to the deemed provisions of R-Codes ensuring where the R-Codes are applicable these provisions are considered as part of deemed provisions.	1. McLeod's

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130.	27.	4.9 Ancillary Dwelling	Re word 4.9.2 to 4.6.3(c) stating ' <i>The maximum plot ratio area for an ancillary dwelling is 100m²</i> '	Consistent with the wording in R-Codes which specifically refer to plot ratio area.	N/A
131.	27.	4.9 Ancillary Dwelling	Modify by substituting all of current 4.9.4 with ' <i>4.6.3(d) Green title, survey strata or strata subdivision of a lot containing an ancillary dwelling is not permitted if it will result in the ancillary dwelling being on a separate lot</i> '	Improved grammar with reference to correct subdivision terminology.	1. McLeod's
132.	27.	4.9 Ancillary Dwelling	Modify by substituting all of current 4.9.5 with ' <i>4.6.3(e) The appearance, colours, roof pitch and construction standard of the ancillary dwelling shall be similar to, or better than, the main dwelling.</i> ' and ' <i>4.6.3(f) Mining camp style transportable units and converted sea containers are not permitted as ancillary dwellings</i> ' as separate clauses.	Improved grammar with specific reference to ancillary dwellings.	1. McLeod's
133.	27.	4.10 Outbuildings	Delete – all 4.10	Consistent with proposed modifications above.	1. McLeod's
134.	27.	4.10 Outbuildings	Add new clause 4.6.4(a) which states ' <i>The deemed-to-comply provisions of the R Codes in relation to outbuildings are varied by inclusion of the following provisions in items (b) to (d) inclusive of this clause 4.6.4.</i> '	The proposed provision makes specific reference to the deemed provisions of R-Codes ensuring where the R-Codes are applicable these provisions are considered as part of deemed provisions.	1. McLeod's
135.	27.	4.10 Outbuildings	Modify 4.10.1 by substituting ' <i>shall not collectively exceed 90m² in area</i> ' with ' <i>4.6.4(b) ... on any lot shall not exceed a collective floor area of 90m²</i> ' and add ' <i>in each case</i> ' before the word ' <i>measured</i> '.	Improved grammar.	1. McLeod's
136.	27.	4.10 Outbuildings	Modify 4.10.2 by substituting ' <i>shall not collectively exceed 150m²</i> ' with ' <i>4.6.4(c) ...shall not have a floor area collectively in excess of 150m²</i> ' and substitute ' <i>with a maximum</i> ' with ' <i>and shall have a maximum</i> ' and add ' <i>in each case</i> ' before the word ' <i>measured</i> '.	Improved grammar.	1. McLeod's
137.	27.	4.10 Outbuildings	Add ' <i>and Rural zone</i> ' after the word ' <i>zone</i> ' in current clause 4.10.2, proposed clause 4.6.4(c).	Consistent with current local policy, currently not covered.	N/A
138.	27.	Add 4.7 Additional site and development requirements for areas covered by structure plan, activity centre plan or local development plan	Add ' 4.7 Additional site and development requirements for areas covered by Structure Plan, Activity Centre Plan or Local Development Plan <i>There are no additional requirements of this kind which apply to this Scheme.</i> After proposed 4.6.4.	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	1. McLeod's
139.	28.	4.11 Table 2 Sea Containers	Add ' <i>Rural Residential</i> ' zone to first row of table 2	Consistent with current local policy 6.9.	N/A

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140.	28.	4.11 Table 2 Sea Containers	Modify first row by increasing maximum length to 12.	To accommodate larger modern sea containers, which are considered an acceptable form of development.	N/A
141.	28.	4.11 Table 2 Sea Containers	Add ' <i>Special Use Zone 1 – Composite</i> ' to second row of table 2.	As 2 sea containers are considered a suitable form of development in Special Use Zone 1 – Composite lots.	N/A
142.	28.	4.11 Table 2 Sea Containers	Modify second row by increasing maximum length the 20.	To accommodate larger modern sea containers, which are considered an acceptable form of development.	N/A
143.	28.	4.11 Table 2 Sea Containers	Add ' <i>and Special Use Zone 1 – Industrial; and Rural</i> ' zone to last row of table 2	As sea containers are considered a suitable form of development on Pastoral Stations (Rural zone) and Special Use Zone 1 – Industrial lots.	N/A
144.	28.	4.11 Table 2 Sea Containers	Modify last row substituting maximum number '10' with 'Unlimited' and maximum length '12' with 'Unlimited'	As the types of land uses approved in these zones rely on the use of sea containers to undertake the core operations of their business.	8. Base Marine
145.	28.	4.11 Sea Containers	Modify by deleting ' <i>and shall not be stacked vertically.</i> '	By removing this provision the maximum height of stacked sea containers is controlled by the maximum building height in each zone. This makes more efficient use of industrial land.	8. Base Marine
146.	29.	4.14 Unkempt land	Delete all of cl 4.14 Unkempt land.	This provision is a double up with provisions already prescribed in the Local Government Act regarding unkempt land.	1. McLeod's
147.	29.	4.15 Transportable structures and second-hand external materials	In 4.15.1 substitute ' <i>excluding a transported dwelling which meets the requirements of clause 61 of the deemed provisions, the R-Codes and other relevant provision of the Scheme</i> ' with ' <i>excluding development exempted by clause 61 of the deemed provisions.</i> '	Ensures there is no conflict with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
148.	30.	4.15 Transportable structures and second-hand external materials	Add ' <i>to be brought up to an as new standard,</i> ' after the word ' <i>material finishes</i> ' in clause 4.11.3(a).	Consistent with current local policy 6.23.	N/A
149.	30.	4.15 Transportable structures and second-hand external materials	Modify by substituting ' <i>Transported structures shall be completely restumped and fully enclosed.</i> ' with ' <i>Transported structures must be completely restumped and fully enclosed within 12 weeks of the structure being erected on the subject site.</i> '	Consistent with current local policy 6.23.	1. McLeod's
150.	30.	4.16 Floodlighting	Substitute ' <i>residential and/or tourist zone</i> ' with ' <i>locality</i> '	Required to control the impacts of floodlighting, so as not to interfere with the amenity of any area.	18. Department of Defence 24. Ningaloo Coast World Heritage Advisory Committee
151.	30.	4.17 Development fronting Murat Road	Modify (c) by adding ' <i>12 metres wide</i> ' after the word 'one (1)'	Required as the current provision does not restrict the maximum width of the crossover, which could have significant streetscape impacts.	N/A

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152.	34.	4.19.7 Holiday Accommodation / Holiday House	Delete <i>'Emergency Lighting'</i>	Not required	N/A
153.	34.	4.20.3 Bed and Breakfast/ Guesthouse	Modify by replacing the word 'Gust' with "Guest"	To fix spelling error.	1. McLeods
154.	34.	4.20.4 Bed and Breakfast/ Guesthouse	Modify by substituting <i>'A fire extinguisher shall installed in each guest bedroom.'</i> with <i>'A fire extinguisher is required in a clearly visible location in the premises at all times, and is required to be maintained in proper working order and marked on the emergency response plan.'</i>	Re-worded to require only 1 fire extinguisher, rather than 1 in every bedroom which is considered excessive.	N/A
155.	35.	4.20.9 Bed and Breakfast / Guesthouse	Delete <i>'Emergency Lighting'</i>	Not required	N/A
156.	36.	4.21.1 Nature Based Parks	Delete all of 4.21.1 and add a note stating <i>'Nature Based Park applications are required to be in accordance with the Caravan Parks and Camping Grounds Act 1995 the Caravan Parks and Camping Grounds Regulations 1997.'</i>	This legislation is not enforced under the Planning and Development Act 2005 and is therefore inappropriate to be included as a provision in proposed Scheme 4.	N/A
157.	36.	4.21.3 Nature Based Parks	Add <i>'shall be referred to the Department of Parks and Wildlife, and'</i> after the word <i>'Nature Based Park applications.'</i>	Requires nature based park proposals to be referred to DPaW as they may have significant environmental impacts.	21. Department of Parks and Wildlife
158.	37.	4.23.3 Home Occupation and Home Business	Modify by adding <i>'or Home Business'</i> after the word <i>'Home Occupation'</i>	Ensures Home Business land use requires a permit from the local government to continue operating.	N/A
159.	39.	4.30.1 Table 3 Car Parking Requirements	Modify <i>'Family Day Care'</i> substituting <i>'One (1) space' with 'Two (2) spaces'</i> and deleting <i>'in addition to parking required by the R-Codes.'</i>	As the land use is not covered by the R-Codes, the parking requirement cannot be in addition to parking required by the R-Codes.	N/A
160.	39.	4.30.1 Table 3 Car Parking Requirements	Add as a new row after workforce accommodation <i>'Home Business' 'One (1) space per staff member.'</i>	This land use does not have any prescribed parking requirement. Home Business use allows for employment of up to 2 external staff and 2 external clients. Therefore additional parking should be required.	N/A
161.	39.	4.30.1 Table 3 Car Parking Requirements	Add <i>'Guesthouse'</i> after <i>'Bed and Breakfast'</i> and delete <i>'Guesthouse'</i> from separate row.	<i>'Guesthouse'</i> land use is being used for large scale bed and breakfast therefore the parking requirements should be the same as <i>'Bed and Breakfast'</i> .	N/A
162.	39.	4.30.1 Table 3 Car Parking Requirements	Modify <i>'Camping Ground; Caravan Park; Nature Based Park'</i> by: <ul style="list-style-type: none"> - Deleting <i>'One (1) space per site.'</i> and <i>'One (1) visitor space per twenty (20) sites.'</i> - Add <i>'Two (2) spaces per chalet or cabin.'</i> and <i>'One (1) additional space for every chalet/cabin'</i> 	Covered by Caravan Park and Camping Ground Act and Regs. As a chalet/cabin forms part of a Caravan Park, as per the model provisions of the <i>Planning and</i>	N/A

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			<i>that can accommodate more than six (6) people.'</i>	<i>Development (Local Planning Schemes) Regulations 2015.</i>	
163.	39.	4.30.1 Table 3 Car Parking Requirements	Delete 'Chalet'	A Chalet forms part of the land use Caravan Park and/or Tourist Development in accordance with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i>	N/A
164.	39.	4.30.1 Table 3 Car Parking Requirements	Modify 'Holiday Accommodation; Holiday House' add 'One (1) space per 4 guests which may be accommodated in the premises.' and the second clause to state 'A maximum of five (5) spaces, per dwelling which includes trailer parking'	Consistent with current local policy 6.12, and ensure a minimum number of parking bays is provided, and provides greater clarity.	N/A
165.	39.	4.30.1 Table 3 Car Parking Requirements	Modify 'Hotel; Motel; Tourist Development' by substituting '3m ² ' with '6m ² '	Requiring 1 space for every 3m ² of bar area if open to the public is excessive. Consistent with parking required for the uses 'Night Club; Small Bar; Tavern'.	N/A
166.	39.	4.30.1 Table 3 Car Parking Requirements	Modify 'Serviced Apartment' substituting the word 'serviced apartment' with 'unit' in the provisions.	The land use serviced apartment includes many unit or apartments, therefore the parking requirements should refer to unit.	N/A
167.	40.	4.30.1 Table 3 Car Parking Requirements	Modify 'Restaurant/Cafe; Fast Food Outlet/Lunch Bar' by adding 'whichever is greater' after the words 'dining area' and deleting 'One (1) additional space for every two (2) staff members.'	This requirement is overzealous considering 'One (1) space for every 7m ² NLA; or One (1) space for every 4 seats of dining area'. Deleting this clause will also be consistent with other local planning schemes such as 'Geraldton' and 'Sandstone'.	N/A
168.	40.	4.30.1 Table 3 Car Parking Requirements	Modify 'Child Care Premises' by substituting 'Minimum of five (5) spaces for the pick-up and dropping off of children.' with 'One (1) space for every 10 children the premises is designed and approved to accommodate.'	Where the Child Care Premises use involves more than 50 children a greater number of parking bays will be required, which is desired to reduce traffic management issues.	N/A
169.	40.	4.30.1 Table 3 Car Parking Requirements	Delete 'Conference Room'	'Conference Room' is not a defined land use, therefore there is no need for it to be listed in the table.	N/A
170.	40.	4.30.1 Table 3 Car Parking Requirements	Modify 'Exhibition Centre' by deleting 'One (1) additional space for every two (2) staff members.'	The land use will have different staff numbers depending on the type of event/s.	N/A
171.	40.	4.30.1 Table 3 Car Parking Requirements	Modify 'Liquor Store - Small; Liquor Store – Large; Shop; Health Centre; Discount Department Store; Fish Shop' by deleting 'Health Centre'	The 'Health Centre' land use is covered by the land use 'Medical Centre' which is also included in proposed Scheme 4.	N/A
172.	40.	4.30.1 Table 3 Car Parking Requirements	Modify 'Office; Reception Centre' by adding 'of NLA' after '20m ² '	To fix grammatical error.	N/A
173.	40.	4.30.1 Table 3 Car Parking Requirements	Modify 'Service Station' by deleting ', not including area used for fuel filling'	Not required.	N/A
174.	40.	4.30.1 Table 3 Car Parking Requirements	Modify 'Bulky Goods Showroom' substituting current clause with 'One (1) space for every 50m ² of NLA.'	Increased parking required to reduce traffic management issues.	N/A

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175.	40.	4.30.1 Table 3 Car Parking Requirements	Modify ' <i>Industry – Cottage</i> ' by substituting ' <i>One (1) space in addition to parking required by the R Codes.</i> ' with ' <i>One (1) space per 50m² of NLA.</i> '	As the land use is not covered by the R-Codes, the parking requirement cannot be in addition to parking required by the R-Codes.	N/A
176.	41	4.30.1 Table 3 Car Parking Requirements	Delete 'Brewery' after 'Marine Filling Station' and include in a separate row with the following provisions: <i>One (1) space for every two (2) staff members; plus One (1) space per 50m² of NLA of premises open to the public for display, sale or exhibition, where the premises incorporates such an area; plus An additional one (1) space per 4 seats or one (1) space per 6m² of NLA of premises used for dining and/or drinking area, whichever is the greater, where the premises incorporates such an area.</i>	As the land use can include areas for display, sale or exhibition, dining and seating.	N/A
177.	41.	4.30.1 Table 3 Car Parking Requirements	Modify ' <i>Salvage Yard</i> ' by adding this land use after ' <i>Marine Support Facility</i> ' and delete ' <i>Storage Yard; Salvage Yard</i> ' from separate row, and substitute ' <i>One (1) space per employee; whichever is greater, but with a minimum of five (5) spaces</i> ' with ' <i>One (1) space per two (2) staff members, but with a minimum of five (5) spaces</i> '	Currently parking bays are only required for the internal area of a building, it does not capture the use where it is entirely open and not proposed within a building. Consistent with staff parking requirements for other land uses.	N/A
178.	41.	4.30.1 Table 3 Car Parking Requirements	Modify ' <i>Industry – Light; Industry – Service; Warehouse/Storage</i> ' by substituting existing with ' <i>One (1) space for every 50m² of NLA</i> '	Increased parking required to reduce traffic management issues.	N/A
179.	41.	4.30.1 Table 3 Car Parking Requirements	Modify ' <i>Motor Vehicle Hire</i> ' by substituting last provision with ' <i>One (1) space per hire vehicle.</i> '	Ensures spaces for the hire vehicles are provided at a prescribed rate.	N/A
180.	41.	4.30.1 Table 3 Car Parking Requirements	Modify ' <i>Trade Display</i> ' by adding ' <i>and One (1) space per 250m² of open outdoor area used for trade display.</i> ' after the word 'NLA'.	Required to cover where outdoor areas are used as part of a 'Trade Display' use.	N/A
181.	41.	4.30.1 Table 3 Car Parking Requirements	Add ' <i>Bus Depot</i> ' after ' <i>Transport Depot</i> '	The 'Bus Depot' land use is currently not covered in the parking table and very similar to the 'Transport Depot' use.	N/A
182.	41.	4.30.1 Table 3 Car Parking Requirements	Modify ' <i>Civic Use</i> '; ' <i>Community Purpose</i> ' by deleting ' <i>One (1) additional space for every two (2) staff members.</i> '	The land use will have different staff numbers depending on the type of event/s.	N/A
183.	42.	4.30.1 Table 3 Car Parking Requirements	Delete ' <i>Public Utility</i> '	As this land use predominantly involves infrastructure works where there is no NLA.	N/A
184.	43.	Table 4 Parking Area Development Standards	Add ' <i>(Disabled Parking)</i> ' after ' <i>Car Parking – Accessible</i> ' and substitute ' <i>As per AS2890.1 (as amended)</i> ' with ' <i>As per R-Codes</i> '	Provides clarity.	N/A
185.	46.	4.35.1 Loading/unloading areas	Insert ' <i>metres</i> ' after '8.8' and '10'	Improved grammar.	N/A

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186.	47.	4.36.3 Exempt advertisements	<p>Add to (a) 'erected' after the words 'All advertisements'</p> <p>Add after (c):</p> <p>(d) Temporary erection or installation of electoral advertisements as provided in clause 61(1)(g) of the deemed provisions.</p> <p>(e) All advertisements required for compliance with a statutory requirement.</p> <p>(f) All advertisements erected, placed or displayed on land owned, vested to, or managed by the local government.</p> <p>Note: In regard to clause 4.32.3(f) all advertisements are subject to local government local laws.</p>	<p>Provides reference to electoral signs exempt in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>Exempts all signs required to be displayed for compliance with other statutory provisions.</p> <p>Removes dual approval process of requiring Development Approval and permit approval under local law.</p>	<p>1. McLeods</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
187.	47.	Table 5 Signage Zoning and Permissibly Table	Delete 'Third Party Advertising' from table 5 and include as a separate provision stating 'Third Party Advertising is not permitted in any zone.'	Third Party Advertising is not a specific type of sign, and therefore unsuitable to be included in the table.	N/A
188.	47.	Table 5 Signage Zoning and Permissibly Table	<p>Modify signs in the Commercial zone as follows:</p> <ul style="list-style-type: none"> - Pylon Sign to D - Hoarding Sign to D - Tethered Sign (Flag) to E 	These sign types are considered to be suitable in the commercial zone considering existing signs displayed, and the land uses which can be supported in the Commercial zone.	N/A
189.	47.	Table 5 Signage Zoning and Permissibly Table	<p>Modify signs in Special Use Zone 6 as follows:</p> <ul style="list-style-type: none"> - Pylon Sign to D 	A pylon sign may be suitable in Special Use Zone 6 (SU6) – Marina considering the land uses which can supported in SU6.	N/A
190.	47.	Table 5 Signage Zoning and Permissibly Table	<p>Modify Signs in Tourism zone as follows:</p> <ul style="list-style-type: none"> - Tethered Sign (Flag) to E - Banner Sign (Commercial) to E - Garage Sale Sign to E 	These sign types are considered to be suitable in the Tourism zone considering existing signs displayed, and the land uses which can be supported in the Commercial zone.	N/A
191.	47.	Table 5 Signage Zoning and Permissibly Table	<p>Modify Signs in Special Use Zone 4 as follows:</p> <ul style="list-style-type: none"> - Tethered Sign (Flag) to E - Banner Sign (Commercial) to E 	These sign types are considered to be suitable in Special Use Zone 4 (SU4) – Caravan Parks and Camping Grounds considering existing signs displayed, and the land uses which can be supported in SU4.	N/A
192.	47.	Table 5 Signage Zoning and Permissibly Table	Modify Tethered Sign (Flag) and Banner Sign (Commercial) to E in the 'Light Industry zone, Service Commercial zone, and General Industry zone'	These sign types are considered to be suitable in the Light Industry zone, Service Commercial zone, and General Industry zone considering existing signs displayed, and the land uses which can be supported in these zones.	N/A
193.	47.	Table 5 Signage Zoning and Permissibly Table	<p>Modify signs in the Rural zone as follows:</p> <ul style="list-style-type: none"> - Roof Sign (Part of) to D - Projecting Sign to D - Portable A-Frame (On ground) to E - Tethered Sign (Flag) to E 	These sign types are considered to be suitable in the Rural zone considering existing signs displayed, and the land uses which can be supported in the Rural zone.	N/A

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194.	47.	Table 5 Signage Zoning and Permissibly Table	Modify signs in the Local Scheme Reserve as follows: - Portable A-frame (On Ground) to E - Tethered Sign (Flag) to E - Garage Sale Sign to E - Real Estate Sign to E - Building Construction Signs to E	These sign types are considered to be suitable in Local Scheme Reserves considering existing signs displayed.	N/A
195.	47.	Table 5 Signage Zoning and Permissibly Table	Modify signs in Special Use Zone 1, 2, 5 as follows: - Wall Sign to E - Portable A-frame (On ground) to E - Tethered Sign (Flag) to E - Banner Signs both types to E	These sign types are considered to be suitable in the Special Use Zones 1,2, and 5 considering existing signs displayed, and the land uses which may be supported within these special use zones.	N/A
196.	48.	4.36.5 On Building Signs (b) Roof Sign (Above)	Delete ' <i>An Above Roof sign is not permitted in any zone.</i> '	As this provision is already covered by 'X' designation (not permitted) in Table 5.	N/A
197.	48.	4.36.5 On Building Signs (c) Wall Sign	Delete ' <i>Wall signs on places of worship shall not exceed 1m². Wall signs on Holiday Accommodation shall not exceed 0.2m².</i> '	Not required, and considered to be adequately covered by other provisions within 4.36.5(c)	N/A
198.	49.	4.36.5 On Building Signs (d) Projecting Sign	Delete ' <i>Projecting signs require a Building Permit with appropriate structural engineering details.</i> '	Building permits are not required under the <i>Planning and Development Act 2005</i> . The building permit approval process is covered by separate legislation.	N/A
199.	49.	4.36.5 On Building Signs (e) Window Sign	In (ii) substitute ' <i>per tenancy lot</i> ' with ' <i>per lawful land use.</i> '	As multiple land uses can be approved within a single lot.	N/A
200.	49.	4.36.5 On Building Signs (f) Verandah Signs	Delete ' <i>Verandah signs may be subject of a Building permit with appropriate structural engineering details.</i> ' and ' <i>be limited to the name of the business or the form of activity taking place within the building (i.e. Chemist, Bakery etc.). Signs advertising particular brand names shall not be permitted.</i> '	Building permits are not required under the <i>Planning and Development Act 2005</i> . The building permit approval process is covered by separate legislation. Limiting the name on the sign to the activity taking place is considered unsuitable, and anti-competitive.	N/A
201.	50.	4.36.6 Off Building Signs (g) Pylon Signs	Delete: - ' <i>Pylon signs require a Building permit with appropriate structural engineering details.</i> ' - ' <i>be no more than 6 metres above ground level</i> ' and - ' <i>have a maximum area of 2.4m²</i> ' Modify provisions to read as follows: (i) the advertisement shall have a minimum clearance of 0.5 metres from ground level (ii) the structure shall have a greater height than width; (iii) the structure shall have a maximum width of 2.5 metres.	Building permits are not required under the <i>Planning and Development Act 2005</i> . The building permit approval process is covered by separate legislation. Pylon signs have been approved which are higher than 6 metres with an area greater than 2.4m ² , and are considered suitable. The provisions have been revised to address issues identified in development applications, and have effective advertising, whilst not compromising amenity.	N/A
202.	50.	4.36.6 Off Building Signs	Reword the first sentence to state ' <i>An advertising sign, which is fixed to a structure, which has one or more</i>	The provision now refers to the structure rather than the advertisement which improves the intent of the provision.	N/A

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		(g) Pylon Signs	<i>supports and the structure has a greater height than width.'</i>		
203.	50.	4.36.6 Off Building Signs (g) Pylon Signs	The last clause is to read as follows ' <i>be limited to one (1) sign per lot</i> '	Ensure only 1 sign is displayed per lot, rather than 1 sign per street frontage on any lot, which is the intent of the provision.	N/A
204.	50.	4.36.6 Off Building Signs (h) Hoarding Signs	Delete: - ' <i>with a width greater than height.</i> ' - ' <i>Hoarding signs require a Building permit with appropriate structural engineering details.</i> ' - ' <i>be greater than 1.2 metres above ground level</i> ' and - ' <i>Have a greater width than height</i> '	Square hoarding existing in Exmouth and are considered to be suitable. Building permits are not required under the <i>Planning and Development Act 2005</i> . The building permit approval process is covered by separate legislation. This provision reduce the effectiveness of the advertisement. Square hoarding existing in Exmouth and are considered to be suitable.	N/A
205.	50.	4.36.6 Off Building Signs (h) Hoarding Signs	Modify provisions to read as follows: (i) ' <i>the advertisement shall have a minimum clearance of 0.5 metres from ground level</i> '; (ii) ' <i>the advertisement shall have a maximum area of 3m²</i> '; (iii) ' <i>be limited to one (1) sign per lot</i> '; (iv) ' <i>not be located on a lot where there is an existing Pylon Sign</i> '; and (v) ' <i>the structure shall not be higher than 2.5 metres above natural ground level.</i> '	The provisions have been revised to address issues identified in development applications, and have effective advertising, whilst not compromising amenity.	N/A
206.	51.	4.36.6 Off Building Signs (i) Portable A-Frame (On ground) Signs	Modify provisions to read as follows: (i) ' <i>not be higher than 1.2 metres above natural ground level</i> '; (ii) ' <i>only be displayed during normal business hours of the business to which the sign relates</i> '; (iii) ' <i>be limited to a maximum of two (2) signs per lawfully approved land use</i> '; (iv) ' <i>not obstruct pedestrian access</i> '; (v) ' <i>have no moving parts once the sign is in place</i> '; and (vi) ' <i>have a maximum display area of 1.2m²</i> '.	The provisions have been revised with improved grammar. Requiring a portable A-frame (on ground) sign to be within 0.5m of a building will significantly reduce the effectiveness of the advertisement where the building is setback far from the road carriageway.	N/A
207.	51.	4.36.6 Off Building Signs (j) Tethered Signs (Flag)	Modify provisions to read as follows: (i) ' <i>have a maximum area of 2m²</i> '; (ii) ' <i>be no higher than the building to which it relates</i> '; (iii) ' <i>be removed at the end of each business day</i> '; and (iv) ' <i>be limited to a maximum of two (2) displayed per lawfully approved land use</i> '.	The provisions have been revised to address issues identified in development applications, improve grammar and have effective advertising, whilst not compromising amenity.	N/A
208.	51.	4.36.6 Off Building Signs (l) Mobile Billboard Signs	Modify provisions to read as follows: (l) <i>Mobile Billboard Signs</i>	The provisions have been revised to address issues identified in development applications,	1. McLeods

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			<p><i>It is intended that advertising signs will fall into this category if they are applied to, or adhered to or placed on a vehicle (the vehicle might be a car, truck, boat, trailer, caravan, machinery or similar whether moveable or not). The mobile billboard sign can be a product or object, which is displayed for the purpose of advertising.</i></p> <p><i>Mobile billboard signs shall:</i></p> <ul style="list-style-type: none"> <i>(i) be wholly located within the boundary of a lot;</i> <i>(ii) be placed so as not to cause any interference with the ordinary lawful use of the subject land;</i> <i>(iii) have no moving parts;</i> <i>(iv) be limited to a maximum of one sign per street frontage on any lot; and</i> <i>(v) have vertical and horizontal dimensions which do not exceed 2 metres.'</i> <p>and the image is to be deleted.</p>	<p>improve grammar and have effective advertising, whilst not compromising amenity.</p> <p>As the image does not indicate that an advertisement stuck onto the side of vehicle is also a Mobile Billboard Sign.</p>	N/A
209.	52.	4.36.6 Off Building Signs (n) Banner Signs – Commercial	Substitute 'per street frontage' with 'per lawful land use'	As multiple land uses can be approved within a single lot.	N/A
210.	53.	4.36.6 Off Building Signs (p) Real Estate Signs	<p>Modify provisions to read as follows:</p> <p><i>Real Estate Signs shall:</i></p> <ul style="list-style-type: none"> <i>(i) have a maximum collective area of 2m2 per residential lot;</i> <i>(ii) have a maximum collective area of 5m2 for multiple dwelling, grouped dwelling, tourist, commercial and industrial properties;</i> <i>(iii) have a maximum collective area of 10m2 for subdivisions, and developments involving buildings exceeding 12 metres in height; and</i> <i>(iv) be removed when the property transaction is complete or when 90 per cent of the lots have been sold, whichever is lessor.</i> 	The provisions have been revised to address issues identified in development applications, improve grammar and have effective advertising, whilst not compromising amenity.	N/A
211.	53.	4.36.6 Off Building Signs (q) Building Construction Signs	<p>Delete:</p> <p><i>Building construction signs shall:</i></p> <ul style="list-style-type: none"> <i>(i) be limited to one (1) sign per street frontage;</i> <i>(ii) have a maximum area of 2m2 for dwellings;</i> <i>(iii) have a maximum area of 5m2 for multiple dwellings, shops, commercial and industrial properties; and</i> <i>(iv) have a maximum area of 10m2 for large development or redevelopment projects involving shopping centres, office or other buildings exceeding 12 metres in height.</i> 	The provisions are not required as the definition of a Building Construction Sign requires it to only be displayed for the duration of the construction of a building or development. It is therefore a temporary sign.	N/A

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212.	54.	4.36.6 Off Building Signs (s) Election Signs	<p>Modify provisions to read as follows:</p> <p><i>Election Signs</i></p> <p><i>The temporary erection or installation of an advertisement which functions as an election sign is the subject of a development approval exemption provision in clause 61(1)(g) of the deemed provisions.</i></p> <p><i>Any election sign which does not fall within scope of the exemption in clause 61(1)(g) of the deemed provisions is subject to the following controls:</i></p> <p>(i) <i>For the purpose of this clause, an election sign is a sign which relates to a local, State or Federal election. The term includes a bill, poster, placard or advertisement relating to any election, attached to or pasted, painted, or stenciled, on any hoarding, wall, building, or structure whether erected upon private property or upon a public place, but does not include a sign erected by the local government for the purpose of public information.</i></p> <p>(ii) <i>An election sign, not exempted by clause 61(1)(g) of the deemed provisions, may only be displayed during the period commencing 45 days before the election to which it relates and ending two days after the election, and if so restricted in time, does not require development approval.'</i></p>	Reworded to avoid conflict with deemed cl.61(1)(g) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , and to improve grammar.	1. McLeods
213.	54.	4.36.7 Illuminated Signage	Delete '4.36.7.1' and 'to the satisfaction of Western Power or the appropriate electrical supply authority and'	It is not the responsibility of the Shire to ensure illuminated signage is installed to the satisfaction of Horizon Power, it is their own responsibility.	N/A
214.	56.	5.1.2 Special Control Areas	Reword to state 'Despite any other provision of the Scheme, development approval is required for all works within a Special Control Area.'	As it's in conflict with the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , and in particular with cl.61.	1. McLeod's
215.		All SCA's	Modify by substituting 'the local government will have regard to:' and 'the local government shall have regard:' with 'the local government must have regard to the following:'	Improved grammar.	1. McLeod's
216.	56.	5.2.2 Exmouth Water Reserve (SCA1)	Modify (a) by adding 'and relevant conditions to prevent or minimise the potential risk of groundwater contamination.' after the word 'agencies'.	Allows for the local government to have due regard to the conditions recommended by the Department of Water or other relevant agencies.	17. Department of Water WA
217.	56.	5.2.2 Exmouth Water Reserve (SCA1)	Add '(e) The management direction provided by priority areas of certain areas, noting that Priority One areas are defined and managed to ensure there is no degradation of the quality of the drinking water source with the objective of risk avoidance. Consistent with the preventive risk-based framework of Western Australian	Recommended to reduce risks to the Exmouth Water Reserve.	17. Department of Water WA

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			<i>Government, changes of land use that introduce additional risks are not recommended.'</i>		
218.	56.	5.2.2 Exmouth Water Reserve (SCA1)	Add '(f) <i>The most recent Department of Water, Land use compatibility tables for public drinking water source areas.</i> '	Required to ensure due regard is made to the most recent land use compatibility tables.	17. Department of Water WA
219.	56.	5.3 Exmouth Waste Water Treatment Plant (SCA2)	Delete all of 5.3 Exmouth Waste Water Treatment Plan (SCA2)	The special control area is not required. The current Waste Water Treatment Plant is to be relocated north of town in June 2020. Special Control Areas are generally used to protect infrastructure in its current location. It is desired that the WWTP be relocated.	13. Water Corporation
220.		All SCA's	Modify numbering of all SCA's considering deletion of SCA2.	Consistent numbering.	N/A
221.	58.	5.6.1 Floodplain (SCA5)	Modify by substituting the words ' <i>have produced floodplain mapping creeklines that are affected by a 100 year average recurrence interval (ARI) flood.</i> ' with ' <i>have produced 100 year average recurrence interval (ARI) floodplain mapping of a number of watercourses in the Exmouth area.</i> '	Recommended for accurate grammar.	17. Department of Water WA
222.	58.	5.6.1 Floodplain (SCA5)	Modify (a) to read as follows ' <i>To minimise impacts on the floodplain from inappropriate encroachment of development.</i> '	Recommended for accurate grammar.	17. Department of Water WA
223.	59.	5.6.2 Floodplain (SCA5)	Modify (a) (i) substituting ' <i>Modelling</i> ' with ' <i>modelling</i> '	Improved grammar.	17. Department of Water WA
224.	59.	5.6.2 Floodplain (SCA5)	Modify (a) (ii) delete ' <i>and upgrades to existing high hazard floodplains.</i> '	Improved grammar.	17. Department of Water WA
225.	59.	5.7.2 Minilya Exmouth Road (SCA6)	<p>Modify provisions to read as follows:</p> <p><u><i>Additional Provisions</i></u></p> <p><i>In addition to matters listed in clause 67 of the deemed provisions the local government must have regard to the following:</i></p> <p>(a) <i>Development shall be supported by a Visual Landscape Assessment prepared in accordance with the West Australian Planning Commission: Visual Landscape Planning in Western Australia a manual for evaluation, assessment, siting and design document.</i></p> <p>(b) <i>Any proposed crossover providing access to Minilya-Exmouth Road shall be referred to Main Roads WA.</i></p>	<p>Removes any possible claims for injurious affection under the <i>Planning and Development Act 2005</i>.</p> <p>Removes duplication/confliction with any other legislation which may be applicable.</p> <p>Allows for land uses to occur in accordance with the underlying zoning rather than the Rural zone, consistent with current Town Planning Scheme No.3.</p>	<p>1. McLeod's</p> <p>11. Rowe Group on behalf of Kailis</p> <p>12. Department of Environment Regulation</p> <p>15. Department of Main Roads</p>
226.	61.	Schedules	Delete ' <i>Schedule 5 – Special Use Zone 6 – Marina</i> '	Not required.	N/A
227.	62.	Schedule 1 – Terms referred to in Scheme	Delete advertisement definition	This definition is covered by the deemed provisions of the <i>Planning and Development</i>	N/A

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				(Local Planning Schemes) Regulations 2015, and automatically applies.	
228.	62.	Schedule 1 – Terms referred to in Scheme	Modify annex by deleting ‘as amended’ and adding ‘s’ after the words ‘Park’ and ‘Ground’	Consistent with all other provisions of the proposed scheme. ‘As amended’ has not been included anywhere.	N/A
229.		Schedule 1 – Terms referred to in Scheme	Add ‘ chalet means a dwelling forming part of a tourist development or caravan park that is — a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and b) designed to provide short-term accommodation for guests.’ And delete from Land Use terms used.	Consistent with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
230.	63.	Schedule 1 – Terms referred to in Scheme	Modify definition of development approval to ‘ development approval means development approval of the local government obtained under Part 8 of the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (as amended).’	Consistent with the definition in part 10A of the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
231.	63.	Schedule 1 – Terms referred to in Scheme	Modify definition of development site to ‘ development site means that part of a lot on which a building that is the subject of development stands or is to be constructed.’	Consistent with the definition in part 10A of the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
232.	63.	Schedule 1 – Terms referred to in Scheme	Add ‘al’ after the word ‘Environment’	Ensures reference to correct legislation.	N/A
233.	64.	Schedule 1 – Terms referred to in Scheme	Modify definition of FES Commissioner by deleting ‘section 3’.	As the section number may change if and when the legislation which defines FES Commissioner is amended.	N/A
234.	64.	Schedule 1 – Terms referred to in Scheme	Modify definition of floor area by adding ‘of Australia (BCA).’ after the word ‘Code’.	Ensures correct reference to Building Code of Australia.	N/A
235.	64.	Schedule 1 – Terms referred to in Scheme	Modify definition of habitable building by deleting ‘or undertaking other activities’	Consistent with part 10A of the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	N/A
236.	64.	Schedule 1 – Terms referred to in Scheme	Delete Jetty from Terms used and include in Land use terms used.	As the Shire is receiving development applications for the sole development of jetty without any other use or works.	N/A
237.	64.	Schedule 1 – Terms referred to in Scheme	Modify definition of lot by deleting ‘but does not include a strata or survey strata lot.’	To ensure strata and survey strata lots are considered a lot for the purpose of development approval.	N/A
238.	64.	Schedule 1 – Terms referred to in Scheme	Modify definition of minerals by deleting ‘section 8(1)’	As the section number may change if and when the legislation which defines minerals is amended.	N/A
239.	65.	Schedule 1 – Terms referred to in Scheme	Modify definition of park home by deleting ‘(as amended)’ and adding ‘s’ at the end of the words ‘Park’ and ‘Ground’	Consistent with all other provisions of the proposed scheme. ‘As amended’ has not been included anywhere.	N/A

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240.	65.	Schedule 1 – Terms referred to in Scheme	Modify definition of sea container to read as follows ‘sea container means a standardised re-usable container used to store materials and products and would normally be used in ground and sea (surface) freight transportation.’	The modified definition no longer requires sea containers to be constructed out of metal, and improved grammar.	N/A
241.	65.	Schedule 1 – Terms referred to in Scheme	Modify sensitive land use by deleting ‘(as amended)’	Consistent with all other provisions of the proposed scheme. ‘As amended’ has not been included anywhere.	N/A
242.	65.	Schedule 1 – Terms referred to in Scheme	Modify definition of short-term accommodation to read as follows ‘short-term accommodation means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.’	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
243.	65.	Schedule 1 – Terms referred to in Scheme	Delete ‘specified building’	Not required.	N/A
244.	65.	Schedule 1 – Terms referred to in Scheme	Modify definition of third party advertising by adding ‘within the lot.’ after the word ‘subject business’.	Provides greater clarity to the definition, to ensure signage relates to the business operating from the lot.	N/A
245.	67.	Schedule 1 – Land use terms used	Modify definition of agriculture –intensive by deleting ‘trade or’ and inserting ‘production’ after the word ‘commercial’ and ‘any of’ after the word ‘associated with’	Consistent with the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
246.	68.	Schedule 1 – Land use terms used	Modify definition of camping ground to read as follows ‘camping ground has the meaning given in the Caravan Parks and Camping Grounds Act 1995.’	As camping ground is defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> .	N/A
247.	68.	Schedule 1 – Land use terms used	Modify definition of caravan park to read as follows ‘caravan park has the meaning given in the Caravan Parks and Camping Grounds Act 1995.’	As caravan park is defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> .	N/A
248.	69.	Schedule 1 – Land use terms used	Modify definition of fast food outlet / lunch bar by deleting lunch bar, and insert lunch bar as a separate land use to read as follows ‘lunch bar means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas.’	Consistent with WAPC proposed modification to the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , and proposed modification to include Lunch Bar as a separate land use in the zoning table.	N/A
249.	70.	Schedule 1 – Land use terms used	Delete ‘health centre’	As this land use is a duplicate of the land use medical centre.	N/A
250.	72.	Schedule 1 – Land use terms used	Modify industry – noxious by deleting ‘(as amended)’	Consistent with all other provisions of the proposed scheme. ‘As amended’ has not been included anywhere.	N/A
251.	73.	Schedule 1 – Land use terms used	Modify marine support facility by adding ‘, loading’ after the word ‘repair’	As loading is currently not covered by definition, which occurs in conjunction with a marine support facility.	N/A
252.	73.	Schedule 1 – Land use terms used	Modify definition of mixed development by adding ‘lawful’ after ‘one or more’	The definition now states that the non-residential use must be a use which can be supported within the applicable zone.	N/A

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253.	74.	Schedule 1 – Land use terms used	Modify definition of nature based park by deleting ‘Regulation 3’	As the regulation number may change if and when the legislation which defines nature based park is amended.	N/A								
254.	75.	Schedule 1 – Land use terms used	Modify definition of service station by adding ‘and/’ before the word ‘or’ between (a) and (b)	Consistent with WAPC proposed modification to the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A								
255.	76.	Schedule 1 – Land use terms used	Delete ‘ storage yard ’	Covered by the land use ‘Warehouse/storage’	11. Rowe Group on behalf of Kailis								
256.	78.	Schedule 2 – Additional Uses	Add ‘L220 Minilya Exmouth Road, Learmonth’ to A4 in Description of Land.	As this lot may contain an existing approved dwelling.	11. Rowe Group on behalf of Kailis								
257.	78.	Schedule 2 – Additional Uses	<div>Add new row -<table><tr><td>N o .</td><td>Description</td><td>Addit ional Use</td><td>Conditions</td></tr><tr><td>A 5</td><td>L21 (H40) Mortiss Street, Exmouth L22 (H42) Mortiss Street, Exmouth L23 (H44) Mortiss Street, Exmouth L24 (H46) Mortiss Street, Exmouth L25 (H48) Mortiss Street, Exmouth L26 (H50) Mortiss Street, Exmouth L27 (H52) Mortiss Street, Exmouth Scheme Map 5</td><td>Offic e ‘D’ use</td><td>As determined by the local government.</td></tr></table></div>	N o .	Description	Addit ional Use	Conditions	A 5	L21 (H40) Mortiss Street, Exmouth L22 (H42) Mortiss Street, Exmouth L23 (H44) Mortiss Street, Exmouth L24 (H46) Mortiss Street, Exmouth L25 (H48) Mortiss Street, Exmouth L26 (H50) Mortiss Street, Exmouth L27 (H52) Mortiss Street, Exmouth Scheme Map 5	Offic e ‘D’ use	As determined by the local government.	Consistent with Market Street Outline Development Plan and current local planning policy.	N/A
N o .	Description	Addit ional Use	Conditions										
A 5	L21 (H40) Mortiss Street, Exmouth L22 (H42) Mortiss Street, Exmouth L23 (H44) Mortiss Street, Exmouth L24 (H46) Mortiss Street, Exmouth L25 (H48) Mortiss Street, Exmouth L26 (H50) Mortiss Street, Exmouth L27 (H52) Mortiss Street, Exmouth Scheme Map 5	Offic e ‘D’ use	As determined by the local government.										
258.	79.	Schedule 3 – R1	Delete Development Requirements cl.1	Covered by sections 60 & 67 of the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . The current provision also conflicts with clause 61 of the deemed provisions.	N/A								

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259.	79.	Schedule 3 – R1	Add the <i>'The following land uses are classified as having a P designation:'</i> <ul style="list-style-type: none"> • <i>Supermarket.'</i> 	Removes any possible claims for injurious affection subject to section 174(1) of the Planning and Development Act.	1. McLeods
260.	79.	Schedule 3 – R1	Modify Development Requirements cl.3 substituting <i>'The following uses shall be classified as 'D':'</i> with <i>'The following land uses are classified as having a D designation.'</i> and delete <i>'Supermarket'</i>	Consistent accurate grammar.	1. McLeods
261.	79.	Schedule 3 – R1	Modify Development Requirements cl.3 substituting <i>'All other uses are classified 'X'.'</i> with <i>'All other land uses are classified as having an X designation.'</i>	Consistent accurate grammar.	1. McLeods
262.	80.	Schedule 3 – R2	Modify Development Requirements cl.1 substituting <i>'Tourist Development' shall be classified as a 'D' use.'</i> with <i>'Tourist Development is classified as having a P designation.'</i>	Removes any possible claims for injurious affection subject to section 174(1) of the Planning and Development Act.	1. McLeods
263.	80.	Schedule 3 – R2	Modify Development Requirements cl.1 by substituting <i>'All other uses are classified as 'X' not permitted.'</i> with <i>'All other land uses are classified as having an X designation.'</i>	Consistent accurate grammar.	1. McLeods
264.	80.	Schedule 3 – R2	Modify Development Requirements cl.4 by substituting <i>'Building Heights shall be a maximum 12 metres above natural ground level. The maximum height of wall shall be 9.75 metres above natural ground level.'</i> with <i>'The maximum building height shall be 12 metres above natural ground level. The maximum wall height shall be 9.75 metres above natural ground level.'</i>	Required to address grammatical error.	N/A
265.	81.	Schedule 3 – R3	Modify Development Requirements clause 1. to state <i>'Agriculture – Extensive is classified as having a D designation.'</i>	Consistent accurate grammar.	1. McLeods
266.	81.	Schedule 3 – R3	Modify Development Requirements substituting <i>'All other uses are classified as 'X' not permitted.'</i> with <i>'All other land uses are classified as having an X designation.'</i>	Consistent accurate grammar.	1. McLeods
260.		Special Use Zone 1	Add 'Development Investigation' to Special Use column, and add in conditions column and end of provisions: Development Investigation Precinct <i>Structure Plan – Lot 51 Minilya-Exmouth Road nominates a portion of the Special Use Zone as Development Investigation Precinct. It is the intention that this precinct be used for tourist related activities which may include a caravan park and associated uses.</i> <i>Prior to development of the Development Investigation Precinct there shall be an analysis of flood risk and environmental impacts, and further amendment to the Scheme.</i>	Consistent with current Town Planning Scheme 3. There is an ongoing scheme amendment (No.31) to current Town Planning Scheme 3 which has not been finalised.	N/A
261.	82.	Special Use Zone 1	Delete land use clause 1.	Not required covered by other provisions within Special Use Zone 1.	N/A

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262.	82.	Special Use Zone 1	Modify Site and Development Requirements cl.1 to read as follows <i>‘Subdivision and development of land shall be in accordance with Structure Plan – Lot 51 Minilya-Exmouth Road.’</i>	The ensure subdivision and development is in accordance with Strucutre Plan – Lot 51 Minilya-Exmouth Road.	N/A
263.	82.	Special Use Zone 1	Modify Site and Development Requirements cl.3 substituting <i>‘In addition to those matters prescribed in Clause 67 of the deemed provisions the local government shall have regard to:’</i> with <i>‘In considering an application for development approval the local government shall generally in accordance with clause 67 of the deemed provisions, but particularly items (m), (n) and (zb) have due regard to the following:’</i>	As the current reference to the deemed provisions is inappropriate.	1. McLeods
264.	82.	Special Use Zone 1	Delete Site and Development Requirements cl. 4.	Covered by sections 60 & 67 of the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . The current provision also conflicts with clause 61 of the deemed provisions.	N/A
265.	82.	Special Use Zone 1	Modify Industrial Precinct – Precinct Land Use cl.1, 2 and 3 to read as follows: <i>The permissibility of land uses shall be as per the General Industry zone except that the following land uses are classified as having an I designation:</i> <ul style="list-style-type: none"> • <i>Caretaker’s dwelling.</i> <i>and the following land uses are classified as having an X designation:</i> <ul style="list-style-type: none"> • <i>Fuel Depot;</i> • <i>Industry – Noxious; and</i> • <i>Service Station.</i> 	Consistent accurate grammar.	1. McLeods
266.	83.	Special Use Zone 1	Delete Industrial Precinct – Precinct Site and Development Requirements cl.1.	Not required, covered by other provisions.	N/A
267.	83.	Special Use Zone 1	Modify Composite Precinct Land Use cl. 2 substituting <i>‘industrial business is permitted’</i> with <i>‘industrial land use may be permitted’</i>	Improved grammar.	N/A
268.	83.	Special Use Zone 1	Substitute existing Composite Precinct Land Use cl. 3 with <i>‘Only one (1) residential land use may be permitted to be established on each lot within the Composite Area.’</i>	Improved grammar.	N/A
269.	83.	Special Use Zone 1	Modify Composite Development Precinct – Precinct Land Use cl. 5. to read as follows: <i>The permissibility of land uses shall be as per the General Industry zone except that the following land uses are classified as having an X designation:</i> <ul style="list-style-type: none"> • <i>Abattoir;</i> • <i>Fuel Depot;</i> • <i>Industry – Extractive;</i> • <i>Industry – Hazardous;</i> • <i>Industry – Noxious;</i> 	Consistent accurate grammar.	1. McLeods

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			<ul style="list-style-type: none"> • <i>Motor Vehicle Wreckers;</i> • <i>Service Station;</i> • <i>Transport Depot;</i> • <i>Renewable Energy Facility.</i> <p><i>and the following land uses are classified as having a D designation:</i></p> <ul style="list-style-type: none"> • <i>Dwelling;</i> • <i>Repurposed Dwelling;</i> • <i>Secondhand Dwelling;</i> • <i>Home Occupation;</i> • <i>Home Business.</i> 		
270.	84.	Special Use Zone 1	<p>Modify Composite Development Precinct – Precinct Site and Development Requirements by deleting:</p> <ul style="list-style-type: none"> • Within cl.2 <i>‘and is subject to the General Industry zone provisions prescribed by the Scheme, except as may be otherwise provided in this Schedule and the Structure Plan.’</i> • All cl.3 • All cl.8 	These clauses are already covered by other provisions in Special Use Zone 1.	N/A
271.	84.	Special Use Zone 1	<p>Modify Composite Development Precinct – Precinct Site and Development Requirements cl. 4 by substituting <i>‘Composite Area’</i> with <i>‘Composite Precinct’</i></p>	Required to ensure that it relates to development within the Composite precinct.	N/A
272.	85.	Special Use Zone 2	<p>Modify description of land by deleting <i>‘a portion of’</i> and <i>‘and Lot 319’</i></p>	The whole of Lot 6 can be included in Special Use Zone 2 as the Vlaminghead masterplan covers all of Lot 6, and Lot 319 can be included in the Environmental Conservation Reserve as it is undeveloped with natural vegetation.	23. Property Owners (Department of Lands and Ablett Pty Ltd)
273.	85.	Special Use Zone 2	<p>Add <i>‘The following land use is classified as having a P designation:</i></p> <ul style="list-style-type: none"> • <i>Tourist Development.’</i> 	Consistent accurate grammar. Removes any possible claims for injurious affection.	1. McLeods
274.	85.	Special Use Zone 2	<p>Modify land use clause to read as follows:</p> <p><i>The following land uses are classified as having a D designation:</i></p> <ul style="list-style-type: none"> • <i>Caravan Park;</i> • <i>Camping Ground;</i> • <i>Holiday Accommodation;</i> • <i>Holiday House;</i> • <i>Restaurant/Cafe;</i> • <i>Shop; and</i> • <i>Caretaker’s Dwelling.</i> 	Consistent with current Scheme 3. Removes requirement for development applications to go to a Council meeting.	1. McLeods
275.		Special Use Zone 3	<p>Add:</p> <p>‘Objectives</p> <p><i>The objectives of Special Use Zone 3 are as follows:</i></p> <ol style="list-style-type: none"> 1. <i>To set aside land for the development of airport or aviation facilities and industry.</i> 2. <i>To provide guidance on the built form to ensure that it does not conflict with the safe and secure operations of the aerodrome.’</i> 	There are currently no objectives for Special Use Zone 3, which are required to provide on the intended uses and built form.	N/A

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276.	86.	Special Use Zone 3	Add 'The following land use is classified as having a P designation: • Car Park'	Consistent accurate grammar. Removes any possible claims for injurious affection.	1. McLeods
277.	85, 86	Special Use Zone 3	Delete Land Use cl.1 and 2.	Not required as land use permissibility is prescribed by other clauses.	N/A
278.	86.	Special Use Zone 3	Modify Land Use cl. 3 substituting 'The following uses shall be classified as D uses under the Scheme' with 'The following land uses are classified as having a D designation.' and delete 'car park'	Consistent accurate grammar.	1. McLeods
279.		Special Use Zone 3	Add new Land Use clause 'All land uses shall be aviation related as per the objectives of the Special Use Zone.'	The proposed clause is a substitution for land use clauses 1. and 2.	N/A
280.	85, 86.	Special Use Zone 3	Add 'General' in the first 3 headings	Improved grammar.	N/A
281.	86, 87.	Special Use Zone 3	Delete Development Requirements cl.1, 2, and 18.	The Aerodrome Locality Site Plan has already been created therefore there is no need for cl.1. The Aerodrome Locality Site Plan forms part of proposed Scheme 4 and required to given regard in determining development applications, therefore cl.2 is not required. Cl.18 implies that the Shire will undertake all bushfire management including management within leased areas. This is not suitable as it should be the responsibility of the lessee to undertake bushfire management, not the Shire.	N/A
282.	86, 87.	Special Use Zone 3	Add the following Development Requirements: 2. Subdivision and development of land shall be in accordance with the Exmouth Aerodrome Locality Site Plan. 3. No buildings shall be permitted outside the building envelope as shown on the Exmouth Aerodrome Locality Site Plan. 19. The minimum finished floor level of development shall be in accordance with the Exmouth Aerodrome Locality Site Plan.	Proposed clauses 2 and 3 ensure subdivision and development occurs in accordance with the Exmouth Aerodrome Locality Site Plan forming part of the scheme. There are minimum finished floor levels for the aerodrome to prevent the impacts of flooding. These should be prescribed in proposed Scheme 4 to ensure adequate enforcement.	N/A
283.	87.	Special Use Zone 3	Modify Development Requirements cl.9 substituting 'a' with 'are'	Improved grammar.	N/A
284.	87.	Special Use Zone 3	Modify Development Requirements cl. 19 substituting 'The keeping of livestock is prohibited within the reserve.' with 'The keeping of livestock is prohibited within special use zone 3.'	Reference to Special Use Zone in the provision is more appropriate as the aerodrome is zoned 'Special Use Zone 3' in the proposed Scheme.	N/A
285.	87, 88.	Special Use Zone 3	Delete all precinct site requirements.	The precinct site required are defined by the Exmouth Aerodrome Locality Site Plan which forms part of proposed Scheme 4.	N/A

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286.	88.	Special Use Zone 4	Add heading ' Objectives '	Improved grammar.	N/A
287.	88.	Special Use Zone 4	Modify objective 1. by adding ' <i>principally</i> ' after the word ' <i>tourist accommodation</i> .'	Improved grammar to achieve intent of the objective.	20. RAC
288.	89.	Special Use Zone 4	Add new Land Use clause ' <i>The following land uses are classified as having a P designation:</i> ' <ul style="list-style-type: none"> <i>Camping Ground; and</i> <i>Caravan Park.</i> 	Designating land uses as 'P' removes any possible claims for injurious affection in Special Use Zone 4. These land uses are highly desired in Special Use Zone 4 considering the objectives of the special use zone.	1. McLeods
289.	89.	Special Use Zone 4	Delete Land Use clause 1 and 2, and add new Land Use clause to read as follows: <p><i>The following land uses are classified as having an I designation:</i></p> <ul style="list-style-type: none"> <i>Restaurant/Café;</i> <i>Convenience store;</i> <i>Fast Food Outlet;</i> <i>Shop;</i> <i>Motel;</i> <i>Dwelling;</i> <i>Community Purpose;</i> <i>Public Utility;</i> <i>Recreation –Private;</i> <i>Caretaker's Dwelling.</i> 	Improved grammar. <p>The land uses are required to be classified as I to ensure they are not developed as stand-alone land uses in Special Use Zone 4. This is consistent with the objectives of the special use zone.</p> <p>A Chalet is not a separate land use and form part of a caravan park and tourist development, as defined in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>The land uses 'Car Park', 'Civic Use', and 'Club Premises' are not considered to be compatible with the land use Camping Ground and/or Caravan Park, as per the objectives of the special use zone.</p>	1. McLeods 20. RAC
290.	89.	Special Use Zone 4	Modify Land Use cl.3 substituting ' <i>All other uses are X not permitted.</i> ' with ' <i>All other land uses are classified as having an X designation.</i> ' and move to last land use clause.	Consistent accurate grammar.	1. McLeods 20. RAC
291.	89.	Special Use Zone 4	Add Land Use clauses: <ol style="list-style-type: none"> <i>The combined gross floor area allocated for the commercial land uses listed in clause 2 above shall not exceed 500m2.</i> <i>The following land uses are classified as having an A designation:</i> <ul style="list-style-type: none"> <i>Telecommunications Infrastructure.</i> 	Improved grammar, and provision moved from development requirement to land use requirement as it relates specifically to land uses. <p>The land use 'Telecommunications Infrastructure' may be contentious in Special Use Zone 4 considering visual impacts and proximity to other zones. The use 'Telecommunications Infrastructure' is also unlikely to be incidental to a Caravan Park or Camping Ground where forming a separate land use.</p>	N/A
292.	89.	Special Use Zone 4	Modify Site Requirements to read as follows ' <i>Setbacks where not defined in the Caravan Parks and Camping Grounds Act 1995 or Caravan Parks and Camping</i>	Improve grammar. The <i>Caravan Parks and Camping Grounds Act 1995</i> and <i>Caravan Parks and Camping Grounds Regulations 1997</i> are not	N/A

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			<i>Grounds Regulations 1997 shall be as determined by the local government.'</i>	enforced under the Planning and Development Act 2005.	
293.	89.	Special Use Zone 4	Delete Development Requirements cl.1 and insert new note to read as follows: <i>Note: Development shall comply with all requirements of the Caravan Parks and Camping Grounds Act 1995 and Caravan Parks and Camping Grounds Regulations 1997.</i>	The <i>Caravan Parks and Camping Grounds Act 1995</i> and <i>Caravan Parks and Camping Grounds Regulations 1997</i> are not enforced under the Planning and Development Act 2005, therefore the requirement to comply with the <i>Caravan Parks and Camping Grounds Act 1995</i> and <i>Caravan Parks and Camping Grounds Regulations 1997</i> should be included as a note in proposed Scheme 4.	20. RAC
294.	89.	Special Use Zone 4	Modify Development Requirements cl.2 by substituting '1 storey' with '2 storey'	2 storey is considered to be an acceptable height limit, considering proximity of Special Use 4 sites to prescribed height limits on adjacent surrounding zones (i.e. Residential zone 2 storey), and existing approved buildings within Special Use Zone 4.	N/A
295.	89, 90.	Special Use Zone 4	Delete in Development Requirements: <ul style="list-style-type: none"> All cl.4; All cl.7; In cl.8 '<i>Notwithstanding the requirements of the Caravan Park and Camping Ground Regulations 1997 (as amended),</i>' In cl.9 '<i>Fencing shall be in accordance with the Caravan Park and Camping Ground Regulations 1997 (as amended).</i>' 	<p>This provision is covered by the land use 'Caretakers Dwelling' being designated 'I' in Special Use Zone 4.</p> <p>This provision has been re-worded and relocated as a land use provision in Special Use Zone 4.</p> <p>The <i>Caravan Parks and Camping Grounds Act 1995</i> and <i>Caravan Parks and Camping Grounds Regulations 1997</i> are not enforced under the Planning and Development Act 2005.</p>	20. RAC
296.	89., 90	Special Use Zone 4	Reword development requirement clause 5 to read as follows ' <i>Notwithstanding clause 4 above, a maximum of two dwellings are permitted for permanent accommodation by staff employed by the Caravan Park and/or Camping Ground.</i> '	Improved grammar with reference to the land use 'Dwelling' which is proposed to be included as an 'I' use in Special Use Zone 4.	20. RAC
297.	90.	Special Use Zone 4	Modify Development Requirements cl.10. substituting ' <i>Freehold or Strata Subdivision will not be supported</i> ' with ' <i>Green title, survey strata or strata subdivision is not permitted.</i> '	Consistent accurate grammar.	1. McLeods 20. RAC
298.	90.	Special Use Zone 5	Add at the beginning in the conditions column: <ul style="list-style-type: none"> '<i>Special Use Zone 5 consists of P1 South Harbour and P2 North Harbour as identified in Boat Harbour - Precincts P1 and P2.</i>' and 'Objectives' 	Provides reference to define areas P1 and P2 as identified in the <i>Boat Harbour - Precincts P1 and P2</i> plan forming part of proposed Scheme 4.	N/A
299.	91.	Special Use Zone 5	Delete all of ' <i>Site and Development Requirements</i> '	The provisions are superfluous as signage is covered by other section/s in the scheme, and precinct site and development requirements apply regardless.	N/A

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300.	91.	Special Use Zone 5	Substitute ' P1 South Harbour Development Requirements ' with ' P1 South Harbour '	Improved grammar.	N/A
301.	91.	Special Use Zone 5	Substitute cl.1 and 2 with the following: <ol style="list-style-type: none"> The following land uses are classified as having a P designation: <ul style="list-style-type: none"> Marine Support Facility; Marina. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> Industry – Light (considered to include boat repairs); Fuel Depot; Marine Filling Station; Transport Depot (considered to include refuelling); Industry - Service; Office and Warehouse/storage. The following land uses are classified as having an A designation: <ul style="list-style-type: none"> Telecommunications Infrastructure. 	Removes any possible claims for injurious affection subject to section 174(1) of the Planning and Development Act.	1. McLeods 8. Base Marine Pty Ltd 22. Department of Transport
302.	91.	Special Use Zone 5	Modify P1 South Harbour Development Requirements Precinct Land Use cl.3 substituting existing with ' <i>All other land uses are classified as having an X designation.</i> ' and move to last precinct land use clause.	Consistent accurate grammar.	1. McLeods
303.	91.	Special Use Zone 5	Modify P1 South Harbour Development Requirements Precinct Site requirements: <ul style="list-style-type: none"> delete number 1. substitute '<i>Setbacks</i>' with '<i>The minimum building setbacks shall be:</i>' substitute '<i>Front</i>' with '<i>Street</i>' 	Consistent accurate grammar.	1. McLeods
304.	91.	Special Use Zone 5	Modify P1 South Harbour Development Requirements Precinct Development Requirements cl.1 substituting existing with ' <i>Maximum building height shall be 8 metres to the top of wall and 11 metres to the top of roof, above natural ground level except where the local government considers that particular circumstances may warrant an exception and provided the objectives of the special use zone are not compromised.</i> '	Consistent with existing height restrictions in the <i>Exmouth Marina Village Broad Design Guidelines</i> which form part of the <i>Exmouth Marina Village Outline Development Plan</i> . The provision for the local government to allow variations to the prescribed heights is to cover cranes, boat lifts, ariels and other open type structures related to marine activities.	8. Base Marine Pty Ltd 22. Department of Transport
305.	92.	Special Use Zone 5	Delete P1 South Harbour Development Requirements Precinct Development requirement cl. 7 all.	This provision will significantly restrict development in the Boat Harbour.	8. Base Marine Pty Ltd
306.	92.	Special Use Zone 5	Substitute ' P2 North Harbour Development Requirements ' with ' P2 North Harbour '	Improved grammar.	N/A
307.	92.	Special Use Zone 5	Substitute P2 North Harbour Development Requirements – Precinct Land Use cl.1, 2, and 3 with the following:		1. McLeods.

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			<p>1. <i>The following land uses are classified as having a P designation:</i></p> <ul style="list-style-type: none"> • <i>Fish Shop;</i> • <i>Carpark;</i> • <i>Market;</i> • <i>Public Utility; and</i> • <i>Marina.</i> <p>2. <i>The following land uses are classified as having a D designation:</i></p> <ul style="list-style-type: none"> • <i>Restaurant/café;</i> • <i>Civic Use;</i> • <i>Club Premises;</i> • <i>Office;</i> • <i>Community Purpose; and</i> • <i>Convenience Store.</i> <p>3. <i>The following land uses are classified as having an A designation:</i></p> <ul style="list-style-type: none"> • <i>Shop; and</i> • <i>Small Bar.</i> 	<p>Removes any possible claims for injurious affection.</p> <p>Improved grammar.</p>	
308.	92.	Special Use Zone 5	Modify P2 North Harbour Development Requirements Precinct Land Use cl. 4. substituting existing with ' <i>All other land uses are classified as having an X designation.</i> '	Consistent accurate grammar.	1. McLeods
307.	92.	Special Use Zone 5	Modify P2 North Harbour Development Requirements Precinct Site and Development requirements cl. 1. substituting existing with ' <i>Prior to any subdivision and/or development a Local Development Plan shall prepared and approved in accordance with Part 6 of the deemed provisions.</i> '	It is Part 6 of the deemed provisions which contains provisions for preparing an approval of a local development plan, not just cl.48.	1. McLeods
308.	93.	Special Use Zone 6 - Marina	Add heading ' Objectives '	Improved grammar.	N/A
309.	93.	Special Use Zone 6 - Marina	Delete Overall development requirements cl.1.	Subdivision is suitable for specific sites in the Marina, including landmark sites, grouped dwelling sites and mixed development sites. Restricting subdivision will significantly limit the ability for these lots to be developed.	N/A
310.	94.	Special Use Zone 6 - Marina	Modify Overall development requirements cl.11 substituting ' <i>dwelling</i> ' with ' <i>building</i> '	Improved grammar.	N/A
311.	94.	Special Use Zone 6 - Marina	Modify Overall development requirements cl.13 by deleting ' <i>New fences and retaining walls may require a building licence from the local government.</i> '	Building permits are not required under the <i>Planning and Development Act 2005</i> . The building permit approval process is covered by separate legislation.	N/A
312.		Special Use Zone 6 - Marina	Delete all reference to in Schedule 5 everywhere in the text.	The words Schedule 5 are not required and are superfluous.	N/A
313.	94.	Special Use Zone 6 - Marina	Modify Area A – Canal Lots by adding ' <i>and Upper Retaining Wall</i> ' after the words ' <i>Nutrient Retention Area</i> '	As the upper retaining wall has been referenced throughout the text provisions in Marina Area A	N/A

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			(NRA)' and substitute 'Figure A2 in Schedule 5' with 'Figure A2 – Canal Lots'	– Canal lots. The words Schedule 5 are not required and are superfluous.	
314.	94.	Special Use Zone 6 - Marina	Area A – Canal Lots Site Requirements cl.1: <ul style="list-style-type: none"> • substitute 'Front' with 'Primary Street' • substitute 'FFL' with 'finished floor level' 	Improved grammar.	N/A
315.	95.	Special Use Zone 6 - Marina	Area A – Canal Lots Development Requirements substitute cl.1 with the following: <ol style="list-style-type: none"> 1. <i>Subdivision and development shall be in accordance with the 'Residential' zone in the zoning table and the R20 Density Code under the R Codes where the provisions of the Scheme are silent.</i> 2. <i>Notwithstanding clause 1. above the following land uses are classified as having a D designation:</i> <ul style="list-style-type: none"> • Dwelling; • Ancillary Dwelling; • Single House; • Outbuilding; and • Jetty; <i>and the following land uses are classified as having an X designation:</i> <ul style="list-style-type: none"> • Industry – Cottage; • Repurposed Dwelling; • Second-hand Dwelling; • Child Care Premises; • Place of Worship; and • Consulting Rooms. 	<p>This clause is required considering the proposed removal of Special Use Zone 6 Overall development requirement cl.1 to allow subdivision and amalgamation in the Marina.</p> <p>Improved grammar.</p>	N/A
316.		Special use Zone 6 – Marina	Area A - Canal Lots Development requirements add new clause which states 'The NDA is treated as the effective lot area for the purpose of calculating subdivision potential excluding the CDA, NRA, footpath, canal rock walls and areas which form part of the canal and are underwater.'	Required as the lots could be subdivided based on R20 zoning if including the CDA and areas which form part of the canal and are underwater. As solid walls cannot be built in the CDA and areas which form part of the canal and are underwater in accordance with the other development requirements it not suitable not allow subdivision if including these areas. The wording is consistent with the existing relevant design guidelines.	N/A
317.	95, 96, 97.	Special use Zone 6 – Marina	Modify Area A – Canal Lots Development Requirements: <ul style="list-style-type: none"> • In cl.6 delete 'and' after the word 'pergolas' • In cl.6 substitute 'or' with 'and' • In cl.7 substitute 'height of walls' with 'wall height' • In cl.7 substitute '6.2m' with '6.2 metres' • In cl.8 substitute 'FFL' with 'finished floor level' • In cl.9 substitute 'street frontage' with 'the street boundary' • Relocate cl.12 into cl.13 • In cl.13(b) add 'and internal fences' after the word 'all balustrades' • In cl.13(b) substitute '1 metre, excluding swimming pool barriers' with '1.2 metres' 	Improved grammar.	N/A

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318.	96.	Special use Zone 6 – Marina	Modify Area A – Canal Lots Development Requirements cl.13 by adding new provision to read as follows <i>‘Any filling and associated retaining walls shall be setback a minimum of 1.5 metres from side lot boundaries.’</i>	To reduce the impacts of boundary fencing restricting views of the canal waterway from adjoining lots.	N/A
319.	96, 97.	Special Use Zone 6 – Marina	Modify Area A – Canal Lots Development Requirements cl.14: <ul style="list-style-type: none"> • (b) substituting <i>‘1.5 metres’</i> with <i>‘1.8 metres’</i> • (c) substituting <i>‘1.2 metres’</i> with <i>‘1.8 metres’</i> • (c) substituting <i>‘of the secondary retaining wall’</i> with <i>‘of the upper retaining wall’</i> 	Consistent with AS1926.1 – 2012 which requires 1.8 metre high boundary fencing for a swimming pool.	N/A
320.	97.	Special Use Zone 6 – Marina	Modify Area A – Canal Lots Development Requirements cl.14 by adding new provision to read as follows <i>‘(d) The height of fencing shall be measured from natural ground level.’</i>	Provides clarity on where the fencing height is measured from.	N/A
321.	97.	Special Use Zone 6 – Marina	Modify Area A – Dry Lots Site Requirements cl.1: <ul style="list-style-type: none"> • (a) substituting <i>‘Front’</i> with <i>‘Primary Street’</i> • (a) deleting <i>‘Dwelling –’</i> 	Improved grammar.	N/A
322.	97.	Special Use Zone 6 – Marina	Modify Area A – Dry Lots Development Requirements substitute cl.1 with the following: <ol style="list-style-type: none"> 1. <i>Subdivision and development shall be in accordance with the ‘Residential’ zone in the zoning table and the R20 Density Code under the R Codes where the provisions of the Scheme are silent.</i> 2. <i>Notwithstanding clause 1. above the following land uses are classified as having a ‘D’ designation:</i> <ul style="list-style-type: none"> • <i>Dwelling;</i> • <i>Single House;</i> • <i>Ancillary Dwelling; and</i> • <i>Outbuilding;</i> <i>and the following land uses are classified as having an X designation:</i> <ul style="list-style-type: none"> • <i>Industry – Cottage;</i> • <i>Repurposed Dwelling;</i> • <i>Second-hand Dwelling;</i> • <i>Child Care Premises;</i> • <i>Place of Worship; and</i> • <i>Consulting Rooms.</i> 	<p>This clause is required considering the proposed removal of Special Use Zone 6 Overall development requirement cl.1 to allow subdivision and amalgamation in the Marina.</p> <p>Improved grammar.</p>	N/A
323.	97, 98.	Special Use Zone 6 – Marina	Modify Area A – Dry Lots Development Requirements: <ul style="list-style-type: none"> • Delete cl.2 all. • In cl.3 substitute <i>‘max’</i> with <i>‘maximum’</i> • In cl.4 delete <i>‘and’</i> after the word <i>‘pergolas’</i> • In cl.4 substitute <i>‘or’</i> with <i>‘and’</i> • In cl.5 substitute <i>‘height of walls’</i> with <i>‘wall height’</i> • In cl.5 substitute <i>‘6.2m’</i> with <i>‘6.2 metres’</i> • In cl.8 substitute <i>‘street frontage’</i> with <i>‘street boundary’</i> 	Improved grammar.	N/A

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324.	98.	Special Use Zone 6 – Marina	Add after Area A – Landmark heading ‘Area A – Landmark consists of a Nutrient Retention Area (NRA) and Upper Retaining Wall as identified in Figure A2 – Canal Lots.’	As these Area A – Landmark site features have been referenced throughout the text provisions.	N/A
325.	98.	Special Use Zone 6 – Marina	Modify Area A – Landmark Site requirements cl.1 (d) substitute ‘Nil to CDA for the main dwelling. This does not include open structures such as pergolas, patios or gazebos.’ with ‘minimum 4 metres from the canal side of Upper Retaining Wall.’	To ensure consistency with the existing design guidelines. There is no defined Conditional Development Area, or Net Developable Area for the landmark site.	N/A
326.	98, 99.	Special Use Zone 6 – Marina	Modify Area A – Landmark Site requirements cl.1: <ul style="list-style-type: none"> In (e) delete ‘for all other residential land, and’ Delete (f) and (g) 	To ensure consistency with the existing design guidelines. There is no defined Conditional Development Area, or Net Developable Area for the landmark site.	N/A
327.	99.	Special Use Zone 6 – Marina	Modify Area A – Landmark Development Requirements substitute cl.1 and 2 with the following: <ol style="list-style-type: none"> The following land uses are classified as having a P designation: <ul style="list-style-type: none"> Serviced Apartment; and Grouped Dwelling. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> Multiple Dwelling; Tourist Development; Hotel; and Motel; with incidental uses at the discretion of the local government. There shall be no integration of residential uses with tourism uses. The following land use is classified as having an A designation: <ul style="list-style-type: none"> Telecommunications Infrastructure. 	Removes any possible claims for injurious affection. Improved grammar.	1. McLeods
328.	99.	Special Use Zone 6 – Marina	Modify Area A – Landmark Development Requirements by substituting cl.3 with the following ‘All other land uses are classified as having an X designation.’	Improved grammar.	N/A
329.		Special Use Zone 6 – Marina	Modify Area A – Landmark Development Requirements add new clause which states ‘The effective lot area for the purpose of calculating subdivision potential excludes all land within 4 metres of the canal side of the upper retaining wall, NRA, footpath, canal rock walls and areas which form part of the canal and are underwater.’	Required as lot/s could be subdivided based on R60 zoning if including areas which form part of the canal and are underwater. Areas which form part of the canal and are underwater are not suitable for subdivision as they cannot be developed.	N/A
330.	99, 100.	Special Use Zone 6 – Marina	Modify Area A – Landmark Development Requirements: <ul style="list-style-type: none"> In cl.4 add ‘, unless otherwise provided by the Scheme’ after existing In cl.11 substitute ‘be’ with ‘have’ In cl.11 add ‘height’ before the words ‘of 9 metres’ In cl.11 delete ‘natural ground level at’ 	Improved grammar.	N/A

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331.	100.	Special Use Zone 6 – Marina	Modify Area A – Landmark Development Requirements cl.13 substituting ‘0.75 metres’ with ‘1 metre’ and ‘1.5 metres’ with ‘2 metres’, and add to clause <i>‘The height of retaining walls shall be measured from the top of the upper retaining wall’</i>	The maximum retaining wall height provisions do not work if the minimum finished level for a habitable room is required to be 5.50m AHD and is setback 4m from the canal side of the secondary retaining wall.	N/A
332.		Special Use Zone 6 – Marina	Add new Area A – Landmark Development Requirement <i>‘Any filling and associated retaining walls shall be setback a minimum of 1.5 metres from side lot boundaries.’</i>	To reduce the impacts of boundary fencing restricting views of the canal waterway from adjoining lots.	N/A
333.	100.	Special Use Zone 6 – Marina	Modify Area A – Landmark Development Requirements cl. 14 delete all.	As there is no Conditional Development Area for the landmark site.	N/A
334.	100.	Special Use Zone 6 – Marina	Modify Area A – Landmark Development Requirements: cl.15: <ul style="list-style-type: none"> (b) substitute with the following <i>‘Side: maximum 1.8 metres. Within 4 metres of the canal side of the upper retaining wall maximum 0.9 metres solid. Between 0.9 metres and 1.8 metres fencing shall be a minimum 90% visually permeable. No fence permitted within 2 metres of any shared stair access to the canals.’</i> (c) substitute ‘1.2’ with ‘1.8’ 	Consistent with AS1926.1 – 2012 which requires 1.8 metre high boundary fencing for a swimming pool. There is no defined conditional development area for the landmark site.	N/A
335.	100.	Special Use Zone 6 – Marina	Modify Area A – Landmark Development Requirements: cl.15 add new provision <i>‘(d) The height of fencing shall be measured from natural ground level.’</i>	Provides clarity on where the fencing height is measured from.	N/A
336.	100.	Special Use Zone 6 – Marina	Modify Area B by adding under first heading ‘- Area B’ after ‘Figure B1’ and <i>‘Certain lots within Area B consists of a No Load Zone, Lower Terrace, Secondary Retaining Wall, and Canal Setout Line as identified in Figure B2 – Area B.’</i>	As these Area B features have been referenced throughout the text provisions.	N/A
337.	101.	Special Use Zone 6 – Marina	Modify Area B – Precinct 1 Revetment Lots Site Requirements: <ul style="list-style-type: none"> (a) substitute ‘Front’ with ‘Primary Street’ (a) and (b) substitute ‘5.0’ with ‘5’ and ‘4.0’ with ‘4’ (a) substitute ‘canal setout line’ with ‘Canal Setout Line’ (b) iii. delete the word ‘retractable’ (b) iii. add the word ‘retaining’ before the word ‘wall’ (c) ii. substitute ‘or’ with ‘OR’ (c) delete number iii. (c) iv. Substitute ‘zero’ with ‘nil’ 	Improved grammar. The stairs are no longer required to be retractable, and retractable stairs have not been built in the marina Precinct B.	N/A
338.	101, 102.	Special Use Zone 6 – Marina	Modify Area B – Precinct 1 Revetment Lots Development Requirements substitute clause 1, 2 and 3 with the following: <ol style="list-style-type: none"> <i>The following land use is classified as having a P designation:</i> <ul style="list-style-type: none"> <i>Aged or Dependent Persons Dwelling.</i> 	Removes any possible claims for injurious affection. Improved grammar.	1. McLeods

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			<p>2. <i>The following land uses are classified as having a 'D' designation</i></p> <ul style="list-style-type: none"> • <i>Dwelling;</i> • <i>Grouped Dwelling;</i> • <i>Multiple Dwelling;</i> • <i>Holiday Accommodation;</i> • <i>Holiday House;</i> • <i>Bed and Breakfast;</i> • <i>Guesthouse;</i> • <i>Serviced Apartment; and</i> • <i>Home Occupation.</i> <p>3. <i>The following land uses are classified as having an 'A' designation:</i></p> <ul style="list-style-type: none"> • <i>Industry – Cottage;</i> • <i>Residential Building, and</i> • <i>Telecommunications Infrastructure.</i> <p>4. <i>All other land uses are classified as having an X designation.</i></p>		
339.	102, 103.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 1 Revetment Lots Development Requirements:</p> <ul style="list-style-type: none"> • In cl.4 add '<i>unless otherwise provided by the Scheme</i>' • In cl.6 substitute '<i>height of walls</i>' with '<i>wall height</i>' • In cl.7 add '<i>setback</i>' after the words '<i>shall be</i>' • In cl.7 add '<i>of</i>' after the words '<i>a minimum of</i>' • In cl.11 add '<i>and patios</i>' after '<i>carports</i>' • In cl.13 substitute '<i>second (upper)</i>' with '<i>secondary</i>' • In cl.14 (b) add '<i>maximum</i>' after the word '<i>Side:</i>' • In cl.16 substitute '<i>second</i>' with '<i>secondary</i>' 	Improved grammar.	N/A
340.	103, 104.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 2 Vertical Canal Lots Site Requirements:</p> <ul style="list-style-type: none"> • (a) substitute '<i>Front</i>' with '<i>Primary Street</i>' • (a) substitute '<i>5.0</i>' with '<i>5</i>' and '<i>4.0</i>' with '<i>4</i>' • (b) iii. substitute '<i>primary retaining wall</i>' with '<i>Canal Setout Line</i>' • (c) ii. substitute '<i>or</i>' with '<i>OR</i>' • (c) delete number iii. • (c) iv. Substitute '<i>zero</i>' with '<i>nil</i>' 	Improved grammar.	N/A
341.	104.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 2 Vertical Canal Lots Development Requirements substitute clause 1, 2 and 3 with the following:</p> <p>1. <i>The following land use is classified as having a P designation:</i></p> <ul style="list-style-type: none"> • <i>Aged or Dependent Persons Dwelling.</i> <p>2. <i>The following land uses are classified as having a 'D' designation</i></p> <ul style="list-style-type: none"> • <i>Dwelling;</i> • <i>Grouped Dwelling;</i> 	Removes any possible claims for injurious affection. Improved grammar.	1. McLeods

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			<ul style="list-style-type: none"> • <i>Multiple Dwelling;</i> • <i>Holiday Accommodation;</i> • <i>Holiday House;</i> • <i>Bed and Breakfast;</i> • <i>Guesthouse;</i> • <i>Serviced Apartment; and</i> • <i>Home Occupation.</i> <p>3. <i>The following land uses are classified as having an 'A' designation:</i></p> <ul style="list-style-type: none"> • <i>Industry – Cottage;</i> • <i>Residential Building, and</i> • <i>Telecommunications Infrastructure.</i> <p>4. <i>All other land uses are classified as having an X designation.</i></p>		
342.	104, 105, 106.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 2 Vertical Canal Lots Development Requirements:</p> <ul style="list-style-type: none"> • In cl.4 add '<i>unless otherwise provided by the Scheme</i>' • In cl.6 substitute '<i>height of walls</i>' with '<i>wall height</i>' • In cl.7 add '<i>setback</i>' after the words '<i>shall be</i>' • In cl.7 add '<i>of</i>' after the words '<i>a minimum of</i>' • In cl.11 add '<i>and patios</i>' after '<i>carports</i>' • In cl.12 substitute '<i>second (upper)</i>' with '<i>secondary</i>' • In cl.13 (b) add '<i>maximum</i>' after the word '<i>Side:</i>' • In cl.14 (b) substitute '<i>primary retaining wall</i>' with '<i>canal setout line</i>' • In cl.14 (h) substitute '<i>or</i>' with '<i>and</i>' • In cl.15 and cl.16 substitute '<i>second</i>' with '<i>secondary</i>' 	Improved grammar.	N/A
343.	107.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 3 Residential Dry Lots Site Requirements:</p> <ul style="list-style-type: none"> • (a) substitute '<i>Front</i>' with '<i>Primary Street</i>' • (a) substitute '<i>5.0</i>' with '<i>5</i>' and '<i>4.0</i>' with '<i>4</i>' • (c) ii. substitute '<i>or</i>' with '<i>OR</i>' • (c) delete number iii. 	Improved grammar.	N/A
344.	107.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 3 Residential Dry Lots Development Requirements substitute clause 2, 3 and 4 with the following:</p> <p>2. <i>The following land use is classified as having a P designation:</i></p> <ul style="list-style-type: none"> • <i>Aged or Dependent Persons Dwelling.</i> <p>3. <i>The following land uses are classified as having a 'D' designation</i></p> <ul style="list-style-type: none"> • <i>Dwelling;</i> • <i>Grouped Dwelling;</i> • <i>Multiple Dwelling;</i> • <i>Holiday Accommodation;</i> • <i>Holiday House;</i> • <i>Bed and Breakfast;</i> 	Removes any possible claims for injurious affection. Improved grammar.	1. McLeods

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			<ul style="list-style-type: none"> • <i>Guesthouse;</i> • <i>Serviced Apartment; and</i> • <i>Home Occupation.</i> <p>4. <i>The following land uses are classified as having an 'A' designation:</i></p> <ul style="list-style-type: none"> • <i>Industry – Cottage;</i> • <i>Residential Building; and</i> • <i>Telecommunications Infrastructure.</i> <p>5. <i>All other land uses are classified as having an X designation.</i></p>		
345.	107, 108, 109.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 3 Residential Dry Lots Development Requirements:</p> <ul style="list-style-type: none"> • In cl.5 substitute '<i>height of walls</i>' with '<i>wall height</i>' • In cl.7 add '<i>setback</i>' after the words '<i>shall be</i>' • In cl.7 add '<i>of</i>' after the words '<i>a minimum of</i>' • In cl.11 add '<i>and patios</i>' after '<i>carports</i>' • In cl.12 (b) add '<i>maximum</i>' after the word '<i>Side:</i>' 	Improved grammar.	N/A
346.	109.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 4 Icon Site A and B Site Requirements:</p> <ul style="list-style-type: none"> • (a) substitute '<i>Front</i>' with '<i>Primary Street</i>' • (a) and (b) substitute '<i>5.0</i>' with '<i>5</i>' and '<i>4.0</i>' with '<i>4</i>' • (b) iii. substitute '<i>primary retaining wall</i>' with '<i>canal setout line</i>' 	Improved grammar.	N/A
347.	109, 110.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 4 Icon Site A and B Development Requirements substitute clause 1, 2 and 3 with the following:</p> <p>1. <i>The following land uses are classified as having a P designation:</i></p> <ul style="list-style-type: none"> • <i>Grouped Dwelling; and</i> • <i>Serviced Apartment.</i> <p>2. <i>The following land uses are classified as having a D designation:</i></p> <ul style="list-style-type: none"> • <i>Multiple Dwelling;</i> • <i>Holiday Accommodation;</i> • <i>Holiday House; and</i> • <i>Home Occupation.</i> <p>3. <i>The following land uses are classified as having an A designation:</i></p> <ul style="list-style-type: none"> • <i>Residential Building; and</i> • <i>Telecommunications Infrastructure.</i> <p>4. <i>All other land uses are classified as having an X designation.</i></p>	Removes any possible claims for injurious affection. Improved grammar.	1. McLeods
348.	110, 111, 112.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 4 Icon Site A and B Development Requirements:</p> <ul style="list-style-type: none"> • In cl.9(a) substitute '<i>store</i>' with '<i>and</i>' • In cl.9(c) substitute '<i>primary retaining wall</i>' with '<i>canal setout line</i>' 	Improved grammar.	N/A

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			<ul style="list-style-type: none"> In cl.9(f) substitute 'second' with 'secondary' In cl.9(i) substitute 'or' with 'and' In cl.10. b. and c. add 'maximum' before the words '1.8 metres' In cl.15 substitute 'second (upper)' with 'secondary' In cl.16 add ', unless otherwise provided for in the Scheme.' 		
349.	112, 113.	Special Use Zone 6 – Marina	Modify Area B – Precinct 5 Icon Site C Site Requirements: <ul style="list-style-type: none"> Delete the number 1. In (c) substitute '3.0' with '3' Substitute 'Boundary' with 'boundary' Add 'are' after 'Balconies' 	Improved grammar.	N/A
350.	113.	Special Use Zone 6 – Marina	Modify Area B – Precinct 5 Icon Site C Development Requirements substitute clause 1, 2 and 3 with the following: <ol style="list-style-type: none"> The following land uses are classified as having a P designation: <ul style="list-style-type: none"> Grouped Dwelling; and Serviced Apartment. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> Grouped Dwelling; Multiple Dwelling; Holiday Accommodation; Holiday House; Serviced Apartment; and Home Occupation. The following land uses are classified as having an A designation: <ul style="list-style-type: none"> Residential Building; and Telecommunications Infrastructure. All other land uses are classified as having an X designation. 	Removes any possible claims for injurious affection. Improved grammar.	1. McLeods
351.	113, 114.	Special Use Zone 6 – Marina	Modify Area B – Precinct 5 Icon Site C Development Requirements: <ul style="list-style-type: none"> In cl.4 add 'a' after the words 'is to be' In cl.4 add 'of' after the word 'minimum' In cl.8 add 'unless otherwise provided for in this Scheme.' after the word 'shall apply' In cl.9 add 'maximum' before the words '1.8 metres' In cl.9 iii. substitute '3.0' with '3' In cl.9 iv. substitute 'be 1.0m high' with 'be a maximum of 1 metre high' 	Improved grammar.	N/A
352.	115.	Special Use Zone 6 – Marina	Modify Area B – Precinct 6 and 6A Site Requirements: <ul style="list-style-type: none"> Delete the number 1. In (e) substitute '1.0' with '1' 	Improved grammar.	N/A

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			<ul style="list-style-type: none"> In (f) substitute '<i>primary retaining wall</i>' with '<i>canal setout line</i>' 		
353.	115.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 6 and 6A Development Requirements substitute clause 4, 5 and 6 with the following:</p> <p>4. <i>The following land use is classified as having a P designation:</i></p> <ul style="list-style-type: none"> <i>Serviced Apartment.</i> <p>5. <i>The following land uses are classified as having a D designation:</i></p> <ul style="list-style-type: none"> <i>Grouped Dwelling;</i> <i>Multiple Dwelling;</i> <i>Mixed Development;</i> <i>Holiday Accommodation;</i> <i>Holiday House;</i> <i>Home Occupation,</i> <i>Consulting Room;</i> <i>Dwelling;</i> <i>Office;</i> <i>Restaurant/Café;</i> <i>Fast Food Outlet; and</i> <i>Shop.</i> <p>6. <i>The following land uses are classified as having an A designation:</i></p> <ul style="list-style-type: none"> <i>Residential Building;</i> <i>Liquor Store - Small;</i> <i>Bulky Goods Showroom;</i> <i>Tavern; and</i> <i>Telecommunications Infrastructure.</i> <p>7. <i>All other land uses are classified as having an X designation.</i></p>	Removes any possible claims for injurious affection. Improved grammar.	1. McLeods
354.	116, 117, 118.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 6 and 6A Development Requirements:</p> <ul style="list-style-type: none"> In cl.10 (a) add '<i>maximum</i>' after the words '<i>screened to a</i>' In cl.14 add '<i>a</i>' after '<i>is to be</i>' In cl.14 add '<i>of</i>' after '<i>minimum</i>' In cl.15 delete '<i>(5.35 AHD)</i>' In cl.18 substitute '<i>3.0</i>' with '<i>3</i>' In cl.23 (a) substitute '<i>store</i>' with '<i>and</i>' In cl.23 (c) substitute '<i>primary retaining wall</i>' with '<i>canal setout line</i>' In cl.23 (d) substitute '<i>second</i>' with '<i>secondary</i>' In cl.23 (g) substitute '<i>or</i>' with '<i>and</i>' Substitute cl.28 to read as follows '<i>Residential awnings are permitted to project 1 metre into the street and Lot 77 (POS)</i>' 	Improved grammar.	N/A
355.	118, 119.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 7 Site Requirements:</p> <ul style="list-style-type: none"> Delete the number 1. Substitute '<i>1.0</i>' with '<i>1</i>' 	Improved grammar.	N/A

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356.	119.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 7 Development Requirements substitute clause 4, 5 and 6 with the following:</p> <ol style="list-style-type: none"> <i>The following land use is classified as having a P designation:</i> <ul style="list-style-type: none"> <i>Serviced Apartment.</i> <i>The following land uses are classified as having a D designation:</i> <ul style="list-style-type: none"> <i>Grouped Dwelling;</i> <i>Mixed Development;</i> <i>Multiple Dwelling;</i> <i>Holiday Accommodation;</i> <i>Holiday House;</i> <i>Serviced Apartment;</i> <i>Home Occupation;</i> <i>Consulting Room;</i> <i>Dwelling;</i> <i>Office;</i> <i>Restaurant/Café;</i> <i>Fast Food Outlet; and</i> <i>Shop.</i> <i>The following land uses are classified as having an A designation:</i> <ul style="list-style-type: none"> <i>Industry – Cottage;</i> <i>Residential Building;</i> <i>Liquor Store - Small;</i> <i>Tavern; and</i> <i>Telecommunications Infrastructure.</i> <i>All other land uses are classified as having an X designation.</i> 	Removes any possible claims for injurious affection. Improved grammar.	1. McLeods
357.	119, 120, 121.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 7 Development Requirements:</p> <ul style="list-style-type: none"> In cl.8 substitute ‘<i>should</i>’ with ‘<i>shall</i>’ Substitute cl.12 to read as follows ‘<i>Residential awnings are permitted to project 1 metre into the street and Lot 77 (POS)</i>’ In cl.17 substitute ‘<i>secondary road and canals</i>’ with ‘<i>secondary street and the canals.</i>’ In cl.19 add ‘<i>a</i>’ after the words ‘<i>is to be</i>’ In cl.19 add ‘<i>of</i>’ before ‘<i>2</i>’ and ‘<i>3</i>’ In cl.19 add ‘<i>maximum</i>’ before the words ‘<i>height of</i>’ 	Improved grammar.	N/A
358.	121.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 8 Site Requirements:</p> <ul style="list-style-type: none"> Delete the number 1. Substitute ‘<i>6.0</i>’ with ‘<i>6</i>’ Substitute ‘<i>5.0</i>’ with ‘<i>5</i>’ Substitute ‘<i>canal wall face</i>’ with ‘<i>canal setout line</i>’ In (d) add ‘<i>the</i>’ before the words ‘<i>canal setout line</i>’ 	Improved grammar.	N/A

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359.	121, 122.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 8 Development Requirements substitute clause 1, 2 and 3 with the following:</p> <ol style="list-style-type: none"> <i>The following land use is classified as having a P designation:</i> <ul style="list-style-type: none"> <i>Serviced Apartment.</i> <i>The following land uses are classified as having a D designation:</i> <ul style="list-style-type: none"> <i>Multiple Dwelling;</i> <i>Grouped Dwelling;</i> <i>Holiday Accommodation;</i> <i>Holiday House;</i> <i>Home Occupation;</i> <i>Motel;</i> <i>Consulting Room;</i> <i>Dwelling;</i> <i>Restaurant/Café;</i> <i>Service Station;</i> <i>Fast Food Outlet; and</i> <i>Shop.</i> <i>The following land uses are classified as having an A designation:</i> <ul style="list-style-type: none"> <i>Industry – Cottage;</i> <i>Residential Building;</i> <i>Liquor Store - Small;</i> <i>Bulky Goods Showroom;</i> <i>Tavern; and</i> <i>Telecommunications Infrastructure.</i> <i>All other land uses are classified as having an X designation.</i> 	Removes any possible claims for injurious affection. Improved grammar.	1. McLeods
360.	122, 123.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 8 Development Requirements:</p> <ul style="list-style-type: none"> In cl.6 and 7 substitute ‘second’ with ‘secondary’ In c.8 substitute ‘height of walls’ with ‘wall height’ Add to cl.9 at end ‘in canal arm 4’ In cl.10 (b) delete ‘generally’ Substitute cl.12 to read as follows ‘Where short-term tourism uses and permanent residential uses are combined, no more than 20% of the total accommodation units shall be approved for permanent residential uses, unless otherwise approved by the local government.’ In c.19 add ‘and patios’ after ‘carports’ 	Improved grammar.	N/A
361.	124.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 9 Site Requirements:</p> <ul style="list-style-type: none"> Delete the number 1. Substitute ‘4.0’ with ‘4’, and ‘5.0’ with ‘5’, and ‘7.0’ with ‘7’ In (g) add ‘of’ after the word ‘setback’ 	Improved grammar.	N/A
362.	124, 125.	Special Use Zone 6 – Marina	<p>Modify Area B – Precinct 9 Development Requirements substitute clause 1, 2 and 3 with the following:</p>	Improved grammar. Removes claims for possible injurious affection.	1. McLeods

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			<ol style="list-style-type: none"> The following land use is classified as having a P designation: <ul style="list-style-type: none"> Aged or dependant persons dwelling. The following land uses are classified as having a D designation: <ul style="list-style-type: none"> Grouped Dwelling; Multiple Dwelling; Holiday Accommodation; Holiday House; Serviced Apartment; Home Occupation; and Dwelling. The following land uses are classified as having an A designation: <ul style="list-style-type: none"> Industry – Cottage; Residential Building; and Telecommunications Infrastructure. All other land uses are classified as having an X designation. 		
363.	125, 126, 127.	Special Use Zone 6 – Marina	Modify Area B – Precinct 9 Development Requirements: <ul style="list-style-type: none"> In cl.4 substitute ‘height of walls’ with ‘wall height’ In cl.7 substitute ‘second’ with ‘secondary’ In cl.9 (g) substitute ‘or’ with ‘and’ In cl.10 substitute ‘second (upper)’ with ‘secondary’ In cl.11 (b) i. substitute ‘generally’ with ‘maximum’ In cl.11 substitute ‘1.0’ with ‘1’ In cl.14 add ‘and patios’ after the word ‘carport’ 	Improved grammar.	N/A
364.	127, 128.	Special Use Zone 6 – Marina	Modify Area B – Precinct 10 Development Requirements substitute clause 1 and 2 with the following <ol style="list-style-type: none"> The following land use is classified as having a P designation: <ul style="list-style-type: none"> Jetty. The development shall be piles, jetty, gangway and signage frame with all other development classified as having an X designation. 	Improved grammar. Removes claims for possible injurious affection.	1. McLeods
365.	128.	Special Use Zone 6 – Marina	Modify Area B - Precinct 10 – Private Moorings Development requirements cl.5 delete all.	Ensures there is no conflict with cl.3 which requires jetty structures and moorings to be in accordance with the envelopes approved by DoT.	N/A
366.	128.	Special Use Zone 6 – Marina	Modify Area C under first heading and site requirements substituting ‘in Schedule 5’ with ‘- Area C’	Improved grammar.	N/A
367.	128.	Special Use Zone 6 – Marina	Add to Area C – Residential Development Requirements new provision stating ‘Subdivision and development shall be in accordance with Figure C2 – Area C.’	Required to ensure subdivision and development occurs in accordance Figure C2 – Area C.	N/A

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368.	128.	Special Use Zone 6 – Marina	<p>Modify Area C – Residential Development Requirements substitute clause 1, 2 and 3 with the following</p> <ol style="list-style-type: none"> <i>The following land use is classified as having a P designation:</i> <ul style="list-style-type: none"> <i>Aged or dependant persons dwelling.</i> <i>The following land uses are classified as having a D designation:</i> <ul style="list-style-type: none"> <i>Dwelling;</i> <i>Grouped Dwelling;</i> <i>Holiday Accommodation;</i> <i>Holiday House;</i> <i>Bed and Breakfast;</i> <i>Guesthouse;</i> <i>Serviced Apartment; and</i> <i>Home Occupation.</i> <i>The following land use is classified as having an A designation:</i> <ul style="list-style-type: none"> <i>Telecommunications Infrastructure.</i> <i>All other land uses are classified as having an X designation.</i> 	Improved grammar. Removes claims for possible injurious affection.	1. McLeods
369.	128, 129.	Special Use Zone 6 – Marina	<p>Modify Area C – Residential Development Requirements:</p> <ul style="list-style-type: none"> In cl.4, 8 and 9 substitute '<i>in Schedule 5</i>' with '<i>- Area C</i>' In cl.5 substitute '<i>height of walls</i>' with '<i>wall height</i>' 	Improved grammar.	N/A
370.	129.	Special Use Zone 6 – Marina	Modify Area C – Built Strata Permanent Residential Site Requirements by deleting the number 1.	Not required.	N/A
371.	129.	Special Use Zone 6 – Marina	<p>Modify Area C – Built Strata Permanent Residential Development Requirements substitute clause 1, 2 and 3 with the following</p> <ol style="list-style-type: none"> <i>The following land use is classified as having a P designation:</i> <ul style="list-style-type: none"> <i>Grouped Dwelling.</i> <i>The following land uses are classified as having a D designation:</i> <ul style="list-style-type: none"> <i>Holiday Accommodation;</i> <i>Holiday House;</i> <i>Bed and Breakfast;</i> <i>Guesthouse;</i> <i>Serviced Apartment; and</i> <i>Home Occupation.</i> <i>The following land use is classified as having an A designation:</i> <ul style="list-style-type: none"> <i>Telecommunications Infrastructure.</i> 	Improved grammar. Removes claims for possible injurious affection.	1. McLeods

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			4. All other land uses are classified as having an X designation.		
372.	130.	Special Use Zone 6 – Marina	Modify Area D Development Requirements substituting 'pursuant to clause 29 of the deemed' with 'pursuant to Part 4 of the deemed'	It is Part 4 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 which contains provisions for preparing an approval of a structure plan, not just cl.29.	1. McLeods
373.		All figures	Reduce all figures to A4 size.	To enable publishing in the Government Gazette.	1. McLeods
374.	131.	Structure Plan – Lot 51 Minilya-Exmouth Road	Identify the following area as Development Investigation Precinct. 	There is a current Scheme Amendment (No.31) to re-zone this land, where issues have been identified by WAPC which may impact upon the provisions and development potential for the land.	N/A
375.	132.	Exmouth Aerodrome Locality Site Plan	Include the minimum required finished floor levels, and add text stating minimum 5 metre side setback to building envelopes.	Required to ensure minimum levels to prevent flooding impacts are enforced, and ensure the building envelope is clearly defined.	N/A
376.	134.	Boat Harbour – Precincts P1 and P2 (plan)	Include the following area in P2.	Removes any possible claims for injurious affection. The area is zoned in Town Planning Scheme No.3. Ensures provisions of P2 North Harbour are applied to this area.	1. McLeod's

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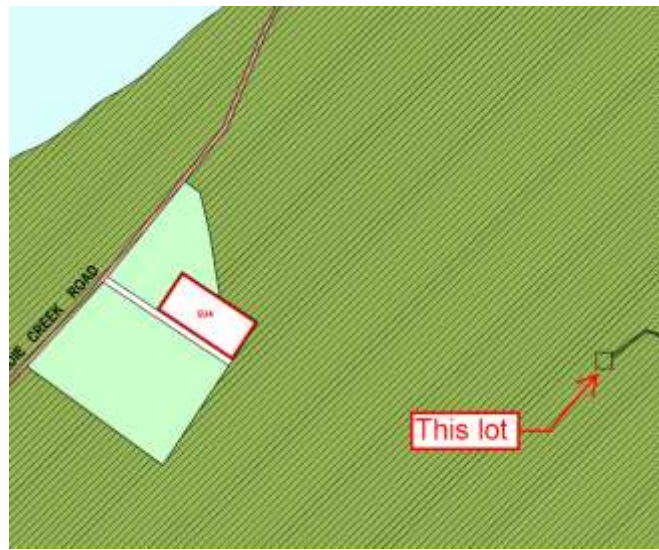
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377.	134.	Boat Harbour – Precincts P1 and P2 (plan)	Include the following area in P1. 	Removes any possible claims for injurious affection. Lots extend in to the canal waterway. The area is zoned in Town Planning Scheme No.3. Ensures provisions of P1 South Harbour are applied to this area.	1. McLeod's 8. Base Marine Pty Ltd
378.	135.	Schedule 6 – Special use Zone 6 – Marina	Substitute existing heading with 'Special Use Zone SU6'	The additional Schedule heading is unnecessary.	N/A
379.	136.	Figure A2 – Canal Lots	Modify the plan to clearly define the Upper Retaining Wall.	Required to provide accurate reference to provisions for Area A.	N/A
380.		(New) Figure B2 – Area B	Insert a plan indicating Area B Canal Setout Line, No Load Zone, Lower Terrace and Secondary Retaining Wall.	Required to provide reference to provisions for Area B.	N/A
381.	141.	Appendix 1 – Scheme Maps	Delete – entirely	Not required. S.87(5) of the <i>Planning and Development Act 2005</i> (P & D Act) makes it clear that Scheme maps do not need to be published in the Gazette. S.87(5) provides that it is sufficient compliance with the Gazette publication requirement in s.87(3) if a LPS or amendment to a LSP is published in the Gazette without any maps which form part of the LPS or	1. McLeod's

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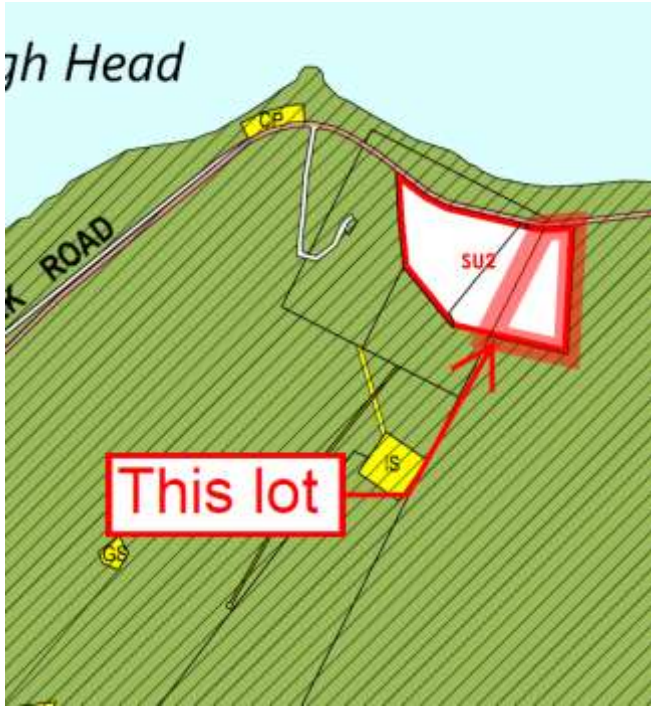
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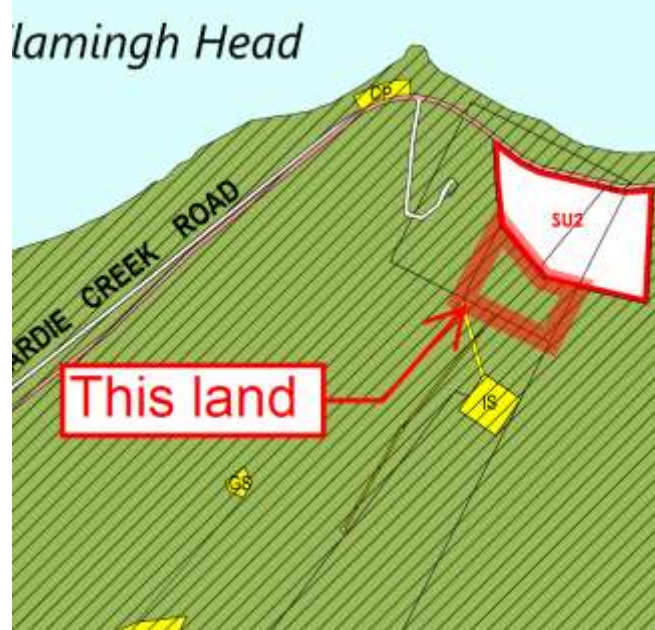

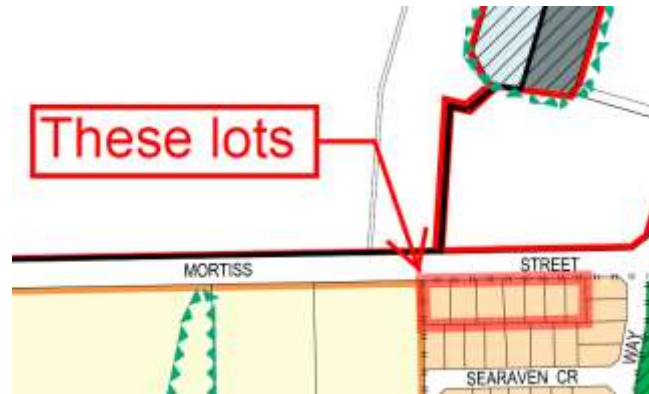
				amendment. In WA, scheme maps have never been published in the Gazette.	
382.		Legend	Add - 'Local Road'	Required to reflect all the local roads in the Shire of Exmouth, and classification on the scheme maps.	N/A
383.		Legend and all scheme maps	Modify by deleting SCA2 – Exmouth Waste Water Treatment Plant and renumbering remaining SCA's.	The special control area is not required as stated in comments provided by Water Corporation. The current Waste Water Treatment Plant is to be relocated north of town in 2020.	13. Water Corporation
384.		All scheme maps	Modify by adding Hyd2O reported 1 in 100 year Exmouth South Major Creeks floodplain mapping as the part of the Floodplain Special Control Area	Required to ensure minimum building levels are developed appropriately having regard to the known 1 in 100 year floodplain.	17. Department of Water WA
385.		All scheme maps	Include hatched symbols around all land zoned Tourism to indicate its extent, and add R40 marking on all land zoned Tourism.	To ensure consistency within the Scheme.	N/A
386.		Scheme Map 3	<p>Modify Lot 232 on Plan 219589 from '<i>Environmental Conservation</i>' reserve to '<i>Public Purpose – Infrastructure Services</i>' reserve.</p> 	This lot is owned by the State of WA and used for infrastructure purposes.	N/A
387.		Scheme Map 3	Modify Reserve 48441, Lot 284 Murat Road from ' <i>Environmental Conservation</i> ' reserve to ' <i>Public Purpose – Recreational</i> '.	This reserve contains the gun club which is a recreational use. It is not suitable to be included in the ' <i>Environmental Conservation</i> ' reserve.	N/A

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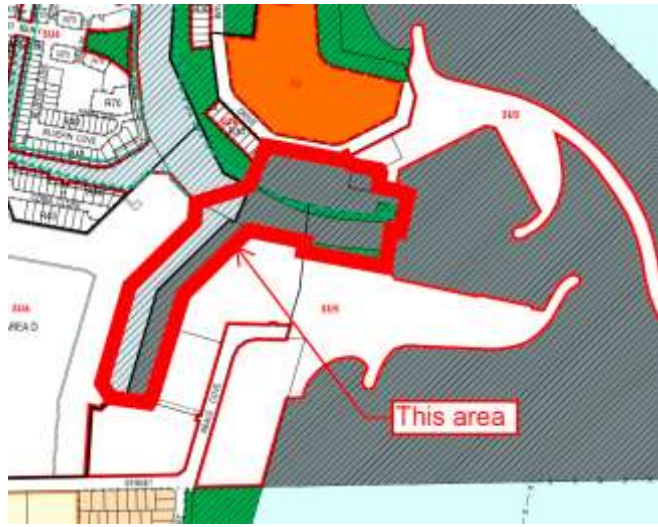
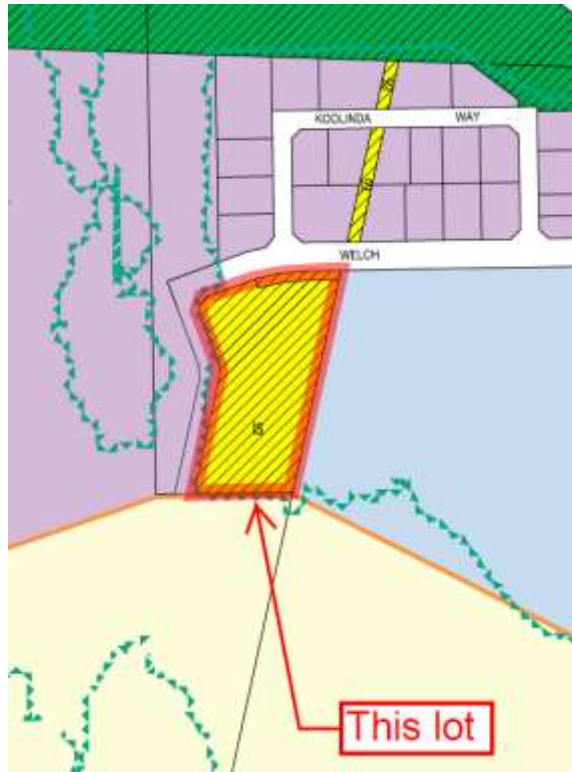
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388.		Scheme Map 3	<p>Modify Lot 319 from 'SU2' to 'Rural' zone.</p> 	<p>This lot is not currently used or developed. The lot is referenced in the Vlaminghead Masterplan, and may be suitable for a caravan park development in the future. It is more suitable to be classified 'Rural' zone.</p>	23. Property Owners (Department of Lands and Ablett Pty Ltd)	
389.		Scheme Map 3	<p>Modify Lot 6 from 'Part SU2 and Part Environmental Conservation Reserve' to 'SU2'</p>	<p>This land may suitable for future development of a Caravan Park and Camping Ground, subject to review of the Vlaming Head Masterplan.</p>	23. Property Owners (Department of Lands and Ablett Pty Ltd)	

					
390.		Scheme Maps 3 and 4	Include the constructed Murat carriageway north of the townsite going through Defence land in the 'Local Distributor Road Reserve'	This land is used and developed for the purpose of a Local Distributor Road.	N/A
391.		Scheme Map 4	Modify portion of Bonefish Street from 'Local Road' reserve to 'Public Open Space' reserve. 	This portion of Bonefish Street is no longer used as a road. It has been demolished consistent with the Exmouth Town Centre Revitalisation Plan. This land is used and developed for the purpose of a floodway.	N/A
392.		Scheme Map 5	Add 'A5' symbol over Lots 21-27 Mortiss St. 	These lots have an additional 'Office' use as per current local planning policy 6.17.	N/A

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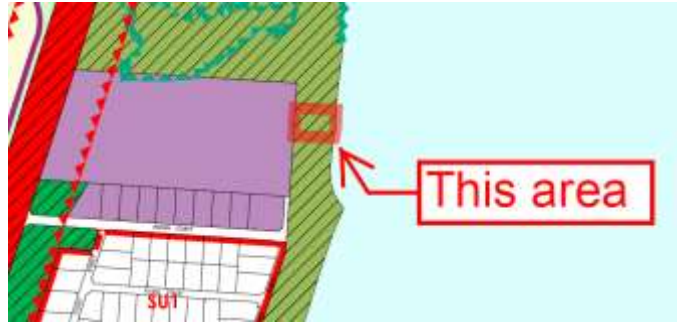

393.		Scheme Map 5	Modify by removing R70 indication from all lots in the Exmouth Marina Precinct B excluding Icon Sites A (Lot 39 Cooyou CI), B (Lot 59 Inggarda In) and C (Lot 83 Wahoo CI)	The R70 indication on the scheme maps for these lots is inconsistent with the current Design Guidelines for the Marina Area B.	N/A
394.		Scheme Map 5	Change the zoning of this land from 'Public Open Space' reserve, 'Strategic Infrastructure' reserve and 'Drainage/Waterway' reserve to 'SU5'. 	This removes any possible claims for injurious affection subject to section 174(1) of the Planning and Development Act. The land is currently zoned 'Marina' in Town Planning Scheme Number 3. Freehold Lot 1481 Neale Cove, and other lots extend into the canal waterway.	1. McLeod's 22. Department of Transport
395.		Scheme Map 5	Modify Lot 1467 Welch Street from 'Public Purpose' reserve to 'Light Industry' zone. 	This removes any possible claims for injurious affection subject to section 174(1) of the Planning and Development Act. The lot is currently zoned 'Industrial' in Town Planning Scheme Number 3. Zoning the lot 'Light Industry' is also consistent with the local planning strategy which identifies the lot for future Industry – Light.	1. McLeods
396.		Scheme Map 5	Modify changing classification from 'Local Road' reserve to 'Drainage/Waterway' reserve.	The area is a canal waterway reserve, not a local road.	N/A

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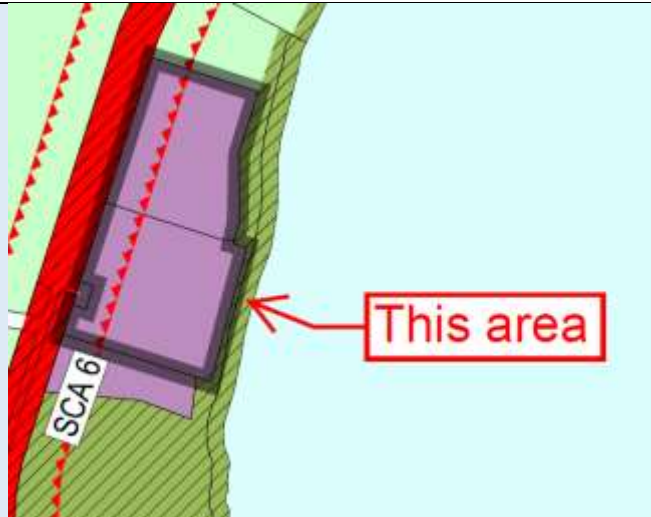
						<p>Yellow colour indicates proposed modifications to correct grammatical errors.</p> <p>Green colour indicates proposed modifications to ensure consistency with the Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015 or other regulations.</p> <p>Blue colour indicates proposed modifications to ensure consistency within the draft scheme.</p>
397.		Scheme Map 5	<p>Modify by adding 'R40' over this parcel of land.</p> 	<p>This site is required to have R40 marking consistent with surrounding sites. The existing approved Outline Development Plan designates this site as R40. The size of the lots also reflect the R40 density.</p>	N/A	
398.		Scheme Map 5	<p>Modify the area identified in the image below to 'Tourism' zone.</p> 	<p>Consistent with the proposed Local Planning Strategy, as tourist development is not permissible in the Residential zone.</p>	N/A	
399.		Scheme Map 5 and 6	<p>Modify scheme maps to accurately reflect the floodplain area (SCA) as defined in Figure A-22, of SKM 2007 Floodplain management Study Report.</p>	<p>Required to accurately reflect the floodplain.</p>	17. Department of Water WA	
400.		Scheme Map 6	<p>Add 'Area A – Preston Street' marking on relevant area on map.</p>	<p>Required to reference sub-heading in scheme text.</p>	N/A	

401.		Scheme Map 7	<p>Modify land abutting Lot 50 Murat Road where the Haul Road/Causeway is proposed from 'Environmental Conservation' reserve to 'General Industry' zone.</p> 	Consistent with approved development applications for Lot 50 Murat Road, which indicate a haul road causeway between the eastern boundary of Lot 50 Murat Road and the Exmouth Gulf waters.	N/A
402.		Scheme Map 7	<p>Delete 'SU4' from the map and zone this land 'SU1'</p> 	There is a current Scheme Amendment (No.31) to re-zone this land, where issues have been identified by WAPC which may impact upon the provisions and development potential for the land.	N/A
403.		Scheme Map 7 + 8	Add 'Area B – Cape Wilderness Estate' marking on relevant area on map.	Required to reference sub-heading in scheme text.	N/A
404.		Scheme Map 9	Add 'A4' symbol over Lot 1 Kailis Road and Lot 220 Minilya Exmouth Road.	This lot has an additional use, currently not reflected on the scheme maps.	11. Rowe Group on behalf of Kailis

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Schedule of Submissions - Shire of Exmouth Local Planning Scheme No. 4 (Revision 10)				
Submission Number	Address of Affected Property (if applicable)	How Interests are Affected (private citizen, on behalf of, owner, occupier)	Submitters Comment/s	Officers Comment/s
1.	N/A	McLeods Barristers & Solicitors (on behalf of Shire of Exmouth)	Issue 1: Clarification on the classification of the land based component of the Exmouth Boat Harbour in the proposed Scheme. Department of Transport's intent for the Exmouth Boat Harbour is development predominantly for private commercial purposes. The Scheme proposes to zone the land based components of the Exmouth Boat Harbour 'Special Use' with specific site and development requirements, however Department of Transport are contesting that this land would be better classified as a reserve. Is the Special Use zone classification the most appropriate considering the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , and can site and development requirements be included for a reserve? What are the implications of including this land as a reserve, particularly when private development is proposed?	
			Advice and comments on issue 1	
			1.1 If the land comprising the Exmouth Boat Harbour is presently, or will in the future be privately owned, then I strongly advise the Shire against reserving the land.	Proposed Local Planning Scheme 4 (Scheme 4) zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps by changing the classification of waterways to SU5) Refer proposed modification 394.</u>
			1.2 There are only three situations where compensation can be claimed from a local government for injurious affection to land. Those circumstances are set out in s.174(1) of the <i>Planning and Development Act 2005</i> (WA) (P & D Act). The first and principal circumstance in which compensation can be claimed for injurious affection to land is where the land is reserved under a planning scheme for a public purpose (s.174(1)(a)). S.177(1) provides that compensation is payable if land is reserved, either when the land is first sold following the date of the reservation, or where the responsible authority refuses an application for approval of development on the land, or grants approval subject to conditions that are unacceptable to the applicant.	The submitters comment is <u>noted.</u>
			1.3 The dilemma facing the Shire if it reserves the Exmouth Boat Harbour land is that, a claim could be made for compensation for injurious affection when the land is first sold following the date of the reservation, or if the Shire refuses an application for approval of development on the land, or grants approval subject to conditions unacceptable to the applicant. The Shire cannot escape the consequences of the obligation to pay compensation where the land is reserved. If an application is made for planning approval, and even if the Shire was to approve the application, the Shire is likely to impose conditions of planning approval, and there is no constraint on the ability of the applicant to express dissatisfaction with any conditions of development approval which are imposed. Even if the conditions of planning approval are objectively fair and reasonable, the P & D Act (s.177(1)(b)(ii)) seems to contemplate the possibility of the applicant/owner claiming compensation for injurious affection.	Proposed Scheme 4 zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps by changing the classification of waterways to SU5) Refer proposed modification 394.</u>

			<p>1.4 The City of Canning faced that kind of dilemma in recent years, where it had been assured by the Water Corporation that certain land containing very large water mains, was owned by the Water Corporation, and on that assurance the City reserved the land for public purposes. It subsequently turned out that the land was in fact owned by a private developer, and the private developer proposed developing a number of houses on the land containing the water mains. Even though the City gave planning approval for the development of the houses, the applicant still claimed that the conditions of planning approval were unacceptable and claimed substantial compensation, which in the first instance was awarded in the vicinity of \$20M. The compensation for injurious affection was very significantly reduced on appeal subsequently, but the City was placed in a very hazardous position simply by reason of the fact that it had reserved land for a public purpose, in circumstances where the land was not owned and did not continue to be owned by the public authority for whose purpose the land was reserved. This is the subject of the case <i>City of Canning v Avon Estates (Australia) Ltd</i> [2012] WASC 410.</p>	The submitters comment is <u>noted.</u>
			<p>1.5 I repeat that I strongly advise against the Shire reserving the Exmouth Boat Harbour land unless the Shire can be confident that the land will remain indefinitely in the ownership of the government agency for whose purpose the land is reserved.</p>	Proposed Scheme 4 zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps by changing the classification of waterways to SU5) Refer proposed modification 394.</u>
			<p>1.6 In any event, if it is intended that the Exmouth Boat Harbour land will be used for private commercial purposes, then it is inappropriate in my opinion that it be classified as a reserve. Local reserves are intended to protect land for public purposes, and where the intent is that the land will be developed for private commercial purposes, a local reserve is inappropriate.</p>	Proposed Scheme 4 zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps by changing the classification of waterways to SU5) Refer proposed modification 394.</u>
			<p>1.7 Without knowing all of the facts, it appears on the face of the matter, based on the facts you have provided, that the application of the Special Use zoning to the Exmouth Boat Harbour land would be appropriate, and that would not attract a claim for compensation for injurious affection. Note however that the land should be classified as a zone, and should not be classified as a local reserve.</p>	Proposed Scheme 4 zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps by changing the classification of waterways to SU5) Refer proposed modification 394.</u>
			<p>Issue 2: Can the proposed Scheme be seriously entertained, similar to a scheme amendment and if so when is it seriously entertained? When can previously classified X uses proposed to be reclassified as D, I, P or A in Local Planning Scheme be considered?</p>	
			<p>Advice and comments on issue 2</p>	
			<p>2.1 As to when a scheme is seriously entertained, the matter has perhaps been significantly simplified by the deemed provisions incorporated in Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (LPS Regulations).</p>	The submitters comment is <u>noted.</u>
			<p>2.2 Deemed cl.67 refers to matters which are to be considered by a local government in considering an application for development approval. Under deemed cl.67, the local government is to have due regard to the matters set out in that clause '... to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application'.</p>	The submitters comment is <u>noted.</u>
			<p>2.3 The first matter which the responsible local government is required to have due regard to in considering an application for development</p>	The submitters comment is <u>noted.</u>

			approval is, in item (a), 'the aims and provisions of this Scheme and any other local planning scheme operating within the scheme area'.	
			2.4 The second matter which the responsible local government is required to have due regard to, and second only to the aims and provisions of the subject scheme, is the considerations in item (b) which refers specifically to the requirements of orderly and proper planning, but under the umbrella of the requirements of orderly and proper planning, includes '... any proposed local planning scheme or amendment to this scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> ...'.	The submitters comment is <u>noted</u> .
			2.5 It is clear in my opinion that the interests of orderly and proper planning require a local government determining an application for development approval, to have due regard to any proposed local planning scheme which has been advertised under the LPS Regulations.	The submitters comment is <u>noted</u> .
			2.6 It follows, in my opinion, that the provisions of a proposed local planning scheme are to be regarded as a seriously entertained planning proposal when the proposed local planning scheme has been advertised under the LPS Regulations.	The submitters comment is <u>noted</u> .
			2.7 There are numerous cases which have been decided by the SAT, by the WA Town Planning Appeal Tribunal, and by the Supreme Court, which have reflected on the question as to when a proposed new scheme or scheme amendment can be regarded as a seriously entertained planning proposal. In my opinion, deemed cl. 67(b) preempts the previous decisions, in that it makes quite clear the fact that in considering the requirements of orderly and proper planning, a responsible local government in determining an application for development approval is to have due regard to the provisions of a proposed new scheme when it has been advertised in accordance with the provisions of the LPS Regulations. That of course assumes that the responsible local government is of the opinion that the provisions of the proposed LPS, as a seriously entertained planning proposal, are relevant to the development the subject of the application for development approval.	The submitters comment is <u>noted</u> .
			The provisions in a scheme or scheme amendment which can be given the status of a seriously entertained planning proposal, are only relevant when a planning decision-maker has a discretion. When it comes to an 'X' use, there is no discretion in the decision-maker to give an approval. The proposed classification under a new scheme does not give the power to approve what, for the present time, is an 'X' use, as the Scheme simply prohibits it. There is no discretion.	The submitters comment is <u>noted</u> .
			Unfortunately, you will not be able to give approval under your new LPS 4 of a use which is presently classified 'X' under your existing Scheme, no matter how far proposed LPS 4 has gone in the approval process. Until LPS 4 has been approved by the Minister and published in the Gazette, and your existing Scheme has been repealed, you will not be able to approve a use which has an 'X' classification under your existing Scheme.	The submitters comment is <u>noted</u> .
			Issue 3: What are the implications of referencing State Planning Policies in the proposed Scheme? Do they just have to be considered by the Shire or do they have to be enforced verbatim?	
			Advice and comments on issue 3	

			3.1	As the LPS Regulations presently stand, the model provisions in Schedule assume that State Planning Policy 3.6 will be read as part of a new scheme, approved in accordance with the model (see model cl.27(1)).	Proposed Scheme 4 includes model cl.27 as clause 4.3. The submitters comment is <u>noted.</u>
			3.2	Model cl.29 contemplates the possibility of other State Planning Policies being included in a table attached to cl.29, which State Planning Policies will also be required to be read as part of the scheme.	Proposed Scheme 4 includes model cl.29 as clause 4.5, not in a table format. The submitters comment is <u>noted.</u>
			3.3	What State Planning Policies would be included in the table attached to model cl.29 is presently unknown. If the WAPC/DoP continues with the initiative disclosed in model cl.27 and 29, then when you submit your proposed LPS 4 to the WAPC, the WAPC/Minister may require not only SPP 3.6, but other State Planning Policies to be included in proposed LPS 4.	Proposed Scheme 4 includes model cl.27 and cl.29 with reference with various State Planning Policies. The submitters comment is <u>noted.</u>
			3.4	<p>I am strongly of the view that this is a most undesirable set of provisions, and I have explained my views in that regard in a paper which I presented for the Law Society in March 2016. I am quoting below a passage from my paper which sets out my comments in regard to the incorporation of State Planning Policies into schemes, and requiring that they be read as part of the scheme. As you will see, I consider that the process is totally inappropriate.</p> <p>Para.33 of D McLeod March 2016 paper to Law Society Seminar '<i>Working with the Planning and Development (Local Planning Schemes) Regulations 2015 - a Practical Guide</i>':</p> <p>'... the General Development Requirements provisions in Part 4 of the 2015 Model provide for the inclusion in an LPS by reference of any State Planning Policy. Cl.25 and 26 of the 2015 Model provide for incorporation of the R Codes by reference into an LPS, and here adopting an approach that has been used for the implementation of the R Codes since their inception in the 1980s. However the R Codes have always been drafted in more or less legal form as a code of standards and requirements for residential development. The R Codes were published as an appendix to the State Planning Policy.</p> <p>A further step is taken in cl.27 and 28 of the 2015 Model which incorporates SPP 3.6 by reference into every LPS.</p> <p>SPP 3.6 is drafted as a policy, in policy terms. ... It can be seen that SPP 3.6, which will become part of every LPS as the model provisions become more generally adopted, starts with a 'citation' which refers to the document as a policy, and goes on to introduction and background which again refers to the document as 'This policy'. Throughout the seven parts of the document, it is referred to as a policy. When it becomes part of a scheme, the question is whether in the context of the scheme it will be treated as a policy, or as a written law. The obvious proposition is that as a part of a LPS, it is subject to s.87(4) of the P & D Act, which arguably gives it the same effect as if enacted in the P & D Act. That is contrary to the way in which a policy should operate. There should have been no doubt in planning and legal circles at least since <i>Fate v State Planning Commission</i> that there is a very significant difference between policy and law. A policy should be treated as a guide to decision-making, and a decision-maker ordinarily would make an error of law if it treated a policy as binding. However if a provision in a scheme talks about itself as a policy and purports to be only a policy, the question is then whether, within the context of the scheme, it will be treated as a policy, and given due regard and not applied as if it was law. This is a difficult set of conflicting principles, and one can only wonder whether the persons who drafted the 2015 Model provisions considered the significant difference between policy and law, and considered the potential</p>	<p>Proposed Scheme 4 includes model cl.27 as 4.3 and model cl.28 as 4.4 providing reference to State Planning Policy 3.6. Proposed Scheme 4 includes cl.29 as 4.5 with reference to many State Planning Policies. Although consistent with the Planning and Development (Local Planning Schemes) Regulations 2015 this is considered to be inappropriate as the inclusion of policies within a scheme is contrary to the way in which a policy should operate. If included in the scheme they are to be read as if enacted in the P&D Act. A policy should be treated as a guide to decision-making, and a decision-maker ordinarily would make an error of law if it treated a policy as binding. The new Local Planning Scheme for the City of Bunbury currently being advertised does not include State Planning Policies. The submitters comment is <u>upheld. (Deletion of reference to all SPP's and SPP3.6) .Refer proposed modifications 120, 121 and 122.</u></p>

			consequences of incorporating by reference into every LPS an out and out policy such as SPP 3.6.'	
			3.5 I have had some feedback from officers at the DoP which suggests that they are having second thoughts about model cl.27, 28 and 29, and it is possible that the WAPC/DoP will not in fact require local governments, in adopting new schemes, to incorporate State Planning Policies by reference in their schemes.	The new Local Planning Scheme for the City of Bunbury currently being advertised does not include reference to State Planning Policies. The submitters comment is <u>noted.</u>
			3.6 In answer to the specific question you have posed, I must say that as the model text stands at the present time, the intention seems to be that SPP 3.6, and any other SPP set out in the table attached to model cl.29, will not just be a matter for due regard, but will have effect as part of the scheme. That is what is meant by incorporating a provision in a scheme by reference, or requiring that a provision be read as part of the scheme, as model cl.27 and 29 do require.	Proposed Scheme 4 includes model cl.27 as 4.3 and model cl.28 as 4.4 providing reference to State Planning Policy 3.6. Proposed Scheme 4 includes cl.29 as 4.5 with reference to many State Planning Policies. Although consistent with the Planning and Development (Local Planning Schemes) Regulations 2015 this is considered to be inappropriate as the inclusion of policies within a scheme is contrary to the way in which a policy should operate. If included in the scheme they are to be read as if enacted in the P&D Act. A policy should be treated as a guide to decision-making, and a decision-maker ordinarily would make an error of law if it treated a policy as binding. The new Local Planning Scheme for the City of Bunbury currently being advertised does not include State Planning Policies. The submitters comment is <u>upheld. (Deletion of reference to all SPP's and SPP3.6). Refer proposed modifications 120,121 and 122.</u>
			3.7 Although I believe that the WAPC/DoP will modify their positions in regard to the incorporation of State Planning Policies by reference in schemes, the present provisions of the model text would allow the WAPC/Minister to require incorporation of State Planning Policies in proposed LPS 4 as part of the scheme, and intended to be read as part of the scheme.	Proposed Scheme 4 includes model cl.27 as 4.3 and model cl.28 as 4.4 providing reference to State Planning Policy 3.6. Proposed Scheme 4 includes cl.29 as 4.5 with reference to many State Planning Policies. The submitters comment is <u>noted.</u>
			Issue 4: What are the implications of introducing Special Control Area 6 - Minilya-Exmouth Road in the proposed Scheme, particularly in regard to injurious affection/grounds for compensation? Special Control Area 6 introduces strict development control provisions to maintain visual amenity, and restricts the type of development that can occur within 100m of Minilya-Exmouth Road more than the current Town Planning Scheme No.3.	
			Advice and comments on issue 4	
			4.1 The question of concern here is whether the introduction of Special Control Area 6 - Minilya-Exmouth Road, will amount either to a local reservation, or will involve constraints on development which have the effect that the subject land cannot be developed for any purpose other than a public purpose.	The submitters comment is <u>noted.</u>
			4.2 Where land is reserved, or where land cannot be developed under a scheme for any purpose other than a public purpose, then either of those circumstances involves injurious affection to land, and can give rise to a claim for compensation for injurious affection.	The submitters comment is <u>noted.</u>
			4.3 Under s.174(1)(a), the question is whether the subject land is reserved under the LPS for a public purpose.	Proposed Scheme 4 does not include the reservation of privately owned land within the area of Special Control Area 6. The submitters comment is <u>noted.</u>
			4.4 Under s.174(1)(b), the question is whether the Scheme permits development on that land for no purpose other than a public purpose.	Clause 5.7.2 (c) in proposed Scheme 4 states ' <i>Rural land uses may be permitted in accordance with the zoning table</i> '. This is considered to give the local government discretion to refuse all land uses for no other purpose than a public purpose, which therefore may involve injurious affection. The submitters comment is <u>upheld. (Deletion of clause 5.7.2(c)) Refer proposed modification 225.</u>
			4.5 So far as s.174(1)(b) is concerned, the question which would need to be addressed is whether the constraints on development associated with the designation of Special Control Area 6 - Minilya-Exmouth Road, would impose limitations or constraints on development which are of such a nature that it could be said that they either amount to a	Clause 5.7.2 (a) in proposed Scheme 4 states ' <i>The local government shall not permit any new development other than open style rural fencing to be situated on land within SCA 6, excluding exemptions under clause 5.7.2(b)</i> ' Clause 5.7.2 (a) is considered to give discretion to the local government to refuse all land uses for no other purpose than a public purpose, which therefore may involve injurious affection.

			<p>local reserve, or have the effect that they permit development on the land for no purpose other than a public purpose. That latter question may come down to the question whether development for any purpose other than a public purpose is permitted</p> <p>(P) on the subject land. Arguably, even if development for a purpose other than a public purpose is permissible, it may not attract compensation for injurious affection under s.174(1).</p>	<p>Clause 5.7.2(b) states that no clearing or destruction of any remanent native vegetation shall be permitted except for development support a visual landscape assessment to the satisfaction of the local government. Clause 5.7.2 (b) is considered to give discretion to the local government to refuse any visual landscape assessment therefore restricting land uses for no other purpose than a public purpose, which therefore may involve injurious affection. The other points listed in Clause 5.7.2 (b) are covered by existing legislation beyond the scope of proposed Scheme 4. The submitters comment is <u>upheld. (Deletion of clause 5.7.2 (a), modify clause 5.7.2 (b), and delete clause 5.7.2(c)) Refer proposed modification 225.</u></p>
			<p>4.6 However in my opinion, the Shire ought to avoid the situation where the constraints on development within Special Control Area 6 - Minilya-Exmouth Road are such that there is no use which is clearly and unequivocally use of land otherwise than for a public purpose, and which use does not have a 'P' permissibility designation under the provisions of the Scheme. In other words, the Shire must ensure that at least one non- public purpose use is given a 'P' (permitted) permissibility designation in the relevant provisions of the proposed LPS 4.</p> <p>There is clear support for that position in the decision of the majority of the WA Court of Appeal in <i>Town of East Fremantle v Cornell</i> [2005] WASCA 18. In that case, Le Miere J giving the reasons of the majority of the Court, appears to have determined to the effect that a scheme will have the consequence that land is not permitted to be developed for any purpose other than a public purpose if the Zoning Table of the scheme does not contain any use class with a 'P' permissibility designation.</p>	<p><u>(Deletion of clause 5.7.2 (a), modify clause 5.7.2 (b), and delete clause 5.7.2 (c)) Refer proposed modification 225.</u></p> <p>SCA 6 in proposed Scheme 4 includes land proposed to be zoned Rural, Industrial Development, General Industry, Rural Residential, and Special Use Zone 3. The Rural zone and General Industry zone include 'P' permitted use/s. The Rural Residential zone and Special Use Zone 3 do not include a 'P' permitted use therefore claims for injurious could be made for land zoned Rural Residential. Special Use Zone 3 is the Exmouth Aerodrome, of which the Shire has a management order for, and does not intend to freehold. The submitters comment is <u>upheld. (Modify Ancillary Dwelling, Dwelling and Single House to be P use in Rural Residential zone) Refer proposed modification 33.</u></p>
			<p>4.7 Simply for the Scheme to restrict the type of development that can occur within a certain distance of the Minilya-Exmouth Road will not in itself necessarily give rise to the potential for claims for compensation for injurious affection. The question may come down ultimately as to whether the Scheme permits development on the land for no purpose other than a public purpose.</p>	<p>The submitters comment is <u>upheld. (Deletion of clause 5.7.2 (a), modify clause 5.7.2 (b), delete clause 5.7.2 (c) and modify Ancillary Dwelling, Dwelling and Single House to be P use in Rural Residential zone) Refer proposed modifications 33 and 225.</u></p>
			<p>4.8 I have looked at the provisions in cl.5.7 of the proposed LPS 4 text, headed 'Minilya- Exmouth Road (SCA 6)'. Cl.5.7.2(a) provides that the local government shall not permit any new development other than open style rural fencing to be situated on land within SCA 6, excluding exemptions under cl.5.7.2(b). Cl.5.7.2(b)(i) appears to leave open the possibility of development being permitted if it is supported by a Visual Landscape Assessment. That provision may leave open the possibility of the Council exercising its discretion to approve development within the SCA 6, but in my opinion there is a risk that it would be interpreted as not actually permitting development, but simply leaving open the possibility of development being approved in the discretion of the Council. That is a situation very similar to the one in the <i>Town of East Fremantle v Cornell</i> case, which resulted ultimately in an award of compensation for injurious affection to the landowner. In the <i>Town of East Fremantle</i> case, the provisions of the scheme left open the possibility of approval being given for development in the discretion of the Council, but the majority of the Court of Appeal did not consider that was a situation where it could be said that development was permitted for any purpose other than a public purpose.</p>	<p>The submitter has accurately copied sections of SCA6 from proposed Scheme 4. The provisions of SCA6 are considered to be worded in a way that may result in a claim for injurious affection. The submitters comment is <u>upheld. (Deletion of clause 5.7.2 (a), modify clause 5.7.2 (b), delete clause 5.7.2 (c) and modify Ancillary Dwelling, Dwelling and Single House to be P use in Rural Residential zone) Refer proposed modifications 33 and 225.</u></p>
			<p>4.9 No other provision in cl.5.7.2(b) appears to alleviate the constraint on new development contained in cl.5.7.2(a).</p>	<p>Clause 5.7.2(b) states that no clearing or destruction of any remanent native vegetation shall be permitted except for development support a visual landscape assessment to the satisfaction of the local government. Clause 5.7.2 (b) is considered to give discretion to</p>

				the local government to refuse any visual landscape assessment therefore restricting land uses for no other purpose than a public purpose, which therefore may involve injurious affection. The other points listed in Clause 5.7.2 (b) are covered by existing legislation beyond the scope of proposed Scheme 4. The submitters comment is <u>upheld. (modify clause 5.7.2 (b)) Refer proposed modification 225.</u>	
			4.10	Cl.5.7.2(c) deals with rural land uses, but there is no clear relief in that provision from the risk of claims for compensation for injurious affection, especially considering that item (iii) contains a stipulation that any rural land use permitted in accordance with the Zoning Table, will not require the temporary or permanent erection of a building, outbuilding or structure.	Clause 5.7.2 (c) in proposed Scheme 4 states 'Rural land uses may be permitted in accordance with the zoning table'. This is considered to give the local government discretion to refuse all land uses for no other purpose than a public purpose, which therefore may involve injurious affection. The submitters comment is <u>upheld. (Deletion of clause 5.7.2(c)) Refer proposed modification 225.</u>
			4.11	In my opinion, the provisions of cl.5.7 are in a form which gives rise to a risk of claims being made for compensation for injurious affection on the basis that the relevant provisions of the Scheme may have the effect that development for any purpose other than a public purpose is not permitted, in the strict sense indicated by the Town of East Fremantle v Cornell decision referred to above.	The submitters comment is <u>upheld. (Deletion of clause 5.7.2 (a), modify clause 5.7.2 (b), delete clause 5.7.2 (c) and modify Ancillary Dwelling, Dwelling and Single House to be P use in Rural Residential zone) Refer proposed modifications 33 and 225.</u>
			Issue 5: Are Outbuildings and Ancillary Dwellings consistent with the provisions of the Scheme which vary the deemed-to-comply provisions of the R Codes and other deemed- to-comply provisions of the R Codes which are not covered by the proposed Scheme exempt from requiring development (planning) approval in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> ? Clause 61(4) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> does not list local Planning Schemes.		
			Advice and comments on issue 5		
			5.1	It is correct that deemed cl.61(4) does not specifically refer to a local planning scheme as one of the instruments which might amend or replace a deemed-to-comply requirement of the R Codes. However in my opinion that does not mean that the provisions of an LPS are incapable of amending or replacing a deemed-to-comply requirement in the R Codes.	The submitters comment is <u>noted.</u>
			5.2	Your proposed LPS 4 deals with the R Codes in cl.4.1 and 4.2. Cl.4.1 is in the form of model cl.25. Cl.4.1.1 provides that the R Codes, modified as set out in cl.4.2, are to be read as part of the Scheme.	The submitter is correct in that clauses 4.1 and 4.2 of proposed Scheme 4 deals with the R-Codes. The submitters comment is <u>noted.</u>
			5.3	Cl.4.2 headed 'Modification of R Codes' is inserted pursuant to the option provided in model cl.26, where exclusions and variations to the R Codes are intended to apply. Para.(a) of cl.4.2.1 contains a variation to the definition of 'open space', and para.(b) extends the variations and exclusions to the R Codes to 'Other variations as specified in clauses 4.9 and 4.10'.	The submitter is correct in that clause 4.2 of proposed Scheme 4 includes exclusion s and variations to the R-Codes. The submitters comment is <u>noted.</u>
			5.4	I am not able to guess at this stage whether the WAPC/DoP/Minister will approve of the provisions in cl.4.9 and 4.10 being treated as acceptable exclusions and variations to the R Codes. However if they are accepted, ultimately by the Minister, then they clearly have the effect of varying the deemed-to-comply provisions of the R Codes.	Clauses 4.9 and 4.10 of proposed Scheme 4 have been reviewed by DoP officers and considered suitable insofar, these provisions are intended to have the effect of varying deemed to comply provisions. The submitters comment is <u>noted.</u>
			5.5	The R Codes have force and effect in the Shire's LPS only by reason of the fact that the LPS itself provides that the R Codes are to be read as part of the Scheme. That work is done in proposed LPS 4 by cl.4.1.1. To the extent that the Scheme can give effect to the R Codes in that way, it is open to the Scheme to vary the R Codes. There is no	The submitters comment is <u>noted.</u>

			reason why that should not be done in regard to the R Code provisions relating to ancillary dwellings and outbuildings.	
			5.6 In my opinion, it is possible for proposed LPS 4 to vary the deemed-to-comply requirements of the R Codes by variation provisions of the kind included in cl.4.9 and 4.10.	The submitters comment is <u>noted.</u>
			5.7 With the deemed-to-comply provisions of the R Codes varied by provisions of the kind contained in cl.4.9 and 4.10, in my opinion the erection or extension of an ancillary dwelling or outbuilding compliant with those provisions would satisfy the deemed-to-comply requirements of the R Codes, without recourse to deemed cl.61(4) being necessary.	The submitters comment is <u>noted.</u>
			5.8 There are significant qualifications to the advice given on this issue. The first qualification is of course the question whether you will be able to get Ministerial approval for the R Code variations specified in cl.4.9 and 4.10 of the proposed Scheme. The other qualification is whether the provisions of cl.4.9 and 4.10, drafted as they are presently, would be regarded as varying the deemed-to-comply requirements of the R Codes. It may be necessary to be more specific in the way cl.4.9 and 4.10 are intended to operate as variations of the R Codes. Ideally, it would be desirable to have the clauses stipulate that they vary the deemed-to-comply provisions of the R Codes relating to ancillary dwellings, and to outbuildings, respectively.	Clauses 4.9 and 4.10 of proposed Scheme 4 have been reviewed by DoP officers and considered suitable insofar, these provisions are intended to have the effect of varying deemed to comply provisions. The submitters comment is <u>upheld. (Incorporate clauses 4.9 and 4.10 into additional site and development requirements, and add provision to state 'deemed to comply provisions of the R-Codes are varied by inclusion of items' for outbuildings and ancillary dwellings) Refer proposed modifications 126, 127, 128, 129, 133, and 134.</u>
			Issue 6: Is clause 4.14 'Unkempt Land' of the proposed Scheme appropriate to be included when this matter is addressed by the <i>Local Government Act 1995</i> ? Would the <i>Local Government Act 1995</i> or <i>Planning and Development Act 2005</i> be most effective to deal with this matter?	
			Advice and comments on issue 6	
			6.1 Planning schemes in WA have, from the earliest days, concerned themselves particularly with protection of amenity. Unkempt land is a matter which reflects on the preservation of the amenity of a locality.	The submitters comment is <u>noted.</u>
			6.2 There is a problem however in that the P & D Act does not expressly address the issue of unkempt land. Schedule 7 of the P & D Act, which sets out matters which may be dealt with by a planning scheme, does not directly address the issue of unkempt land.	The submitters comment is <u>noted.</u>
			6.3 On the other hand, the Local Government Act 1995 (WA) (LG Act) does address the issue directly. For instance in s.3.25(1), local governments receive the power to give a person who is the owner or occupier of land, notice in writing relating to the land requiring the person to do anything specified in the notice that is prescribed in Schedule 3.1, Division 1. Schedule 3.1, Division 1 of the LG Act sets out certain things that a notice under s.3.25(1) may require to be done, and includes, significantly for present purposes, the following: (a) Under cl.5(1), a notice could require an owner to 'ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as practicable, from being unsightly', and a definition of 'unsightly' is given in cl.5(2). (b) Cl.SA(l) empowers a local government to issue a s.3.25(1) notice to an owner or occupier to ensure that overgrown vegetation, rubbish, or disused material is removed from land	Section 3.25 of the Local Government Act 1995 does address the issue of unkempt land. Therefore clause 4.14 in proposed Scheme 4 is considered to be inappropriate as it is a duplication of section 3.25 of the Local Government Act 1995. The submitters comment is <u>upheld. (Delete clause 4.14 unkempt land) Refer proposed modification 146.</u>

			<p>that the local government considers to be untidy, and there is a definition of 'disused material' in cl.SA(2).</p> <p>(c) Under cl.SB, a notice can be given requiring graffiti to be obliterated in a manner acceptable to the local government.</p> <p>(d) Under cl.7, a notice can be given requiring an owner or occupier to ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of cl.7 by a local law, is not overgrown.</p> <p>(e) Cl.11 enables a local government to issue a notice requiring an owner/occupier to ensure that an unsightly, dilapidated or dangerous fence or gate that separates the land from land that is local government property, is modified or repaired</p>	
		6.4	<p>In the circumstances, where the P & D Act does not make any specific provision for a planning scheme to address issues relating to unkempt/unsightly property, and given that the LG Act does address the matter directly as mentioned above, in my opinion it is likely that the WAPC/DoP/Minister may be resistant to the inclusion of an unkempt/unsightly property provision in a LPS. However I do know that in the past, local planning schemes have included provisions enabling the responsible local government to take steps to deal with properties, the condition of which is detrimental to the amenity of the locality.</p>	<p>Section 3.25 of the Local Government Act 1995 does address the issue of unkempt land. Therefore clause 4.14 in proposed Scheme 4 is considered to be inappropriate as it is a duplication of section 3.25 of the Local Government Act 1995. The submitters comment is <u>upheld. (Delete clause 4.14 unkempt land) Refer proposed modification 146.</u></p>
		6.5	<p>It is open to a local government, in my opinion, to include provisions in a scheme aimed at imposing controls on unkempt/unsightly properties. However there is a distinct possibility that the Minister will not approve of such a provision in a LPS, having regard to the fact that provision is specifically made to deal with that issue in the LG Act.</p>	<p>Section 3.25 of the Local Government Act 1995 does address the issue of unkempt land. Therefore clause 4.14 in proposed Scheme 4 is considered to be inappropriate as it is a duplication of section 3.25 of the Local Government Act 1995. The submitters comment is <u>upheld. (Delete clause 4.14 unkempt land) Refer proposed modification 146.</u></p>
		6.6	<p>The Parliamentary Committee which deals with Subsidiary Legislation may also take exception to an unkempt/unsightly property provision in a local planning scheme. I have not known that to occur in the past, but it is possible. One of the issues there is the fact that the breach of a notice under the LG Act would attract the LG Act penalties. Under s.3.25(6), it is provided that a person who fails to comply with a notice under subs.(1) commits an offence. S.9.14 of the LG Act provides that the penalty for an offence when there is no other specific provision for a penalty, is a fine of \$5,000, and a further fine of \$500 in respect of each day during which a continuing offence has continued. By comparison, the penalty under s.223 of the P & D Act, for failure to comply with a s.214 direction (offence under s.214(7)), or on a prosecution under s.218, would be a penalty of \$200,000, and for a continuing offence, an additional penalty of \$25,000 per day. The Standing Committee on Subsidiary Legislation may very well take the view that the vastly higher penalties applicable to a planning offence is a good reason for excluding the option of such a prosecution under the planning legislation, where provision is made for much more moderate penalties under the LG Act. It is likely to be significant in that context that the LG Act makes specific provision for a local government to deal with unkempt or unsightly land.</p>	<p>Section 3.25 of the Local Government Act 1995 does address the issue of unkempt land. Therefore clause 4.14 in proposed Scheme 4 is considered to be inappropriate as it is a duplication of section 3.25 of the Local Government Act 1995. The submitters comment is <u>upheld. (Delete clause 4.14 unkempt land) Refer proposed modification 146.</u></p>
		6.7	<p>I note that in your proposed cl.4.14, you contemplate enforcement being pursuant to s.228, which provides for infringement notices. That would of course significantly reduce the level of the penalty that could be imposed in regard to unkempt/unsightly land. The question may arise however as to whether the procedure contemplated under cl.4.14 of proposed LPS 4 would be in any significant way preferable to the issuing of a notice pursuant to s.3.25(1) of the LG Act.</p>	<p>Section 3.25 of the Local Government Act 1995 does address the issue of unkempt land. Therefore clause 4.14 in proposed Scheme 4 is considered to be inappropriate as it is a duplication of section 3.25 of the Local Government Act 1995. The submitters comment is <u>upheld. (Delete clause 4.14 unkempt land) Refer proposed modification 146.</u></p>

<p>6.8 My view is that, while a provision such as cl.4.14 would be possible, there is some doubt as to whether the WAPC/DoP/Minister would be prepared to accept it in the Scheme, and there would also be some doubt as to whether the Standing Committee of Parliament dealing with Subsidiary Legislation, would be concerned about the double up on the provisions already existing in the LG Act to deal with the same subject matter.</p>	<p>Section 3.25 of the Local Government Act 1995 does address the issue of unkempt land. Therefore clause 4.14 in proposed Scheme 4 is considered to be inappropriate as it is a duplication of section 3.25 of the Local Government Act 1995. The submitters comment is <u>upheld. (Delete clause 4.14 unkempt land) Refer proposed modification 146.</u></p>
<p>Issue 7: Does the removal of the Additional Use for 'Dwelling' at Lot 715 Truscott Crescent, Exmouth cause injurious affection/grounds for compensation? Lot 715 Truscott Crescent currently has an additional use of 'Dwelling' for a portion of the site in Town Planning Scheme No. 3. Currently the 'Dwelling' development does not have to be incidental/linked to a Tourist Development. Local Planning Scheme 4 proposes to remove the additional use for Lot 715 Truscott Crescent and instead require any residential component to be part of a Tourist Development.</p>	
<p>Advice and comments on issue 7</p> <p>7.1 I was able to find the details for Lot 715 Truscott Crescent, Exmouth in Schedule 2 - Additional Uses, of the Shire's TPS 3. However I have not been able to find any reference to Lot 715 Truscott Crescent in the text for proposed LPS 4. I had assumed that it might be shown there as a Special Use zone, but I couldn't find reference to it in any of the schedules. Consequently, there will be a certain amount of guesswork in my response to this issue.</p>	<p>The submitters comment is <u>noted.</u></p>
<p>7.2 You don't say in your letter how Lot 715 Truscott Crescent is zoned under TPS 3, or how it is proposed to be zoned under LPS 4. As it is associated with a Tourist Development, I will assume that Lot 715 is proposed to be zoned 'Tourism' in LPS 4. Although the current zoning under TPS 3 might not matter in the final analysis, I will proceed on the assumption that Lot 715 is zoned 'Tourist' in TPS 3.</p>	<p>Lot 715 Truscott Crescent is classified as 'Tourism' zone in proposed Scheme 4. Lot 715 Truscott Crescent is classified as 'Tourist' zone in current Town Planning Scheme 3 with an additional use of dwelling for portion of the lot. The submitters comment is <u>noted.</u></p>
<p>7.3 On the assumption that Lot 715 is presently zoned 'Tourist' under TPS 3, I note that there are a number of permitted and permissible uses in that zone, which do not involve use of land for a public purpose. For instance Holiday Accommodation, Motel and Restaurant are all 'P' uses in the Tourist zone under TPS 3, but there are no permitted ('P') uses in the Tourism zone under proposed LPS 4, with the exception of Public Utility.</p>	<p>The submitter is correct in that there are no 'P' uses in the Tourism zone in proposed Scheme 4 other than Public Utility, which therefore may involve injurious affection. The submitters comment is <u>upheld. (Make hotel, motel and serviced apartment 'P' in the Tourism zone) Refer proposed modification 28.</u></p>
<p>7.4 For the reasons I explained in my advice and comments on issue 4, if you do not have any permitted (P) uses in a zone, there is a risk that a claim could be made for compensation for injurious affection under s.174(1)(b) of the P & D Act, on the basis that the Scheme permits development on the land in that zone for no purpose other than a public purpose.</p>	<p>The submitter is correct in that there are no 'P' uses in the Tourism zone in proposed Scheme 4 other than Public Utility, which therefore may involve injurious affection. The submitters comment is <u>upheld. (Make hotel, motel and serviced apartment 'P' in the Tourism zone) Refer proposed modification 28.</u></p>
<p>7.5 I note that there is one 'P' use in the Tourism zone under proposed LPS 4, but that use is Public Utility, and therefore it cannot be said that it involves a use which permits development for a purpose other than a public purpose. In fact the only purpose which has a 'P' permissibility designation in the Tourism zone is Public Utility.</p>	<p>The submitter is correct in that there are no 'P' uses in the Tourism zone in proposed Scheme 4 other than Public Utility, which therefore may involve injurious affection. The submitters comment is <u>upheld. (Make hotel, motel and serviced apartment 'P' in the Tourism zone) Refer proposed modification 28.</u></p>
<p>7.6 If the decision of the Court of Appeal in the case <i>Town of East Fremantle v Cornell</i> is applied strictly, then any person who is refused a development approval on land in the Tourism zone, or who receives an approval with conditions which the applicant considers are unacceptable, may be able to claim compensation for injurious affection. I hasten to add however that if the issue arose, I would</p>	<p>The submitter is correct in that there are no 'P' uses in the Tourism zone in proposed Scheme 4 other than Public Utility, which therefore may involve injurious affection. The submitters comment is <u>upheld. (Make hotel, motel and serviced apartment 'P' in the Tourism zone) Refer proposed modification 28.</u></p>

			strongly recommend to the Shire that it oppose any claim for compensation for injurious affection based on s.174(1)(b), arguing that the claim for compensation doesn't apply if there are a range of uses which are permissible in the discretion of the local government. That however is an argument which involves an element of risk, and I strongly recommend that the Shire avoid the possibility of a claim being made for compensation for injurious affection based on s.174(1)(b). The Shire should ensure that there is at least one, or if possible a multiplicity of uses which have a 'P' permissibility designation in the Tourism zone in proposed LPS 4, which 'P' uses should be manifestly uses for other than a public purpose. That is to say, to have 'Public Utility' as the only 'P' use in the Tourism zone is not a good idea, and may ultimately result in the Shire facing a claim for compensation for injurious affection.	
		7.7	It follows from my comments above that the removal of the additional use for 'Dwelling' at Lot 715 Truscott Crescent, may have the consequence that a claim could be made based on s.174(1)(b), based on the proposition that there is no use in the Zoning Table which is permitted on Lot 715 other than use for a public purpose.	The submitter is correct in that there are no 'P' uses in the Tourism zone in proposed Scheme 4 other than Public Utility, which therefore may involve injurious affection. The submitters comment is <u>upheld. (Make hotel, motel and serviced apartment 'P' in the Tourism zone) Refer proposed modification 28.</u>
		7.8	As matters presently stand under TPS 3, I don't believe that a claim could be made for compensation for injurious affection even if the Dwelling use was linked to a tourist development. As I have mentioned above, there are several non-public purpose uses which are given a 'P' permissibility designation in the Tourist zone under TPS 3, while under proposed LPS 4, only Public Utility is given a 'P' permissibility designation in the Tourism zone.	The submitter is correct in that there are no 'P' uses in the Tourism zone in proposed Scheme 4 other than Public Utility, which therefore may involve injurious affection. The submitters comment is <u>upheld. (Make hotel, motel and serviced apartment 'P' in the Tourism zone) Refer proposed modification 28.</u>
		7.9	It is not the removal of the additional use of 'Dwelling' at Lot 715 which would give rise to a claim for compensation for injurious affection. The claim for compensation for injurious affection could arise in regard to Lot 715 simply by reason of the fact that it is proposed to be zoned 'Tourism' under proposed LPS 4, in which zone there are no uses which have a 'P' permissibility designation, other than use for Public Utility, so that it could be claimed that the Scheme does not permit development on the land for any purpose other than a public purpose.	The submitter is correct in that there are no 'P' uses in the Tourism zone in proposed Scheme 4 other than Public Utility, which therefore may involve injurious affection. The submitters comment is <u>upheld. (Make hotel, motel and serviced apartment 'P' in the Tourism zone) Refer proposed modification 28.</u>
		Issue 8: Does zoning in an approved Structure Plan/Outline Development Plan automatically replace zoning in a local planning scheme, or is a scheme amendment required to enforce the zoning through the local planning scheme?		
		Advice and comments on issue 8		
		8.1	Under the planning law as it stood prior to 19 October 2015, it was possible for zoning of land to be effected through the provisions of a structure plan, provided the relevant scheme contained the appropriate clauses. Your TPS 3 does not appear to contain the appropriate clauses. In fact cl.5.11.6.3 of TPS 3 provides that a structure plan may impose a classification on the land included in it by a reference to reserves, zones or the R Codes, but the clause goes on to say that where the proposed structure plan becomes a structure plan, the local government is to have due regard to such reserves, zones or R Codes when recommending subdivision or approving development of land within a Development Area.	The submitters comment relates to Town Planning Scheme 3, not proposed Scheme 4 on which comments are sought. In accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 structure plans only have the effect of being given due regard in the decision making process. Clauses 3.11.2 and 3.15.2 of proposed Scheme 4 relate to development zones where an approved structure plan is required prior to approving land uses and/or subdivision. For the required structure plan/s to have statutory effect as if forming part of proposed Scheme 4, a scheme amendment is required to implement the approved structure plan/s. The submitter's comment is <u>upheld. (text added to 3.11.2 and 3.15.2 requiring a scheme amendment to implement an approved structure plan) Refer proposed modifications 54 and 87.</u>
		8.2	That is all that a LPS is able to achieve now through a structure plan. Deemed cl.27 in Schedule 2 of the LPS Regulations provides in sub cl.(1) that a decision-maker for an application for development approval or subdivision approval in an area that is covered by a structure plan that has been approved by the WAPC is to have due regard to, but is not bound by, the structure plan	The submitter is correct in stating that in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 structure plans only have the effect of being given due regard in the decision making process. The submitter's comment is <u>upheld. (text added to 3.11.2 and 3.15.2 requiring a scheme amendment to implement an approved structure plan) Refer proposed modifications 54 and 87</u>

			<p>when deciding the application. The most that can be achieved under the LPS Regulations since 19 October 2015 is for provisions to be made in regard to zones and reserves in a structure plan, but which the relevant decision-maker is only permitted to have due regard to. In other words, the zoning cannot be achieved through the structure plan, but where a zone is indicated in a structure plan, then the decision-maker is required to have due regard to it.</p>	
		8.3	<p>If you want to go beyond the point of due regard, and to enforce the zoning consequences in respect of land in a particular zone, then you will have to obtain a scheme amendment.</p>	<p>Clauses 3.11.2 and 3.15.2 of proposed Scheme 4 relate to development zones where an approved structure plan is required prior to approving land uses and/or subdivision. For the required structure plan/s to have statutory effect as if forming part of proposed Scheme 4, a scheme amendment is required to implement the approved structure plan/s. It is inappropriate for a local government to be responsible for re-zoning to implement an approved structure plan, which allows the developer/s to develop and subdivide their land. The submitter's comment is <u>upheld. (text added to 3.11.2 and 3.15.2 requiring a scheme amendment to implement an approved structure plan) Refer proposed modifications 54 and 87.</u></p>
		<p>I offer comments as follows:</p>		
		1	<p>I maintain the opinion that the Shire should not take upon itself the risks associated with imposing a Scheme Reserve over any part of the Exmouth Boat Harbour land. It is only if the Shire imposes a Scheme Reserve on the land that claims for compensation for injurious affection might possibly be made against the Shire.</p>	<p>Proposed Scheme 4 zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps add waterways currently zoned Marina to SU5) Refer proposed modification 394.</u></p>
		2	<p>It is apparent from your comments that there is no present intention by the Minister for Transport, or the DoT, for the Crown land comprising Reserves 47903 and 47981 to be transferred into private ownership. The point you make in para.1 of your 23 June letter is that the DoT intends to lease a portion of the Crown Reserves to private developers. It is not apparent that a lessee, even if disadvantaged by the imposition of a reservation on land under a planning scheme, would be able to claim compensation for injurious affection. S.177(2) of the LA Act provides that compensation for injurious affection to any land is payable only once under subs.177(1), and is so payable</p> <p>(a) under subs.(1)(a) to the person who was the owner of the land at the date of reservation; or</p> <p>(b) (b) under subs.(1)(b), to the person who was the owner of the land at the date of application for development approval.</p> <p>The only exception to the stipulation that compensation for injurious affection was payable only once is in the case of there being an alteration to the existing scheme reservation of the land, or the imposition of another scheme reservation of the land.</p>	<p>Proposed Scheme 4 zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps by changing the classification of waterways to SU5)) Refer proposed modification 394.</u></p>
		3	<p>I do not know of any case where a lessee has claimed compensation for injurious affection, and as I have pointed out above, s.177 seems to recognise only a claim for compensation for injurious affection by an owner, and not by the holder of any other interest in land, such as a lessee.</p>	<p>Proposed Scheme 4 does not determine whether land is to be leased to be or not. The submitters comment is <u>noted.</u></p>
		4	<p>Notwithstanding the above comments, I maintain my recommendation that the Shire does not reserve any of the Exmouth Boat Harbour land for a Scheme reservation. If any part of the Exmouth Boat Harbour land is intended to be leased to private developers, it would be better for practical reasons if the land to be leased to private developers was to be zoned, with appropriate zones under your LPS 4.</p>	<p>Proposed Scheme 4 zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps by changing the classification of waterways to SU5) Refer proposed modification 394.</u></p>

			<p>5 Not the least of my concerns is that the present intentions of the DoT may change. If the land is reserved under LPS 4, and if the DoT changes its intentions in regard to ongoing ownership of the Exmouth Boat Harbour land, and if the Minister decides to transfer fee simple interests to private developers, then the Shire could face very severe problems in regard to claims for compensation for injurious affection.</p>	<p>Proposed Scheme 4 zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps by changing the classification of waterways to SU5) Refer proposed modification 394.</u></p>
			<p>6 In my opinion, the risk to the Shire, if it reserves any land in the Exmouth Boat Harbour for a Scheme Reserve, is a matter of sufficient concern to justify the Shire in declining to reserve any part of the Exmouth Boat Harbour land. If that is done by the Minister against the Shire's will, then at least the Shire will not be left with the thought at a later time that it became the author of its own misfortune, in regard to a future injurious affection claim.</p>	<p>Proposed Scheme 4 zones the land based component of the Exmouth Boat Harbour, reducing the possibility for claims of injurious affection. The zoning of this land is also consistent with existing Town Planning Scheme 3. Existing lots extend into the waterway, therefore the zoning of land in boat harbour is proposed to be increased to cover this area. The submitters comment is <u>upheld. (Modify Scheme 4 maps by changing the classification of waterways to SU5) Refer proposed modification 394.</u></p>
			<p>COMMENTARY ON SHIRE OF EXMOUTH PROPOSED LPS NO. 4 TEXT</p> <p>PART 1 - PRELIMINARY</p> <p>Cl.1.3</p> <p>(1) As there is only one Scheme being revoked, there is no need to include the letter (a) and I recommend it be deleted.</p>	<p>The submitters comment relates to a grammatical error in proposed Scheme 4. The submitters comment is <u>upheld. (Clause 1.3 Delete (a)) Refer proposed modification 3.</u></p>
			<p>(2) To be strictly in accordance with the model, the colon after the word 'revoked' should be replaced by a hyphen.</p>	<p>The submitters comment relates to a grammatical error in proposed Scheme 4. The submitters comment is <u>upheld. (Clause 1.3 replace colon with hyphen) Refer proposed modification 3.</u></p>
			<p>Cl.1.4</p> <p>There is a Note incorporated in cl.4 of the model which seems to be appropriate to be included in your proposed LPS 4. I suggest you add the Note in the same format as in model cl.4 as follows –</p> <p>‘Note: The <i>Interpretation Act 1984</i> section 32 makes provision in relation to whether headings form part of the written law.’</p>	<p>The submitters comment is correct that clause 4 of the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 includes a note that should be included in proposed Scheme 4. The submitters comment is <u>upheld. (Add note from Regs to clause 1.4) Refer proposed modification 5.</u></p>
			<p>Cl.1.9</p> <p>To make cl.1.9 strictly grammatic, and to be consistent with the approach adopted in model cl.8, I suggest that you take out the colon after the word 'are', and add the passage 'to –'.</p>	<p>The submitters comment relates to a grammatical error in the proposed Scheme 4. The submitters comment is <u>upheld. (Clause 1.9 add to and hypen) Refer proposed modification 12</u></p>
			<p>PART 2 - RESERVES</p> <p>Cl.2.1</p> <p>It is correct to note in 2.1 as you do that there are no regional reserves in the Scheme area, which is consistent with the model, but it appears to me that you should add the note in model cl.13, so that you will be adding to your cl.2.1 a note as follows –</p> <p>‘Note: The process of reserving land under a regional planning scheme is separate from the process of reserving land under the <i>Land Administration Act 1997</i> section 41.’</p>	<p>The submitters comment is correct that clause 13 of the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 includes a note that should be included in proposed Scheme 4, however the word local should also be included in the note, as it does not only relate to regional planning schemes. The submitters comment is <u>upheld. (add note to clause 2.1) Refer proposed modification 14.</u></p>

			<p>There are two reasons why I think you should include that note, namely:</p> <p>(a) It appears from the way the note is set out in model cl.8 that it is intended to be included in a clause which simply states that there are no regional reserves in the Scheme area.</p> <p>(b) In any event, it is a worthwhile note to include, so as to clarify in the minds of laypersons that there is a distinction between regional reserves and <i>Land Administration Act 1997 (LA Act)</i> reserves, so that you will have LA Act reserves in your Scheme area, and the note makes the reader aware that the LA Act reserves are, and are intended, to co-exist with the planning classifications for land in the LPS 4 Scheme area.</p>	
			<p>Cl.2.2.2</p> <p>(1) I am surprised by your inclusion of copies of the Scheme Map in your proposed Appendix 1. To include the maps in Appendix 1 suggests that you intend them to be part of the LPS 4 text, and also for them to be part of the text intended to be published in the Gazette. If that is the intent, it has a number of problems as I will mention below.</p>	<p>Clause 2.2.2 of proposed Scheme 4 does include reference to the scheme maps being set out in appendix 1. The submitters comment is correct that section 87(5) of the P&D Act makes it clear that scheme maps do not need to be published in the Gazette. Therefore it is inappropriate to include the scheme maps and reference to them within the proposed Scheme 4. The submitters comment is <u>upheld. (Delete reference to scheme maps) Refer proposed modification 15.</u></p>
			<p>(2) S.87(5) of the <i>Planning and Development Act 2005 (P & D Act)</i> makes it clear that Scheme maps do not need to be published in the Gazette. S.87(5) provides that it is sufficient compliance with the Gazette publication requirement in s.87(3) if a LPS or amendment to a LPS is published in the Gazette without any maps which form part of the LPS or amendment.</p> <p>(3) The maps all include a scale, and if the scale is to apply accurately, then you will not be able to publish them at A4 size. In Appendix 1, they are all at A4 size, but they are not true to scale. To publish in the Gazette maps, as an appendix to the Scheme text, and if they are to be published to scale, is likely to be a very expensive exercise.</p>	<p>The submitters comment is correct that section 87(5) of the P&D Act makes it clear that scheme maps do not need to be published in the Gazette. Therefore it is inappropriate to include the scheme maps and reference to them within the proposed Scheme 4. The submitters comment is <u>upheld. (Delete reference to scheme maps) Refer proposed modification 15.</u></p>
			<p>(4) In WA, scheme maps have never been published in the Gazette. That is an issue which was dealt with by the Full Court of the Supreme Court in <i>Reidy-Crofts v Antulov</i>, and by a single Judge of the Supreme Court in <i>Gadaldi v City of Gosnells</i>. Since those cases, the planning legislation has made it clear that scheme maps do not need to be published in the Gazette, and they never are.</p>	<p>The submitters comment is correct that section 87(5) of the P&D Act makes it clear that scheme maps do not need to be published in the Gazette. Therefore it is inappropriate to include the scheme maps and reference to them within the proposed Scheme 4. The submitters comment is <u>upheld. (Delete reference to scheme maps) Refer proposed modification 15.</u></p>
			<p>(5) If you do publish your scheme maps in the Gazette, the least effect is that they are likely to be inaccurate so far as the scale is concerned.</p>	<p>The submitters comment is correct that section 87(5) of the P&D Act makes it clear that scheme maps do not need to be published in the Gazette. Therefore it is inappropriate to include the scheme maps and reference to them within the proposed Scheme 4. The submitters comment is <u>upheld. (Delete reference to scheme maps) Refer proposed modification 15.</u></p>
			<p>Cl.2.2.3</p> <p>(1) As for the public purposes reserve, the term used in the model text is 'public purposes', not 'public purpose' as you have presented it.</p>	<p>The submitters comment relates to a grammatical error in the proposed Scheme 4 to ensure consistency with the Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is <u>upheld. (add s to public purpose) Refer proposed modification 17.</u></p>
			<p>(2) In your 'strategic infrastructure' local reserve, you have referred to the setting aside of land required for port facilities, whereas the objective in the table in the model refers to <u>port or airport facilities</u>. I wonder whether it might be appropriate for you to include a reference to airport. Even if you don't presently have or intend a strategic infrastructure reserve for an airport, that may follow in the future, and in any event the description of the objective for the strategic infrastructure reserve refers to port or airport facilities. I notice in other parts of</p>	<p>The submitters comment relates to a grammatical error in the proposed Scheme 4 to ensure consistency with the Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is <u>upheld. (add or airport to strategic infrastructure reserve) Refer proposed modification 18.</u></p>

			<p>your proposed text that there is reference to an airport, so I think you should put it in.</p>	
			<p>Cl.2.4</p> <p>(1) I note that you have a special clause relating to 'Use and development of local reserves'. This is a provision which is not contained in the model text. Although the intent of the deemed provisions, and in particular deemed cl.60, seems to be to cover the field for all development approval requirements for all land in the scheme area of a LPS (including even land which is neither zoned nor reserved under the LPS), nevertheless your proposed cl.2.4 makes sense.</p>	<p>The submitters comment is correct in that clause 2.4 in proposed Scheme 4 is not contained in the model text of the Planning and Development (Local Planning Schemes) Regulations 2015, however is covered by other deemed provisions in the Planning and Development (Local Planning Schemes) Regulations 2015. Therefore clause 2.4 in proposed Scheme 4 is inappropriate. The submitters comment is <u>upheld. (delete clause 2.4) Refer proposed modification 21.</u></p>
			<p>(2) You have clearly been at pains to ensure that your cl.2.4 is consistent with the key deemed provisions in Schedule 2 of the LPS Regulations, and you may have adopted a course which avoids conflict with the deemed provisions, which would have rendered your inconsistent provisions of no effect, as provided in s.257B of the P & D Act. It is apparent from reg.10(6) that any provision which you intend to insert in your LPS 4 to supplement the model text provisions, or the deemed provisions, will need to be '... set out in the manner and form required by the Minister or an authorised person'. Therefore unless your proposed cl.2.4 has already been vetted and approved by the DoP, you can expect that it will be carefully considered:</p> <ul style="list-style-type: none"> • Firstly to ensure that it is consistent with the deemed provisions; and • Secondly to ensure that it does permissibly supplement the model and deemed provisions. 	<p>The submitters comment is correct in that clause 2.4 in proposed Scheme 4 is not contained in the model text of the Planning and Development (Local Planning Schemes) Regulations 2015, however is covered by other deemed provisions in the Planning and Development (Local Planning Schemes) Regulations 2015. Therefore clause 2.4 in proposed Scheme 4 is inappropriate. The submitters comment is <u>upheld. (delete clause 2.4) Refer proposed modification 21.</u></p>
			<p>(3) I have a few concerns in regard to your cl.2.4 as follows:</p> <p>(a) Deemed cl.60 requires planning approval for all development and land use within the Scheme area, save for the specific exceptions in deemed cl.61.</p> <p>(b) Use or development of land which is designated in the Scheme as a local reserve is not one of the exceptions to the requirement of development approval in deemed cl.61.</p> <p>(c) For you to provide, as you do in cl.2.4.1(a), to exempt the requirement of planning approval for use of a local reserve which is consistent with the designated purpose of the reserve under LPS 4, would be inconsistent with deemed cl.60, which as I mentioned above, is intended to apply the requirement of planning approval for all land in the Scheme area (save only for the exceptions in deemed cl.61).</p> <p>(d) I mention incidentally that where in your cl.2.4.1(a), you refer to 'designated purpose' of the reserve under the Scheme, I think you must intend to refer to the 'objectives' which is the terminology used in the Schedule 1 model. In any event, whether you refer to 'designated purpose' or 'objectives', in my view your proposal to exempt from the requirement of planning approval the use of a local reserve which is consistent with the objectives of the reserve, would be inconsistent with deemed cl.60.</p> <p>(e) Instead of purporting to exempt from the requirement of planning approval the use of a local reserve consistent with the objectives of the reserve, what you could do is to say that in determining a proposal for development on a local reserve, due regard is to be had to the objectives of the reserve under the Scheme.</p> <p>(f) In the seventh line of your cl.2.4.1, you refer to 'the act', and clearly you should be referring to 'the Act'.</p>	<p>The submitters comment is correct in that clause 2.4 in proposed Scheme 4 is not contained in the model text of the Planning and Development (Local Planning Schemes) Regulations 2015, however is covered by other deemed provisions in the Planning and Development (Local Planning Schemes) Regulations 2015. Therefore clause 2.4 in proposed Scheme 4 is inappropriate. The submitters comment is <u>upheld. (delete clause 2.4) Refer proposed modification 21.</u></p>

			<p>(g) I think you can probably put cl.2.4.1 into an acceptable form, by:</p> <p>(i) In 2.4.1(a), deleting the passage ‘unless the use is consistent with the designated purpose of the reserve under the Scheme’; and</p> <p>(ii) Perhaps in the second (b), making reference to the objectives of the reserve.</p> <p>(h) I suggest that you delete cl.2.4.1 as it presently stands, and attempt a new clause to the following effect –</p> <p style="padding-left: 40px;">‘2.4.1 A person must not:</p> <p style="padding-left: 80px;">(a) use a Local Reserve; or</p> <p style="padding-left: 80px;">(b) commence or carry out development</p> <p>on a Local Reserve,</p> <p style="padding-left: 40px;">without first having obtained development approval in accordance with deemed clause 60, unless the development is a public work exempted under section 6(1)(a) of the Act. In determining such an application for development approval, the local government is to have due regard to:</p> <p style="padding-left: 80px;">(c) the matters set out in deemed clause 67; and</p> <p style="padding-left: 80px;">(d) the objective of the Reserve in clause 2.2.3, and any ultimate purpose intended for the Reserve.’</p> <p>(i) I should perhaps mention that I have attempted a redraft of cl.2.4.1 which, so far as public works are concerned, reflects the fact that it is not all public works which are exempted from the requirement of planning approval, even on land which is a local reserve, but only public works carried out by those government or local government bodies referred to in s.6(1) of the P & D Act. I have attempted the above suggested draft cl.2.4.1 with that fact in mind, amongst others.</p>	
		<p>PART 3 – ZONES AND USE OF LAND</p> <p>Cl.3.1</p> <p>(1) Again we face the issue as to whether it is appropriate for your Scheme Map to be set out in Appendix 1 of the text. I have commented on that issue in my comments on cl.1.6, and your proposed use of Appendix 1. I repeat my view that I do not recommend that you attempt to incorporate the Scheme Map in an appendix to the Scheme text, for the reasons I have explained above.</p>	<p>Clause 3.1 of proposed Scheme 4 does include reference to the scheme maps being set out in appendix 1. The submitters comment is correct that section 87(5) of the P&D Act makes it clear that scheme maps do not need to be published in the Gazette. Therefore it is inappropriate to include the scheme maps and reference to them within the proposed Scheme 4. The submitters comment is <u>upheld. (delete reference to scheme maps) Refer proposed modification 22.</u></p>	
		<p>Cl.3.2</p> <p>(1) I notice that you have an Urban Development zone and an Industrial Development zone, where you refer to cl.3.3.7 for further information on the permissibility of uses within those zones. I should mention to you that I am presently involved in a Supreme Court case where provisions of a similar kind relating to an Urban Development zone in the Shire of Serpentine-Jarrahdale’s Scheme, are under challenge for validity. The argument, so far as I can understand it, seems to be that a scheme which fails to assign permissibilities for any uses within a zone is inconsistent with the provisions of the legislation, which contemplate that the Minister is required to approve any provision or amendment to a provision in a scheme. The argument seems to be that to assign permissibilities for uses within a zone otherwise than by a scheme amendment is inconsistent with the provisions of the legislation. I can tell you</p>	<p>The submitter is correct that the Urban Development zone and Industrial Development in proposed Scheme 4 refer to clause 3.3.7 which does not assign permissibility for any land use. It is considered to be more appropriate for the Urban Development zone to refer to clause 3.11, and for the Industrial Development zone to refer to clause 3.15. Clauses 3.11 and 3.15 state that no development (land use) can be supported until a structure plan has been prepared, and the approved structure plan has been implemented through a scheme amendment. <u>(requiring scheme amendment to implement an approved structure plan) Refer proposed modifications 54 and 87.</u> This scheme amendment will then assign permissibility of land uses in the scheme. The submitters comment is <u>upheld. (Urban and Industrial Development zones referring to relevant section in scheme which requires scheme amendment to implement</u></p>	

			that I do not agree with that proposition, and I am arguing very strongly against it, but unfortunately the final hearing of my case will not be until September this year. I will be very surprised if the challenge to the validity of the provisions in the Scheme I am defending, is successful, but we won't have a final answer until the case is concluded in September, and the Judge hands down her Reasons, which may be as late as October, November or December this year.	<u>structure plan prior to determining any land use) Refer proposed modifications 24 and 32.</u>
			(2) In my view, what you provide in regard to the Urban Development zone and the Industrial Development zones, and the reference to your cl.3.3.7, is appropriate, and does not involve any invalidity.	Reference to clause 3.3.7 in the Urban Development and Industrial Development zones in proposed Scheme 4 is considered to be inappropriate as it is not assigning the permissibility of any land use, which is more appropriately defined through clauses 3.11 and 3.15, guided by legal advice that a structure plan is only to given due regard in the decision making process. The submitters comment is <u>noted. (Urban and Industrial Development zones referring to relevant section in scheme which requires scheme amendment to implement structure plan prior to determining any land use) Refer proposed modification 24 and 32.</u>
			<p>Cl.3.3.2</p> <p>(1) Your cl.3.3.2 is in strict compliance with model cl.18, but I have a problem with model cl.18, at least in regard to the definition of the 'P' symbol. The definition of the 'P' permissibility designation is –</p> <p>'P means that the use is permitted if it complies with any relevant development standards and requirements of this scheme.'</p> <p>I have no doubt that what was intended there was to say that the use is permitted if it complies with all relevant development standards and requirements of this scheme. If the word 'any' is used instead of the word 'all', then all that would be required for a 'P' use to be permitted as of right, would be for it to comply with any one of the relevant development standards and requirements. For instance if it complied with the development standard in regard to setbacks, then it wouldn't matter if it didn't comply with the standards in regard to parking, site cover, building height, landscaping, etc. That is silly, and was I am sure, not intended. I recommend that you change the word 'any' in the first line of the 'P' symbol definition to the word 'all', for the reasons I have explained above.</p> <p>(2) A similar comment relates to the use of the phrase 'any relevant development standards and requirements' in the third line of the definition of the 'I' permissibility designation. Again the word 'any' should be 'all'.</p>	<p>The submitters comment is correct in that clause 3.3.2 text after 'P means' and 'I means' in proposed Scheme 4 is in strict accordance with the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. Changing the word from 'any' to 'all' will ensure 'P' and 'I' uses are required to comply with all requirements of the scheme. The City of Bunbury Local Planning Scheme approved for advertising states 'all' not 'any'. The submitters comment is <u>upheld. (changing the word any to all in P and I meaning) Refer proposed modification 41 and 42.</u></p>
			<p>(3) There is a problem in regard to the instruction in italics at the end of subcl.(2) of model cl.18 which is as follows –</p> <p><i>'(A symbol must appear in the cross-reference of a use class against all the zones in the zoning table.)'</i></p> <p>The problem with that is that there is no symbol, strictly speaking, for the Urban Development and the Industrial Development zones. You may need to use a symbol, such as the symbol '#', for the uses in the Urban Development and Industrial Development zone, and then you might need to insert a definition for the '#' symbol, which would need to be to the following effect –</p> <p>'# means that the permissibility of the use is to be determined by reference to clause 3.3.7.'+*</p>	<p>The text in italics referenced by the submitters comment from the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 has not been included in proposed Scheme 4 therefore there is no impact of it on proposed Scheme 4. The submitters comment is <u>noted.</u></p>
			<p>(4) Of course it may be open to the WAPC (DoP) to allow the time honoured method of ascertaining permissible uses for the Urban Development and Industrial Development zones in your Scheme, without there being compliance with the directions in italics, requiring that a symbol must appear in the cross-reference of a use class against all zones in the zoning table. The note in italics is not part of the Regulations, and nor is it part of the model text, in my opinion.</p>	<p>The text referred to by the submitter has not been included in proposed Scheme 4 therefore there is no impact of it on proposed Scheme 4. The submitters comment is <u>noted.</u></p>

			<p>(5) Note that reg.10(2) of the LPS Regulations gives a reminder that the provisions in Schedule 1 are model provisions, being provisions to which s.257A of the P & D Act applies. Then the note after reg.10(2) contains a reminder that under s.257A of the P & D Act, model provisions are prescribed by regulations that are in force at the time a local planning scheme is prepared or adopted, and that apply to the scheme, and are to be included in the scheme unless the Minister otherwise approves. It follows therefore that provisions in the model are required to be included in the new Scheme, unless you specifically obtain the approval of the Minister to make a change or an omission.</p>	Proposed Scheme 4 has been reviewed by DoP officers, and determined to be suitable for advertising. The submitters comment is <u>noted</u> .
			<p>Cl.3.3.5</p> <p>(1) I can see this clause causing some trouble. For several decades, it has been well established that even if a use has a 'P' permissibility designation in the Zoning Table for a particular zone, a local government operating that scheme has a discretion to refuse a development if it would be detrimental to amenity, or inconsistent with orderly and proper planning. For instance, the local government may consider that the proposed development is too tall, too intensive, or for some other reason inconsistent with the amenity of the locality, or inconsistent with orderly and proper planning. This new cl.3.3.5 suggests that local governments may no longer have that general discretion in regard to uses with a 'P' or 'I' permissibility designation in the Zoning Table. That could perhaps be overcome by a specific provision explaining the power of a local government in dealing with 'P' and 'I' uses, but there is a risk that such a provision would be considered inconsistent with the deemed provisions, and even more significantly, may be a provision which the WAPC/DoP would recommend that the Minister not approve.</p>	Clause 3.3.5 in proposed Scheme 4 is strictly in accordance with the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. Clause 3.3.5 simply states that refusal for a P or I use cannot be given, where any works are involved associated with the use a development application is required where conditions of approval could be applied. Clause 3.3.5 of proposed Scheme 4 in its current form is considered to be appropriate. The submitter's comment is <u>noted</u> .
			<p>(2) Cl.3.3.5, following the form of model cl.18(5), refers to '... a use of land ... identified in a zone as being a class P or class I use ...'. That is an unfortunate use of terminology. The term 'class' is being used to refer to a use class, and to a permissibility designation. That can only lead to confusion.</p> <p>(3) Although it will require some persuasion to convince the WAPC/DoP that there should be a departure from the strict terms of the model in this regard, I strongly recommend that you avoid using the phrase 'being a class P or class I use' in cl.3.3.5, and that you substitute the phrase 'having a P or I designation', so that the clause in its first two lines will read –</p> <p style="padding-left: 40px;">'If a use of land is identified in a zone as having a P or I designation, the local government may not refuse an application for development approval for that use ...'.</p>	<p>Clause 3.3.5 in proposed Scheme 4 is strictly in accordance with the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is <u>noted</u>.</p> <p>The submitter is proposing a minor variation from the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for clause 3.3.5 in proposed Scheme 4. Changing the wording within clause 3.3.5 will improve interpretation. The submitters comment is <u>upheld. (change clause 3.3.5 to state having a P or I designation) Refer proposed modification 43.</u></p>
			<p>Cl.3.3.6</p> <p>(1) A similar comment applies to cl.3.3.6 which in the first line contains the phrase 'being a class X use'. I recommend the deletion of that phrase, and the substitution of the phrase 'having an X designation'.</p> <p>(2) To be even more explicit, the term 'permissibility designation' might more appropriately be used, but the term 'designation' will be adequate.</p>	The submitter is proposing a minor variation from the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for clause 3.3.6 in proposed Scheme 4. Changing the wording within proposed clause 3.3.6 will improve interpretation. The submitters comment is <u>upheld. (change clause 3.3.6 to state having an X designation) Refer proposed modification 44.</u>
			<p>Cl.3.3.7</p> <p>The presence of cl.3.3.7 in the model indicates unequivocally that the passage –</p> <p style="padding-left: 40px;">'(A symbol must appear in the cross-reference of a use class against all the zones in the zoning table.)',</p>	The submitter is providing comment on the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. Clause 3.3.7 in proposed Scheme 4 is strictly in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is <u>noted</u> .

		clearly cl.3.3.7 contemplates the possibility of there being no symbol, or permissibility designation in the Zoning Table for a particular zone, in which case due regard is to be had to the three classes of plans referred to in cl.3.3.7.	
		<p>Cl.3.6.1</p> <p>The model cl.21(b) refers to ‘the classes of special use that are permissible in that zone ...’. That passage is confusing, in that para.(b) refers to ‘that zone’ which refers back to para.(a), where two types of zone are referred to, namely the Special Use zones, and the zones in the Zoning Table. The intent of the clause would be made clearer if in para.(b), the phrase ‘that zone’ was deleted, and the phrase ‘each Special Use zone’ was substituted.</p>	The submitter is proposing a minor variation from the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for clause 3.6.1 in proposed scheme 4. Changing the wording within proposed clause 3.6.1 will improve interpretation. The submitters comment is upheld. (replace that zone with each special use zone in clause 3.6.1) Refer proposed modification 45.
		<p>Cl.3.8.3</p> <p>This clause refers to cl.3.8.1, but is a substitute for the reference in model cl.23(3) to subcl.(1)(d). the equivalent of the model subcl.(1)(d) is cl.3.8.1(d), and I recommend that an appropriate amendment be made to your cl.3.8.3. Thus in the second line, 3.8.1 should be deleted and 3.8.1(d) should be substituted.</p>	The submitters comment relates to a grammatical error in the proposed Scheme 4 to ensure consistency with the Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is upheld. (add (d) after 3.8.1 in clause 3.8.3) Refer proposed modification 46.
		<p>Cl.3.10</p> <p>Cll.3.10 – 3.19 inclusive deal with the Zone Objectives, and Site and Development Requirements for each zone. Although the model text, and the draft of proposed LPS 4 do not generally contain free headings which are not integrated into the text, the provisions in relation to individual zones become unnecessarily complicated if the heading for Zone Objectives and Site and Development Requirements is given a clause number, which to maintain a proper sequence in this case would need to be 3.10. I recommend that you have a separate heading for Zone Objectives and Site and Development Requirements which should be set out as follows –</p> <p>‘3.9.4 An entry in the register ...</p> <p>Zone Objectives and Site and Development Requirements</p>	The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is upheld. (add zone objectives and site and development requirements) Refer proposed modification 47.
		<p>3.10 Residential zone</p> <p>...’</p> <p>Then the text should continue as follows –</p> <p>‘3.10 Residential zone</p> <p>3.10.1 <u>The objectives of the Residential zone</u> are as follows:</p> <p>(a) ...</p> <p>(b) ...</p> <p>(c) ...</p>	The submitter is requesting that the words ‘are as follows’ be un underlined in headings. This is recommended as the words ‘are as follows’ do not form part of the heading. The submitters comment is upheld. (un underline are as follows in headings) Refer proposed modification 48.
		<p>3.10.2 <u>The site and development requirements of the Residential zone</u> are as follows:</p> <p>...’</p>	The submitter is requesting that the heading for site and development requirements be worded similar to the heading for objectives. This improves grammar and consistency within proposed Scheme 4 The submitters comment is upheld. (site requirements heading modified) Refer proposed modification 49.
		Cl.3.11 - Urban Development zone	

			<p>The objectives and site development requirement provisions in clauses 3.11.1 and 3.11.2 should be set out in the same way as the objectives and the site and development requirements or the Residential zone, thus –</p> <p>‘3.11 Urban Development zone</p> <p>3.11.1 <u>The objectives of the Urban Development zone</u> are as follows:</p> <p>(a) ...</p> <p>(b) ...</p> <p>(c) ...</p>	<p>The submitter is requesting that the words ‘are as follows’ be un underlined in headings. This is recommended as the words ‘are as follows’ do not form part of the heading. The submitters comment is <u>upheld. (un underline are as follows in headings) Refer proposed modification 50.</u></p>
			<p>3.11.2 <u>The site and development requirements of the Urban Development zone</u> are as follows:</p> <p>The local government shall not:</p> <p>(i) Recommend approval to any subdivision application; or</p> <p>(ii) Approve any development application;</p>	<p>The submitter is requesting that the heading for site and development requirements be worded similar to the heading for objectives. This improves grammar and consistency within proposed Scheme 4 The submitters comment is <u>upheld. (site requirements heading modified) Refer proposed modification 51.</u></p>
			<p>unless a Structure Plan in respect of the area the subject of the application, has been prepared and approved in accordance with Part 4 of the deemed provisions, and the application is generally in accordance with the Structure Plan.’</p>	<p>The submitter has re-written clause 3.11.2 of proposed Scheme 4 substituting clause 16 with Part 4. This is recommended as it is the whole of Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015 which deals with structure plans. The submitters comment is <u>upheld. (substitute clause 16 with part 4 in clause 3.11.2) Refer proposed modification 53.</u></p>
			<p>My suggestions for the modification of 3.11 are as follows:</p> <p>(a) 3.11.1 should emphasise the words ‘The objectives of the Urban Development zone’, but the words ‘are as follows’ should not be underlined.</p>	<p>The submitter is requesting that the words ‘are as follows’ be un underlined in headings. This is recommended as the words ‘are as follows’ do not form part of the heading. The submitters comment is <u>upheld. (un underline are as follows in headings) Refer proposed modification 50.</u></p>
			<p>(b) In 3.11.2, ‘site and development requirements’ should be dealt with in the same way as Objectives, so that the passage ‘The site and development requirements of the Urban Development zone’, and the words ‘are as follows:’ should be added, but not underlined.</p>	<p>The submitter is requesting that the heading for site and development requirements be worded similar to the heading for objectives. This improves grammar and consistency within proposed Scheme 4 The submitters comment is <u>upheld. (site requirements heading modified) Refer proposed modification 51.</u></p>
			<p>(c) Since there is only one subparagraph in para.3.11.2, the letter (a) is not required and should be deleted.</p>	<p>The submitter is requesting the deletion of symbol (a) from clause 3.11.2 in proposed Scheme 4. This is recommended as there is only one provision. The submitters comment is <u>upheld. (delete (a) symbol from clause 3.11.2) Refer proposed modification 52.</u></p>
			<p>(d) In the third-last line, the reference to cl.16 of the deemed provisions should be changed to a reference to Part 4 of the deemed provisions, because it is Part 4 that contains the provisions for preparing an approval of a Structure Plan, not just cl.16.</p>	<p>The submitter is requesting substituting clause 16 with Part 4 in clause 3.11.2 in proposed Scheme 4. This is recommended as it is the whole of Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015 which deals with structure plans. The submitters comment is <u>upheld. (substitute clause 16 with part 4 in clause 3.11.2) Refer proposed modification 53.</u></p>
			<p>(e) In the second-last line of para.3.11.2, the words ‘shall be’ should be deleted and the word ‘is’ should be substituted.</p>	<p>The submitter is requesting the words ‘shall be’, be substituted with ‘is’ in clause 3.11.2 in proposed Scheme 4. This clause is proposed to be reworded to address other issues, which deletes ‘shall be’ from the provision. The submitters comment is <u>noted.</u></p>
			Cl.3.12.1	

			<p>In the last line of cl.3.12.1, there is a reference to the Scheme Maps in Appendix 1. I have previously recommended that the Scheme Maps not be shown in Appendix 1 of the proposed LPS 4 text, and consistently with that proposal I recommend that the words 'in Appendix 1' be deleted from the end of 3.12.1.</p>	<p>Clause 3.12.1 of proposed Scheme 4 does include reference to the scheme maps being set out in appendix 1. Section 87(5) of the P&D Act makes it clear that scheme maps do not need to be published in the Gazette. Therefore it is inappropriate to include the scheme maps and reference to them within the proposed Scheme 4. The submitters comment is <u>upheld. (delete reference to scheme maps) Refer proposed modification 55.</u></p>
			<p>Cl.3.12.3</p> <p>In the draft proposed LPS 4 text, you have the heading 'General Development Requirements'. The clear reason for that is that you intend to have development requirements that apply to the three areas of the Commercial zone. For consistency with the format I have recommended above, I suggest that you modify the heading for cl.3.12.3 to be as follows -</p> <p>'3.12.3 The general development requirements applicable to the whole of the Commercial zone are as follows:'</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (modify clause 3.12.3 heading) Refer proposed modification 57.</u></p>
			<p>I recommend that in item (j) of cl.3.12.3, you delete the passage 'footpaths abutting thereto' which uses outdated language, and substitute the passage 'abutting footpaths,'.</p>	<p>The submitter is proposing a grammatical change to improve interpretation of proposed Scheme 4. The submitters comment is <u>upheld. (substitute footpaths abutting thereto with abutting footpaths in clause 3.12.3(j)) Refer proposed modification 58.</u></p>
			<p>Cl.3.12.4.1</p> <p>Again for consistency with the previous recommendations, I recommend that you take out the heading '<u>Site requirements</u>', and substitute the following –</p> <p><u>'The site requirements of the Retail Core – C1 area are as follows:'</u></p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (modify clause 3.12.4.1 heading) Refer proposed modification 60.</u></p>
			<p>Cl.3.12.4.2</p> <p>I recommend the heading here should be –</p> <p><u>'3.12.4.2 The specific development requirements of the Retail Core – C1 area are as follows:'</u></p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (modify clause 3.12.4.2 heading) Refer proposed modification 61.</u></p>
			<p>Cl.3.12.5.2</p> <p>The heading here should read –</p> <p><u>'3.12.5.2 The specific development requirements of the Mixed Use – C2 area are as follows:'</u></p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (modify clause 3.12.5.2 heading) Refer proposed modification 63.</u></p>
			<p>Cl.3.12.6.1</p> <p>The heading here should read –</p>	

			<p>‘3.12.6.1 <u>The site requirements of the Mixed Business – C3 area</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (modify clause 3.12.6.1 heading) Refer proposed modification 66.</u></p>
			<p>Cl.3.12.6.2</p> <p>The heading here should read –</p> <p>‘3.12.6.2 <u>The specific development requirement of the Mixed Business – C3 area</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (modify clause 3.12.6.2 heading) Refer proposed modification 68.</u></p>
			<p>Then in (b) of 3.12.6.2, in the third line the reference to ‘clause 16’ of the deemed provisions should be a reference to ‘Part 4’ of the deemed provisions, because the provisions for preparing and approving a Structure Plan are in Part 4 and not exclusively in cl.16. Likewise in the third-last line of (b), the reference to ‘clause 48’ should be changed to a reference to ‘Part 6’, because again the provisions for preparing and approving a Local Development Plan are in Part 6, and not specifically in cl.48.</p>	<p>The submitters comment recommends that reference to clause 16 of the Planning and Development (Local Planning Schemes) Regulations 2015 in clause 3.12.6.2 in proposed Scheme 4 should be substituted with Part 4. This is recommended as Part 4 of the regulations covers everything to do with a structure plan. Likewise the submitters comment recommends that reference to clause 48 of the Planning and Development (Local Planning Schemes) Regulations 2015 in clause 3.12.6 in proposed Scheme 4 should be substituted with Part 6. This is recommended as Part 6 of the regulations covers everything to do with a local development plan. The submitters comment is <u>upheld. (clause 3.12.6.2 substitute clause 16 with Part 4 and clause 48 with Part 6) Refer proposed modifications 69 and 70.</u></p>
			<p>Cl.3.13.1</p> <p>The heading for cl.3.13.1 should read –</p> <p>‘3.13.1 <u>The objectives of the Tourism zone</u> are as follows:’</p>	<p>The submitter is requesting that the words ‘are as follows’ be un underlined in headings. This is recommended as the words ‘are as follows’ do not form part of the heading. The submitters comment is <u>upheld. (un underline are as follows in headings) Refer proposed modification 71.</u></p>
			<p>Cl.3.13.2</p> <p>The heading for cl.3.13.2 should read as follows –</p> <p>‘3.13.2 <u>The site requirements of the Tourism zone</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (modify clause 3.13.2 heading) Refer proposed modification 72.</u></p>
			<p>Cl.3.13.3</p> <p>The heading for cl.3.13.3 should be changed to the following –</p> <p>‘3.13.3 <u>The development requirements of the Tourism zone</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (modify clause 3.13.3 heading) Refer proposed modification 73.</u></p>
			<p>Then in (b), there is a reference to ‘deemed clause 67’ which in my view is inappropriate. I recommend that 3.13.3(b) should be commenced as follows –</p>	<p>The submitter is correct in that clause 3.13.3(b) in proposed Scheme 4 includes text stating ‘pursuant to clause 67’. This is inappropriate as the local government is required</p>

			<p>‘(b) In considering an application for development approval the local government shall generally in accordance with clause 67 of the deemed provisions, but particularly items (m), (n) and (zb) have due regard to the following:’</p>	<p>to due regard to deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 in determining all development applications. The submitter has provided a reworded version of 3.13.3(b) providing reference to specific considerations within deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015. This is considered to be more appropriate. The submitters comment is <u>upheld. (reword clause 3.13.3(b)) Refer proposed modification 74.</u></p>
			<p>Cl.3.14.1</p> <p>I recommend that the heading of cl.3.14.1 should be deleted and the following substituted –</p> <p>‘3.14.1 <u>The objectives of the General Industry zone</u> are as follows:’</p>	<p>The submitter is requesting that the words ‘are as follows’ be un underlined in headings. This is recommended as the words ‘are as follows’ do not form part of the heading. The submitters comment is <u>upheld. (un underline are as follows in headings) Refer proposed modification 77.</u></p>
			<p>Cl.3.14.2</p> <p>I recommend that the heading for cl.3.14.2 be deleted and the following substituted –</p> <p>‘3.14.2 <u>The site requirements of the General Industry zone</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.14.2 heading) Refer proposed modification 78.</u></p>
			<p>Cl.3.14.3</p> <p>I recommend that the heading for cl.3.14.3 should be deleted and the following substituted –</p> <p>‘3.14.3 <u>The development requirements of the General Industry zone</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.14.3 heading) Refer proposed modification 80.</u></p>
			<p>Cl.3.15.1</p> <p>Again to be consistent, the heading for cl.3.15.1 can be as set out in your draft, but don’t underline the words ‘are as follows:’.</p>	<p>The submitter is requesting that the words ‘are as follows’ be un underlined in headings. This is recommended as the words ‘are as follows’ do not form part of the heading. The submitters comment is <u>upheld. (un underline are as follows in headings) Refer proposed modification 83.</u></p>
			<p>Cl.3.15.2</p> <p>The heading for cl.3.15.2 should read as follows –</p> <p>‘3.15.2 <u>The site and development requirements of the Industrial Development zone</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.15.2 heading) Refer proposed modification 84.</u></p>
			Cl.3.16.1	

			In the heading for cl.3.16.1, the words 'are as follows' should not be underlined.	The submitter is requesting that the words 'are as follows' be un underlined in headings. This is recommended as the words 'are as follows' do not form part of the heading. The submitters comment is <u>upheld. (un underline are as follows in headings) Refer proposed modification 88.</u>
			<p>Cl.3.16.2</p> <p>The heading for cl.3.16.2 should read as follows –</p> <p>‘3.16.2 <u>The site requirements of the Light Industry zone</u> are as follows:’</p>	The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.16.2 heading) Refer proposed modification 89.</u>
			<p>Cl.3.16.3</p> <p>The heading for cl. 3.16.3 should read as follows –</p> <p>‘3.16.3 <u>The development requirements of the Light Industry zone</u> are as follows:’</p>	The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.16.3 heading) Refer proposed modification 91.</u>
			<p>Cl.3.17.1</p> <p>In the heading for cl.3.17.1, the passage 'are as follows:' should not be underlined.</p>	The submitter is requesting that the words 'are as follows' be un underlined in headings. This is recommended as the words 'are as follows' do not form part of the heading. The submitters comment is <u>upheld. (un underline are as follows in headings) Refer proposed modification 94.</u>
			<p>Cl.3.17.2</p> <p>The heading for cl.3.17.2 should read as follows –</p> <p>‘3.17.2 <u>The site requirements of the Service Commercial zone</u> are as follows:’</p>	The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.17.2 heading) Refer proposed modification 95.</u>
			<p>Cl.3.17.3</p> <p>The heading for cl.3.17.3 should read as follows –</p> <p>‘3.17.3 <u>The development requirements of the Service Commercial zone</u> are as follows:’</p>	The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.17.3 heading) Refer proposed modification 97.</u>
			<p>Cl.3.18.1</p> <p>In the heading for cl.3.18.1, the passage 'are as follows:' should not be underlined.</p>	The submitter is requesting that the words 'are as follows' be un underlined in headings. This is recommended as the words 'are as follows' do not form part of the heading. The submitters comment is <u>upheld. (un underline are as follows in headings) Refer proposed modification 101.</u>

			<p>Cl.3.18.2</p> <p>The heading for cl.3.18.2 should read as follows –</p> <p>‘3.18.2 <u>The general development requirements of the Rural Residential zone</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.18.2 heading) Refer proposed modification 102.</u></p>
			<p>Also in the third-last line of item (a), the passage ‘pursuant to clause 16’ should be changed to read ‘in accordance with Part 4’.</p>	<p>The submitters comment recommends that reference to clause 16 of the Planning and Development (Local Planning Schemes) Regulations 2015 in clause 3.18.2(a) of proposed Scheme 4 should be substituted with Part 4. This is recommended as Part 4 of the regulations covers everything to do with a structure plan. The submitters comment is <u>upheld. (modify 3.18.2 (a) substitute clause 16 with Part 4) Refer proposed modification 103.</u></p>
			<p>Also in the second-last line, the passage ‘shall be’ should be deleted and the word ‘is’ should be substituted.</p>	<p>The submitter is proposing a grammatical change to improve interpretation of the document. The submitters comment is <u>upheld. (modify clause 3.18.2 (a) substitute shall be with is) Refer proposed modification 104.</u></p>
			<p>I also raise the question, so far as item (c) is concerned, as I am not sure it is open to make provisions ‘notwithstanding the provisions in clause 16 of the deemed provisions’. Under s.257B of the P & D Act, the provisions of a scheme which are inconsistent with the deemed provisions are ineffective. Consequently, no provision in the proposed LPS 4 can have effect ‘notwithstanding the provisions in clause 16 of the deemed provisions’. Furthermore, it appears that item (c) sets out a number of matters which are to control new subdivision and development of land in the Rural Residential zone. I am not sure why there is a reference to cl.16 of the deemed provisions, which is the clause which deals with the preparation of a structure plan. If the WAPC is prepared to accept the stipulations in item (c), then they should be set out without any reference to the provisions in cl.16 of the deemed provisions.</p>	<p>The submitter is correct in that clause 3.18.2(c) in proposed Scheme 4 states notwithstanding the provisions in clause 16 of the deemed provisions. The local government is required to have regard to deemed clause 16 of the Planning and Development (Local Planning Schemes) Regulations 2015, regardless. Therefore it is inappropriate to state pursuant to deemed clause 16. The submitters comment is <u>upheld. (clause 3.18.2 (c) delete notwithstanding the provisions in clause 16 of the deemed provisions) Refer proposed modification 105.</u></p>
			<p>Cl.3.18.3.1</p> <p>It is apparent that Area A – Preston Street is a specific area in the Rural Residential zone where special site requirements apply. On that understanding, the heading for cl.3.18.3.1 should be –</p> <p>‘3.18.3.1 <u>The special site requirements of the Rural Residential zone Area A – Preston Street</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.18.3.1 heading) Refer proposed modification 108.</u></p>
			<p>Cl.3.18.4.1</p> <p>Similarly, in cl.3.18.4.1, the heading should be –</p> <p>‘3.18.4.1 <u>The special development requirements of the Rural Residential zone Area B – Cape Wilderness Estate</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.18.4.1 heading) Refer proposed modification 109.</u></p>
			<p>Cl.3.19.1</p>	

			<p>In the heading for cl.3.19.1, the passage ‘are as follows:’ should not be underlined.</p>	<p>The submitter is requesting that the words ‘are as follows’ be un underlined in headings. This is recommended as the words ‘are as follows’ do not form part of the heading. The submitters comment is <u>upheld. (un underline are as follows in headings) Refer proposed modification 112.</u></p>
			<p>Cl.3.19.2</p> <p>The heading for cl.3.19.2 should read –</p> <p>‘3.19.2 <u>The site requirements of the Rural zone</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.19.2 heading) Refer proposed modification 113.</u></p>
			<p>Cl.3.19.3</p> <p>The heading for cl.3.19.3 should read as follows –</p> <p>‘3.19.3 <u>The development requirements of the Rural zone</u> are as follows:’</p>	<p>The submitters comment to include additional text within the headings will improve interpretation. Although the headings are not provided for in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 DoP officers have reviewed the document in its current form and determined it to be suitable for advertising. The submitters comment is <u>upheld. (reword clause 3.19.3 heading) Refer proposed modification 115.</u></p>
			<p>PART 4 – GENERAL DEVELOPMENT REQUIREMENTS</p> <p>Cl.4.3 – State Planning Policy 3.6 to be read as part of Scheme</p> <p>There is no doubt that the model text in Schedule 1 of the LPS Regulations provides quite clearly that SPP 3.6 is to be read as part of a scheme. In my opinion, that is quite inappropriate. SPP 3.6 is drafted as a policy and was prepared so as to apply as a policy, and not as a strict legal provision, which it will become if it is read as part of LPS 4.</p> <p>In a paper which I prepared for the Law Society in March 2016, I commented on the inappropriateness of giving planning policies the status of provision of a scheme. It might be acceptable so far as the R Codes are concerned, because the R Codes have been drafted in essentially a legal format, but it is simply not appropriate for the average State Planning Policy, including SPP 3.6.</p> <p>In the Law Society paper referred to above, I explained my view as follows -</p> <p>‘... the General Development Requirements provisions in Part 4 of the 2015 Model provide for the inclusion in an LPS by reference of any State Planning Policy. Cl.25 and 26 of the 2015 Model provide for incorporation of the R Codes by reference into an LPS, and here adopting an approach that has been used for the implementation of the R Codes since their inception in the 1980s. However the R Codes have always been drafted in more or less legal form as a code of standards and requirements for residential development. The R Codes were published as an appendix to the State Planning Policy.</p> <p>A further step is taken in cl.27 and 28 of the 2015 Model which incorporates SPP 3.6 by reference into every LPS.</p> <p>SPP 3.6 is drafted as a policy, in policy terms. ... It can be seen that SPP 3.6, which will become part of every LPS as the model provisions become more generally adopted, starts with a ‘citation’ which refers to the document as a policy, and goes on to introduction and background which again refers to the document as ‘This policy’. Throughout the seven parts of the document, it is</p>	<p>The submitter is correct in that clause 4.3 and 4.4 in proposed Scheme 4 includes reference to State Planning Policy 3.6. The submitter is correct in that a policy should be treated as a guide to decision-making, and a decision-maker ordinarily would make an error of law if it treated a policy as binding, which it would be if referenced in the proposed Scheme. It is therefore inappropriate to include reference to State Planning Policy 3.6 within proposed Scheme 4. Proposed Scheme 4 does not designate any land within a Special Control Area – Development Contribution Area as stated Part 7 of the Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is <u>upheld. (deletion of clause 4.3 and 4.4 all) Refer proposed modifications 120 and 121.</u></p>

			<p>referred to as a policy. When it becomes part of a scheme, the question is whether in the context of the scheme it will be treated as a policy, or as a written law. The obvious proposition is that as a part of a LPS, it is subject to s.87(4) of the P & D Act, which arguably gives it the same effect as if enacted in the P & D Act. That is contrary to the way in which a policy should operate. There should have been no doubt in planning and legal circles at least since <i>Falc v State Planning Commission</i> that there is a very significant difference between policy and law. A policy should be treated as a guide to decision-making, and a decision-maker ordinarily would make an error of law if it treated a policy as binding. However if a provision in a scheme talks about itself as a policy and purports to be only a policy, the question is then whether, within the context of the scheme, it will be treated as a policy, and given due regard and not applied as if it was law. This is a difficult set of conflicting principles, and one can only wonder whether the persons who drafted the 2015 Model provisions considered the significant difference between policy and law, and considered the potential consequences of incorporating by reference into every LPS an out and out policy such as SPP 3.6.</p> <p>It is possible that the WAPC/DoP will modify the view which is presently expressed in model cl.28, 29 and 30.</p> <p>I accept that until the WAPC/DoP change their thinking in regard to the effect to be given to State Planning Policies, it is likely that cl.4.3 and cl.4.4 of your proposed LPS 4 text will have to remain as they presently are. However I recommend that if there is any chance of persuading the WAPC/DoP against incorporating State Planning Policies as provisions of a scheme, then an attempt should be made to do that.</p>	
			<p>Cl.4.5 – Other State Planning Policies to be read as part of Scheme</p> <p>At the very least, the Shire should not give the force of provisions of the Scheme to the SPPs 2 through to SPP 6.3, as is presently done in cl.4.5.1. I recommend that instead cl.4.5.1 read as follows –</p> <p>‘4.5.1 There are no other State Planning Policies that are to be read as part of this Scheme.’</p> <p>In that case, it will not be necessary for you to include the proposed cl.4.5.2.</p>	<p>The submitter is correct in that clause 4.5 in proposed Scheme 4 includes reference to State Planning Policies. The submitter is correct in that a policy should be treated as a guide to decision-making, and a decision-maker ordinarily would make an error of law if it treated a policy as binding, which it would be if referenced in the proposed Scheme. It is therefore inappropriate to include reference to state planning policies within a local planning scheme. The submitters comment is <u>upheld. (Delete all within clause 4.5 and insert ‘There are no other SPP that are to be read as part of this Scheme.’) Refer proposed modification 122.</u></p>
			<p>Cl.4.8 – Additional site and development requirements</p> <p>Cl.4.8 is an important clause in the context of the Scheme. In the model text in Schedule 1 of the LPS Regulations, the equivalent is model cl.32, which contemplates a table setting out requirements relating to development that are additional to those set out in the R Codes, Activity Centre Plans, Local Development Plans or State or Local Planning Policies. A note following model cl.32(1) sets out the possibility of the table of additional requirements being set out as a Schedule to the Scheme. The Shire at this stage with the draft text has chosen to set out the additional requirements in text form, similar to what was done for the objectives, site requirements and development requirements for the zones of the Scheme. I proceed on the assumption that this again has been discussed with WAPC/DoP representatives who have indicated that they are open to the possibility of the additional site and development requirements being set out in text form.</p>	<p>The submitters comment is correct that additional requirements have been presented in text form rather than a table or schedule as prescribed by the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. DoP officers have reviewed proposed Scheme 4 and determined that it is suitable for advertising in its current form. The submitters comment is <u>noted.</u></p>
			<p>In your draft text, cl.4.8 refers to ‘the following sets of requirements relating to development’ that are additional to those set out in the R Codes etc. There is nothing in cl.4.8 which indicates the extent of the following provisions intended to be referred to in that clause. By telephone on 12 July, Mr Mhasho confirmed that the only additional provisions intended to be referred to in cl.4.8 are cl.4.9 – Ancillary dwelling, and 4.10 – Outbuildings.</p>	<p>The submitter is correct in that clause 4.8 in proposed Scheme 4 does not indicate the extent of the following provisions intended to be referred to in this clause. The submitter is correct in that proposed clauses 4.9 and 4.10 are intended to be referred to in clause 4.8. Incorporating proposed clauses 4.9 and 4.10 into 4.8 will improve interpretation. The submitters comment is <u>upheld. (incorporating clauses 4.9 and 4.10 into 4.8) Refer proposed modifications 126, 127, 128 and 133.</u></p>

			In specific reference to cl.4.9 and 4.10, I will suggest amendments to those clauses so as to make them more appropriate to the intention indicated in cl.4.8, and I will in fact suggest redrafting them as an extension of cl.4.8.	The submitters comment is <u>noted.</u>
			<p>Additionally, in cl.4.8, it will be necessary to add the further subclause which is subcl.(2) in model cl.32.</p> <p>I suggest that cl.4.8, incorporating what you have shown in your draft as cl.4.9 and cl.4.10, should be redrafted as follows –</p> <p>‘4.8 Additional site and development requirements</p> <p>4.8.1 The following provisions in this clause 4.8 set out requirements relating to development that are additional to those set out in the R Codes, Activity Centre Plans, Local Development Plans or State or Local Planning Policies.</p>	The submitter is proposing a minor grammatical change to improve interpretation of the document. The submitters comment is <u>upheld. (in clause 4.8 substitute the following sets out with the following provisions in this clause 4.6 set out) Refer proposed modification 124.</u>
			4.8.2 To the extent that a requirement referred to in clause 4.8.1 is inconsistent with a requirement in the R Codes, an Activity Centre Plan, a Local Development Plan or a State or Local Planning Policy, the requirement referred to in clause 4.8.1 prevails.	The submitter is requesting that model clause 32 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015 be included. This is appropriate as it will improve interpretation of the document and ensure consistency with the Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is <u>upheld. (add new clause 4.6.2) Refer proposed modification 125.</u>
			<p>4.8.3 <u>Ancillary dwelling site and development requirements</u> are as follows:</p> <p>(a) The deemed-to-comply provisions of the R Codes in relation to ancillary dwellings are varied by inclusion of the items (b) to (g) inclusive.</p>	The submitter is proposing the inclusion of this clause to improve interpretation of the document. The submitters comment is <u>upheld. (add clause 4.6.3 (a) inclusion of items (b) to (f)) Refer proposed modification 129.</u>
			(b) A maximum of one ancillary dwelling may be permitted per lot.	The submitters proposed clause is consistent with proposed Scheme 4. The submitters comment is <u>noted.</u>
			(c) An ancillary dwelling shall be located at the rear of the existing dwelling on the lot, hereinafter referred to as the main dwelling.	The submitters proposed clause is inconsistent with the R-Codes and therefore recommended to be deleted. The submitters comment is <u>not upheld.</u>
			(d) The maximum floor area for an ancillary dwelling is 100m ² which includes garages, carports and upper storey levels.	The submitters comment is inconsistent with the R-Codes, and therefore recommended to be reworded for consistency. The submitters comment is <u>partially upheld. (clause to state ‘The maximum plot ratio area for an ancillary dwelling is 100m²’) Refer proposed modification 130.</u>
			(e) Green title, survey strata or strata subdivision of a lot containing an ancillary dwelling is not permitted if it will result in the ancillary dwelling being on a lot separate from the main dwelling referred to in item (c) of this clause 4.8.3.	The submitter is proposing reference to green title, survey strata or strata subdivision in lieu of subdivision which is consistent with the intent of proposed Scheme 4. Reference to main dwelling within the clause is not required considering proposed deletion of (c). The submitters comment is <u>upheld. (modified (d)) Refer proposed modification 131.</u>
			(f) The appearance, colours, roof pitch and construction standard of the ancillary dwelling shall be similar to, or better than, the main dwelling.	The submitters proposed clause is consistent with proposed Scheme 4. The submitters comment is <u>noted.</u>
			(g) Mining camp style transportable units and converted sea containers are not permitted as ancillary dwellings.	The submitters proposed clause is consistent with proposed Scheme 4. The submitters comment is <u>noted.</u>
			<p>4.8.4 <u>Outbuildings additional site and development requirements</u> are as follows:</p> <p>(a) The deemed-to-comply provisions of the R Codes in relation to outbuildings are varied by inclusion of the following provisions in items (b) to (h) inclusive of this clause 4.8.4.</p>	The submitter is proposing the inclusion of this clause to improve interpretation of the document. The submitters comment is <u>upheld. (add clause 4.6.4 (a) inclusion of items (b) to (d)) Refer proposed modification 134.</u>
			(b) Outbuildings in the Residential Zone on any lot shall not exceed a collective floor area of 90m ² , with a maximum wall height to the top of the	The submitters proposed clause is consistent with proposed Scheme 4. The submitters comment is <u>noted.</u>

external wall (roof above) and top of external wall (concealed roof) of 3.6 metres and a maximum ridge height of 4.5 metres, in each case measured from natural ground level.	
(c) Outbuildings in the Rural Residential zone shall not have a floor area collectively in excess of 150m ² , and shall have a maximum wall height top of external wall (roof above) and top of external wall (concealed roof) of 3.8 metres and maximum ridge height of 4.8 metres, in each case measured from natural ground level.	The submitters proposed clause is consistent with proposed Scheme 4. The submitters comment is <u>noted.</u>
(d) Outbuildings in other zones shall comply with the site and development requirements of the zone.	The submitters proposed clause is not required as Outbuildings have to comply with all other provisions of the Scheme regardless, therefore this clause should be deleted. This provision is superfluous. The submitters comment is not <u>upheld. (delete clause (d)) Refer proposed modification 127.</u>
(e) Outbuildings shall not be located in front of any dwelling and, where possible, should be sited at the rear of the lot.	The submitters proposed clause is consistent with proposed Scheme 4. The submitters comment is <u>noted.</u>
(f) Outbuildings on a vacant lot prior to a dwelling being constructed, shall only be permitted if: (i) the applicant by agreement with the local government or otherwise satisfies the local government that construction of a dwelling on the site will be commenced within six months of completion of the outbuilding, and shall be completed within a further six months thereafter; (ii) suitable fencing on the side and rear boundaries is provided, or will be provided prior to construction of the outbuilding, to reduce the visual impact of the structure from adjoining properties; and (iii) a building permit has been issued for a dwelling on the site.	The submitter has re-written the provisions relating to developing an outbuilding on a vacant lot prior to a dwelling. Where an outbuilding is proposed on a vacant lot prior to a dwelling it cannot be classified as an outbuilding as per the definition in the R-Codes, which requires an outbuilding to be incidental to a dwelling. These provisions are considered to create a poor streetscape. The submitters comment is <u>not upheld. (delete clause (f)) Refer proposed modification 127.</u>
(g) Temporary Use of an Outbuilding for habitation purposes is not permitted unless: (i) construction is in accordance with Class 1 requirements of the Building Code Australia; (ii) the subject lot is zoned Rural Residential or Rural; and (iii) the Outbuilding has a floor area which collectively with other Outbuildings on the site, does not exceed 150m ² . (h) Following construction of a dwelling on a site where an Outbuilding has been permitted for temporary residential use, must be modified to revert to either a standard Outbuilding or Ancillary Dwelling with a floor area no greater than 100m ² , and the remainder separately used for non-habitation purposes.	The submitter has re-written the provisions relating to temporary use of an Outbuilding for habitable purposes. Where an outbuilding is used for habitation purposes, it is classified as a repurposed dwelling. These provisions are considered to create a poor streetscape. The deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 provide for the approval of temporary uses. The submitters comment is <u>not upheld. (delete clauses (g and h)) Refer proposed modification 127.</u>
4.9 Additional site and development requirements for areas covered by Structure Plan, Activity Centre Plan or Local Development Plan There are no additional requirements of this kind which apply to this Scheme.	The submitter is proposing the inclusion of model clause 33 of the Planning and Development (Local Planning Schemes) Regulations 2015. This is recommended to ensure consistency with the Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is <u>upheld. (add new clause 4.7) Refer proposed modification 138.</u>
CI.4.10 - Sea containers	

		<p>From the clause which was numbered 4.11 in the draft LPS 4 text will now, with the rearrangement recommended above, be numbered 4.10, and all the following clauses in Part 4, down to the former draft cl.4.38, will be renumbered accordingly. Thus the remaining clauses in Part 4 will be renumbered 4.10 to 4.37 inclusive.</p>	<p>The submitter is proposing a numbering change to improve interpretation and consistency within proposed Scheme 4. The submitters comment is <u>upheld. (modify numbering for consistency) Refer proposed modification 123.</u></p>
		<p>The intention is that the additional clauses now renumbered 4.10 to 4.37 will be governed by the general heading for Part 4 – ‘GENERAL DEVELOPMENT REQUIREMENTS’. Thus the provisions in clauses now renumbered 4.10 to 4.37 are to be read and applied as general development requirements.</p>	<p>The submitter is proposing a numbering change to improve interpretation and consistency within proposed Scheme 4. The submitters comment is <u>upheld. (modify numbering for consistency) Refer proposed modification 123.</u></p>
		<p>Cl.4.13 - Unkempt land</p> <p>Cl.4.14 in the draft, now in my recommended redraft, numbered 4.13, relates to unkempt land. I have advised in my letter of 7 July 2016, in relation to Issue 6, that the Shire may be precluded from incorporating provisions for unkempt land by reason of the fact that the field may be considered by the WAPC/DoP, or by the Parliamentary Standing Committee on Subsidiary Legislation, to be adequately covered by the provisions of the LG Act. I leave it to the Shire to decide whether it should continue to include what will now be cl.4.13 Unkempt land in the text, or whether the Shire will be content to rely on the enforcement provisions otherwise available in the LG Act.</p>	<p>Section 3.25 of the Local Government Act 1995 does address the issue of unkempt land. Therefore clause 4.14 in proposed Scheme 4 is considered to be inappropriate as it is a duplication of section 3.25 of the Local Government Act 1995. The submitters comment is <u>noted. (deletion of clause 4.14) Refer proposed modification 146.</u></p>
		<p>Cl.4.14.5</p> <p>Cl.4.14.5 in my recommended redraft will be the same as cl.4.15.5 in the draft LPS 4 text provided to me. I recommend that 4.14.5 be redrafted as follows –</p> <p style="padding-left: 40px;">‘4.14.5 Transported structures must be completely restumped and fully enclosed when the structure is erected on the subject site.’</p>	<p>The submitters requested clause is consistent with the intent of proposed Scheme 4 with improved grammar. It is also recommended that the clause prescribe a timeframe in which these works are to be completed, currently local Policy 6.23 prescribes 12 weeks to complete all works. This is recommended to be consistent with current local Policy 6.23. The submitters comment is <u>upheld. (modify 4.15.5) Refer proposed modification 149.</u></p>
		<p>Cl.4.19 - Bed and Breakfast/Guesthouse</p> <p>In 4.19.3, the word ‘Gust’ should be changed to ‘Guest’, and in 4.19.4, the word ‘be’ should be inserted after the word ‘shall’.</p>	<p>The submitters comment relates to a spelling error within clause 4.20 in proposed Scheme 4. The submitters comment is <u>upheld. (replace gust with guest) Refer proposed modification 153.</u></p>
		<p>Cl.4.31 – Variation to parking requirement</p> <p>Care should be taken to ensure that all clause numbers affected by the renumbering of clauses in Part 4, are amended appropriately. For instance in the clause which was previously cl.4.32.1, and with the renumbering I have recommended, will become cl.4.31.1, the reference in the second line to cl.4.30 should become a reference to cl.4.29.</p> <p>If any other clauses are omitted or renumbered, then similar care will need to be taken to ensure that consequential renumbering is meticulously attended to, eg. in cl.4.32.2, 4.32.3 and 4.33.2, etc.</p>	<p>The submitter is proposing a numbering change to improve interpretation and consistency within proposed Scheme 4. The submitters comment is <u>upheld. (modify numbering for consistency) Refer proposed modification 123.</u></p>
		<p>Cl.4.35 – Exempt advertisements</p> <p>I recommend the clause that was originally drafted as cl.4.36.3, and on my recommended redrafting would become 4.35.3, should be redrafted as follows –</p> <p style="padding-left: 40px;">‘4.35.3 Exempt advertisements</p> <p style="padding-left: 80px;">The following are classed as exempt advertisements:</p> <p style="padding-left: 40px;">(a) All advertisements placed or displayed within a building, and which cannot ordinarily be seen by a person outside of the building.</p>	<p>The submitter has re-written clause 4.36.3 in proposed Scheme 4. The submitters re-write includes reference to the Planning and Development (Local Planning Schemes) Regulations 2015. This is considered appropriate to ensure consistency with the Planning and Development (Local Planning Schemes) Regulations 2015. It is recommended that clause (a) include the word ‘erected’ after the word ‘advertisements’ for improved grammar. The submitters comment is <u>upheld. (add provision to clause 4.36.3 and add erected in clause (a)) Refer proposed modification 186.</u></p>

			<p>(b) On all classes of buildings, one advertisement sign containing the name, number or address of a building, the purpose for which the building is used, or the name or address of the managing agent thereof, with a maximum area of 0.2m².</p> <p>(c) Temporary erection or installation of electoral advertisements as provided in clause 61(1)(g) of the deemed provisions.</p> <p>(d) All signs classified as 'E' (exempt) within Table 5, subject to the provisions of the Scheme.'</p>	
			<p>Cl.4.35.6(l) – Off Building Signs</p> <p>Item (l) in this clause refers to 'Mobile Billboard Signs'. The intention appears to be that the mobile billboard sign will be erected on a vehicle, but while the vehicle is travelling, it will not be caught by the provision relating to mobile billboard signs. It appears to be the parking of a mobile billboard sign on land which the relevant provisions seek to control.</p> <p>I recommend that (l) in renumbered cl.4.35.6 be in the following terms –</p> <p>'(l) Mobile Billboard Signs</p> <p>It is intended that advertising signs will fall into this category if they are applied to, or adhered to or placed on a vehicle (the vehicle might be a car, truck, boat, trailer, caravan, machinery or similar whether moveable or not). The mobile billboard sign can be a product or object, which is displayed for the purpose of advertising.</p> <p>Mobile billboard signs shall:</p> <p>(i) be wholly located within the boundary of a lot;</p> <p>(ii) be placed so as not to cause any interference with the ordinary lawful use of the subject land;</p> <p>(iii) have no moving parts;</p> <p>(iv) be limited to a maximum of one sign per street frontage on any lot; and</p> <p>(v) have vertical and horizontal dimensions which do not exceed 2 metres.'</p>	<p>The submitter has re-written clause 4.36.6 (l) of proposed Scheme 4 to improve grammar and intent of the existing provision. The submitters comment is <u>upheld. (re-word clause 4.36.6(l)) Refer proposed modification 208.</u></p>
			<p>Cl.4.35.6(s) – Election Signs</p> <p>Election signs are subject to a development approval exemption in deemed cl.61(1)(g). To avoid conflict with deemed cl.61(1)(g), I recommend that the provision in item (s) Election Signs should be amended, with the existing provisions deleted and the following substituted –</p> <p>'The temporary erection or installation of an advertisement which functions as an election sign is the subject of a development approval exemption provision in clause 61(1)(g) of the deemed provisions.</p> <p>Any election sign which does not fall within scope of the exemption in clause 61(1)(g) of the deemed provisions is subject to the following controls:</p> <p>(a) For the purpose of this clause, an election sign is a sign which relates to a local, State or Federal election. The term includes a bill, poster, placard or advertisement relating to any election, attached to or pasted, painted,</p>	<p>The submitter has re-written clause 4.36.6 (s) of proposed Scheme 4. The submitters re-write includes reference to the Planning and Development (Local Planning Schemes) Regulations 2015. This is considered appropriate to ensure consistency with the Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is <u>upheld. (re-word clause 4.36.6(s)) Refer proposed modification 212.</u></p>

			<p>or stenciled, on any hoarding, wall, building, or structure whether erected upon private property or upon a public place, but does not include a sign erected by the local government for the purpose of public information.</p> <p>(b) An election sign, not exempted by clause 61(1)(g) of the deemed provisions, may only be displayed during the period commencing 45 days before the election to which it relates and ending two days after the election, and if so restricted in time, does not require development approval.'</p>	
			<p>Cl.4.36 – Variations to site and development requirements</p> <p>What was previously cl.4.37 in the draft, and on my recommendations will be renumbered cl.4.36 Variations to site and development requirements, appears to cover the same area as model cl.34. The only difference is that the provision in the draft LPS 4 text omits subcl.(1) from the model, which contains a definition of 'additional site and development requirements'. It is apparent to me that the reason for the omission of that definition may very well be that the definition refers to additional site and development requirements set out in the equivalent of model cl.32 and 33. However as noted above, the additional site and development requirements for model cl.32 are those now to be set out in cl.4.8 of this draft LPS 4 text, and the provisions in the model cl.33, are those referred to in the clause recommended to be renumbered cl.4.9 in this draft LPS 4 text.</p> <p>What seems to be the intent of the draft LPS 4 text is that the provisions in relation to variation to site and development requirements will apply to all site and development requirements, and not just those which would be covered by the equivalent of model cl.32 and 33. With respect, I agree with that approach. However it may be necessary for the Shire to present its argument on this point to the WAPC/DoP representatives when they come to consider this draft text.</p>	<p>The submitter is correct in stating that clause 4.37 in proposed Scheme 4 has been worded to allow for a variation to any site and development requirement within the scheme. It is noted that this inconsistent with the model provisions of the Planning and Development (Local Planning Scheme) Regulations 2015, however DoP officers have reviewed the document and considered it suitable for advertising. The submitters comment is <u>noted.</u></p> <p>The submitter is correct in stating that clause 4.37 in proposed Scheme 4 has been worded to allow for a variation to any site and development requirement within the scheme. It is noted that this inconsistent with the model provisions of the Planning and Development (Local Planning Scheme) Regulations 2015, however DoP officers have reviewed the document and considered it suitable for advertising. The submitters comment is <u>noted.</u></p>
			<p>In the clause which will now be renumbered cl.4.36.2, there is a reference to 'subclause 4.37.1'. That should be changed to 'clause 4.36.1'.</p>	<p>The submitter is proposing a numbering change to improve interpretation and consistency within proposed Scheme 4. The submitters comment is <u>upheld. (modify numbering for consistency) Refer proposed modification 123.</u></p>
			<p>Cl.4.37 – Restrictive covenants</p> <p>I should make the point that I disagree very strongly with the way in which restrictive covenants are dealt with in the model, which is followed by the clauses which will be renumbered in this draft as cl.4.37.1 and 4.37.2. The model provisions in my view are a very inadequate treatment of the restrictive covenant issue. The provisions fail to take account of the formalities which are required in order to extinguish or vary a restrictive covenant, in dealings with Landgate, and in giving legal effect to extinguishment or variation of restrictive covenants generally. I also disagree with the approach of the model in dealing only with restrictive covenants relevant to residential development. However the present context, where I am making comments on your draft Scheme text, is probably not the correct forum for me to raise the fundamental issues relevant to provisions in the Scheme for the extinguishment or variation of restrictive covenants.</p>	<p>The submitter is providing comments on the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. Clause 4.38 in proposed Scheme 4 is strictly in accordance with Planning and Development (Local Planning Schemes) Regulations 2015. The submitters comment is <u>noted.</u></p>
			<p>Note that the reference in the clause which is now renumbered cl.4.37.2, to 'clause 4.38(1)' should be changed to 'clause 4.37.1'.</p>	<p>The submitter is proposing a numbering change to improve interpretation and consistency within proposed Scheme 4. The submitters comment is <u>upheld. (modify numbering for consistency) Refer proposed modification 123.</u></p>
			<p>PART 5 – SPECIAL CONTROL AREAS</p> <p>Cl.5.1.2</p> <p>Cl.5.1.2 may be problematic. That clause provides –</p>	

			<p>‘Despite any other provision of the Scheme, development approval is required for all use and development of land in the area and shall be subject to the discretion of the local government, notwithstanding that the use may be designated as a ‘P’ use or the development listed as being exempted development pursuant to clause 61 of the deemed provisions.’</p> <p>I am concerned that cl.5.1.2 may be regarded by the WAPC/DoP, or the Minister, as being in conflict with the deemed provisions, and in particular with cl.61 of the deemed provisions. According to s.257B(3) of the P & D Act, if a deemed provision that has effect as part of a local planning scheme is inconsistent with another provision of the scheme, the deemed provision prevails and the other provision of the scheme is to the extent of the inconsistency, of no effect.</p> <p>Cl.5.1.2 cannot change the order of priority of scheme provisions as indicated in s.257B(3). If a development or use is exempted from the requirement of development approval under deemed cl.61, then I can’t see how any provision in your proposed LPS 4 can change the effect of s.257B(3), so as to give the provision of your Scheme priority over deemed cl.61.</p> <p>You may need to rethink your proposed cl.5.1.2, and I will be happy to discuss the implications with you if required.</p>	<p>The submitter is providing comment on clause 5.1.2 in proposed Scheme 4. Clause 5.1.2 is not contained in the model provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. This clause may conflict with other deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, and is therefore recommended to be reworded. The submitters comment is <u>upheld. (reword 5.1.2) Refer proposed modification 214.</u></p>
			<p>CII.5.2.2, 5.3.2, 5.4.2, 5.5.2, 5.6.2 and 5.7.2</p> <p>In each of the above clauses, reference is made to the matters listed in cl.67 of the deemed provisions, and provision is further made that the local government is to have regard to certain matters. In cl.5.2.2, the form of words used is that –</p> <p>‘... the local government will have regard to:’.</p> <p>In the other clauses, the form of words used is ‘... the local government shall have regard to:’.</p> <p>I recommend that the relevant passage in each of those clauses be deleted, and that the following be substituted in each clause –</p> <p>‘... the local government must have regard to the following:’.</p>	<p>The submitter is proposing a grammatical change to improve interpretation and consistency of the document. The submitters comment is <u>upheld. (substitute existing with ‘the local government must have regard to the following’ in every special control area) Refer proposed modification 215.</u></p>
			<p>APPENDIX 1 – SCHEME MAPS</p> <p>I have commented above on my view that it may be quite inappropriate for you to incorporate the Scheme Maps as an appendix to the Scheme. The Scheme Maps do not need to be advertised in the Gazette, and if you advertise them in the Gazette in the present form, on standard A4 sheets, it is likely that the scale on each map will be incorrect. If you seek to put the Scheme Maps into the text at their proper size, you are likely to encounter very significant problems with the Government printer in publishing the maps in the Gazette at greater than A4 size. It is also likely to be an expensive exercise.</p>	<p>Appendix 1 in proposed Scheme 4 does include the scheme maps. The submitters comment is correct that section 87(5) of the Planning and Development Act 2005 makes it clear that scheme maps do not need to be published in the Gazette. Therefore it is inappropriate to include the scheme maps in proposed Scheme 4. The submitters comment is <u>upheld. (delete scheme maps) Refer proposed modification 381.</u></p>
				<p>Summary of Submission 1.</p> <ul style="list-style-type: none"> • The submitter has provided a comprehensive review of proposed Scheme 4 from Part 1 through Part 5. • The submitter has provided comment on injurious affection which may occur when land previously zoned is proposed to be reserved, and where the Shire has discretion to refuse all land uses. • Many changes proposed to Scheme 4 to improve interpretation, consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, <i>Planning and Development Act 2005</i>, remove possible claims for injurious affect and grammar.

2.	N/A	Gascoyne Development Commission (GDC)	<p>Thank you for the opportunity to comment on the draft Exmouth Town Planning Scheme No. 4 (TPS) and Local Planning Strategy No. 1 (LPS).</p> <p>The GDC as part of its charter is tasked with economic and social development of the Gascoyne region, and supporting the draft TPS and LPS which successfully integrates and balances economic, social and environmental needs of the community is part of this process.</p> <p>The draft TPS and LPS is a strong and robust planning instrument which aligns with the vision and aspirations of the Gascoyne Regional Investment Blueprint (Blueprint).</p> <p>The proposed amendments will ensure active and vibrant meeting places, diversification, development opportunities and considers growth estimates; including future demands on infrastructure and services. These amendments are consistent with Blueprint Transformational Pillars, Developing Industries and Market's, Improving Regional Accessibility and Connectivity and Enhancing Health and Lifestyle.</p> <p>For further support, please contact myself or Odile May, Exmouth Project Officer on 9949 2090 or email odile.may@gdc.wa.gov.au</p> <p>I wish the Shire well in finalising this important planning instrument.</p>	The submitter's comments generally support proposed Scheme 4. No specific changes have been requested to proposed Scheme 4. The submitter's comments are <u>noted</u> .
				<p>Summary of Submission 2.</p> <ul style="list-style-type: none"> Gascoyne Development Commission has provided general support for proposed Scheme 4. No changes proposed to Scheme 4.
3.	N/A	Department of Health WA (DoH)	<p>Thank you for your invitation to attend the community consultation sessions.</p> <p>I will not be able to attend however I have attached some documents that may be of assistance and should be considered where appropriate.</p> <p>If there is any further assistance I can provide, please let me know.</p> <p>I wish you a successful consultation process.</p> <p><i>Enclosed were the following brochures:-</i></p> <ul style="list-style-type: none"> <i>Risky Business: A resource to help local governments manage environmental health risks (November 2012)</i> <i>Industrial estates, precincts and industrial developments Scoping Tool: Public Health Considerations (2016)</i> <i>Evidence supporting the creation of environments that encourage healthy active living (2014)</i> <i>Guidelines for Separation of Agricultural and Residential Land Uses: Establishment of Buffer Areas (August 2012)</i> 	The submitter has provided a number of brochures relating to creating healthy environments. No specific changes have been requested to the proposed Scheme 4. The submitter's comments are <u>noted</u> .
				<p>Summary of Submission 3.</p> <ul style="list-style-type: none"> Department of Health have provided a number of brochures/documents relating to creating environments. No specific changes have been requested to proposed Scheme 4. No changes proposed to Scheme 4.
4.	N/A	Department of Education WA	<p>Thank you for your letter dated 2 June 2016 regarding the proposed Local Planning Scheme Number 4 and Local Planning Strategy Number 1.</p> <p>The Department of Education has reviewed the proposal and makes the following comments:</p>	Future structure plans are required to be assessed and prepared in accordance with the relevant planning framework and legislation, which involves consultation. No specific changes have been requested to proposed Scheme 4. The submitter's comments are <u>noted</u> .

			<ul style="list-style-type: none"> It is noted that there is a substantial increase to the residential zoning within the Exmouth town centre and of those some areas are identified for long term residential development. As structure planning progresses the Department would welcome further information on the dwelling yield and its type to assist in the analysis of possible student yields and in turn assess the impact on the existing education facilities. <p>There is no objection to the proposed planning scheme and strategy.</p>	
				<p>Summary of Submission 4.</p> <ul style="list-style-type: none"> Department of Education requests they be consulted when any structure plan is proposed. No changes proposed to Scheme 4
5.	N/A	Environmental Protection Authority WA	Thank you for your letter dated 23 May 2016 2015 regarding the above. The Office of the Environmental Protection Authority has no comment to make on Revision 10.	No comments provided. No specific changes have been requested to propose Scheme 4. The submitter's comments are <u>noted.</u>
				<p>Summary of Submission 5.</p> <ul style="list-style-type: none"> Environmental Protection Authority WA have no comments. No changes proposed to Scheme 4.
6.	N/A	Department of Water WA	<p>Thank you for the invitation to your Community Consultation Sessions (15/6, 22/6, 21/7, 10/8 & 17/8) regarding your Shire's Local Planning Scheme No. 4 and Local Planning Strategy No. 1 but I will not be able to attend.</p> <p>As flooding is a major issue that constrains development in Exmouth, the following guiding principles are used by the Department of Water to ensure proposed development in floodprone areas is acceptable with regard to major flooding:</p> <ul style="list-style-type: none"> proposed development has adequate flood protection from a 1 in 100 AEP flood proposed development does not detrimentally impact on the existing 1 in 100 AEP flooding regime of the general area. 	Proposed Scheme 4 includes Floodplain (Special Control Area 5) which covers flood prone areas within the Exmouth Townsite. The provisions of the Special Control Area are considered to provide adequate flood protection from a 1 in 100 year flood event. No specific changes have been requested to proposed Scheme 4. The submitter's comments are <u>noted.</u>
				<p>Summary of Submission 6.</p> <ul style="list-style-type: none"> Department of Water advises that development is to have adequate protection from 1 in 100 flood levels, and development is to not detrimentally impact on existing 1 in 100 flood regime. No changes proposed to Scheme 4.
7.	Residential Lots	Private Citizen (Suzanne McHutchison)	I believe the new residential blocks are not big enough for the Exmouth lifestyle. Most residents have 2 vehicles (one being a 4x4), a trailer, a boat and possibly a caravan. Blocks should be a minimum of 600-650 sq. metres.	The majority of residential zoned land in proposed Scheme 4 is R17.5 which requires an average lot size of 571sqm in accordance with the R-Codes. The density of residential zoned land in proposed Scheme 4 is not proposed to be increased, from that which is prescribed in Town Planning Scheme Number 3. The submitter's comment is <u>noted.</u>
			Further to the block size, in most cases if residents have visitors, more often than not they have to park on the Council verge because the streets are too narrow for parking.	Public carriageway widths are not determined by the proposed Scheme 4. Public carriageway widths will be assessed at a subdivision level to ensure consistency with WAPC Liveable Neighbourhoods. The submitter's comment is <u>noted.</u>
			Because of our large rain events anything from 50-300ml per event, guttering is ineffective rendering flooding between lots. Carports are too close to neighbouring properties and should have parapet walls to prevent this occurring.	Stormwater management is not determined by the proposed Scheme 4. Stormwater management is considered under the R-Codes and Planning and Development (Local Planning Schemes) Regulations 2015. The majority of residential zoned land in proposed Scheme 4 is R17.5, therefore carport setbacks are to be in accordance with R17.5 of the R-Codes. The submitter's comments are <u>noted.</u>
				Summary of Submission 7.

				<ul style="list-style-type: none"> The submitter is requesting lot sizes be a minimum of 600-650sqm. The R-Coding of residential zoned land is not proposed to be increased in proposed Scheme 4, i.e. smaller lot sizes not proposed. The submitter advises that streets are too narrow for parking vehicles. Public carriageway widths are not determined by the proposed Scheme 4. The submitter advises flooding is occurring across lots due to adjoining development, and carports are being built to close to boundaries. These matters are already covered by the R-Codes. No changes proposed to Scheme 4.
8.	Lot 1481 Neale Cove, Exmouth 6707	Base Marine Pty Ltd	<p>1. Base Marine is investing a considerable amount of money currently building a large boat lifting facility. This straddle carrier will sit nearly 15m in the air. As such we are concerned about the height restrictions that are being imposed on zoning that includes our land at Neale Cove. Furthermore, part of lifting boats out of the water includes storing them and painting them and at some stage in the future we may look to build a boat painting shed which would need to fit the carrier inside it i.e. would need to be more than 15m high. So we need to increase height limitation to 16 meters or have a carve out that Kapala/Base Marine and related entities have that right for our existing operations and any expansions thereof but any new development can have new restrictions imposed. I think the former is better.</p> <p>2. LPS. 4 Clause 4.11 Table 2 states that we are allowed a maximum of 10 sea containers on our site at any given time. Given that our core business involves storing and moving sea containers, we hope that in the future we have more and more sea containers stored in our yard and therefore this isn't acceptable to us. This table restricts us from undertaking our core business. This needs to be removed. I am not sure why it is needed at all. But needs to be increased to at least 40 if you want to keep some limit. Preferably remove it.</p> <p>3. LPS. 4 Clause 4.11.4 states that sea containers cannot be stacked vertically. This is a concern for us as we do this as part of our core business also (particularly half height containers which we stack all the time). It would be better to allow us to stack vertically up to a certain height. Our plan with the boat lifter that we have bought is to use the sea containers that it comes in to build a sandblasting shed out of these sea containers. This would be stacked at least 3 high possibly 4. So we don't want to be stopped from doing this. Again if an overall height restriction of 15 m is in place and the sea container number and stacking restriction is removed all together then we see no issues.</p> <p>4. We refer to our Planning Approval (PA79/13)-Lot 1481 Neale Cove where we were, on 1st August 2013, granted permission to build a caretakers' dwelling on the site. Can you please confirm that this permit is still valid and that nothing has been taken away from us in this respect and will not be in this new round of changes. We want to maintain our rights with respect to this.</p> <p>5. We have stated before and we mention again that we believe the blocks across the canal from our site should be zoned light/medium industrial and small enough to allow small owner-operators to set up and support the marine industry. This also provides a buffer between our supply base and the residential lots.</p>	<p>The submitter is requesting that the maximum height provisions in Special Use Zone 5 P1 – South Harbour in proposed Scheme 4 be greater than that prescribed. The maximum heights prescribed in proposed Scheme 4 are considered to be inappropriate as it does not allow for the development of boat lifts, cranes or other associated structures which may be appropriate in certain locations in the P1 South Harbour. However the development of a high shed up to 15m (5 storeys) high is considered to be inappropriate considering the impact of amenity based on proximity of P1 South Harbour to adjacent residential zoned land (seaside estate), Marina Precinct D, and Marina Precinct C. The existing Exmouth Marina Broad Outline Development Plan prescribes a maximum plate height of 8 metres and maximum roof height of 11 metres. The submitters comment is partially upheld. (add text to allow variation to maximum prescribed height SU5-P1 in certain circumstances) Refer to proposed modification 304.</p> <p>The submitter is requesting Table 2 in proposed Scheme 4 be modified to allow for more than 10 sea containers upon Special Use Zone 5 – P1 South Harbour. The prescribed maximum number of 10 sea containers is considered to be inappropriate as this area allows for marine industrial uses commonly associated with sea containers. Further where a land use involves the movement of sea containers they can be approved as part of that land use which would exempt them from Table 2. The submitters comment is upheld. (substitute '10' with 'unlimited' in table 2 sea containers last row) Refer to proposed modification 144.</p> <p>The submitter is requesting clause 4.11.4 be modified to allow for the stacking of sea containers. Clause 4.11.4 is considered to be inappropriate as it does not allow for the highest and best use of land. If removed the stacking height of sea containers will be subject to the height limits prescribed by the relevant zone, which is considered to provide an appropriate level of amenity. The submitters comment is partially upheld. (delete and shall not be stacked vertically from clause 4.11.1) Refer to proposed modification 145.</p> <p>As PA79/13 has been substantially commenced, the permission granted to build a caretakers dwelling is still valid. The submitters comment is noted.</p> <p>The submitter is requesting the vacant land across the canal waterway from lot 1481 Neale Cove be zoned light/medium industry, this is inappropriate as use of this land for light/medium industrial purposes will be the subject of an amendment to the existing Outline Development Plan, which will involve consultation. The land across the canal waterway from Lot 1481 Neale Cove is zoned Special Use Zone 6 – Marina – Precinct D in the proposed Scheme 4. Prior to any subdivision or development of Marina – Precinct D an amendment to the existing Outline Development Plan is required. Proposed Scheme 4 does not define whether this land is suitable for light/medium industrial. The submitters comment is not supported.</p>

			<p>6. We believe that your definition of Marine Support Facility should include provision for Marine Tourism Vessels as well. Many local marine tourism vessels enter our site currently for fuel and boat lifts and in the future we may look to have additional tourism based businesses.</p>	<p>The submitter is requesting the definition of Marine Support Facility be amended to provide for Marine Tourism Vessels. This is inappropriate as the provision of Marine Tourism Vessels is covered by the land use Marina in proposed Scheme 4. The land use Marina is considered suitable in Special Use Zone 5 P1 – South Harbour. The submitters comment is <u>noted. (making Marina a P use in SU5 – P1) Refer proposed modification 301.</u></p>
			<p>7. Base Marine would like to ensure that all previous rights afforded to us by the previous planning scheme are grandfathered under the new scheme (No disadvantage to current rights)</p>	<p>Town Planning Scheme Number 3 does not include all of the provisions in proposed Scheme 4. The provisions included in proposed Scheme 4 have been included to prevent land use conflicts, improve built form and ensure an appropriate level of amenity is maintained considering proximity of P1 South Harbour to adjacent residential zoned land (seaside estate), Marina Precinct D, and Marina Precinct C. The provisions in proposed Scheme 4 for P1 South Harbour were created considering the provisions of the Exmouth Marina Village Broad Outline Development Plan. Requirements from previous development approvals will continue to be in force. The submitters comment is <u>noted</u></p>
			<p>8. In Table SU5 under P1, Clause 1 should include “Vessel Maintenance” as a large part of what we do is hull blasting and painting etc.</p>	<p>Vessel maintenance forms part of the defined ‘marina and marine support facility’ land use in proposed Scheme 4 which are considered suitable land uses in P1 South Harbour. Therefore to include vessel maintenance as separate land use is not required. The submitters comment is <u>noted. (Add marina land use as P, make marine support facility P) Refer proposed modification 301.</u></p>
			<p>9. Clause 7 of the same table states that the local government shall not grant development approval for a jetty until the primary building on the lot has been completed. We would ask that this not be the case as we may very well look to expand our pens into the DOT waterway on the neighboring block before we conduct any building on that block. We also understand that the Shire is happy for residential properties on the canals to build their jetties before they build their houses and we would like the same allowance.</p>	<p>Clause 7 of Special Use Zone 5, P1 South Harbour Precinct Development requirements in proposed Scheme 4 is inappropriate as it significantly compromises use of the land and canal waterway, for the marine use. Some of the land uses which can be supported in the boat harbour do not involve buildings onsite. The submitters comment is <u>upheld. (Delete cl.7 of SU5, P1 South Harbour) Refer proposed modification 305.</u></p>
			<p>10. Clause 4.11.1(b) states that sea containers do not need development approval if the sea container is removed from the lot within 7 days. We offer, again as a core business service, long term laydown of sea containers which can be on site for more than a year. This clause is prohibitive to our business operations and we request it is removed.</p>	<p>The submitter has accurately interpreted clause 4.11.1(b) in proposed Scheme 4. The submitter is advised that where sea containers form part of an approved land use, they are not subject to this clause. Otherwise development approval is required where they do not form part of an approved land use. Sea containers may be hazardous in the event of a cyclone. The submitters comment is <u>not supported.</u></p>
			<p>11. We would ask that boat storage is included in the land use description for our site.</p>	<p>Boat Storage forms part of the defined marina and marine support facility land use in proposed Scheme 4 which is considered suitable in Special Use Zone 5, P1 South Harbour. Therefore to include boat storage as a separate land use is not required. The submitters comment is <u>not supported. (Add marina land use as P, make marine support facility P) Refer proposed modification 301.</u></p>
			<p>12. We would be interested to know the intention of the Shire in changing the management of the waters directly outside our pens. Our interpretation is that this was previously DOT waters apart from a small strip of water close to the rock batter on the Western side of this waterway. We are very concerned that any development on waterfront land around our site may impede access for our vessels (up to 50m long) accessing their pens.</p>	<p>Classification of this land in proposed Scheme 4 has no impact on existing management, which is covered under the Land Administration Act 1997 not the Planning and Development Act 2005. Access way widths within the waterway are not determined by proposed Scheme 4. This area is zoned ‘Marina’ in Town Planning Scheme 3, and freehold Lot 1481 Neale Cove extends into the canal waterway. Therefore it is more suitable to classified this area as ‘Special Use Zone 5’ in proposed Scheme 4 The submitters comment is <u>noted. (adding waterways area to SU5) Refer proposed modification 394.</u></p>
			<p>13. Base Marine is seeking to have permission to operate 24 hours a day, 7 days a week without restriction. Our operations do not typically make excessive noise and we have not had a complaint to date. We need to keep the ability to operate 24/7 if we are to remain competitive in our industry and be successful in bringing jobs to Exmouth. We request that</p>	<p>Proposed Scheme 4 does not impose conditions on operating times. Operations of any land use are subject to the <i>Environmental Protection (Noise) Regulations 1997</i>. The submitters comment is <u>noted.</u></p>

			if we manage noise to acceptable limits then we should be able to operate around the clock.	
			14. The definition of marine related industry needs to ensure it covers all oil and gas related services that happen on the water.	Land Uses which may be approved within Special Use Zone 5, P1 South Harbour can cater for the oil and gas industry where it is marine based. The submitters comment is <u>not supported.</u>
			15. We are concerned that the application of light industry for this area may not be adequate for Boat maintenance and boat servicing generally and you should consider upgrading to Medium industry to ensure all the provisions generally provided in a boat lifting yard and oil and gas service yards across Australia are covered. EG cutting /welding/blasting heavy steel and no one is able to challenge it in the future.	The land uses listed in Special Use Zone 5 (SU5), P1 South Harbour are consistent with the existing Exmouth Marina Broad Outline Development Plan, and SU5 is not prescribed in proposed Scheme 4 as being for light industrial purposes. The uses mentioned by the submitter are catered for in SU5 in proposed Scheme 4. The submitters comment is <u>noted.</u>
			16. Need to ensure that heavy truck access to our yard is maintained and is allowed within any scheme. I believe the port road is being upgraded to handle up to triple road trains so we need to ensure that is allowed.	Heavy Truck access on Neale Cove is not determined by the proposed Scheme 4. The submitter's comment is <u>noted.</u>
			On another note, thanks for supporting us in our quest to get access to lot 1482. I have finally got onto someone in the Department of Lands who appears to understand what is happening. They said they referred it to the DOT in feb this year for comment but upon contacting the DOT they claimed they didn't know about it. So a new referral has been made and I am chasing that up. Thanks for the shires ongoing support with this and we will keep you informed of progress. Thank you again for your time. We trust you will take our points of concern on board and make the necessary changes to the scheme amendments. If you would like to discuss anything further, please don't hesitate to contact me on 0410 212 669	Lot 1432 Neale Cove is zoned Special Use Zone 5 P1 South Harbour consistent with Lot 1481 Neale Cove in the proposed Scheme 4. The submitters comment is <u>noted.</u>
				<p>Summary of Submission 8.</p> <ul style="list-style-type: none"> The submitter is requesting that proposed Scheme 4 be modified to: <ul style="list-style-type: none"> Allow increased building heights in Special Use Zone 5 (SU5), P1 South Harbour (P1). Increased may be suitable for certain types of development in certain locations within SU5, P1 considering existing development and future intended development; increase the maximum number of sea containers permitted in SU5, P1 to at least 40. This is suitable as sea containers are considered a suitable form of development in SU5, P1; allow for sea containers to be stacked. This makes more effective use of land, and sea containers will still be controlled by the relevant maximum building height; classify land on the other side of the canal waterway from lot 1481 Neale Cove to be zoned light/medium industrial. Land on the other side of the canal waterway is subject to the structure planning process which will provide further clarification on the intended use of this area; modify the definition of marine support facility to include provision of marine tourism vessels. This is not required as it is already covered by other land uses listed in proposed Scheme 4; allow for vessel maintenance in SU5, P1. This is not required as it is already covered by other land uses listed in proposed Scheme 4; allow development of jetties/jetty prior to development of a building. This is suitable as uses can occur without any building onsite, and the provision significantly restricts the use of land; increase the amount of time for a sea container to be placed on lot and still be exempt from development approval. No change is recommended to proposed Scheme 4. Sea containers are exempt from the 7 day provision where approved as part of a land use; add definition of marine related industry to cover oil and gas services related to on the water. This is not required as it is already covered by other land uses listed in proposed Scheme 4;

				<ul style="list-style-type: none"> ○ classify SU5, P1 Medium Industry. No change is recommended to proposed Scheme 4 as is does not classify SU5 as being light industry, medium industry or heavy industry it is classified as Special Use Zone 5 • The submitter wants to confirm whether PA79/13 is still valid. PA79/13 is still valid as it has been substantially commenced. • The submitter wants all rights under existing Town Planning Scheme 3 to be grandfathered into proposed Scheme 4. They have not been grandfathered to improve built form and protect land uses. • Clarification on management of canal waters adjoining Lot 1482 Neale Cove. Proposed Scheme 4 has no impact on management of canal waters. • Ability to operate existing use upon Lot 1481 Neale Cove 24/7. Proposed Scheme 4 has no impact on operating hours. • Heavy truck access to Lot 1481 Neale Cove is maintained. Proposed Scheme 4 has no impact on heavy truck access to Lot 1481 Neale Cove. • Modifications 144, 145, 301, 304, 305 and 394 proposed to Scheme 4.
9.	N/A	Private Citizen (Michael John Cadd)	<p>Thank you for inviting us to participate in this planning submission. Please refer to the attached.</p> <p>We have also sent to you via postal mail in June 2016 our hand-written submission on the supplied Exmouth Shire invitation proforma to which I would also ask you to refer.</p> <p>I must empathise in this email to you that we are not being political in our viewpoint. Eva & I are citizens & ratepayers of the Shire of Exmouth. We are merely concerned for the Ningaloo Reef's longterm future health which is intrinsically coupled to the tourism future & sustainable natural resources (e.g. fishing) of the region. We have spoken to many local citizens of Exmouth, including business people, who are also concerned for the longterm health of the reef.</p> <p>We think that we need need Oil with & Gas, fishing, mining, tourism, military industries balanced with protecting the natural environment such a valuable resource as the Ningaloo Reef for both the Exmouth Shire & its regional community as well as our WA economy & our global heritage as a responsible custodian of this precious resource.</p> <p>My wife & I hope this will not also be the demise of our beautiful pristine Ningaloo Reef in the near future. Impacts due to high & prolonged water temperatures are now being witnessed at Scott reef, Imperious reef and other Northern reefs in our Kimberly region of WA. Nutrient runoffs & human activity impacts (i.e. commercial shipping, boating, commercial fishing & port facilities) add to this impact on the GBR. We think we need to mitigate any accidental hydrocarbon spills etc on this our Ningaloo reef. As an accidental spill of hydrocarbons or indeed other toxic chemical spills can occur from a number of sources, not only the Oil & Gas operations (e.g. FPSOs). Recreational craft, commercial shipping, commercial fishing vessels & O&G industry service vessels (aircraft & service marine craft) are examples of such sources of potential environmental impacts. We think enduring continuous monitoring 24/7, independent of commercial interests & augmenting the IMOS/WAIMOS protocol, is one means of alerting authorities locally & those responsible for the management of the water quality on & surrounding the reef. Expediting rapid deployment of Spill kits is vital during such an emergency. Time is of the essence. Locating such enduring monitoring devices & spill mop-up kits at the new Ningaloo Centre Science facility would mitigate any such delays in detecting any spills, predicting environmental impact to the reef via drift current live profiling in real-time & taking action to cleanup such a hydrocarbon or other accidental chemical spills.</p> <p>We also think that enduring monitoring of these waters adjacent to the Ningaloo reef & coastline of the fringe reef will enable important research into Coral spawning & other natural activities. This is vital for predicting long term impacts by human activity in this region so securing economic indicators for WA.</p>	<p>The submitter's comment is <u>noted.</u></p> <p>The health of the Ningaloo Reef is not determined by the proposed Scheme 4. The submitter's comment is <u>noted.</u></p> <p>Proposed Scheme 4 accommodates a number of zones and reserves and provides land use permissibility within these zones to prevent conflict. The submitter's comment is <u>noted.</u></p> <p>The health, monitoring and clean-up of the Ningaloo Reef is not determined by proposed Scheme 4. The submitter's comment is <u>noted.</u></p> <p>The health, monitoring and clean-up of the Ningaloo Reef is not determined by the proposed Scheme 4. The submitter's comment is <u>noted.</u></p>

			Once again, thank you for enabling us to participate in this planning submission.	
				<p>Summary of submission 9.</p> <ul style="list-style-type: none"> The submitter has provided information on facilities and systems that could be used for the monitoring of, and the clean-up of spills in coastal reefs. The health, monitoring and clean-up of coastal reefs are not determined by the proposed Scheme 4. No changes proposed to Scheme 4.
10.	10/11 Tambor Drive, Exmouth	On behalf of Marine Environmental Monitoring Technology company (Fastwave Communications Pty Ltd)	<p>Please refer to attached proposal from Fastwave Communications Pty Ltd, WAMOS, IMOS & UWA responsibility also noted.</p> <p>My wife & I would like to see any <u>Scheme or System</u> utilised in ensuring the quality of water surrounding our precious coastal reefs. Fastwave's proposal is an example as onpassed to me by friends at Fastwave whom I have a great deal of respect for & whom I worked with for a time up to Nov 2014.</p> <p><i>Enclosed was a proposal from Fastwave Communications Pty Ltd dated 16 December 2015.</i></p>	<p>The health, monitoring and clean-up of coastal reefs are not determined by the proposed Scheme 4. The submitter's comment is <u>noted.</u></p>
				<p>Summary of submission 10.</p> <ul style="list-style-type: none"> The submitter has provided information on facilities and systems that could be used for the monitoring of, and the clean-up of spills in coastal reefs. The health, monitoring and clean-up of coastal reefs are not determined by the proposed Scheme 4. No changes proposed to Scheme 4.
11.	Lots 1 & 101 Kailis Road and Lots 112 & 220 Minilya-Exmouth Road, Learmonth	Greg Rowe and Associates on behalf of Kailis	<p>Rowe Group acts on behalf of MG Kailis Pty Ltd ('Client') the owner of Lots 1 and 101 Kailis Road and Lots 112 and 220 Minilya-Exmouth Road, Learmonth (herein referred to as the 'subject site').</p> <p>We have been requested by our Client to prepare and lodge a submission to the Shire of Exmouth ('Shire') in relation to the Shire's draft Local Planning Scheme No. 4 ('LPS4').</p> <p>As outlined within this submission, our Client objects to the proposal to include the western portions of Lots 1, 112 and 220 and the whole of Lot 101 within the Minilya-Exmouth Road Special Control Area 6 ('SCA6'). Our Client also requests that Schedule 2 (Additional Use) of LPS4 be modified to amend the permissibility of a number of uses at the subject site.</p> <p>We provide the following information in support of this request.</p> <p>Site Details</p> <p>The following lots are under the ownership of our Client:</p> <ul style="list-style-type: none"> Lot 1 on Deposited Plan 47770 Certificate of Title Volume 2230 Folio 171 (MG Kailis Pty Ltd); Lot 101 on Deposited Plan 180602 Certificate of Title Volume 2230 Folio 171 (MG Kailis Pty Ltd); Lot 112 Deposited Plan 182633 Certificate of Title Volume LR3069 Folio 517 (MG Kailis Gulf Fisheries Pty Ltd); and Lot 220 on Deposited Plan 192031 Certificate of Title Volume 2077 Folio 862 (MG Kailis Gulf Fisheries Pty Ltd). <p>Existing Provisions under Shire of Exmouth Town Planning Scheme No. 3</p>	<p>The submitter's comment is <u>noted.</u></p> <p>The intent of SCA6 Minilya Exmouth Road in proposed Scheme 4 is to maintain the view sheds, environmental and landscape qualities of Minilya Exmouth road when entering the Exmouth Townsite by ensuring there is no encroachment of inappropriate development within 100 metres of it on either side. This is consistent with the Ningaloo Coast Regional Strategy Carnarvon to Exmouth and the Exmouth South Structure Plan. The submitters comment is <u>noted.</u></p> <p>The submitter has accurately provided information on Lots 1 & 101 Kailis Road and Lots 112 & 220 Minilya-Exmouth Road, Learmonth and relevant provisions from current Town Planning Scheme 3. The submitters comment is <u>noted.</u></p>

			<p>Under the current provisions of the Shire of Exmouth Town Planning Scheme No. 3 ('TPS3') the subject site is zoned "Industrial". The objectives of the "Industrial" zone include:</p> <ul style="list-style-type: none"> • To provide for the needs of light and general industry to support the community; • To provide appropriate buffers between industry and adjacent land uses, so as to avoid land use conflicts; • To provide appropriate landscaped buffers along Murat Road to the industrial area; and • To avoid non-industry related uses establishing in the industrial area. <p>The subject site is further identified, under the provisions of TPS3, as a "Strategic Industrial Area". Based on the provisions of Clause 5.8.2 (b) of TPS3, and based on the subject site being identified as a "Strategic Industrial Area", the following uses may be permitted at the subject site provided they do not prejudice the provisions of the Zoning Table:</p> <ul style="list-style-type: none"> • Gas-fired power station; • Heavy transport depot; • Concrete batching plant; • Off-shore facilities for the hydrocarbon industry (pipes etc); • Fish processing and handling; • Warehousing; • Limestone related industries; and • Such other industries which in the opinion of the Council cannot reasonably be located in the Exmouth townsite.... <p>TPS3 also states the following with respect to the "Strategic Industrial Area":</p> <p><i>The strategic industrial area is to be developed progressively for increased resource development such as limestone quarrying, oil and gas, fin/shellfish processing, and energy generation as well as to accommodate relocation of existing industrial uses from the Exmouth townsite which generate nuisance (noise, dust, vibration, and fumes/smoke) and/or which need a larger area of land.</i></p>	
			<p>The identification of the subject site as a "Strategic Industrial Area" was undertaken through Scheme Amendment No. 27 ('Amendment No. 27') to TPS3 which was gazetted in November 2013. The intent of Amendment No. 27 was to enable the subject site to be utilised for offshore oil and gas processing for the Gascoyne and Pilbara regions. As such, the intent of Amendment No. 27 should therefore be reflected through the provisions of LPS4 to ensure proper and orderly planning is continued through the introduction of a new Scheme.</p>	<p>The submitter is referring to scheme amendment 27 to the current Town Planning Scheme Number 3. The intent of scheme amendment 27 to enable the subject site to be utilised for offshore oil and gas processing is continued in proposed Scheme 4 by zoning the submitters referred lots General Industry where land uses associated with offshore oil and gas may be supported, which include but is not limited to 'Marine Support Facility'. Further objective (a) of the General Industry zone as per the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> states 'To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.' The submitters comment is <u>noted.</u></p>
			<p>It must also be noted that Amendment No. 27 is consistent with the provisions of the Gascoyne Regional Strategy 1996, the Exmouth-Learmonth (North West Cape) Structure Plan 1998, the Exmouth Townsite Structure Plan 2011, the Gascoyne Regional Development Plan 2010/20, and the Economic Development Opportunities for the Gascoyne & Pilbara Regions November 2011 documents, as all of the aforementioned documents indicate the need for offshore oil and gas industries to be provided within the region. This reinforces the need for LPS4 to reflect the provisions of Amendment No. 27.</p> <p>Based on the above, it can be acknowledged that the Shire's strategic framework and specifically the provisions of TPS3 permit the subject site to be utilised for uses which will assist and complement offshore oil and gas processing, and again this should be reflected through the provisions of LPS4.</p>	<p>The provisions of scheme amendment 27 in current Town Planning Scheme Number 3 have been carried forward into proposed Scheme 4, whilst having due regard to the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> which were implemented by the Department of Planning following the adoption of scheme amendment 27, and the preparation of a Local Planning Strategy for Exmouth.</p> <p>Clause 5.8.2 (a) of current Town Planning Scheme Number 3 designates the submitters referred lots as a 'Strategic Industrial Area' 'The strategic industrial area is to be developed progressively for increased resource development such as limestone quarrying, oil and gas, fin/shellfish processing, and energy generation as well as to accommodate relocation of existing industrial uses from the Exmouth townsite which generate nuisance (noise, dust, vibration, and fumes/smoke) and/or which need a larger area of land.' The uses referenced above may all be approved by the local government</p>

			<p>in the General Industry zone in proposed Scheme 4, excluding a Renewable Energy Facility. Renewable Energy Facility is a land use considered suitable in the General Industry zone as this is the heaviest industrial zoning in the proposed scheme. <u>(make renewable energy facility an A use in the general industry zone) Refer proposed modification 31.</u></p> <p>Clause 5.8.2 (c) of current Town Planning Scheme Number 3 which relates specifically to the strategic industrial area and the submitters referred lots states ‘<i>notwithstanding anything contained in the Scheme “caretaker’s dwelling” shall not be permitted on any land in the strategic industrial area except on Lots 1, 101, 112 and 220 Minilya – Exmouth Road where they are permitted in existing dwellings as approved by the Local Government</i>’. This clause has been reflected in Schedule 2 – Additional Use A4 in proposed Scheme 4 which gives the additional use of a caretakers dwelling within existing dwellings on Lot 1 Kailis Road, Learmonth only. Ariel maps identify that there may also be an existing dwelling upon lot 220 Minilya Exmouth road. Lot 220 is required to be included A4. The other lots referenced in the Scheme 3 clause do not have an existing dwelling, and therefore they do not need to be included. <u>(Add A4 to Kailis site on scheme map, update additional use table to refer to Lot 220 Minilya Exmouth Rd) Refer proposed modifications 256 and 404.</u></p> <p>Clause 5.8.2(d) of current Town Planning Scheme 3 is adequately catered for by deemed clause 67 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> which prescribes the matters to be considered by local government.</p> <p>The submitter’s comment that proposed Scheme 4 is not consistent with scheme amendment 27 to Town Planning Scheme 3 is <u>partially upheld. (make renewable energy facility an A use in General Industry zone, Add A4 to Kailis site on scheme map, update additional use table to refer to Lot 220 Minilya Exmouth Rd) Refer proposed modifications 31, 256 and 404.</u></p>
		<p>Justification for Submission</p> <p><u>Special Control Area 6</u></p> <p>As previously noted, our Client <u>objects</u> to the proposal to include the western portions of Lots 1, 112 and 220, and the whole of Lot 101 within SCA6.</p> <p>We understand that the Shire’s rationale for providing a 100m wide “visual protection corridor” is based on the provisions of existing strategic documents for the region. The Ningaloo Coast Regional Strategy Carnarvon to Exmouth (‘NCRSCE’) which first proposed the notion of a “visual protection corridor” states (at section 2.2.11) that: <i>a 100m wide visual corridor should be provided between the Learmonth Airport and the Exmouth townsite</i>. The NCRSCE does not, however, specifically state that development is not permitted within this 100m wide “visual protection corridor”.</p> <p>Of greater importance is the intent of the “visual protection corridor” which at its inception (in the NCRSCE document page 149) was proposed as follows (underlining for emphasis):</p> <p><i>A corridor between Learmonth airport and Exmouth townsite, where landscaping and built structures are managed in accordance with a visual amenity plan, should be defined. This visual amenity corridor should cover an area approximately 100m on each side of the road...</i></p>	<p>The intent of SCA6 Minilya Exmouth Road in proposed Scheme 4 is to maintain the view sheds, environmental and landscape qualities of Minilya Exmouth road when entering the Exmouth Townsite by ensuring there is no encroachment of inappropriate development within 100 metres of it on either side. This is consistent with the Ningaloo Coast Regional Strategy Carnarvon to Exmouth and the Exmouth South Structure Plan. Further comments on SCA6 are provided below.</p> <p>The submitters comment is correct in that the Ningaloo Coast Regional Strategy Carnarvon to Exmouth does not specifically state that development is not permitted within the 100 metre wide visual protection corridor. It does state that landscaping and built structures between Learmonth Airport and Exmouth townsite should be managed in accordance with a visual amenity plan. Clause 5.7.2 (a), (b) (ii. through vi.), and (c) are considered to be overzealous in that they significantly restrict the development potential upon the submitters referred lots, and therefore should be deleted. The submitters comment is <u>partially upheld. (delete Clause 5.7.2 (a), (b) (ii. through vi.), and (c)) Refer proposed modification 225.</u></p> <p>Clause 5.7.2 (b) (i) is considered inappropriate as it is only requiring a visual landscape assessment where clearing or destruction of native vegetation is proposed, failing to meet the purpose and objectives of the Special Control Area. It is recommended that this provision be reworded to require a visual landscape assessment for all development proposed in the Special Control Area. The submitters comment is <u>upheld. (reword clause 5.7.2 (b) (i)) Refer proposed modification 225.</u></p>
		<p><i>Actions and guidelines:</i></p>	

			<p><i>Prepare a visual amenity policy to control landscaping and building development on the land each side of the Minilya-Exmouth and Murat roads between the Learmonth airport and Exmouth townsite.</i></p>	<p>The submitter is proposing the creation of a policy in lieu of Special Control Area 6 in proposed Scheme 4. A policy is not desired as a policy is only required to be given due in the decision making process. The incorporation of provisions into proposed Scheme 4 will significantly improve the weight of the provision, and therefore its overall implementation. The submitters comment is <u>not supported.</u></p>
			<p>Importantly, LPS4 seeks to introduce policy provisions as statutory requirements by way of SCA6.</p>	<p>There is no existing local policy which deals with the provisions in Special Control Area 6 in proposed Scheme 4, therefore proposed Scheme 4 is not introducing policy provisions. The submitters comment is <u>noted.</u></p>
			<p>We also note that that section 6.10 of the Exmouth South Structure Plan ('ESSP') recommends that a 100m wide section on each side of Minilya-Exmouth Road between the Learmonth Airport and the Exmouth townsite is to be set aside to help maintain the landscape of the area and the sense of remoteness. The ESSP also does not specifically state that development is to be prohibited within the 100m wide "visual protection corridor".</p>	<p>Refer comments above. The submitter is correct in that the Exmouth South Structure Plan does not specifically state that development is to be prohibited within the 100 metre wide visual protection corridor. The submitters comment is <u>noted.</u></p>
			<p>In this regard, the ESSP states (underlining for emphasis):</p> <p><i>The Exmouth South Structure Plan is a high-level district structure plan providing a framework for the coordinated provision and arrangement of future land use. Being strategic in nature, the Structure Plan identifies the key issues and actions required to progress the subject land through the required more detailed planning and development process...</i></p> <p><i>The remoteness values of the North West Cape region are outstanding. Although such values are especially significant on the west side (Ningaloo Reef) of the Cape Range, the landscape significance of the east side of the range should not be underestimated. <u>Despite historic pastoral grazing, the prominent RAAF Base and Learmonth Airport, and pockets of industry, the area retains a high degree of natural beauty dominated by Cape Range and Exmouth Gulf.</u> The range is flanked by highly eroded limestone terraces, drainage lines and gorges that give way to alluvial fans and pebbly creek beds that snake their paths across the plan to breach the coastal dunes and spill into the ocean.</i></p> <p><i><u>The Exmouth South Structure Plan should protect these natural landscape values as much as possible by focusing appropriate development in nodal locations, separated by near-natural wide open spaces that maintain the remoteness values until approaching Exmouth townsite. Establishing a visual protection corridor along the Minilya-Exmouth Road from Learmonth to Exmouth will help maintain the landscape and sense of remoteness.</u></i></p>	<p>The submitter's comments are accurate in referencing sections of the Exmouth South Structure Plan.</p>
			<p>Clearly, the intent of the 100m "visual protection corridor" is to protect areas of existing natural landscape and not to sterilize development of existing nodal areas that have been developed for many years. As stipulated in the ESSP, the subject site is an existing industrial node which should be acknowledged in LPS4 as appropriate for development including within the proposed 100m SCA6 area that affects the subject site.</p>	<p>The submitters comment is partially correct in that the natural landscape values should be protected by focusing appropriate development in nodal locations as stated in the Exmouth South Structure Plan, however the submitters referred lots are not specifically referenced in the Exmouth South Structure Plan as an appropriate nodal location, and the structure plan recommends a visual protection corridor along the Minilya-Exmouth Road from Learmonth to Exmouth which includes the submitters referred lots. Development may be appropriate within Special Control Area 6 within the submitters referred lots where supported by a visual landscape assessment, consistent with the Exmouth South Structure Plan. The submitters comment is <u>partially upheld. (delete Clause 5.7.2 (a), (b) (ii. through vi.), and (c) and reword clause 5.7.2 (b) (i)) Refer proposed modification 225.</u></p>
			<p>In addition, section 11 of the Shire's Local Planning Strategy 2015-2025 ('LPS') states that land within a 100m setback from Minilya-Exmouth Road should be utilised as a view corridor to the Cape Range and to the Exmouth Gulf. The LPS also recommends that the 100m wide area be included within a Special Control Area as part of LPS4, however does not specifically state that no development should be permitted with the 100m wide area.</p>	<p>The submitters submission was specifically lodged as a submission on the proposed Scheme 4, comments the proposed Local Planning Strategy are required to be made separately, however Section 11 of the proposed Local Planning Strategy specifically deals with 2 restricted rural lots just south of the gazetted Exmouth townsite it does not relate to the submitters referred lots. The submitter is correct in that the Local Planning Strategy does not specifically state that no development should be permitted within 100 metres on either side of Minilya Exmouth road. The submitters comment is <u>noted.</u></p>

			<p>Having regard to the above historical context, draft LPS4 states the following with respect to the purpose of SCA6:</p> <p><i>Minilya-Exmouth Road is the primary entrance to the town site, and in itself is a tourism experience showcasing the environmental and landscape qualities of the district. The purpose of SCA6 is to preserve the landscape values along the Minilya-Exmouth Road from the encroachment of inappropriate development, and maintain view sheds along Minilya-Exmouth Road. This 100 metre wide area on either side of the Minilya-Exmouth Road is from the southern edge of the gazetted Exmouth Townsite Boundary to the southern local government boundary. The objectives of SCA6 are:</i></p> <ul style="list-style-type: none"> (a) <i>To protect natural environmental and landscape features along Minilya-Exmouth Road;</i> (b) <i>To maintain views of the Cape Range, Exmouth Gulf, and rural lands;</i> and (c) <i>To ensure that inappropriate development and use does not occur that would compromise the visual experience along Minilya-Exmouth Road.</i> 	<p>The submitter has accurately copied the purposes and objectives of Special Control Area 6 in proposed Scheme 4.</p>
			<p>Based on the provisions of the abovementioned documents and the purpose of SCA6 as outlined within LPS4, we understand that development is already generally setback approximately 100m from Minilya- Exmouth Road between the Learmonth Airport and the Exmouth townsite. Despite development generally already providing a 100m setback, buildings are currently easily visible from Minilya-Exmouth Road as the existing vegetation consists of low lying shrubs providing very little visual barrier to existing or future development (refer to Attachment 1 – Photos of Existing Development along Minilya-Exmouth Road). As such, the provision of a 100m setback will not result in the protection of the visual amenity and it is requested that SCA6 be removed from the subject site.</p>	<p>Although development may already be setback approximately 100m from Minilya Exmouth road between Learmonth Airport and the Exmouth Townsite there are currently no statutory provisions to enforce the recommendations of the Exmouth South Structure plan and the Ningaloo Coast Regional Strategy relating to development within 100 metres on either side of Minilya Exmouth road. Clause 5.7.2 (a) in proposed Scheme 4 is considered inappropriate. Development should be allowed within 100 metres on either side of Minilya Exmouth Road subject to the submission of visual landscape assessment to ensure the protection of visual amenity and implement the Exmouth South Structure Plan and Ningaloo Coast Regional Strategy as intended. The submitters comment is <u>upheld. (Delete Clause 5.7.2 (a), (b) (ii. through vi.), and (c) and reword clause 5.7.2 (b) (i) Refer proposed modification 225.</u></p>
			<p>We note that it is the intent of SCA6 is to preserve the visual amenity along Minilya-Exmouth Road leading into the Exmouth townsite. Given that the subject site is located approximately 22km south of the Exmouth townsite it is unreasonable to impose a development restriction for land which is located so far from the Exmouth townsite, and which will have such adverse impacts to development potential. If it is the Shire's intent for no development to be permitted within the 100m area, then SCA6 ought to be designated as a reserve instead and compensate landowners appropriately. A SCA should not be used as a mechanism to sterilize land from any form of development as this would result in a quasi reservation with no compensation for land owners (particularly for Lot 101 which is located entirely within SCA6).</p>	<p>The submitters referred lots are approximately 22km south of the Exmouth Townsite, however are referred to in the Exmouth South Structure and Ningaloo Coast Regional Strategy as within a visual protection corridor. It is not the shires intent for no development to occur within 100 metres of Minilya Exmouth road. The Shire does not intend to designate Special Control Area 6 in proposed Scheme 4 as a reserve and compensate landowners. The submitters comment it <u>noted.</u></p>
			<p>It is our view that the management and improvement of the visual amenity along Minilya-Exmouth Road would be best dealt with through the inclusion of additional landscaping. Providing additional landscaping (i.e. landscaping which will grow to a height of 2-3m) the visual amenity for the locality will be better preserved. This requirement for landscaping may be dealt with through the introduction of a new Local Planning Policy ('LPP'), which may require for the 7.5m front setback area (as required within the "General Industry" zone) to be sufficiently landscaped to provide visual screening of development enhancing the visual amenity along Minilya-Exmouth Road. This was clearly the intent of the "visual protection corridor" under the NCRSCE (i.e. where an appropriate visual amenity policy was proposed).</p>	<p>The submitter is proposing to improve visual amenity along Minilya Exmouth road through the inclusion of additional landscaping which will grow to height of 2-3 metres, through the introduction of new local planning policy. A policy is not desired as a policy is only required to be given due in the decision making process. In accordance with clauses 3.14.3 (c) and 4.25.3 in proposed Scheme 4 additional landscaping is required at a rate of 1 tree for every 4 metres of frontage excluding crossovers upon the submitters referred lots. The submitters comment is <u>not supported.</u></p>
			<p>Additional Use No. 4</p> <p>The Zoning Table of LPS4 proposes to alter the permissibility of a number of land uses for the subject site compared to the current land use permissibility within TPS3. Our Client does not object to the proposed amendments to the</p>	<p>The submitters comment is <u>noted.</u></p>

Zoning Table, however given that the subject site is identified as a “Strategic Industrial Area” under the provisions of TPS3 and has been earmarked as an appropriate site for marine/industry processing, we request that a number of modifications are made to Schedule 2 (Additional Uses) of LPS4.				
As previously noted, the subject site was included as a “Strategic Industrial Area” as part of Scheme Amendment No. 27 to TPS3. Amendment No. 27 in its final form was specifically and deliberately contemplated to deal with (amongst other things) all oil and gas activities and off-shore facilities for the hydrocarbon industry. LPS4 proposes modifications to the Zoning Table which are contrary to Amendment No. 27, and would result in it being more difficult to obtain planning approval for the uses which enable oil and gas activities and off-shore activities to occur within the “General Industry” zone and consequently at the subject site. That is, LPS4 has not considered the historical context of the subject site and its future designation as an appropriate oil and gas strategic site.				Proposed Scheme 4 has taken into consideration the existing zoning and land use classifications relating to the submitters referred lots in the current Town Planning Scheme 3. Oil and gas activities may be approved at the submitters referred lots in accordance with the land use classification in proposed Scheme 4. The submitters comment is <u>noted</u> .
Based on the above, Additional Use 4 (‘A4’) of Schedule 2 of LPS4 should be amended to read as follows:				Current Town Planning Scheme 3 does not allow for the following land uses Caravan Park, Garden Centre, and Tavern requested by the submitter to be allowed upon the submitters referred lots. As they are currently not permitted and are not compatible with the General Industry zoning they cannot be allowed in proposed Scheme 4.
No	Description of Land	Additional Use	Conditions	
A4	L1 and L101 Kailis Road and L112 and L220 Minilya-Exmouth Road, Learmonth	<p>The following uses be included as ‘P’ uses at the site:</p> <ul style="list-style-type: none"> - Caravan Park - Fuel Depot - Industry-Light - Industry-Service - Marine Support Facility - Motor Vehicle Repair - Motor Vehicle, Boat and Caravan Sales - Garden Centre - Renewable Energy Facility - Transport Depot - Storage Yard <p>The following uses being included as ‘I’ uses at the site:</p> <ul style="list-style-type: none"> - Caretakers Dwelling - Office <p>The following uses being included as ‘A’ uses at the site:</p> <ul style="list-style-type: none"> - Tavern - Veterinary Clinic 	<p>As stated at clause 4.18, the Caretakers Dwelling may only be permitted in existing dwellings as approved by the Local Government.</p> <p>Caravan Park permitted on L112 only.</p>	<p>Proposed Scheme 4 does not allow for the following land uses Motor Vehicle Sales, Renewable Energy Facility, Office, and Veterinary Centre requested by the submitter to be approved upon the submitters referred lots in the General Industry zone. Motor Vehicle Sales is considered to be inappropriate in the General Industry zone as this land is all outside the Exmouth Townsite. Motor Vehicle Sales is a commercial use which is more appropriately sited within the Exmouth townsite on land zoned Service Commercial or Light Industry. A renewable energy facility may be appropriate in the General Industry zone considering its isolation from other zones, and heavy industrial nature. The submitters comment is <u>partially upheld. (make renewable energy facility an A use in General Industry zone) Refer proposed modification 31.</u></p> <p>An office forming part of another overall land use is not approved with the land use office, it is approved as part of the overall use. Therefore the land use office is not appropriate in the General Industry zone in proposed Scheme 4. The land use office is more appropriately sited in land proposed to be zoned Commercial and Service Commercial within the Exmouth townsite. The land use veterinary centre is considered to be inappropriate in the General Industry zone as this zone allows for the development of the heaviest industrial uses. The use veterinary centre is for the surgical and medical treatment of animals whereby the health of animals may be impacted by being surrounded by heavy industrial uses which may be hazardous.</p> <p>Proposed Scheme 4 classifies the following land uses Fuel Depot, Industry Light, Industry Service, Motor Vehicle Repair, Transport Depot, and Storage Yard as being ‘D’ discretionary application required upon the submitters referred lots in the General Industry zone. All of the above land uses excluding ‘Storage Yard’ which is not defined are classified as ‘P’ permitted land uses in the current Town Planning Scheme Number 3. These land uses have been carried forward into proposed Scheme 4 and changed to ‘D’ discretionary to ensure all requirements of the scheme are enforced and because there may be other requirements (i.e. Environmental Health, EPA requirements, SPP requirements, Exmouth South Structure Plan) beyond the scope of proposed Scheme 4 which are required to be addressed at an early stage in the development process.</p> <p>Proposed Scheme 4 classifies the land use Marine Support Facility as being ‘A’ advertising required. ‘Marine Support Facility’ is not a defined land uses in current Town Planning Scheme 3, however may be considered in accordance with clause 5.8.2 (b) of current Town Planning Scheme 3.</p>
Given the permissibility of uses under the current TPS3 provisions, it would be unreasonable for the Shire not to permit the uses “Industry-Light”, “Industry-Service”, “Marine Support Facility”, “Motor Vehicle Repair”, “Motor Vehicle, Boat and Caravan Sales” all as ‘P’ uses at the subject site.				Refer comments above. Proposed Scheme 4 does not prohibit the land uses Industry-Light, Industry-Service, Marine Support Facility, Motor Vehicle Repair, from being undertaken upon the submitters referred lots. It simply gives greater discretion to the

				local government in making a determination. This is not unreasonable. The submitters comment is <u>noted.</u>
			It must also be noted that in November 2014 the Shire granted Planning Approval for the land use of "Storage Yard" at Lot 1 in relation to off-shore oil and gas operations. As such, given that a large portion of the subject site is approved with the land use of "Storage Yard" it is reasonable to request for the use to be included as a 'P' use within Schedule 2 in relation to A4.	The submitter is correct that Lot 1 Kailis Road has an existing development (planning) approval for a storage yard. This approval is valid until 24 November 2016. The land use 'Storage Yard' is covered by the land use 'Warehouse/Storage' in proposed Scheme 4 which is designated as 'P' permitted. Therefore the use 'Storage Yard' is not required. The submitters comment is <u>noted. (Delete 'Storage Yard' land use) Refer proposed modification 40.</u>
			Furthermore, given that the subject site currently comprises a licensed premises (from historical purposes) it is appropriate to include the land use "Tavern" as an 'A' use at the subject site. It is also appropriate for the land use "Caravan Park" to be permitted at Lot 112 of the subject site as the use was the sole purpose of the historical lease with the Department of Lands.	The land uses mentioned by the submitter were extinguished by scheme amendment 27 to current Town Planning Scheme 3. They are not currently permitted, and are sensitive uses which are not compatible within the General Industry zone. The submitters comment is <u>not supported.</u>
			All of the land uses outlined within the above table which are requested to be permitted at the subject site, are uses which are generally permitted within a "General Industry" zone. The uses are also consistent with the intent of Amendment No. 27 for subject site which permits the site to be used for purposes related to the oil and gas activities for off-shore processing and the modifications requested take into consideration the permissibility of uses under TPS3 and the historical use of the subject site.	Refer comments above.
			In addition to the above, whilst we note that Schedule 2 of draft LPS4 (text) includes Lot 1 of the subject site as being identified as A4, Scheme Map No. 9 of LPS4 appears to include a drafting error as the lot has not been annotated with an A4 over it. As such, it is requested that this drafting error be corrected and A4 be modified in the text of LPS4 (as outlined above) and the map to reflect Attachment 2 – A4.	The submitter is correct in that Schedule 2 in the proposed Scheme 4 does make reference to Lot 1 Kailis Road which is not reflected with an annotation on scheme map 9. This is an administrative error and required to be addressed. The submitters comment is <u>upheld. (Modify scheme maps adding additional use symbols over submitters referred lots) Refer proposed modification 404.</u>
			Conclusion As outlined within this submission, our Client objects to the proposal to include the western portions of Lots 1, 112 and 220 and the whole of Lot 101 within the Minilya-Exmouth Road Special Control Area 6 ('SCA6'). Our Client also requests that Schedule 2 (Additional Use) of LPS4 be modified to amend the permissibility of a number of uses at the subject site.	Refer comments above.
			Excluding the subject site from SCA6 is appropriate and justified for the following reasons: <ul style="list-style-type: none"> • It was never the intent (under the Ningaloo Coast Regional Strategy Carnarvon to Exmouth and the Exmouth South Structure Plan) that a 100m SCA be imposed to sterilize development along the Minilya-Exmouth Road; • It is consistent with the intent of Amendment No. 27 which included the subject site as a "Strategic Industrial Area" so that the land can be used for activities associated with the off-shore oil and gas processing; • SCA6 will have adverse impacts on the development potential of the subject site and would result in Lot 1 being completely restricted of any future development; • The imposition of the 100m setback would result in a quasi reservation with no compensation and will effectively sterilize the land from future development; and • The implementation of a LPP requiring for landscaping to be provided within the 7.5m setback area would be a more appropriate way to ensure that a "visual protection corridor" is provided over the subject site. 	Refer comments above.
			Modifying the land use permissibility applicable to the subject site by way of an alteration to Additional Use 4 is appropriate and justified for the following:	Refer comments above.

			<ul style="list-style-type: none"> It is consistent with the provisions of Amendment No. 27 to TSP3 which was recently gazetted in late 2013; The proposed uses are consistent with the historical use of the subject site; The proposed uses are consistent with the intended use of the subject site being for off-shore oil and gas processing; and The uses are consistent with those which are generally permitted within a "General Industry" zone. 	
			<p>We appreciate the opportunity to comment on the Shire's draft LPS4 and trust that this submission will be given due regard.</p> <p>Should you require any further information or clarification in relation to this matter, please contact Paul Cunningham on 9221 1991.</p>	The submitters comment is <u>noted</u> .
			<p><i>Attachments Enclosed:</i></p> <ul style="list-style-type: none"> <i>Attachment 1 – Photos of Existing Development along Minilya-Exmouth Road</i> <i>Attachment 2 – Proposed Designation of A4</i> 	The submitters attachments are <u>noted</u> .
				<p>Summary of submission 11.</p> <ul style="list-style-type: none"> The submitter requests Lots 1 and 101 Kailis Road and Lots 112 and 220 Minilya Exmouth Road, Learmonth not be included in Special Control Area 6 – Minilya Exmouth Road (SC6), and strongly objects to SCA6 in proposed Scheme 4. Consistent with existing relevant strategic planning documents the submitters referred lots are required to be included in SCA6, however the provisions of SCA6 are recommended to be watered down to allow for development to occur whilst still meeting the purpose and objectives of SCA6. The submitter is requesting additional uses including Caravan Park, Fuel Depot, Industry – Light, Industry – Service, Marine Support Facility, Motor Vehicle, Motor Vehicle, Boat and Caravan Sales, Garden Centre, Renewable Energy Facility, Transport Depot, Storage Yard, Office, Tavern and Veterinary Clinic be added to Lots 1 and 101 Kailis Road and Lots 112 and 220 Minilya Exmouth Road, Learmonth. The proposed additional uses are either currently not permitted in existing Town Planning Scheme 3, covered by other land uses permissible in the General Industry zone in proposed Scheme 4, or incompatible. Modifications 31, 40, 225, 256 and 404 proposed to Scheme 4.
12.	N/A	Department of Environment Regulation (DER)	I refer to the correspondence dated 2 June inviting comment from the Department of Environment Regulation (DER) on Shire's new Local Planning Scheme and Local Planning Strategy.	The submitter's comment is <u>noted</u> .
			DER has no comment on the proposed Planning Scheme or Planning Strategy. Where required, DER will provide input at subsequent stages of planning in reference to the Department's regulatory responsibilities under the Environmental Protection Act 1986 or Contaminated Sites Act 2003.	The submitter's comment is <u>noted</u> .
			The title of the Clearing Regulations referred to in 5.7.2 (b)(vi) is the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.	Clause 5.7.2 (b)(vi) of proposed Scheme 4 is recommended to be deleted considering other submissions above to remove any possible claims for injurious affection. This legislation also applies regardless of what is stated in proposed Scheme 4, as it is beyond the scope of the <i>Planning and Development Act 2005</i> . The submitters comment is <u>noted</u> . <u>(Delete 5.7.2 (b)(vi)) Refer proposed modification 225.</u>
			Should you have any enquiries, please contact Teresa Gepp, DER's Planning and Advice Coordinator, on 6467 5383.	The submitter's comment is <u>noted</u> .
				<p>Summary of submission 12.</p> <ul style="list-style-type: none"> Department of Environment Regulation (DER) will provide input into planning matters where required by the Environmental Protection Act 1986 or Contaminated Sites Act 2003.

				<ul style="list-style-type: none"> DER request that the correct regulations be referred in clause 5.7.2(b)(vi) (SCA Minilya-Exmouth road) in proposed Scheme 4. This clause is proposed to be deleted considering other submissions, and to remove any possible claims for injurious affection under the <i>Planning and Development Act 2005</i>. Modification 225 proposed to Scheme 4.
13.	N/A	Water Corporation	<p>Thank you for your letter dated June 3, 2016. The Water Corporation offers the following comments in regard to this proposal.</p> <p><u>Wastewater</u></p> <p>Generally, the areas indicated in the local planning scheme are catered for in our ultimate planning for the Exmouth Wastewater Scheme. There are a couple of exceptions which have not been provided for in our overall planning, (POS land immediately to the north and south of Learmonth Road being rezoned Industrial) which can be addressed at local and structure planning stage.</p>	The submitters comment is <u>noted</u> .
			<p><u>Water</u></p> <p>As incremental growth occurs within the subject area and more detailed information is provided, the Corporation can refine its water and source planning to accommodate any changes.</p>	The submitters comment is <u>noted</u>
			<p><u>Wastewater Treatment Plant & Special Control Areas (SCA)</u></p> <p>There is an SCA proposed around the existing Exmouth WWTP however this plant is scheduled to be relocated around June 2020. Originally it was due to be relocated 2016/17 and then deferred to 2018. The site of the new plant is going to be relocated north of the town on land owned by the Department of Defence (DoD). There will be no requirement for SCA around the new plant as it is on land wholly reserved for public purposes and in control of DoD.</p> <p>In relation to having a SCA around the existing plant as is shown in the draft planning scheme, given that it will be well into 2017 by the time the scheme is gazetted, it would not be practicable to request an SCA over the existing plant for this short period of time. It is suggested that SCA be removed from the draft proposal on this occasion.</p>	The submitter is correct in that there is a Special Control Area (SCA) around the existing Waste Water Treatment Plant (WWTP) in proposed Scheme 4. Considering that the existing WWTP is to be relocated around June 2020 and that final gazettal of the proposed Scheme is to not expected to occur until mid/late-2017, the SCA in proposed Scheme 4 is therefore not required. Development applications can be still be referred to Water Corporation and EPA on a case by case basis in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . Further SCA's are generally used to protect infrastructure and significant public assets from the encroachment of incompatible development, as the WWTP is proposed to be relocated it should not be protected in its current location. There is no SCA for the WWTP in current Town Planning Scheme 3. The submitters comment is <u>upheld. (Delete WWTP SCA)</u> <u>Refer proposed modification 219 and 220.</u>
			<p>It should be noted that it appears that a Wastewater Pumping Station is to be located at the site of the WWTP once it is relocated. It will have an ultimate capacity (2060) of 140L/s so will require a buffer of 30m minimum.</p>	The submitters referred 30 metre buffer area to remain following relocation of the existing WWTP is not considered to have any significant impact on existing surrounding lots and development, and therefore does not warrant the creation of a Special Control Area in proposed Scheme 4. The submitters comment is <u>noted</u> .
			<p>Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.</p>	The submitters comment is <u>noted</u> .
				<p>Summary of Submission 13.</p> <ul style="list-style-type: none"> As growth occurs and more detailed information is provided Water Corporation can refine its water and source planning to accommodate changes. Water Corporation is requesting removal of Special Control Area 2 (SCA2) – Waste Water Treatment Plant from proposed Scheme 4. Removal of SCA2 is recommended considering that the WWTP is proposed to be relocated. Modification 219 and 220 proposed to Scheme 4.
14.	N/A	Cape Conservation Group Inc.	<p>RE: Shire of Exmouth draft Local Planning Strategy 2015-2025 and Local Planning Scheme No. 4.</p> <p>Thank-you for the opportunity to comment on the Shire of Exmouth draft Local Planning Strategy and Scheme. This document may have more than one contributor and is not necessarily the work of the signatory below. Cape Conservation Group Inc. (CCG) was established 25 years ago. It is a volunteer group, with approximately 40 members, comprising some environmental and</p>	The submitters comment is <u>noted</u> .

			marine scientists and has significant local support. Our charter is to “protect and preserve the North West Cape – now and for future generations” and CCGs submission, regarding the new planning scheme and protection of environmentally significant areas within the Shire of Exmouth, has a number of contributors. The environmental significance of the North West Cape and surrounds, has been acknowledged at a State level by the Environmental Protection Authority (EPA, 1999), at a national level with National Heritage listing and at an international level with IUCN World Heritage listing. The IUCN went on to acknowledge the environmental values outside of the existing World Heritage boundary emphasizing that Exmouth Gulf be considered for future inclusion within the World Heritage boundary (IUCN, 2011). The following submission is in regards to potential environmental impacts on these environmental values.	
			<p>Areas of Support</p> <p>It is pleasing to see the environmental values of the region acknowledged by the Shire, with obvious strategies to protect these values throughout the document, which are pleasing and generally endorsed by CCG. Of particular note is the Shire’s acknowledgement of the importance of the precautionary principle when considering coastal development approvals as per the applicable Ningaloo Coast Regional Strategy Carnarvon to Exmouth (2004). In light of this CCG recommends the Shire’s utilization of expert advice from Department of Parks and Wildlife, Ningaloo Coast World Heritage Advisory Committee, WA Environmental Protection Agency and relevant experts when considering coastal developments. CCG requests inclusion in the consultation process for these decisions as we have members with expertise in environmental and marine science together with extensive local knowledge.</p>	When the Shire is considering a development application relating to a coastal development, it can refer the application to the Department of Parks and Wildlife, Ningaloo Coast World Heritage Advisory Committee, WA Environmental Protection Agency and any other relevant experts seeking comment, in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . Development applications relating to coastal developments can already be referred to the relevant experts, therefore there is no need to include additional provisions within the proposed Scheme 4. The submitters comment is <u>noted.</u>
			CCG also supports the new zoning for “Environmental Conservation Reserves” because it simplifies the zoning and enforces protection for these areas.	The submitter provides support for the proposed Environmental Conservation Reserve in proposed Scheme 4. The submitters comment is <u>noted.</u>
			The voluntary inclusion of a 500m protection zone for Cameron’s Cave is to be commended and demonstrates the Shire of Exmouth’s acknowledgement of the significance the site, its protection as a critically endangered ecological community at a state level, and its vulnerability from development. CCG notes that this is part of the recommendations in the CAMERONS CAVE TROGLOBITIC COMMUNITY, CAMERONS CAVE MILLIPEDE AND CAMERONS CAVE PSEUDOSCORPION INTERIM RECOVERY PLAN 2012-2017.	The submitter provides support for the proposed rezoning of the Camerons Cave 500 metre protection zone from current Residential Development zone, Special Rural zone and Public Open Space Reserve to Environmental Conservation Reserve in proposed Scheme 4. The submitters comment is <u>noted.</u>
			CCG notes there is land marked for future residential use directly west and north, upstream of a known floodway that travels through the reserve and we have serious concerns about the impact of residential areas on the cave system, which are downstream from these sites.	Land north of the 500 metre protection zone for Cameron’s Cave is zoned Urban Development in proposed Scheme 4. The southern extent of this area has been denoted based on the scenario of the Market Street bund being developed. This bund although not currently developed is likely to provide protection to the Camerons Cave from future residential flooding impacts, detailed flood studies and storm water management plans will also be required with a structure plan prior to this area being subdivided. The submitters comment is <u>noted.</u>
			Furthermore the use of private bores on these sites and adjacent to the reserve can result in upward ‘coning’ of saline water due to over-extraction, which is likely to have deleterious consequences on this sensitive habitat. CCG recommends continual liaison with experts regarding management and access to the area, endorsement of the recovery plan within the scheme, inclusion of support for the monitoring plan and removal of private bore access within the reserve.	The Department of Water are responsible for groundwater extraction (bores) in the Shire of Exmouth, not the Shire. This matter is therefore beyond the scope of proposed Scheme 4. The management and monitoring of the 500 metre protection zone for Cameron’s Cave is outside the scope of proposed Scheme 4. Existing management plans may already be in place for the Camerons Cave. The submitters comment is <u>noted.</u>
			The recommendation that Exmouth Gulf Marine waters become a protected area south of Wapet creek, and rezoning of the coastal strip from Cape Wilderness to Charles Knife Road into Public Conservation Estate, is supported by CCG. As stated earlier, all coastal developments in this area needs to be considered using the precautionary principle including areas that may be zoned otherwise.	Exmouth Gulf Water are classified as waterways in proposed Scheme 4. The coastal foreshore area from the Cape Wilderness Estate to Charles Knife Road is classified as Environmental Conservation reserve in proposed Scheme 4. The submitter provides general support for these proposed classifications. The submitters comment is <u>noted.</u> Refer above for comments regarding precautionary principle for coastal developments.

			<p>Greater acknowledgement of the environmental significance of the Exmouth Gulf–Mangrove ecosystems, which commence south of Wapet Creek and extend to the far north-eastern corner of the Shire of Exmouth, is essential to protect its notable environmental assets such as:</p> <ul style="list-style-type: none"> • Significant population of 1000 Dugongs (Gales et al. 2004) • Protected marine turtles utilize Exmouth Gulf including the endangered Loggerhead turtle and the vulnerable Green turtle (Hodgson, 2007) • Shallow Gulf waters which are believed to be a nursery area for prawns, fish and sharks (Dept of Fisheries, 2002)• Algal mats, mangroves and shallow waters of the Gulf which are important primary producers for marine and estuarine food webs in the gulf (Lovelock, 2010) • Eastern waters of Exmouth Gulf which are listed on the directory of important wetlands (Environment Australia, 2001) • Mangroves to the eastern margins of the Gulf which are regionally significant (EPA, 2001)Mangroves are especially vulnerable to the effects of oil (Burns et al., 1993) and consideration be given to the high-risk consequences to this environment should an oil spill occur. 	
			<p>CCG supports inclusion of the 40m coastal set-back commitment made by the Shire of Exmouth, along with the 100m buffer for visual amenity along Murat Road. This policy is important because Exmouth is a gateway to the World Heritage Area, and tourism relies on a positive first experience entering the area and on approach to the town.</p>	<p>The 40 metre setback landward of the high water mark is classified as Environmental Conservation Reserve with defined objectives in proposed Scheme 4. The 100 metre buffer for visual amenity along Minilya Exmouth road is classified as Special Control Area 6 in proposed Scheme 4. The submitter provides general support for both of these classifications. The submitters comment is <u>noted.</u></p>
			<p>Utilities and Services</p> <p>Regarding utilities and services CCG has the following comments:</p> <ul style="list-style-type: none"> • If re-siting the sewerage works the Shire gives consideration to flood ways to protect impacts on Exmouth Gulf. 	<p>The area where the Waste Water Treatment Plant is proposed to be re-located is classified as Public Purposes – Government Services and Infrastructure Services Reserve and may be within Special Control Area 5 (Floodways) in proposed scheme 4. The proposed new Waste Water Treatment Plant is classified as public works, and therefore formal development approval is not required from the Shire, however the authority undertaking the public work is required to have due regard to proposed Scheme 4. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> • If a new Power station is built the Shire advocates for increased capacity for solar, or other renewable, energy. 	<p>If a new Power Station is developed by a public authority it is classified as a public work and therefore exempt from requiring development approval. The authority undertaking the public work is required to have due regard to proposed Scheme 4 which does not identify a specific site for a new power station, or include specific requirements for a new power station. Requiring a new power station to incorporate solar, or other renewable energy is unsuitable as it may significantly compromise viability of a new power station, and the requirements may not reflect the most efficient and practical provision of power at the time when a new power station is proposed. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> • Should the waste disposal site be moved the Shire must take into consideration: <ul style="list-style-type: none"> ○ hydrology to avoid floodways ○ karst features to prevent leeching into underground waterways/ caves ○ visual amenity especially if the location is north of town where wind-strewn rubbish would have a negative association with the World Heritage entrance 	<p>Proposed Scheme 4 does not identify a specific site for a waste disposal facility, or include specific requirements for a waste disposal facility. If a new waste disposal facility is developed by a public authority it is classified as a public work and therefore exempt from requiring development approval. The authority undertaking the public work is required to have due regard to proposed Scheme 4. The considerations listed by the submitter are more appropriate to be considered when a specific location for a new waste disposal facility is chosen, and required to be considered in accordance with the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> • Flood ways – CCG strongly supports re-vegetation of Town creek flood ways to prevent erosion during rain fall events. 	<p>Proposed Scheme 4 identifies floodways as Special Control Area 5. The provisions of Special Control Area 5 control subdivision and development to limit the impacts of flooding, it does not specifically state that town creek will be re-vegetated. The submitters comment is <u>noted.</u></p>

			<p>Marine access</p> <p>Currently there are four marine access points on the eastern side of Exmouth Gulf:</p> <ul style="list-style-type: none"> • Navy Pier • Bundegi Boat Ramp • Exmouth Marina • Bay of Rest (small boat launch) 	The submitters comment is <u>noted.</u>
			<p>In addition CCG notes:</p> <ul style="list-style-type: none"> • There is environmental approval for a Barge Load-out facility for 26 shipments annually of Limestone from the Exmouth Limestone Quarry at Mowbowra Creek. Approval was granted in 1998 and the project has yet to begin construction. 	The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> • Privately owned land at the Kailis site has been zoned to enable a marine support facility. 	The submitter is referring to Lots 220,112,101 Minilya Exmouth Road and Lot 1 Kailis Road which are classified as General Industry zone in proposed Scheme 4. A Marine Support Facility is classified as an 'A' use in the General Industry zone meaning that the use is not permitted unless the local government has excised its discretion by granting development approval after giving notice in accordance with the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> • Recently there has been an extension to Exmouth marina to enable increased industrial use. 	The Exmouth Marina Boat Harbour is classified as Special Use Zone 5 in proposed Scheme 4. Special Use Zone 5 allows for the southern portion of the boat harbour only to be developed for marine based light industrial purposes. This is consistent with the existing Exmouth Marina Village Broad Outline Development Plan, excluding Reserve 47807, Lot 1482 Neale Cove which is proposed to be classified in scheme 4 to enable the development of marine based light industrial purposes. Therefore there is a proposed change to the Exmouth marina to enable increased marine based light industrial use. The submitters comment is <u>noted.</u>
			<p>The impacts of shipping on marine life is becoming apparent across the world – most notably the impacts of noise on marine mammals (IFAW, 2013, Laiolo, 2010, Merchant et al. 2014). Exmouth Gulf hosts the highest density of Humpback Whales in the Southern Hemisphere, reaching 73 whales per hour at peak season (Jenner and Jenner, 2011). Humpback whales are protected as Vulnerable under the EPBC Act. During their time in Exmouth Gulf, Humpback whales are 'resting' with their calves and this is considered a critical time in their migration (Braithwaite et al., 2012). Local studies have shown that industrial vessel presence causes the whales to move away (Jenner et al., 2010), increasing energy expenditure through avoidance and using vital energy stores (Christianson, 2016, Dawbin, 1966). Whilst this might seem a 'harmless' response it is not – whales come to "rest" in Exmouth gulf (Jenner and Jenner, 2005) and extra energy use (from avoiding industrial vessels) uses up vital energy stores. It must be noted that the entire migration is undertaken without feeding enroute and thus relies on finite energy stores accumulated each summer in the Antarctic feeding grounds (Chittleborough, 1965, Dawbin, 1966). Humpback whales predominantly utilise the deeper waters on the western side of the gulf – the same waters utilised by industrial vessels (Jenner, et al. 2010).</p>	The submitter is providing comments on the impacts of industrial shipping vessel movements within the Exmouth Gulf Waters with Humpback Whales. The movement of industrial shipping vessels within the Exmouth Gulf Waters is not controlled by proposed Scheme 4, however the land based component where an industrial shipping vessel docks or is moored may be subject to development approval. Any such development may be subject to Department of Transport approval, EPA approval, or other environmental approval. Clause 67 of the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> states the matters which are required to be given due regard by the local government which includes any environmental protection policy, any policy of the state, environmental impacts of the development, and the likely effect of the development on the natural environment. Therefore these considerations are considered to adequately cater for the submitters concerns. The submitters comment is <u>noted.</u>
			<p>CCG believes there is a need to take into consideration good governance and the cumulative impacts when planning - which currently enables two additional industrial use sites (Kailis and Mowbowra Creek). Should both sites be developed, as proposed zoning would enable, there would be unnecessary duplication and would result in four industrial sites: Navy Pier, Marina, Mowbowra and Kailis.</p>	The submitter is referring to Lots 220,112,101 Minilya Exmouth Road and Lot 1 Kailis Road (Kailis Site) and Lot 50 Minilya-Exmouth Road (Mowbowra Creek Site). Both of these sites are currently classified as Industrial in Town Planning Scheme Number 3, which is the heaviest industrial zoning. Proposed Scheme 4 classifies these sites as General Industry, which is the heaviest industrial zoning. Therefore there are no changes to the existing zoning of these sites. The zoning of these sites is also consistent with the existing Exmouth South Structure Plan. The submitters comment is <u>noted.</u>
			<p>As stated by the Ningaloo Coast Regional Strategy Carnarvon to Exmouth there is a need to take into consideration cumulative impacts when planning. The 30</p>	The submitter has correctly referenced the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. It is noted that development outside the townsite should complement the

			<p>year Ningaloo Coast Regional Strategy, adopted by the Western Australian Planning commission, states:</p> <p><i>“Development outside the townsite should complement the existing settlement and should not rely on either the duplication or unnecessary expansion of existing services and facilities (Department of Planning and Infrastructure, 2004, p. 140).</i></p> <p>There are justified concerns that an additional marine service area will be an unnecessary duplication and result in heightened cumulative environmental impacts. The Ningaloo Coast Regional Strategy also states:</p> <p><i>“(b) no applications for higher impact tourism, residential, commercial or industrial developments will be approved unless:</i></p> <ul style="list-style-type: none"> <i>(i) they are within the townsites of Carnarvon and Exmouth; and</i> <i>(ii) consistent with this policy and the relevant structure plan components of the Ningaloo coast regional strategy Carnarvon to Exmouth; and</i> <i>(iii) consistent with the applicable local planning strategy policies and objectives and town planning scheme.</i> <p><i>(c) All development proposals should be referred to the Environmental Protection Authority where there is likely to be a significant impact on the environment.” (Department of Planning and Infrastructure, 2004, p. 192).</i></p>	<p>existing settlement and not duplicate existing services, however those sites which are outside the Exmouth Townsite and designated for industrial purposes in proposed Scheme 4 were designated for industrial purposes prior to the adoption of the Ningaloo Coast Regional Strategy Carnarvon to Exmouth, and are currently designated for that purpose in existing Town Planning Scheme 3. Further there is limited land available in Exmouth for General Industrial uses considering the EPA separation guidelines from sensitive land uses. The location of land zoned General Industry in proposed Scheme 4 is sited so as to be generally in accordance with the EPA separation guidelines. No additional sites have been rezoned to General Industry than those already zoned for that purpose in current Town Planning Scheme 3. Therefore there are no additional marine service areas proposed in Scheme 4 than those already designated for that purpose in existing Town Planning Scheme 3. The submitters comment is <u>noted</u>.</p>
			<p>Both the Mowbowra Creek and Kailis Learmonth site in question lie outside of the Exmouth townsite boundary. For this reason:</p> <p>CCG strongly recommends that the Shire of Exmouth Local Planning Strategy and Scheme reflect on the legislated Ningaloo Coastal Strategy 6.3 and review the proposed plans with a view to consolidating marine infrastructure in order to reduce the number of access points that cater for industrial shipping, and restrict industrial developments, such as industrial marine facilities, that may have a significant impact on the environment as directed by the Ningaloo Coast Regional Strategy Carnarvon to Exmouth.</p>	<p>Refer comments above.</p>
			<p>Regarding access for recreational boating CCG recommends that no additional access points be made available. Exmouth Marina and Bundegi Boat ramp are the two primary access points for recreational boats to Exmouth Gulf, and additional primary access to the west coast is available at Tandibiddi. Both the Bundegi and Tandibiddi boat ramps have been recently upgraded to enable a greater number of boats to use them. The Department of Fisheries (2015) state that recreational fishing levels of the top recreational fish target, the Spangled Emperor, are already “unacceptable” in the North Gascoyne, north of Point Maud, and “exceeds sustainable levels”. Fishing is a major tourism drawcard and significantly contributes to the economy and is a popular activity for residents. For this reason, CCG feels it would be prudent for the Shire to incorporate a strategy enable sustainability of the resource and continuance of this activity into the future.</p>	<p>Access points for recreational boating where developed by a public authority are classified as a public work and therefore exempt from requiring development approval from the Shire. Proposed Scheme 4 does not designate location/s for any additional access points for recreational boating. Proposed Scheme 4 does not control the management of recreational fishing. The submitters comment is <u>noted</u>.</p>
			<p>CCG would recommend liaison between Shire, Tourist industry, local fishers, fishing groups, conservation groups, researchers, Department of Parks and Wildlife, Ningaloo Coast World Heritage Advisory Committee and Department of Fishing to look at management strategies to create sustainable fishing for the future in Exmouth. Our group understands that there has already been interest from the Shire into perceived increase of ‘shark takes’ of recreational fish and would encourage a more considered and structured approach to be built into the strategic plan to look at ways to enable fishing to continue into the future within Exmouth Shire.</p>	<p>The submitters comment relates to matters beyond the scope of proposed Scheme 4. The submitters comment is <u>noted</u>.</p>
			<p>Areas of Concern</p> <p>CCG has several concerns with the proposed plan:</p> <ul style="list-style-type: none"> • Sand Dune integrity – sand dunes are an important environmental feature, providing protection from the impacts of tsunamis, storms and 	<p>The portion of the primary dune on the eastern side of Neale Cove (Reserve 47807) is proposed to be classified as Special Use Zone 5 (Boat Harbour) in proposed Scheme 4.</p>

			<p>storm surge. The portion of primary dune zoned as “boat harbour” on the east side of Neal Cove has a foredune that is currently intact, but it is in close proximity to the residential development on Mortiss Street immediately to its south. CCG believes it is essential that this dune area be upgraded to a protective level. and recommend that the primary dune is excluded from block 857. In order to preserve and protect the environment and reduce risks to the community, CCG recommends that all coastal sand dunes remain intact for protection against ocean inundation.</p>	<p>This land is currently zoned Marina is existing Town Planning Scheme 3, and is undefined in the Exmouth Marina Village Broad Outline Development Plan. The classification of Reserve 47807 being Special Use Zone 5 in proposed Scheme 4 provides a logical rounding off of the Boat Harbour, as adjoining Reserve 49037 to east is currently designated and used for the purpose of a Boat Harbour. The submitters comment is <u>not upheld.</u></p> <p>Lot 857 Murat Road is classified as Urban Development zone and Rural zone in proposed Scheme 4. Clause 3.11.2 of proposed Scheme 4 states no subdivision or development application can be approved unless a structure plan has been prepared and approved. As Lot 857 Murat is currently zoned Residential Development in existing Town Planning Scheme 3, it cannot be reserved in proposed Scheme 4 as the Shire may then be liable for a claim for injurious affection. In accordance with page 117 of the proposed Local Planning Strategy in assessing a structure plan for this land due regard will be made to the preparation and implementation of a foreshore management plan and including the confirmation of an acceptable foreshore reserve, having regard to coastal processes and environmental protection requirements. This is considered to adequately cater for the submitters comments. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> Camping in Jurabi Coastal park: The Jurabi Coastal Park contains important rookeries for protected Green, Hawksbill and Loggerhead turtles (IUCN, 2011). Turtles will abandon their attempts to nest in the presence of light, and hatchlings are disorientated by it because on hatching the ocean is located through identification of the lightest point (Thums et al., 2016). Bearing this in mind, a portion of turtles will nest at the top of a dune and any light from camp sites behind it will misdirect hatchlings and cause a significant reduction in survival rate. In view of the importance of turtles to both the environment and tourism in the area: CCG recommends that consideration of camping sites in this area take into account the potential impact on protected species and are referred under the EPBC Act accordingly. 	<p>Proposed Scheme 4 classifies the Jurabi Coastal Park Environmental Conservation Reserve. Proposed Scheme 4 does not identify camping sites within the Jurabi Coastal Park. If and when camping is proposed in the Jurabi Coastal Park the objectives of the Environmental Conservation reserve must be considered. These objectives will ensure environmental impacts are considered. As the Jurabi Coastal Park is within the designated World Heritage Area any proposal for camping is required to be assessed and referred in accordance with the EPBC Act 1999. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> Development of the Sandy Bay track: In order for this development to occur without environmental impacts it will require consultation between a number of entities. CCG strongly recommends collaboration between DPaW, subterranean fauna experts, conservation groups and the Ningaloo Coast World Advisory committee. Similarly for any increased development of the Yardie Creek-Coral Bay Rd which runs directly adjacent to the very environmentally sensitive Bundera Sink Hole. 	<p>Proposed Scheme 4 does not identify a Sandy Bay Track. The Department of Lands has advised the Shire that proposed Sandy Bay track cannot proceed due to a number of issues. The submitters comment is <u>noted.</u></p>
			<p>Requests for clarification</p> <p>CCG has a few follow up questions regarding the scheme:</p> <ul style="list-style-type: none"> How are the Ningaloo Coast Regional Strategy Carnarvon to Exmouth ‘coastal nodes’ zoned and what is the approval process for their development? 	<p>The coastal nodes from the Ningaloo Coast Regional Strategy Carnarvon to Exmouth have been zoned appropriately according to the current existing and/or approved use of nodes, the zoning in proposed Scheme 4 may differ depending on the specific coastal node identified (i.e. Industrial, Tourism, Day Use Site). Refer proposed Local Planning Scheme Number 4 – Scheme Maps. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> Has the Ningaloo Coast World Heritage Committee been consulted? 	<p>The Ningaloo Coast World Heritage Advisory Committee has provided comment on proposed Scheme 4, and is aware of the proposed document. The submitters comment is <u>noted.</u></p>
			<p>General Recommendations for consideration</p> <p>CCG has the following general recommendations</p> <ul style="list-style-type: none"> Cumulative impacts – should be considered within the scheme, for example each proposal with the rural or conservation zones should include consideration of the existing or approved developments as 	<p>Proposed Scheme 4 is generally consistent with the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. The Ningaloo Coast Regional Strategy Carnarvon to Exmouth is considered at a development application stage for all development proposed within the Strategy area. The submitters comment is <u>noted.</u></p>

			outlined in the Ningaloo Coast Regional Strategy Carnarvon to Exmouth.	
			<ul style="list-style-type: none"> Climate change considerations should be incorporated into the scheme and uses the recommended “vertical sea level rise of 0.9 m be adopted when considering the setback distance and elevation to allow for the impact of coastal processes over a 100 year planning timeframe (2010 to 2110)” (Department of Transport, 2010) at a minimum. 	The impacts of climate change are required to be given due regard by the local government in assessing development applications in accordance with deemed clause 67 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . This is considered to adequately cater for the submitters comment. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Nature based camping gulf side sites should have an environmental assessment done prior to allocation to ensure the most appropriate sites are selected. 	Clause 4.21.3 of proposed Scheme 4 states nature based park applications may be required to address a number of environmental matters to the satisfaction of the local government. This is appropriate as nature based park applications may be proposed in areas that are clearly of all vegetation, or an area where such assessment has already been done. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> UCL north of town is put into conservation estate as per the recommendations of the World Heritage Consultative Committee (2005). 	UCL north of the townsite and north of Department of Defence land is classified as Environmental Conservation reserve in proposed Scheme 4. The submitters comment is <u>noted.</u>
			CCG also notes Figure 7 shows petroleum permits which appear to be out-of-date.	There is no Figure 7 in proposed Scheme 4. The submitters comment is <u>noted.</u>
			Thank-you for the opportunity to make comment on the proposed Scheme and plan. We trust that you will take our comments and recommendations into consideration.	The submitters comment is <u>noted.</u>
			<p>Kind Regards,</p> <p>REFERENCES</p> <p>Braithwaite, J. Meeuwig, J & Jenner, K. (2012). Estimating Cetacean Carrying Capacity Based on Spacing Behaviour. PLoS ONE, 7, e51347.</p> <p>Burns, K, Garrity, S & Levings, S. (1993). How many years until mangrove ecosystems Recover from catastrophic oil spills. Marine Pollution Bulletin 26, 239-248.</p> <p>Chittleborough, R. (1965). Dynamics of two populations of the humpback whale, <i>Megaptera novaeangliae</i> (Borowski). Marine and Freshwater Reserach, 16, 33-128.</p> <p>Christiansen, F., Dujon, A.M., Sprogis, K.R., Arnould, J.P.Y. and Bejder, L. (2016). Non-invasive Unmanned Aerial Vehicle provides estimates of the energetic cost of reproduction in humpback whales. Ecosphere (in press). Available at: http://mucru.org/our-research/research-projects/humpback-condition-on-breeding-ground/ [Accessed 19 September, 2016]</p> <p>Dawbin, W. (1966). The seasonal migratory cycle of humpback whales. In: Norris, K. (ed). Whales, dolphins and porpoises. Berkeley, California: University of California Press.</p> <p>Department of Environment and Conservation (2012). Camerons Cave Troglobitic Community, Camerons Cave Millipede and Camerons Cave Pseudoscorpion Interim Recovery Plan 2012-2017. Interim Recovery Plan No. 324. Department of Environment and Conservation, Western Australia</p> <p>Department of Fisheries (2002). Fisheries Environmental Management Plan for the Gascoyne Region – Draft Report. Fisheries Management Paper No. 142. Perth, Western Australia</p> <p>Department of Fisheries. (2015). Gascoyne Coast Bioregion: Status Reports of the Fisheries and Aquatic Resources of Western Australia 2014/15 Available at:</p>	The submitters references are <u>noted.</u>

			<p>http://www.fish.wa.gov.au/Documents/sofar/status_reports_of_the_fisheries_2014-15_gascoyne_bioregion.pdf [Accessed 17 September, 2016]</p> <p>Department of Transport. (2010). Sea Change Level in Western Australia – Application to Coastal Planning. Available at: http://www.planning.wa.gov.au/dop_pub_pdf/Sea_Level_Change_in_WA_Rev_0_FINAL.pdf [Accessed 17 September, 2016] Environment Australia (2001). Directory of Important Wetlands in Australia. 3rd Edition.</p> <p>Environment Australia, Canberra. Available at: https://www.environment.gov.au/system/files/resources/18f0bb21-b67c-4e99-a155-cb5255398568/files/directory.pdf. [Accessed 21.09.2016]</p> <p>Environment Protection Authority (1999). Environmental protection of Cape Range (Position Statement 1). Environmental Protection Authority Environment Protection Authority (2001). Guidance for the Assessment of Environmental Factors: Guidance Statement for the protection of tropical arid state mangroves along the Pilbara coastline. Perth, Western Australia</p> <p>Gales, N., McCauley, R., Lanyon, J. & Holley, D. (2004). Change in abundance of dugongs in Shark Bay, Ningaloo and Exmouth Gulf Western Australia: evidence for large-scale migration. Wildlife Research 31, 283-290</p> <p>Gascoyne Coast Bioregion: Status Reports of the Fisheries and Aquatic Resources of Western Australia 2014/15, page 139 Hodgson, A. (2007). The distribution, abundance and conservation of dugongs and other marine megafauna in Shark Bay Marine Park, Ningaloo Reef Marine Park and Exmouth Gulf. James Cook University, Queensland. Available at: http://www.dugong.id.au/publications/TechnicalReports/Report%20%20SB%20NR%20and%20EG%20Dugong%20Surveys%20Final.pdf. [Accessed 21.09.16] IFAW. (2013). Breaking the Silence: How our Noise Pollution is harming whales.</p> <p>IFAW Australia. Available at: http://www.ifaw.org/sites/default/files/IFAW%20Australia%20%20Breaking%20the%20silence-how%20our%20noise%20pollution%20is%20harming.pdf [Accessed 19 September, 2016]</p> <p>International Union for Conservation of Nature (2011). World Heritage Nomination – IUCN Technical Evaluation Ningaloo Coast (Australia) – ID No. 1369. Available at: http://whc.unesco.org/archive/advisory_body_evaluation/1369.pdf. [Accessed 24 August, 2016]</p> <p>Jenner, C and Jenner, M. (2005). Final Report Distribution and abundance of humpback whales and other Mega-fauna in Exmouth Gulf, Western Australia, during 2004/2005 Prepared for Straits Salt Pty Ltd. Unpublished.</p> <p>Jenner, C, Jenner, M, Centre for Whale Research & McCauley, R. Centre for Marine Science and Technology (2010) Effective Mitigation for Shipping Movements – A Pilot Study Examining Vessel Noise and Humpback Whale Behaviour in Exmouth Gulf. Unpublished.</p> <p>Jenner, C & Jenner, M. (2011). Field Report: “A description of humpback whale behaviour patterns in Nickol Bay Western Australia Using Vessel Based Surveys”. Prepared for: Centre for Whale Research (WA) Inc., Fremantle. Available at: http://www.apijv.com.au/docs/port-docs/supporting-study-9-6-humpback-whale-behaviour-patterns-in-nickol-bay.pdf [Accessed 19 September, 2016]</p> <p>Laiolo, P. (2010). The emerging significance of bioacoustics in animal species conservation. Biological Conservation 143, 1635–1645</p>
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			<p>Lovelock, C.E., Grinham, A., Adame, M. F. and Penrose H.M. (2010). Elemental composition and productivity of cyanobacterial mats in an arid zone estuary in north Western Australia. <i>Wetland Ecology and Management</i> 18, 37-47</p> <p>Merchant, N., Pirotta, E., Barton, T. and Thompson, P. (2014). Monitoring ship noise to assess the impact of coastal developments on marine mammals. <i>Marine Pollution Bulletin</i> 78, 85–95</p> <p>Thums, M., Whiting, S.D., Reisser, J., Pendoley, K.L., et al. (2016). Artificial light on water attracts turtle hatchlings during their near shore transit. <i>Royal Society Open Science</i> 3.5: 160142. Available at: http://dx.doi.org/10.1098/rsos.160142 [Accessed: 19 September, 2016]</p> <p>Western Australian Planning Commission (2004). Ningaloo Coast Regional Strategy Carnarvon to Exmouth.</p> <p>World Heritage Consultative Committee (2005). Report on a proposal to nominate the North West Cape — Ningaloo Reef area for inscription on the World Heritage List. World Heritage Consultative Committee Final Report 18 October 2004. Government of Western Australia</p>	
			<p>Summary of submission 14.</p> <ul style="list-style-type: none"> • The submitter recommends referral of coastal development applications to the Department of Parks and Wildlife, Cape Conservation Group, Ningaloo Coast World Heritage Advisory Committee, WA Environmental protection Authority, and other relevant experts. The Shire can already refer development applications in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. • The submitter supports: <ul style="list-style-type: none"> ◦ the 'Environmental Conservation' reserve; ◦ the 'Environmental Conservation' reserve classification of the 500m protection area for Camerons Cave; ◦ the 40m 'Environmental Conservation' reserve (coastal setback) in certain coastal areas; ◦ Special Control Area 6 – Minilya Exmouth Road. • The submitter has concerns over the perceived possible impacts of future Residential Development north of the Camerons Cave 500m protection area. Development of future residential areas is subject to the structure planning process which will involve more detailed studies. The impacts are also perceived. • The submitter requests when relocating the WWTP the impacts of flood ways be considered. Floodways are identified in proposed Scheme 4 maps, and provisions included as Special Control Area 5. • The submitter requests advocating for solar, or other renewable energy if a new power station is built. This is beyond the scope of proposed Scheme 4. • The submitter requests when considering a new waste disposal site the following is considered, floodways, geotechnical considerations such as underground waterways, and visual amenity. Floodways are identified in proposed Scheme 4 maps, and provisions included as Special Control Area 5, can consider other matters in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. • The submitter recommends re-vegetation of the town creek floodways to prevent erosion. This is beyond the scope of proposed Scheme 4. • The submitter advises there is an extension to the marina to enable increased industrial use. The submitter is correct R47807 to be classified Special Use Zone 5, P1 South harbour in proposed Scheme 4 which allows for marine based industrial development. • The submitter advises that the development of both the Kailis and Mowbowra Creek Industrial sites is unnecessary duplication. There is a need to take into account the cumulative impacts when planning. Marine infrastructure should be consolidated to reduce the number of access points that cater for industrial 	

				<p>shipping, and restrict industrial developments that may have a significant environmental impact. The zoning of the Kailis and Mowbowra sites in proposed Scheme 4 is consistent with current Town Planning Scheme 3.</p> <ul style="list-style-type: none"> • The submitter recommends that no additional recreational boating access points be made available, due to perceived impacts on local fish stocks. This is beyond the scope of proposed Scheme 4. • The submitter requests that the primary dune area in proximity to residential development on Mortiss Street be upgraded to a protected level. Lot 857 in proposed Scheme 4 is subject to the structure planning process prior to any development, and R47807 is classified Special Use Zone 5, P1 in proposed Scheme 4 allowing for future marine related industrial development. • The submitter requests that any future camp sites in the Jurabi Coastal Park take into account the potential impact on protected species and are referred under the EPBC Act. Development applications for camp sites in the Jurabi Coastal Park will be subject to the relevant statutory provisions. • In developing the Sandy Bay track collaboration should be undertaken with DPaW, subterranean fauna experts, conservation groups and the Ningaloo Coast World Heritage Advisory Committee. This is beyond the scope of proposed Scheme 4. • The submitter requests that climate change considerations be incorporated into proposed Scheme 4. Climate change consideration can be considered in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. • The submitter advises that Nature Based Camping should have an environmental assessment done prior to final approval. The provisions of proposed Scheme 4 enable the Shire to require an environmental assessment where considered necessary. • The submitter requests UCL north of townsite be put into conservation estate. UCL north of the townsite is classified as Environmental Conservation reserve in proposed Scheme 4. • No modifications proposed to Scheme 4.
15.	N/A	Department of Main Roads WA	<p>Thank you for consulting Main Roads on the above document. In general Main Roads supports the future plans set out within the document and provides the following comments below.</p> <p><u>Road Reservation</u> Main Roads support the inclusion of Primary Distributor Road as a Local Scheme Reserve and the protection afforded by that designation for Minilya-Exmouth Road and Burkett Road. In addition, the current reservation suitably accommodates Main Roads future upgrade plans to Minilya-Exmouth Road.</p> <p><u>Special Control Area 6 (SCA 6) - Minilya-Exmouth Road</u> Main Roads supports the inclusion of Minilya-Exmouth Road reservation and a 100m wide area on either side of the reservation to be a Special control area and the associated purpose, objectives and additional provisions of SCA 6 set out in the Scheme.</p> <p>In regards to section 5.7.2 (b) (iii) we request that the provision is reworded to:</p> <ul style="list-style-type: none"> • Include the requirement for any vehicle crossover providing access between Minilya- Exmouth Road and development on a lot shall be to the satisfaction of Main Roads; and • Remove the requirement for a vehicle crossover to be a maximum width of 6m. <p>Main Roads considers it inappropriate to state that maximum crossover width in the Scheme as Main Roads Driveways Policy determines the crossover width by the expected type of vehicle proposed to use the driveway. In addition, a crossover width greater than 6m may be required for a shared/combined driveway or a driveway used by trucks, road trains and commercial vehicles.</p>	<p>The submitter provides general support for proposed Scheme 4. The submitters comment is <u>noted</u>.</p> <p>The submitter provides support for Minilya-Exmouth Road and Burkett Road being classified as Primary Distributor Road reserve in proposed Scheme 4. The submitters comment is <u>noted</u>.</p> <p>The submitter provides general support for Special Control Area 6 (Minilya Exmouth Road) in proposed Scheme 4. The submitters comment is <u>noted</u>.</p> <p>The submitter has re-written clause 5.7.2 (b) (iii) advising that the maximum crossover width of 6 metres to Minilya Exmouth Road is inappropriate, as Main Roads Driveways Policy determines the crossover width. The Shire should not be responsible for ensuring crossover providing access to Minilya-Exmouth are to the satisfaction Main Roads, as it does not relate to legislation enforced by the Shire. Further clause 5.7.2 (d) covers the matter of crossovers. Therefore clause 5.7.2 (b) (iii) should be deleted. The submitters comment is <u>noted</u>. <u>(Delete clause 5.7.2 (b) (iii)) Refer proposed modification 225.</u></p>

			If you would like any further information please contact Isabel Huston on 9956 1238.	
				<p>Summary of Submission 15.</p> <ul style="list-style-type: none"> • Main Roads provides general support for: <ul style="list-style-type: none"> ◦ proposed Scheme 4; ◦ the designation of Minilya-Exmouth Road and Burkett Road being classified as Primary Distributor Road in proposed Scheme 4; ◦ Special Control Area 6 – Minilya Exmouth Road • Main Roads has re-written clause 5.7.2 (b) (iii) as the maximum crossover width of 6 metres to Minilya-Exmouth Road is inappropriate as Main Roads has a policy covering this matter. The Shire should not be responsible for ensuring crossover providing access to Minilya-Exmouth are to the satisfaction Main Roads, as it does not relate to legislation enforced by the Shire. Further clause 5.7.2 (d) covers the matter of crossovers. Therefore clause 5.7.2 (b) (iii) should be deleted. • Modification 225 proposed to Scheme 4.
16.	N/A	Department of Health WA	<p>Further to your letter, dated 2 June 2016, inviting the Department of Health (DOH) to attend community consultation sessions on the above proposal, please consider the following comments.</p> <p>1. Water Supply and Wastewater Disposal The Scheme and Strategy should acknowledge and reference the following:-</p> <ul style="list-style-type: none"> • Developments are required to connect to scheme water and reticulated sewerage (if available) in accordance with the draft <i>Country Sewerage Policy</i>. 	<p>The submitter is referring to a draft Policy which has not been finalised. As the submitters referred document is still a draft it cannot be referenced in a statutory legal document such as proposed Scheme 4. The submitters comment is <u>not upheld</u>.</p>
			<ul style="list-style-type: none"> • Any water supply, water management plan including the utilisation of recreational water and any waste water recycling is to comply with DOH guidelines and requirements which are available for download from: http://www.public.health.wa.gov.au/2/1062/2/water.pm http://www.public.health.wa.gov.au/3/1275/2/recycled_water_guidelines_and_publications.pm 	<p>The shire has current procedures and systems in place to adequately address this area. Water management plans can be referred to the Department of Health on a case by case basis when development applications are received in accordance with the deemed provisions of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>, and clause 4.22.3 of proposed Scheme 4. Clause 4.22 Portable Water Supply in proposed Scheme 4 is considered to be generally consistent with DOH guidelines and practices. The submitters comment is <u>noted</u>.</p>
			<ul style="list-style-type: none"> • Approval is required for any on-site waste water treatment process. The necessary requirements may be referenced and downloaded from: http://www.public.health.wa.gov.au/3/672/2/wastewater_legislation_and_guidelines_pm http://www.public.health.wa.gov.au/3/1430/2/subdivisions_and_town_planning_approvals.pm 	<p>The shire has current procedures and systems in place to adequately address this area. The submitter is referring to an additional approval required beyond the scope of the <i>Planning and Development Act 2005</i>, which is therefore inappropriate to be referenced in proposed Scheme 4. This matter can be addressed through advice notes put on development applications. The submitters comment is <u>noted</u>.</p>
			<ul style="list-style-type: none"> • Non-scheme water area developments are to have access to a sufficient supply of potable water that is of the quality specified under the <i>Australian Drinking Water Quality Guidelines 2004</i>. 	<p>Refer comments above.</p>
			<p>2. Medical Entomology The Shire of Exmouth is a region that regularly experiences significant problems with nuisance and disease carrying mosquitoes. These mosquitoes can disperse several kilometres from breeding sites and are known carriers of Ross River Virus and Barmah Forest Virus.</p>	<p>The submitters comment is <u>noted</u>.</p>
			<p>The Shire of Exmouth should integrate mosquito management programs and practices within the strategy and incorporate built form design measures (e.g. insect screening on doors and windows and screened outdoor enclosures) and public warning signage into the conditions of approval to assist in protecting visitors from mosquitoes and associated disease risks.</p>	<p>Deemed clause 67 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> states the matters which the local government is to have due regard to which includes (r) the suitability of the land for the development taking into account the possible risk to human health or safety. Therefore mosquito management a known health risk in Exmouth is to be given due regard to development applications on a case by case basis, and conditions on approval may appropriate. The submitters comment is <u>partially upheld</u>.</p>

			<p>3. Public Health Impacts Enclosed is a scoping tool that highlights public health issues that should be addressed and incorporated into the proposed Local Planning Scheme No. 9. The scoping tool is available for download at: http://www.public.health.wa.gov.au/cproot/3965/2/Residentia%20estates%20and%20precincts%20JUNE%202011.pdf</p>	The submitter is referencing a public health document, which proposed Scheme 4 is generally consistent with. The submitters comment is noted.
			<p>DOH has also a document on 'Evidence supporting the creation of environments that encourage healthy active living' which may assist you with planning elements related to this structure plan. The document may be downloaded from: http://www.public.health.wa.gov.au/cproot/6111/2/140924_wahealth_evidence_statement_be_health.pdf</p>	17 The submitter is referencing a public health document, which proposed Scheme 4 is generally consistent with. The submitters comment is noted.
			<p>An additional resource that will be helpful in an enHealth document 'Risky Business' – A resource to manage environmental health risks specifically tailored for local governments. The document is available for download at: http://www.public.health.wa.gov.au/2/1400/2/health_risk_assessment.pm</p>	The submitter is referencing a public health document, which proposed Scheme 4 is generally consistent with. The submitters comment is noted.
			<p>The Strategy should also acknowledge the DOH's <i>Guidelines for the Separation of Agricultural and Residential Land Use</i> as a means to help avoid conflict and potential adverse health effects and nuisance impacts from chemical use, dust and other rural pursuits. It may be accessed from the Public Health website: http://www.public.health.wa.gov.au/cproot/4913/2/Guidelines%20for%20Agricultural%20and%20Residential%20Buffer.pdf</p>	The submitters comment relates to the proposed Local Planning Strategy and not proposed Scheme 4. The submitters comment is noted.
			<p>4. Scheme and Strategy Content It is noted within the proposed planning scheme and associated planning strategy, that good public health is not specifically recognised as part of the vision and objectives. Good public health outcomes require good planning strategies. The aim of the new scheme and the strategy should include a direct reference to 'enhancing the public health of the community'.</p> <p>Although the document focuses on 'positive' growth outcomes for the Shire, it does not address potential issues in relation disaster preparedness, recovery management or the associated impacts on public health. The document provides a snapshot of foreseeable positive impacts in relation to economic, social, environmental, built form and infrastructure and governance but does not highlight potential negative impacts of such growth.</p>	<p>The submitter is correct in that the aims of proposed Scheme 4 do not recognise good public health. Existing aim (c) can be modified to recognise public health as it is a relevant planning consideration as per the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. The submitters comment is upheld. (modify 1.9 aim (c)) Refer proposed modification 13.</p> <p>Highlighting the impacts of negative growth is not the purpose of proposed Scheme 4, and would be inconsistent with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. The submitters comment is simply a statement and not a recommended change or addition. The submitters comment is noted.</p>
			<p>A risk assessment of each of the potential growth scenarios should be incorporated into the plan. For your reference, consider the enHealth document 'Risky Business' – A resource to manage environmental health risks specifically tailored for local governments. The document is available for download at: http://www.public.health.wa.gov.au/2/1400/2/health_risk_assessment.pm</p>	Proposed Scheme 4 does not identify potential growth scenarios, it is a statutory document which outlines the legal requirements for all land use and development in the Shire of Exmouth, where a development application is required. Including a risk assessment of each potential growth scenario within proposed Scheme 4 would therefore be inappropriate, and would be inconsistent with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . The submitters comment is noted.
			<p>5. Land Use Planning for Natural Hazards Another document 'Land Use Planning for Natural Hazards' can also guide the use of land to effectively reduce risk and enhance sustainability for areas prone to hazards such as flooding (including storm surge), fire, landslide, earthquake, strong wind and coastal erosion. Available for download from: https://www.ag.gov.au/EmergencyManagement/Tools-and-resources/Publications/Documents/Manual-series/manual-7-planning-safer-communities.pdf</p> <p>Should you have queries or require further information please contact Vic Andrich on (08) 9388 4978 or vic.andrich@health.wa.gov.au</p>	The submitter is referring to an emergency and natural hazards disaster document. Proposed Scheme 4 is generally consistent with the submitters referred document. The submitters comment is noted.

				<p>Summary of Submission 16.</p> <ul style="list-style-type: none"> • Department of Health have provided reference to Department of Health policies and guidelines and requests that they be referenced in proposed Scheme 4. It is inappropriate to include reference to policies and guidelines within a Scheme, as a policy is a guide for decision making. • Department of Health have provided advice on some the requirements in relation developments which include: <ul style="list-style-type: none"> ○ Being required to connect to scheme water and reticulated sewerage (if available) in accordance with the draft Country Sewerage Policy; ○ Approval is required for any onsite waste water treatment process; ○ Non-scheme water area development are to have access to sufficient supply of portable water. <p>The submitters referred development requirements are either beyond the scope of proposed Scheme 4, or proposed Scheme 4 is consistent with them.</p> • Department of Health requests that built form design assist in protecting visitors from mosquitos and associated disease risks. The Shire can have due regard to possible risks to human health or safety in determining development applications in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. • Department of Health have provided documents about public health and land use planning for natural disasters. Proposed Scheme 4 is generally consistent with the submitter's referenced documents. • Department of Health requests that good public health is recognised as an aim in proposed Scheme 4. It is recommended that an existing aim be modified to recognise good public. • Modification 13 proposed to Scheme 4.
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17.	N/A	Department of Water WA	Thank you for referring the new scheme and local planning strategy to the Department of Water.						
			The DoW is supportive of the proposed strategies and actions for management of urban water, flood risk and coastal processes.	This comment relates to the proposed Local Planning Strategy. The submitters comment is <u>noted</u> .					
			Regarding the Exmouth Water Reserve, advice on water source protection matters is provided in Attachment 1. Subject to the draft strategy and scheme text being amended as advised, DoW endorsement can be provided.	The submitter provides general support for the provisions within proposed Scheme 4 relating to the Exmouth drinking water reserve, subject making requested modifications. The submitters comment is <u>noted</u> .					
			<p>I look forward to receiving the revised draft documents. Should you wish to discuss this matter further, please contact Kerry Wray on (08) 6364 7721 or Mark Canny on (08) 9965 7411.</p> <p>Attachment 1 – Local Planning Scheme No. 4</p> <table><tr><th>Section</th><th>Page</th><th>Local Planning Scheme Text</th><th>Comments</th></tr><tr><td>4.22 Potable water supply</td><td>36</td><td>The Local Government will not support subdivision or, where applicable grant development approval for residential dwellings unless it is demonstrated, to the local government's satisfaction that all dwellings will: (a) be connected to an approved reticulated water supply; or (b) have access to an approved alternative supply of potable water with on-site storage. A roof catchment water supply shall only be approved if it is connected into a water tank having a minimum capacity of 92,000 litres.</td><td>Any proposals for new public drinking water sources need to be consulted with the Department of Water as they will need to be proclaimed under the Country Areas Water Supply Act 1947 and will require the preparation of a drinking water source protection report. In addition the developer/manager of the source will require licencing under the ERA as a water service provider in addition to a water licence received from the Department of Water under the Rights in Water and Irrigation Act 1914.</td></tr></table>	Section	Page	Local Planning Scheme Text	Comments	4.22 Potable water supply	36
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4.22 Potable water supply	36	The Local Government will not support subdivision or, where applicable grant development approval for residential dwellings unless it is demonstrated, to the local government's satisfaction that all dwellings will: (a) be connected to an approved reticulated water supply; or (b) have access to an approved alternative supply of potable water with on-site storage. A roof catchment water supply shall only be approved if it is connected into a water tank having a minimum capacity of 92,000 litres.	Any proposals for new public drinking water sources need to be consulted with the Department of Water as they will need to be proclaimed under the Country Areas Water Supply Act 1947 and will require the preparation of a drinking water source protection report. In addition the developer/manager of the source will require licencing under the ERA as a water service provider in addition to a water licence received from the Department of Water under the Rights in Water and Irrigation Act 1914.						

			5.2 Exmouth Water Reserve (SCA 1)	56	<p>5.2.1 Purpose and objectives</p> <p>The Priority One Source Protection Area is shown on the Scheme Map as the Exmouth Water Reserve SCA 1 in accordance with the recommendations of the <i>Exmouth Water Reserve Drinking Water Source Protection Plan</i> published by the Department of Water. The objectives of SCA1 are:</p> <p>(a) To ensure that land use and development within the Public Drinking Water Source Area is compatible with the protection and long-term management of water resources for public water supply.</p> <p>(b) To ensure that decisions on land use and development take into account the requirements of the Exmouth Water Reserve Drinking Water Source Protection Plan published by the Department of Water .</p>	<p>It is recommended to add the below wording (shown in bold red) consistent with other LPS:</p> <p>"(c) The local government should also have regard to the management direction provided by priority area of certain areas, noting that Priority One areas are defined and managed to ensure there is no degradation of the quality of the drinking water source with the objective of risk avoidance. Consistent with the preventive risk-based framework of Western Australian Government, changes of land use that introduce additional risks are not recommended."</p>	<p>The submitter is requesting the inclusion of an additional purpose and objective for Special Control Area 1 (Exmouth Water Reserve) in proposed Scheme 4. The submitters requested text inclusion is appropriate as it specifically refers to land uses and is consistent with the existing management framework for the Exmouth Water Reserve. The text is worded in such a way that it is more appropriate to be included as an additional provision rather than a purpose or objective. The submitters comment is <u>upheld. (add new provision to SCA1) Refer proposed modification 217.</u></p>

			5.2 Exmouth Water Reserve (SCA 1)	56	<p>5.2.2 Additional provisions</p> <p>In determining any application within SCA 1 the local government will have regard to:</p> <p>(a) Advice from Department of Water or other relevant agencies;</p> <p>(b) Any relevant environmental protection policy on public drinking water supply;</p> <p>(c) <i>State Planning Policy 2.7 Public Drinking Water Source Policy</i>; and</p> <p>(d) The recommendations of the <i>Exmouth Water Reserve Drinking Water Source Protection Plan</i> published by Department of Water and amended from time to time.</p>	<p>It is recommended to amend this text as follows (in bold red):</p> <p>"5.2.2 Additional provisions</p> <p>In determining any application within SCA 1 the local government will have regard to:</p> <p>(a) Advice from Department of Water or other relevant agencies;</p> <p>"and relevant conditions to prevent or minimise the potential risk of groundwater contamination ."</p> <p>"e) the most recent Department of Water, Land use compatibility tables for public drinking water source areas."</p>	<p>The submitter is requesting the inclusion of additional text to Special Control Area 1 (Exmouth Water Reserve) of proposed Scheme 4. The submitters requested text inclusion is appropriate as it is consistent with the existing management framework for the Exmouth Water Reserve and specifically refers to land uses. The submitters comment is <u>upheld. (in SCA1 modify additional provision (a) and add new provision) Refer proposed modification 216 and 218.</u></p>
			5.6.1	58	<p>The Department of Water and the local government's consultants have produced floodplain mapping creeklines that are affected by a 100 year average recurrence interval (ARI) flood.</p>	<p>Change to ' ... have produced 100 year average recurrence interval (ARI) floodplain mapping of a number of watercourses in the Exmouth area.'</p>	<p>The submitter is proposing a minor text amendment to Special Control Area 5 (Floodplain) in proposed Scheme 4. The text amendment is recommended as it improves accuracy of the statement and maintains intent. The submitters comment is <u>upheld. (in SCA5 modify 5.6.1) Refer proposed modification 221.</u></p>
			5.6.1 (a)	58	<p>(a) To limit impacts on the floodplain from inappropriate encroachment of development.</p>	<p>Change to (a) To minimise impacts on the floodplain from inappropriate encroachment of development.'</p>	<p>The submitter is proposing a minor text amendment to Special Control Area 5 (Floodplain) in proposed Scheme 4. The text amendment is recommended as it improves accuracy of the statement and maintains intent. The submitters comment is <u>upheld. (in SCA5 modify 5.6.1(a)) Refer proposed modification 222.</u></p>

			5.6.2 (a) (i)	59	Hydraulic Modelling has been prepared to the satisfaction and approval of the Department of Water;	'Modelling' to be replaced by 'modelling'	The submitter is proposing a minor text amendment to Special Control Area 5 (Floodplain) in proposed Scheme 4. The text amendment is recommended as it improves accuracy of the statement and maintains intent. The submitters comment is <u>upheld. (in SCA5 modify 5.6.2(a)(i)) Refer proposed modification 223.</u>
			5.6.2 (a) (ii)	59excluding earthworks for the provision of essential roads, bridges, footpaths, jetties and upgrades to existing high hazard floodplains.	Delete '... to existing high hazard floodplains.'excluding earthworks for the provision of essential roads, bridges, footpaths and jetties.	The submitter is proposing a minor text amendment to Special Control Area 5 (Floodplain) in proposed Scheme 4. The text amendment is recommended as it improves accuracy of the statement and maintains intent. The submitters comment is <u>upheld. (in SCA5 modify 5.6.2(a)(ii)) Refer proposed modification 224.</u>
			Appendix 1 – Scheme Maps – Floodplain Special Area SCA5	140 Scheme Maps 5 of 11 & 6 of 11		<p>If possible, floodplains to be made clearer on Scheme Maps and where appropriate foreshore reserves demarcated.</p> <p>Extent of flooding (SCA 5) east of Murat Road & north of proposed Upgrade Market Street Bund has been incorrectly drawn on Scheme Maps (refer Figure A-22, SKM 2007).</p> <p>Hyd2o floodplain mapping south of Exmouth should also be drawn onto the Scheme Maps; knowing that the results are indicative only.</p>	<p>The marking of floodplains on proposed Scheme 4 scheme maps is in accordance with the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, and cannot be varied. The submitters comment is <u>noted</u>. The Shire originally had the foreshore reserves demarcated as a separate foreshore reserve classification on proposed Scheme 4 scheme maps, however the Department of Planning requested that foreshore reserves be deleted due to inconsistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. The submitters comment is <u>noted</u>.</p> <p>The submitter is advising that Special Control Area 5 (Floodplain) is marked incorrectly on proposed Scheme 4, Scheme Maps 5 and 6. A review of the 2007 SKM Floodplain Management Study Figure A-22 confirms that the submitters comment is correct. The submitters comment is <u>upheld. (update accuracy of SCA5 floodplain on scheme maps) Refer proposed modification 399.</u></p> <p>The submitter is requesting that the Hyd2o floodplain mapping undertaken as part of Local Planning Strategy be included in proposed Scheme 4, Special Control Area 5 (Floodplain) and demarcated on the scheme maps. This is suitable as it will provide greater protection to/from known indicative floodplains. The submitters comment is <u>upheld. (add Hyd2o floodplain mapping on scheme maps as SCA1 floodplain) Refer proposed modification 384.</u></p>
							<p>Summary of Submission 17.</p> <ul style="list-style-type: none"> • Department of Water advises that any new scheme public drinking water source needs to be proclaimed under the Country Areas Water Supply Act 1947. This is beyond the scope of proposed Scheme 4. • Department of Water is requesting additional provisions be added to Special Control Area 1 Exmouth Water Reserve in proposed Scheme 4 to refer to the most recent framework and relevant documents. These changes are recommended to improve accuracy and intent of Special Control Area 1 Exmouth Water Reserve. • Department of Water is proposing minor text amendments to Special Control Area 1 Exmouth Water Reserve and Special Control Area 5 Floodplain in proposed Scheme 4. These changes are recommended to improve accuracy and grammar. • Department of Water requests that the floodplains be marked more clearly on the Scheme Maps in proposed Scheme 4. The marking of Special Control Area 5 – Floodplains on the scheme maps in proposed Scheme 4 is controlled by the

				<p><i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and cannot be varied.</p> <ul style="list-style-type: none"> • Department of Water advises that Special Control Area 5 – Floodplains is marked incorrectly on the Scheme Maps. This change is recommended to improve accuracy of Special Control area 5 – Floodplains. • Department of Water is requesting the Hyd2o floodplain mapping be indicated on the scheme maps as Special Control Area 5 Floodplains. This is recommended to ensure the Hyd2o floodplain mapping is implemented. • Modifications 216, 217, 218, 221, 222, 223, 224, 384 and 399 proposed to Scheme 4.
18.	N/A	Department of Defence	<p>Thank you for providing the Department of Defence (Defence) with the opportunity to provide input into the Proposed Exmouth Local Planning Scheme and Local Planning Strategy. I note that the Planning Strategy is a high-level district plan that will provide a framework for the provision and arrangements of future land use.</p> <p>The Planning Strategy (the Strategy) includes a number of high priority objectives and subsequent actions that would impact on the future strategic direction of the region. The Strategy outlines Objectives: 10 "Movement" 10.2 (7) and 11 "Land Use Buffers" 11.2 (5) that have implications for Defence and ongoing Defence operations at RAAF Base Learmonth and the Harold E Holt Naval Facility. As such, Defence would like to make the following comments.</p> <p>Land use Buffers An objective identified in the Strategy is to protect key infrastructure and areas of conservation value within the Exmouth Region from land use conflict and sensitive land uses through the identification of land use buffers. A number of relevant buffers included for military facilities include an indicative noise Buffer and height restrictions associated with RAAF Learmonth and an 800 metre Defence communication tower buffer associated with the Harold E Holt Naval Facility. The inclusion of these buffers in the scheme is supported.</p> <p>Defence is concerned that excessive amounts of lighting associated with potential development near the Space Surveillance Telescope located at Harold E Holt Naval Facility could pose a risk to the telescope's operational capability. Defence requests that Council consider including a buffer area with measures to control light pollution and outdoor lighting. As a potential guide, Defence suggests that Council review the NSW Department of Planning and Environment guidelines for Dark Sky Planning found at: http://www.planning.nsw.gov.au/Policy-and-Legislation/Environment-and-Heritage/Dark-Sky-Planning. Defence is open to engaging in discussions with Council to help address this matter.</p>	<p>The submitters comment is <u>noted</u>.</p> <p>Proposed Scheme 4 classifies the Learmonth RAAF Base and Harold E Holt Naval base as Public Purposes – Government Services reserve with defined objectives. Proposed Scheme 4 does not include the Department of Defence Communication Tower 800 metre land use buffer as all of the buffer area is within Defence land. Proposed Scheme 4 does not include the Aircraft Noise Buffer Learmonth RAAF base as this is indicate only and enforced through federal legislation. The submitters comment is <u>noted</u>.</p> <p>The submitter is concerned about the impacts of lighting on a telescope within the Harold E Holt Naval Facility. It is important to note that the existing townsite was developed prior to development of the telescope. The submitter has referred to a document from the New South Wales Department of Planning and Environment which relates to dark sky planning. The guideline states to control the impact of lighting from development within critical distances from an observatory, three different lighting areas should be applied, with 0-12km being the greatest impact area requiring the most stringent of lighting controls. The entire townsite of Exmouth is within 12km of the Harold E Holt Naval Facility.</p> <p>Clause 4.16 (Floodlighting) of proposed Scheme 4 provides control over the erection, installation and maintenance of floodlighting, however is worded in such a way to only provide control over the amenity impacts on land zoned Residential and/or Tourist and the nearby street system. The clause could be worded in such a way to provide greater control over lighting to mitigate the negative impacts on the Space Surveillance Telescope at the Harold E Holt Naval Facility. Clause 4.16 aims to reduce the impacts of lighting, however will not meet the specific provisions of the New South Wales Department of Planning Dark Sky Planning Guideline. <u>(Modify cl.4.16) Refer proposed modification 150.</u></p> <p>It is important to note that clause 61 of the deemed provisions of the <i>Western Australian Planning and Development (Local Planning Schemes) Regulations 2015</i> exempts certain development (e.g. all Single Houses and Ancillary Dwellings where compliant with the deemed to comply provisions of the R-Codes) and certain land uses from requiring development (planning) approval from the Shire. Public works as defined in the <i>Western Australia Planning and Development Act 2005</i> are also exempt from requiring development (planning) approval in the Shire of Exmouth. Low Impact Telecommunications facilities are also exempt from requiring development (planning) approval from the Shire in accordance with the Federal <i>Telecommunications (Low-</i></p>

				<p><i>impact Facilities) Determination 1997. Mining activities on Crown land may also be exempt from requiring development (planning) approval from the Shire in accordance with the Western Australian <i>Mining Act 1978</i>. Therefore the control of lighting over such development cannot be enforced through proposed Scheme 4. The submitters comment is <u>noted</u>.</i></p>
			<p>Learmonth RAAF Base and Airport Section 2.7.2 "Learmonth RAAF Base and Airport" acknowledges the strategic and Defence significance that RAAF Base Learmonth and the Airport have within the region. This Section also includes a reference to an indicative aircraft noise buffer and acknowledges RAAF Base Learmonth and the Airport. The surrounding area is affected by building and structure height limits under the Defence (Areas Control) Regulations (D(AC)R) 1989. Defence is also responsible for the Aircraft Noise Exposure Forecast (ANEF) for RAAF Base Learmonth and is supportive of the inclusion of an indicative buffer area in the absence of an updated ANEF and the D(AC)R as shown in the Exmouth South Structure Plan (Plan 7).</p>	<p>This comment relates to the proposed Local Planning Strategy. For comments on Learmonth RAAF Base and Airport in relation to proposed Scheme 4, refer comments above The submitters comment is <u>noted</u>.</p>
			<p>Future Residential Land Defence understands that future residential land is of particular importance to Exmouth given that townsite expansion is significantly constrained by the Exmouth Water Reserve to the west, Commonwealth Land (Defence) to the north and Conservation and Pastoral Landholdings to the south. The Strategy identifies a number of future residential land sites and these are mostly to the south or west of the existing town with no sites identified to the north. Defence appreciates Council's approach to minimising urban encroachment on the Defence estate and protection of Defence's operations in Exmouth.</p>	<p>The submitter is providing general support for the areas classified as Urban Development zone in proposed Scheme 4, which will accommodate Exmouth's future residential growth. The submitters comment is <u>noted</u>.</p>
			<p>Section 10.3 Action Items Contained within Section 10.3 of the Strategy there are three action items that involves ongoing engagement with Defence specifically 10.3 (e), (f) and (g). Defence acknowledges these specific action items and is willing to engage with Council to address them.</p>	<p>The submitters comment relates to the proposed Local Planning Strategy, beyond the scope of proposed Scheme 4. The submitters comment is <u>noted</u>.</p>
			<p>Other Matters Under the Gascoyne Regional Infrastructure Review 2010 "<i>Sustainable Water Supply</i>" there is a reference to "a possible desalination plant, located near the naval jetty". Defence is unaware of any discussions or negotiations regarding a possible desalination plant. I have been advised by Defence Subject Matter Experts (SMEs) that a desalination plant will negatively impact upon Defence operations at Harold E Holt Naval Facility. Until further discussions on this matter occur it is inappropriate for Council to include this Section in its Strategy and should therefore be removed.</p>	<p>The submitters comment relates to the proposed Local Planning Strategy, beyond the scope of proposed Scheme 4. The submitters comment is <u>noted</u>.</p>
			<p>Contained within Section 2.1.6.3 "Coastline North" there is the statement that "Department of Parks and Wildlife (DPaW) manages the coastline contained in the Jurabi Coastal Park and Bundegi Park, and is interested in managing the coastal foreshore within Lyndon Location 44, which is 'Area A' of the Naval Communication Station Harold E. Holt." As Council is aware, Lyndon Location 44 is contained on Defence land and Defence is responsible for managing the environmental values of this land. I request that Council removes references to DPaW expressing interest to manage Lyndon Location 44 and that DPaW should seek to engage with Defence directly regarding this matter.</p>	<p>The submitters comment relates to the proposed Local Planning Strategy, beyond the scope of proposed Scheme 4. The submitters comment is <u>noted</u>.</p>
			<p>Section 2.7.1 "Yardie Creek Road" states that there is potentially a risk to travellers on Yardie Creek Road due to electromagnetic radiation emitted by the towers at Harold E Holt Naval Facility. I have been advised by Defence SMEs that there is no electromagnetic radiation hazard risk on Yardie Creek Road. As there is no electromagnetic radiation hazard risk there is no need to engage in discussions regarding possible land exchanges. Therefore, I request that this section is also removed from the Strategy.</p>	<p>The submitters comment relates to the proposed Local Planning Strategy, beyond the scope of proposed Scheme 4. The submitters comment is <u>noted</u>.</p>

			Should you wish to discuss the content of this advice further, my point of contact is Mr Tim Hogan at DSRGIDEP.ExecutiveSupport@defence.gov.au or by telephone on (02) 6266 8193.	
				<p>Summary of Submission 18.</p> <ul style="list-style-type: none"> • Department of Defence raises concerns that excessive lighting associated with potential development may pose a risk to the telescope located at the Harold E Holt Naval facility. Clause 4.16 in proposed Scheme 4 provides some control over floodlighting, however is wording in such a way to only provide control over the impacts of floodlighting on land zoned Residential and/or Tourist. It is recommended that this clause be modified to provide control over the impacts of lighting on any adjacent locality. • Department of Defence has provided comments relating to the proposed Local Planning Strategy. This is beyond the scope of proposed Scheme 4. • Department of Defence provides general support for land identified for future residential development. • Modification 150 proposed to Scheme 4.
19.	N/A	Private Citizen (Suzanne McHutchison)	<p>DUST/SOIL CONTROL IN NEW LAND DEVELOPMENTS The developer must be responsible for keeping dust and soil in newly developed areas from leaving the development. At least two thicknesses of hessian or similar should be provided around the perimeter until the houses are completed. When the blocks are sold the onus then be transferred to the new owners and enforced by the developer. Building to commence within 2 years of purchase to reduce the degradation of the lot.</p>	<p>Proposed Scheme 4 does not include any dust control provisions. The Shire has an existing dust control policy being Policy 6.22 Sand and Dust Control on Private Property. The existing policy requires a detailed dust management plan where significant works are proposed, and the works are within close proximity to an existing urban area. The management plan could include the use of hessian or similar around the perimeter to provide dust mitigation.</p> <p>Proposed single houses in a Residential zone where compliant with the deemed to comply provisions of the R-Codes are exempt from requiring development (planning) approval from the Shire in accordance with clause 61 of the deemed provisions of the <i>Western Australian Planning and Development (Local Planning Schemes) Regulations 2015</i>. Public works as defined in the <i>Western Australia Planning and Development Act 2005</i> are also exempt from requiring development (planning) approval in the Shire of Exmouth. Low Impact Telecommunications facilities are also exempt from requiring development (planning) approval from the Shire in accordance with the <i>Federal Telecommunications (Low-impact Facilities) Determination 1997</i>. Mining activities on Crown land are also exempt from requiring development (planning) approval from the Shire in accordance with the <i>Western Australian Mining Act 1978</i>. Therefore the control of dust over such development cannot be enforced through proposed Scheme 4.</p> <p>The timeframe to commence building on a lot has not been prescribed in proposed Scheme 4 as it is generally left up to market conditions. Imposing a timeframe to commence building on land proposed to be zoned Industrial, Commercial, Special Use Zone (Marina) and Tourism etc. is likely to be problematic considering the significant works required to complete large scale development, which can take many years. Imposing a timeframe to commence building is also likely to compromise the design and quality of buildings. The submitters comment is noted.</p>
			<p>SIZE OF HOUSING BLOCKS IN NEW LAND DEVELOPMENTS The size of housing lots should reflect the lifestyle we have in Exmouth. The size of the blocks should have room for at least two vehicles and two trailers and a big enough back yard for a small family to exercise in as 60% of the population in Exmouth are young families. Buildings should also accommodate the large rain events we have by not being built so close to fences.</p>	<p>Proposed single houses in a Residential zone where compliant with the deemed to comply provisions of the R-Codes, which requires a minimum of 2 parking bays are exempt from requiring development (planning) approval from the Shire in accordance with deemed clause 61 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>The amount of open space (which includes back yards) is determined by the R-Coding on the scheme maps in proposed Scheme 4, and the R-Codes. The R-Coding of residential land within the Shire is not proposed to be increased from that which is already prescribed in existing Town Planning Scheme 3. An increase in R-Coding means a lessor area is required for open space.</p> <p>The management of stormwater is controlled by the R-Codes which states '<i>all stormwater shall be directed to garden areas, sumps or rainwater tanks within the development site where climatic and soil conditions allow for the effective retention of stormwater onsite.</i>' This applicable where proposed Scheme 4 requires development to</p>

				be in accordance with the R-Codes. Stormwater management can also be considered in accordance with deemed clause 67 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . The submitters comment is <u>noted</u> .
				<p>Summary of Submission 19.</p> <ul style="list-style-type: none"> • The submitter is requesting that the developer of the subdivision be responsible for keeping dust and soil in newly developed areas from leaving the subdivision. When the lots are sold this onus should then be placed on the land owner and enforced by the developer. The Shire has existing local policy 6.22 which controls sand and dust on private property. • The submitter is requesting that new lots are required to be developed within 2 years of purchase to reduce degradation of the lot. Imposing a timeframe to commence building on land proposed to be zoned Industrial, Commercial, Special Use Zone (Marina) and Tourism etc. is likely to be problematic considering the significant works required to complete large scale development, which can take many years. Imposing a timeframe to commence building is also likely to compromise the design and quality of buildings. • The submitter is requesting that the size of new lots be large enough to accommodate 2 vehicles and 2 trailers, with a backyard compromising 60% of the lot area. The amount of parking and open space required is generally controlled by the R-Codes beyond the scope of proposed Scheme 4. There is no increase in R-Coding proposed in Scheme 4, from current Town Planning Scheme No.3. • The submitter is requesting that buildings be designed to accommodate large rainfall events by not being built so close to lot boundaries. Stormwater is controlled through the R-Codes, and the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> beyond the scope of proposed Scheme 4. • No changes proposed to Scheme 4.
20.	Lot 3 Truscott Street	RAC	<p>1. INTRODUCTION</p> <p>This document provides a submission on the Draft Shire of Exmouth Local Planning Strategy, Town Planning Scheme No.4 and the subsequent proposed zoning of the <i>RAC Exmouth Cape Holiday Park</i>, at 3 Truscott St Exmouth (the Site) as Special Use 4 - Caravan Park and Camping Ground (SU4 Zone).</p> <p>The Shire of Exmouth is currently advertising the proposed Shire of Exmouth Local Planning Strategy (LPS) and Town Planning Scheme No.4 (TPS4). The proposed LPS4 replaces the existing Tourist Zone with two new zones being the Tourism Zone and the Special Use Zone 4 – Caravan Park and Camping Ground.</p>	<p>The submitter is correct in stating that the Tourist zone in current Town Planning Scheme 3 has been split into the Tourism zone and Special Use Zone 4 – Caravan Park and Camping in proposed Scheme 4. The submitters comment is <u>noted</u>.</p>
			<p>2. EXISTING TOWN PLANNING SCHEME</p> <p>The Site is currently contained within the Tourist Zone and the proposal to include the land within the SU4 Zone will result in the prohibition of certain uses that are currently permissible under the Shire of Exmouth Town Planning Scheme No.3. Most notably a hotel, motel and tourist development are proposed to be prohibited.</p>	<p>The submitter is correct in that the RAC Exmouth Cape Holiday Park is zoned Tourist in existing Town Planning Scheme 3. The uses Hotel, Motel and Tourist Development are prohibited in Special Use Zone 4 in proposed Scheme 4. The submitters comment is <u>noted</u>.</p>
			<p>2.1 Existing Use of the RAC Exmouth Cape Holiday Park</p> <p>In addition to ancillary facilities the primary land uses on the site include the following:</p> <ul style="list-style-type: none"> • Caravan park (defined under the draft LPS4 as caravan park) • Camp sites (defined under the draft LPS4 as camping ground) • Chalets (defined under the draft LPS4 as chalet) 	<p>The land use Caravan Park may be approved in Special Use Zone 4 in proposed Scheme 4.</p> <p>The land use Camping Ground may be approved in Special Use Zone 4 in proposed Scheme 4.</p> <p>A Chalet is not a stand-alone land use as per the Planning and Development (Local Planning Schemes) Regulations 2015. A chalet forms part of the land uses Tourist</p>

			<ul style="list-style-type: none"> Backpackers accommodation (defined under the draft LPS4 as tourist development) Shop (defined under the draft LPS4 as a shop) 	<p>Development and Caravan Park. A chalet may be approved in Special Use Zone 4 where forming part of a Caravan Park. <u>(delete chalet as separate land use) Refer proposed modification 36.</u></p> <p>Backpacker's accommodation is considered to most appropriately fit within the land use Motel. The land use Motel is considered to be compatible in Special Use Zone 4 in proposed Scheme 4. <u>(modify motel to I use in SU4) Refer proposed modification 289.</u></p> <p>The land use Shop may be approved in Special Use Zone 4 in proposed Scheme 4.</p>
		<p>2.2 Summary of issues</p> <p>The following key issues are identified for consideration by the Council:</p> <ul style="list-style-type: none"> It is understood that the intent of the rezoning is to protect caravan parks in the Shire from redevelopment to residential land uses which in turn reduces the capacity of the shire to provide tourism related accommodation. The site contains a variety of land uses that are not envisaged and therefore prohibited by the proposed Caravan Parks and Camping Ground zone. This will prejudice long term viability of the <i>RAC Exmouth Cape Holiday Park.</i> 		<p>The intent of Special Use Zone 4 in proposed Scheme 4 is to protect Caravan Parks and Camping Grounds from incompatible land uses, which includes residential uses. Special Use Zone 4 provides for a range of land uses suitable for a Caravan Park and Camping Ground. The submitters comment is <u>noted.</u></p>
		<ul style="list-style-type: none"> The proposed zone change is inconsistent with the draft Local Planning Strategy which identifies the site for tourism – not caravan parks and camping grounds. 		<p>The proposed Local Planning Strategy identifies the RAC Exmouth Cape Holiday Park as existing Tourism. Action 5.3 c) of the proposed Local Planning Strategy states include existing sites zoned Tourist within current Town Planning Scheme 3 with the Tourism zone and Special Use - Caravan Park and Camping zone in proposed Scheme 4. The classification of the RAC Exmouth Cape Holiday Park in proposed Scheme 4 is consistent with the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>
		<ul style="list-style-type: none"> The proposed scheme amendment reduces the ability for RAC to make alterations to the mix of tourism accommodation on the site. This is important to ensure that RAC can meet the changing needs of modern tourist caravan parks throughout Western Australia. In that regard the current tourist zone provides greater flexibility for changes to the accommodation mix (for example the increase in onsite cabins / chalet accommodation driven by changing consumer demand). This flexibility is essential to enable caravan park owners to meet the market needs of today's tourists. 		<p>The submitter is correct that the classification of the RAC Exmouth Cape Holiday Park in Special Use Zone 4 in proposed Scheme 4, reduces the amount of tourism land uses that can be approved from the current Tourism zoning under Town Planning Scheme 3. This is to ensure the Caravan Park and Camping Ground use is protected from incompatible land uses, and remains the predominant use. An increase in cabins and chalets could be supported in proposed Scheme 4 for the RAC Exmouth Cape Holiday Park as a chalet/cabin forms part of a Caravan Park land use which can be supported in Special Use Zone 4. The submitters comment is <u>noted.</u></p>
		<ul style="list-style-type: none"> The proposed scheme amendment will result in a variety of uses currently operating on the site to be prohibited and therefore will only continue to operate as a non-conforming uses (for example the current backpackers accommodation). While it can continue under existing use rights, should the RAC determine that changes to market demand in Exmouth are better suited by, for example, a budget family accommodation or motel facility instead of backpackers, proper flexible and responsive planning for the site would be seriously hampered by the proposed amendment. 		<p>The land use Motel is not permissible in Special Use Zone 4 in proposed Scheme 4. The land use Motel may be compatible in Special Use Zone 4 where incidental to a Caravan Park or Camping Ground. The submitters comment is <u>partially upheld. (modify motel to I use in SU4) Refer proposed modification 289.</u></p>
		<ul style="list-style-type: none"> The site is a strategically important tourism location due to its proximity to key regional facilities - In particular the Ningaloo Visitor and Interpretation Centre and the Exmouth Town Centre. The Ningaloo Centre on the northern side of Truscott Street (adjacent the site) is due for completion in April 2017. This is a \$38m development to be a major attraction for the Shire and is a state-of-the-art centre that will deliver new research, education, tourism and community facilities to Exmouth. This adds weight to zoning this site Tourism and allowing for a larger variety of tourism accommodation facilities. 		<p>The RAC Exmouth Cape Holiday Park is in a strategically important tourism location as it is within proximity to key regional facilities such as the Ningaloo Centre and Exmouth Town Centre. This does not add weight to zoning this site Tourism in proposed Scheme 4. If this site were zoned Tourism in proposed Scheme 4 the existing operating Caravan Park would become a non-conforming use. Any future expansion of the existing Caravan Park is then likely to be refused. This would also be inconsistent with the proposed Local Planning Strategy and WAPC planning bulletin 49/2014 Caravan Parks. The submitters comment is <u>not supported.</u></p>

			<ul style="list-style-type: none"> By limiting the range of tourism accommodation permitted on the site the new scheme also reduces the value of the asset which thereby reduces the incentive for RAC to allocate capital to reinvest in improvements to this park compared to the 4 other assets in our tourism portfolio. 	The impacts of Scheme 4 on asset value is not a relevant planning consideration. Provisions in proposed Scheme 4 will not affect existing approved accommodation onsite. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> The proposal could create an impairment requirement of the asset on RAC's balance sheet on a future revaluation. This would negatively impact on RAC's ability to reinvest in the property and would result in exposure of the Council to injurious affection. 	The impacts of Scheme 4 on asset value is not a relevant planning consideration. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> We note that the draft Local Planning Strategy and Scheme zone land for a new caravan park to the east of the site and it is recommended that due to its location further from the Town centre that this land should be zoned to restrict land uses to caravan park and camping only. Further, it is questioned that the current off peak market demand within the Shire cannot support additional caravan parks and tourism facilities. It is recommended that the need for another caravan park in Exmouth should be carefully reconsidered in the context of the current performance of existing parks in the area and whether their occupancy rates demonstrate the need for additional capacity. 	Proposed Scheme 4 classifies lots 1404 and 1403 Truscott Crescent as Special Use Zone 4 (Caravan Park and Camping Ground) consistent with the proposed Local Planning Strategy. The land uses permissible at all caravan parks should be consistent, to prevent spot rezoning and ensure caravan parks and camping grounds are adequately protected from non-compatible land uses, unless otherwise already identified in a strategic planning document such as the Vlamingh Head Lighthouse Masterplan. The new caravan park sites have been carefully considered in the proposed Local Planning Strategy, which is discussed separately. The submitters comment is <u>noted.</u>
			<p>3. CONCLUSION AND RECOMMENDATION</p> <p>RAC's intention is to provide a portfolio of consistent high quality holiday parks to its members and the broader tourism market in WA. RAC's Exmouth property is very important to this portfolio given the iconic tourism experiences offered in the Exmouth region.</p>	The submitters comment is <u>noted.</u>
			<p>It is recommended that the draft SU4 zone be amended, as shown in Appendix A, to allow for a greater variety of land uses than currently proposed. Appendix A provides the recommended text that should be applied to SU4. In particular, it allows for:</p> <ul style="list-style-type: none"> the continuation of the existing lawfully established uses on site; preservation of the strategically important tourism related activities within the established tourism sites within the Shire; a greater diversity of tourism related activities on the site which will consequently allow for the tourism facilities to respond to a dynamic and changing tourism market; and allow for proper planning review of future development proposals by the Council. 	Refer comments above.
			The Shire of Exmouth's support for this planning recommendation will be vital to ensure that RAC can make the ongoing investment in the property needed to achieve this outcome.	The submitters comment is <u>noted.</u>
			<p>Appendix – Recommended Text for SU4</p> <p>1 SPECIAL USE 4 ZONE – CARAVAN AND CAMPING GROUND</p> <p>The objectives of Special Use Zone 4 are as follows:</p> <p>1.To cater for the current and future supply of affordable tourist accommodation, principally in the form of caravan parks and camping grounds, to meet the current and anticipated demand.</p>	The submitter is requesting the word 'principally' be added the objective. The can be supported as it provides greater clarity and maintains the intent of the objective. The submitters comment is <u>upheld. (add principally to objective 1 in SU4) Refer proposed modification 287.</u>
			2. To facilitate flexibility in the design and development of tourism infrastructure by allowing a diversity of tourism related development.	The submitter is requesting the addition of a new objective. This new objective is inconsistent with the intent of Special use Zone 4 which is to protect and preserve

				Caravan Parks and Camping Grounds from other incompatible land uses, not expand them for a wide range of tourist facilities. The submitters comment is <u>not supported.</u>
			<p>3. To control the location, form, character and density of development to complement the natural and built features within the locality.</p> <p>4. To provide for high quality short-term accommodation and tourist facilities.</p> <p>5. To protect potential and existing caravan and camping areas from the encroachment by other incompatible use or development.</p>	The submitter has accurately copied objectives 2, 3, and 4 of proposed Scheme 4. The submitters comment is <u>noted.</u>
			<p>1.1 Land Use</p> <p>1. The following uses shall be classified as 'D' uses under the Scheme:</p> <ul style="list-style-type: none"> • camping ground; • car park; • caravan park. • chalet; • civic use; • club premises; • community purpose; • convenience store; • fast food outlet; • hotel; • motel; • public utility; • recreation – private; • restaurant/café; • shop; • telecommunications infrastructure; • tourist development. 	The submitter has accurately copied the land uses classified as D discretionary from Special Use Zone 4 in proposed Scheme 4, and is requesting the land uses hotel, motel and tourist development also be classified as discretionary. The land uses Hotel, Tourist Development and Carpark are considered to be incompatible with the predominate Caravan Park and Camping Ground Use, which is to be protected. The land uses Caravan Park and Camping Ground should be classified as P (permitted), with all other land uses being classified as I (incidental) as that is the intent of Special Use Zone 4. The submitters comment is <u>partially upheld. (modifications to land use classifications in SU4) Refer proposed modifications 288 and 289.</u>
			<p>2. The following uses shall be classified as 'I' uses under the Scheme:</p> <ul style="list-style-type: none"> • caretakers dwelling; • All uses listed in table 1 as Commercial land uses provided that the combined gross floor area allocated for such uses does not exceed 500m2 and they are not already listed in item 1 above 	The submitter is requesting all commercial land uses listed in Table 1 in proposed Scheme 4 be classified as I incidental. This is inconsistent with the intent of Special Use Zone 4 which is to protect and preserve Caravan Parks. Some commercial land uses have been included as these land uses are considered to be compatible with the predominant Caravan park and Camping Ground use. Allowing all commercial uses to be supported in Special Use Zone 4 will significantly compromise the growth and development of the Commercial zone and Service Commercial zones in proposed Scheme 4. The submitters comment is <u>not supported.</u>
			3. All other uses are 'X' not permitted.	The submitter has accurately copied land cl.3 of Special Use Zone 4. It is recommended that this clause be re-worded to refer to designation, and specifically state land uses. The submitters comment is <u>noted. (Reword SU4 land use cl.3) Refer proposed modification 290.</u>
			<p>1.2 Development Requirements</p> <p>1. In considering any development application for a new caravan park and camping ground, the local government shall require a detailed report addressing the following:</p> <ol style="list-style-type: none"> Landform, drainage and topography; Soils and vegetation; Internal vehicle and pedestrian movement system, including location and dimensions of roads and footpaths; The location, size and function of all communal open space areas; Land uses; Indicative lot/site layout; Servicing, including sewer, water, drainage and power; and Such other information as may be required by the local government. 	The submitter has accurately copied Special Use Zone 4 development requirement cl.3, from proposed Scheme 4. The submitters comment is <u>noted.</u>
			2. Accommodation for an on-site manager shall be provided for a caravan park and camping ground.	The submitter has accurately copied Special Use Zone 4 development requirement cl.4, from proposed Scheme 4. This clause is not required as it is already covered by classifying the land use Caretaker's Dwelling as an I (incidental) use in Special Use

				Zone 4. The submitters comment is <u>noted. (Delete SU4 development requirement cl.4) Refer proposed modification 295.</u>
			3. Additional accommodation for up to a maximum of two permanent staff of the caravan park and camping ground may be permitted.	The submitter has accurately copied Special Use Zone 4 development requirement cl.5, from proposed Scheme 4. This clause is required to refer a separate dwelling land use, as a dwelling cannot form part of a caravan park. The submitters comment is <u>noted. (Reword SU4 development requirement cl.5) Refer proposed modification 296.</u>
			4. Landscaping shall be provided to integrate the development into the natural landscape and provide screening from visual and noise impacts of surrounding land uses.	The submitter has accurately copied Special Use Zone 4 development requirement cl.6, from proposed Scheme 4. The submitters comment is <u>noted.</u>
			5. Notwithstanding the requirements of the <i>Caravan Park and Camping Ground Regulations 1997</i> (as amended), the maximum period of occupation of a site by any person or persons is 4 months.	The submitter has accurately copied Special Use Zone 4 development requirement cl.8, from proposed Scheme 4. Referring to the <i>Caravan Park and Camping Ground Regulations 1997</i> is not required, as these regulations are not enforced under the <i>Planning and Development 2005</i> and therefore inappropriate to be included in the provision. The submitters comment is <u>noted. (Reword SU4 development requirement cl. 8) Refer proposed modification 295.</u>
			6. Fencing shall be in accordance with the <i>Caravan Park and Camping Ground Regulations 1997</i> (as amended). Fencing of individual caravan or camping sites is not permitted.	The submitter has accurately copied Special Use Zone 4 development requirement cl.9, from proposed Scheme 4. Referring to the <i>Caravan Park and Camping Ground Regulations 1997</i> is not required, as these regulations are not enforced under the <i>Planning and Development 2005</i> and therefore inappropriate to be included in the provision. The submitters comment is <u>noted. (Reword SU4 development requirement cl. 9) Refer proposed modification 295.</u>
			7. Freehold or strata subdivision will not be supported.	The submitter has accurately copied Special Use Zone 4 development requirement cl.10, from proposed Scheme 4. This clause should be worded to refer to the correct terminology for the different types of subdivision (i.e Green Title, survey strata) The submitters comment is <u>noted. (Reword SU4 development requirement cl.10) Refer proposed modification 297.</u>
			Note: Development shall comply with all requirements of the <i>Caravan Parks and Camping Grounds Act 1995</i> (as amended) and <i>Caravan Parks and Camping Grounds Regulations 1997</i> (as amended)	The submitter is proposing Special Use Zone 4 development requirement clause 1 from proposed Scheme 4 be a note rather than a clause. This is recommended as the clause relates to an Act and Regulations outside of the authority prescribed by the Planning and Development Act 2005. The submitters comment is <u>upheld. (modify SU4 development requirement cl.1 to be a note) Refer proposed modification 293.</u>
				<p>Summary of Submission 20.</p> <ul style="list-style-type: none"> The submitter advises that the land use provisions of Special Use Zone 4 (SU4) in proposed Scheme 4 will prejudice the long term viability of the RAC Exmouth Cape Holiday Park, as a number of land uses currently occurring in the RAC Exmouth Cape Holiday Park are prohibited in SU4, and will therefore continue to operate as non-conforming uses. The land use permissibility of SU4 in proposed Scheme 4 will also reduce the ability for RAC to make alterations to the mix of tourism accommodation on the site. The land use permissibility in SU4 has been prepared to protect Caravan Parks and Camping Grounds from incompatible land uses, and ensure Caravan Park remain as the predominant use. A motel is considered to be an acceptable land use in SU4, and can provide for the accommodation of backpackers. The submitter advises that limiting the range of land uses will reduce the value of the assets onsite and negatively impact on RAC's ability to reinvest in the site. The impact of proposed Scheme 4 on asset value is not a relevant planning consideration. The submitters advise that SU4 and the Tourism zone in proposed Scheme 4 are inconsistent with the proposed Local Planning Strategy. Proposed Scheme 4 which includes SU4 and the Tourism zone is consistent with the proposed Local Planning Strategy.

				<ul style="list-style-type: none">The submitter advises the location of the RAC Exmouth Cape Holiday Park adds weight to zoning this site Tourism. If the site were zoned Tourism in proposed Scheme 4 the existing predominant Caravan Park land use would become a non-conforming land use, and any further expansion of the Caravan Park is therefore unlikely to be supported, this is not desired.The submitter provides support for the SU4 classification of land east of the RAC Exmouth Cape Holiday Park (UCL 1403 and 1404).The submitter has re-written all provisions of SU4 to allow for more land uses. Allowing for increased land uses to occur in SU4 is not supported as it does not meet the intent and objectives of SU4. A motel is considered to be an acceptable land use in SU4, and can provide for the accommodation of backpackers. Reference to the Caravan Parks and Camping Grounds Act and Regulations within provisions is inappropriate as they are not enforced under the <i>Planning and Development 2005</i>.Modifications 36, 287, 288, 289, 290, 293, 295, 296 and 297 proposed to Scheme 4.						
21.	N/A	Department of Parks and Wildlife WA	Thank you for providing the Department of Parks and Wildlife (Parks and Wildlife) Exmouth District with the opportunity to comment on the Shire of Exmouth Draft Local Planning Strategy 1 and Draft Local Planning Scheme 4.	The submitters comment is <u>noted.</u>						
			Parks and Wildlife’s Exmouth District has reviewed the documents in relation to the Department’s responsibilities under the <i>Conservation and Land Management Act 1984</i> and the <i>Wildlife Conservation Act 1950</i> . Please find Parks and Wildlife’s comments attached for the Shire of Exmouth’s consideration in the process of finalising the Local Planning Strategy 1 and Local Planning Scheme 4.	The submitters comment is <u>noted.</u>						
			<p>Please contact Brooke Halkyard (ph. 9947 8021 or Brooke.Halkyard@DPaW.wa.gov.au) in the first instance if you have any queries in relation to this advice.</p> <table><tr><th>Item No.</th><th>Issue</th><th>Reviewer Comment / Advice</th></tr><tr><td>1</td><td>Permitted activities in Environmental Conservation reserve Section 2.2.3</td><td><p><i>Recommendation 1: That the Local Planning Scheme provides further justification for ‘mining activities’ being included as an objective for Environmental Conservation reserves.</i></p><p>Discussion The Local Planning Scheme identifies mining activities as one of the objectives for Environmental Conservation reserves. Parks and Wildlife notes that ‘mining activities’ is not listed in the table of reserve objectives at 14(3) in the <i>Planning and Development (Local Planning Schemes) Regulations 2015– Schedule 1</i>. Parks and Wildlife considers ‘mining activities’ to be inconsistent with the high conservation values of Environmental Conservation reserves identified in the Local Planning Strategy and recommends that the Local Planning Scheme provides further rationale for the inclusion of ‘mining activities’ as an objective of this reserve type.</p></td></tr><tr><td>2</td><td>Nature Based Park applications Section 4.2.1.3</td><td><p><i>Recommendation 2: That the Local Planning Scheme reconsiders its provisions relating to Nature Based Park applications.</i></p><p>Discussion</p></td></tr></table>	Item No.	Issue	Reviewer Comment / Advice	1	Permitted activities in Environmental Conservation reserve Section 2.2.3	<p><i>Recommendation 1: That the Local Planning Scheme provides further justification for ‘mining activities’ being included as an objective for Environmental Conservation reserves.</i></p> <p>Discussion The Local Planning Scheme identifies mining activities as one of the objectives for Environmental Conservation reserves. Parks and Wildlife notes that ‘mining activities’ is not listed in the table of reserve objectives at 14(3) in the <i>Planning and Development (Local Planning Schemes) Regulations 2015– Schedule 1</i>. Parks and Wildlife considers ‘mining activities’ to be inconsistent with the high conservation values of Environmental Conservation reserves identified in the Local Planning Strategy and recommends that the Local Planning Scheme provides further rationale for the inclusion of ‘mining activities’ as an objective of this reserve type.</p>	2
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2	Nature Based Park applications Section 4.2.1.3	<p><i>Recommendation 2: That the Local Planning Scheme reconsiders its provisions relating to Nature Based Park applications.</i></p> <p>Discussion</p>								

				Parks and Wildlife notes that the Local Planning Scheme identifies that “Nature Based Park” applications <u>may</u> be required to address biodiversity and quarantine management plans, in addition to access management, flora and fauna surveys, foreshore management plans and emergency management plans, covering bushfires and cyclones. Given the high conservation values of potential Investigation Areas (please refer to comments to the Local Planning Strategy) and the likelihood for increased visitation to island nature reserves, Parks and Wildlife considers these should be requirements and recommends the wording of the Local Planning Scheme be amended so that “Nature Based Park” applications <u>will</u> address these provisions. Parks and Wildlife welcomes consultation with the Shire of Exmouth in assessing the suitability of surveys and management plans submitted as a requirement of “Nature Based Park” applications.	also be submitted for areas that have already been cleared of all vegetation where a flora survey will serve no purpose. The submitters comment is <u>not supported</u> .	
			3	Minilya-Exmouth Road (SCA 6) Section 5.7	<i>Recommendation 3: That the Local Planning Scheme maintain its proposal for Special Control Area 6 (SCA 6).</i> Discussion Parks and Wildlife supports the proposal for a 100 metre setback on either side of Minilya-Exmouth Road to preserve natural environmental and landscape features. Parks and Wildlife recommends that the Local Planning Scheme adopt SCA 6.	The submitter provides support for proposed Special Control Area 6 (Minilya Exmouth Road) in proposed Scheme 4. The submitters comment is <u>noted</u> .
			4	Rezoning of DPaW site on Nimitz St from Public Purpose reserve to Service Commercial zone	<i>Recommendation 4: That the local planning scheme maintain its proposal to rezone the DPaW site on Nimitz street.</i> Discussion Parks and Wildlife have no objections to the rezoning of this site to Service Commercial Zone.	The submitter provides support for the proposed Service Commercial zoning of the DPaW site on Nimitz Street (Reserve 44773), in proposed Scheme 4. The submitters comment is <u>noted</u> .
						Summary of Submission 21. <ul style="list-style-type: none">Department of Parks and Wildlife (DPaW) requests further justification for mining activities being included in an objective in the Environmental Conservation reserve in proposed Scheme 4. This is consistent with the Department of Mines and Petroleum live and pending mining tenements with the majority being within the Environmental Conservation reserve.DPaW requests that clause 4.21.3 Nature Based Parks be modified to state will address the additional listed provisions, in lieu of may be required to address the additional listed provisions. Changing the word from ‘may’ to ‘will’ is inappropriate as nature based park applications may be submitted for inland areas nowhere near the coast where a foreshore management plan will serve no purpose. Nature Based Park application may also be submitted for areas that have already been cleared of all vegetation where a flora survey will serve no purpose.DPaW provides support for Special Control Area 6 – Minilya Exmouth Road and the Service Commercial zoning of the DPaW site on Nimitz Street in proposed Scheme 4.Modification 157 proposed to Scheme 4.

22.	N/A	Department of Transport – Coastal Infrastructure Business Unit	Thank you for the opportunity to comment on the advertised Shire of Exmouth draft <i>Local Planning Scheme No. 4 (LPS4)</i> and draft <i>Local Planning Strategy No. 1 (LPS1)</i> .	The submitters comment is <u>noted.</u>											
		Introduction The Department of Transport (the DoT) is the State assigned agency responsible for managing the development and operation of the Exmouth Boat Harbour (Harbour) in line with its reservation under the <i>Land Administration Act 1997 (LA Act)</i> and its vesting for Harbour purposes under the <i>Marine and Harbours Act 1981 (M&HAct)</i> .The DoT's submission takes into account all previous correspondence among the DoT, the Shire of Exmouth and the Department of Planning.	The submitters comment is <u>noted.</u>												
		<p>In representing the Minister's interests, the DoT submits that all proclaimed areas within the Harbour - both marine and land - are most appropriately placed in a public purpose reserve in <i>LPS4</i>, rather than broken up into a disparate mix of reserves and special use zones as the Shire proposes. Specifically, the land areas on the northern and southern sides of the Harbour's main fairway entrance should be included within the "Strategic Infrastructure" reserve, proposed in <i>LPS4</i>, in the same way that Harbour marine areas have been treated. This outcome would be consistent with the Shire's own draft <i>LPS1</i> where Action Statement 5.2.6.3b) recommends to <i>"Include the land within a Strategic Infrastructure type classification in LPS 4"</i>. It would also align with the <i>Planning & Development (Local Planning Scheme) Regulations 2015 (2015 Regulations)</i>, which state that the objective of the 'Strategic Infrastructure' reserve is; <i>"To set aside land required for port or airport facilities"</i>.</p> <p>For the reasons set forth more fully below, the DoT unequivocally objects to the current 'Special Use' zone (SU5) being proposed over the most of the land areas contained in the Minister's Harbour reserve.</p>	<table><tr><td colspan="2">Proposed Scheme 4 classifies the areas of the Exmouth Boat Harbour as follows:</td></tr><tr><td>Area</td><td>Classification in proposed Scheme 4</td></tr><tr><td>Northern land based portion of the Exmouth Boat Harbour managed by the Department of Transport</td><td>Special Use Zone 5 – P2</td></tr><tr><td>Southern land based portion of the Exmouth Boat Harbour managed by the Department of Transport</td><td>Special Use Zone 5 – P1</td></tr><tr><td>Waterways</td><td>Strategic Infrastructure reserve and waterways</td></tr><tr><td>Marina Boat ramp, Marina Boat ramp carpark, Exmouth Marine rescue building</td><td>Strategic Infrastructure reserve</td></tr><tr><td>Reserves at entrance to the canal waterway</td><td>Public Open Space reserve</td></tr></table> <p>The submitter requests that the northern and southern land based portions of the Exmouth Boat Harbour managed by the Department of Transport (the area) be classified Strategic Infrastructure reserve in proposed Scheme 4. Classifying the area Strategic Infrastructure Reserve in proposed Scheme 4 is inappropriate for the following reasons:</p> <ul style="list-style-type: none">– The area is and will be predominately developed for private commercial purposes not public purposes which is a requirement of a reserve as defined in the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. Classifying the area Strategic Infrastructure reserve in proposed Scheme 4 would therefore be inconsistent with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.– Legal advice obtained by the Shire confirms that it is more appropriate to include the area in Special Use Zone 4 in proposed Scheme 4, where private commercial development is intended. Refer to submission 1 on the Shire of Exmouth Local Planning Scheme No.4 (Revision 10). Classifying the area as a reserve in proposed Scheme 4 may give cause for injurious affection.– Site and development requirements can be included to control development for the area if it is classified Special Use Zone 4 in proposed Scheme 4. The site and development requirements have been prepared to ensure compatibility with surrounding land uses and to achieve orderly and proper planning. Site and development requirements cannot be included in proposed Scheme 4 if the area is classified Strategic Infrastructure reserve.– The area is not a port it is a Boat Harbour as designated under the Marine and Harbours Act 1981, and hence the Department of Transport does not have exclusive planning powers.– Current Town Planning Scheme No.3 classifies the area 'Marina' zone. The classification of the area in proposed Scheme 4 is consistent with current Town Planning Scheme No.3. <p>The submitters comment is <u>not supported.</u></p>	Proposed Scheme 4 classifies the areas of the Exmouth Boat Harbour as follows:		Area	Classification in proposed Scheme 4	Northern land based portion of the Exmouth Boat Harbour managed by the Department of Transport	Special Use Zone 5 – P2	Southern land based portion of the Exmouth Boat Harbour managed by the Department of Transport	Special Use Zone 5 – P1	Waterways	Strategic Infrastructure reserve and waterways	Marina Boat ramp, Marina Boat ramp carpark, Exmouth Marine rescue building	Strategic Infrastructure reserve
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Reserves at entrance to the canal waterway	Public Open Space reserve														
Relevant Planning Background	The Shire is not dissatisfied with the Marina Zone in current Town Planning Scheme 3 which requires consultation with the Department of Transport. Special Use Zone 5, in														
The Harbour land areas consist of 4 lots which have been reserved under the LA Act and vested to the Minister for either "Harbour purposes" or "requirements															

			<p>of the <i>Marine and Harbours Act 1981</i>". At present, all land within the Harbour reserve is contained within a "Marina Zone" in the Shire's <i>Local Planning Scheme No. 3 (LPS3)</i>, currently in effect. Pursuant to <i>LPS3</i>, cl. 5.5.3, development in the Marina Zone is subject to consultation with the DoT, whose comments the Shire "shall take into account". The DoT understands the Shire was dissatisfied with this arrangement and that this may have influenced the Shire's thinking in preparing <i>LPS4</i>.</p>	<p>proposed Scheme 4 was created by reviewing the current activities occurring on all land based portions of the Exmouth Boat Harbour managed by the Department of Transport and the existing planning framework. The provisions of Special Use Zone 5 in proposed Scheme 4 are based on the Department of Transport Exmouth Boat Harbour Land Use Framework and the existing Exmouth Marina Village Broad Outline Development Plan. The submitters comment is <u>noted</u>.</p>
			<p>The Shire has advertised proposed <i>LPS4</i>. The proposed scheme, in the DoT's view, represents a significant departure from the planning framework contained in the current <i>LPS3</i> - at least with respect to the Harbour. As proposed, <i>LPS4</i> would split the Harbour reserve up, placing: (i) the Harbour's marine waters in a "Strategic Infrastructure" local reserve; (ii) one small land area north of the fairway entrance (Lot R49038) into a "Public Open Space" local reserve; and (iii) the majority of Harbour land areas (Lots R49039, R49037 and R47931) into "Special Use Zone 5" (SU5). Schedule 4 of <i>LPS4</i> sets forth the "permissible" special uses within SU5. Several provisions in <i>LPS4</i> impact uses and potential development within the Harbour reserve, specifically cl. 3.6.2 and cl.2.4. The DoT will address its concerns with these provisions in more detail below</p>	<p>The submitters comment is incorrect as proposed Scheme 4 is not a significant departure from existing Town Planning Scheme No.3 for the following reasons:</p> <ul style="list-style-type: none"> – Current Town Planning Scheme No.3 classifies land based portions of the Exmouth Boat Harbour managed by the Department of Transport 'Marina' zone, similar to Special Use Zone 5 in proposed Scheme 4. – Current Town Planning Scheme No.3 includes development requirements for the Marina zone. Special Use Zone 5 in proposed Scheme 4 also includes development requirements. – Lots extend into the canal waterway with this area being zoned in current Town Planning Scheme No.3. <p>The submitter is correct in that a small land area north of the waterway entrance (portion R47803) is classified as Public Open Space reserve in proposed Scheme 4. This is inappropriate as it is such a small area and unnecessarily fragments the classification of land in proposed Scheme 4. The same applies for a small land area south of the waterway entrance (R47806). It is recommended that the portion R47803 north of the waterway entrance and R47803 be classified Special Use Zone 5 in proposed Scheme 4. The submitters comment is <u>partially upheld. (modify the scheme maps changing public open space reserves in the boat harbour to Special Use Zone 5) Refer proposed modifications 394.</u></p>
			<p>The DoT's Specific Concerns/Objections to Proposed <i>LPS4</i></p> <p>Accepted Planning Approach</p> <p>The accepted planning approach to land use classification in Western Australia is relatively uncomplicated. Privately-owned land is typically zoned and Crown land is typically reserved. Inclusion of Crown assets within Scheme reserves readily, and consistently, distinguishes the use of lands held and managed for public purposes, from lands used for the benefit of private persons. It is perhaps no coincidence that the same term ('reserve') is used to reference both land tenure and land use classification.</p>	<p>The submitters comment is incorrect. The ownership of land has no impact on the classification of land in a Local Planning Scheme. The classification of land in a Local Planning Scheme is based on its existing and future intended use. A Local Planning Scheme cannot control the ownership of land. It is acknowledged that Crown assets are commonly reserved in Local Planning Schemes due them being currently or intended to be used for public purposes, for the benefit of the general public, notwithstanding there are many Crown assets in Western Australia which are zoned in Local Planning Schemes. The submitter is incorrect in the term reserve can be used in reference to both land tenure and land use classification. The term reserve under the Land Administration Act 1997 (LA Act) means '<i>Crown land for the time being reserved under 41</i>', the term reserve under the Planning and Development (Local Planning Schemes) Regulations 2015 (PaD Regs) means '<i>land reserved under this Scheme for a public purpose</i>'. These definitions are completely different as the LA Act definition refers specifically to Crown land which the PaD Regs definition does not, and the PaD Regs definition refers specifically to a public purpose which the LA Act definition does not. The submitters comment is <u>noted</u>.</p>
			<p>Our review of various Region Schemes and Local Planning Schemes in operation throughout WA reveals that Crown land under State agency control is generally and consistently reserved for one or more public purposes, as is typical for other public assets. It follows then that the Crown lands comprising the Harbour, which are reserved to and vested in the Minister for public purposes, should be treated in the same manner. At the very least, there should be a strong reason to depart from this standard. In the DoT's view, no such reason has been articulated and none is apparent from the objects of proposed <i>LPS4</i> or the text of its provisions. Indeed, breaking the Harbour into 3 different classifications, with very different purposes (Public Open Space, Strategic Infrastructure and</p>	<p>Refer comments above. The submitters comment is incorrect Crown lands comprising the Exmouth Boat Harbour are reserved and vested in the Minister for Transport for Harbour purposes, not public purposes. Therefore the Exmouth Boat Harbour cannot necessarily be considered a reserve for the purposes of <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> under which a Local Planning Scheme is created. Classifying the Exmouth Boat Harbour Special Use Zone 5 and Strategic Infrastructure Reserve which is generally consistent with existing Town Planning Scheme 3 is therefore a reasonable planning approach as it cannot be justified by the submitter that the Exmouth Boat Harbour will solely be used for public purposes to meet the definition of a reserve under the <i>Planning and Development (Local Planning</i></p>

			<p>SU5) strikes the DoT as a manifestly unreasonable planning approach by the Shire.</p>	<p><i>Schemes) Regulations 2015</i>, and private commercial activities are already occurring in the Exmouth Boat harbour. The submitters comment is <u>noted.</u></p>
			<p>Negative Precedential Impact of LPS4 on Other DoT Coastal Assets</p> <p>Underpinning and reinforcing the DoT's view about the inappropriateness of the Shire's proposed treatment of the Harbour in <i>LPS4</i> is the DoT's concern about the negative precedential impact on other DoT coastal assets if the Shire's planning framework for the Harbour is ultimately adopted. The DoT currently administers 44 coastal assets around the State, 21 of which are outside the coverage of any regional planning scheme. A number of these assets are designated for port, Harbour, marine or marina purposes. As the State agency charged with managing and developing these assets for public purposes, the DoT has a very strong interest in seeing to it that their management is consistent across the State and that the Minister's powers and functions are not significantly compromised.</p>	<p>The Exmouth Boat Harbour is only comparable to other regional Boat Harbours designated under the <i>Marine and Harbours Act 1981</i>, where no region scheme is applicable. Whether proposed Scheme 4 sets a negative or positive precedence is unknown and highly subjective. Precedence has already been set by the City of Greater Geraldton Local Planning Scheme Number 1 gazetted 11 December 2015 which was prepared and adopted with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> in force and includes a land based portion of the Batavia Coast Marina being zoned Regional Centre and the waterway as reserve. Proposed Scheme 4 uses the same land classification mechanism with a different zone title i.e. Special Use Zone. Exmouth Boat Harbour is not the only Boat Harbour in Western Australia to be controlled by the <i>Marine and Harbours Act 1981</i>. The <i>Marine and Harbours Act 1981</i> applies to the following Harbours/Marinas where land based portions are zoned in the respective Local Planning Scheme:</p> <ul style="list-style-type: none"> i. Bunbury (Casuarina) Boat Harbour – R43556 – City of Bunbury – Land Based portion zoned Special Use Zone; ii. Carnarvon Boat Harbour – R33696 – Shire of Carnarvon – Land based portions zoned General Industry; iii. Jurien Boat Harbour – R39419 – Shire of Dandaragan – Land based portion zoned Harbour Zone; iv. Batavia Coast Marina – R42460 – City of Greater Geraldton – Land based portion zoned Regional Centre; and v. Johns Creek Boat Harbour – R39027 – Shire of Roebourne – Land based portion zoned Industry. <p>The management of land is not determined by proposed Scheme 4. The submitters comment is <u>noted.</u></p>
			<p>The M&HAct's Purpose and Function</p> <p>The <i>M&HAct's</i> fundamental objective is to recognise the importance of Boat Harbours and maritime infrastructure upon which human settlement and the State's economy is heavily reliant. The <i>M&HAct</i> also codifies the State's obligation to provide safe refuge for boats and to promote Harbours for public recreation.</p>	<p>The submitter is providing general comments on the <i>Marine and Harbours Act 1981</i>. The submitters comment is <u>noted.</u></p>
			<p>The <i>M&HAct</i> recognises that the State cannot realistically operate and maintain all maritime uses and facilities typically found in Boat Harbours. Accordingly, the <i>M&HAct</i> allows the Minister to lease land in Harbour reserves to private entities in furtherance of the Harbour's development, consistent with the legislation. Importantly, the Crown remains the landowner and is ultimately responsible for all Harbour activities associated with these private leaseholds.</p>	<p>The responsibility and management of land has no implications on a Local Planning Scheme created under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. The submitters comment is <u>noted.</u></p>
			<p>As the managing agency under the <i>M&HAct</i>, the DoT's Coastal Infrastructure Business Unit's (CIBU) primary purpose is "<i>to strategically plan for, deliver, manage and maintain maritime infrastructure and support the management of the coast for the economic prosperity of Western Australia</i>". The CIBU's 2016/17 Business Plan identifies a number of principles that underpin this submission, namely to: (i) "<i>ensure efficient and effective management of maritime facilities</i>" that are "<i>fully funded from explicit revenue sources</i>"; and (ii) "<i>ensure adequate revenue for ongoing operations and asset management</i>". These principles follow from the DoT's need to adequately maintain and improve Harbour assets, acknowledging the power of the Minister's to exercise broad discretion to lease land to private entities under the <i>M&HAct</i>.</p>	<p>Refer comments above. Proposed Scheme 4 does not prevent the Department of Transport from adequately maintaining and improving the Exmouth Boat Harbour as it is a Public Work as defined in the <i>Planning and Development Act 2005</i>, and therefore exempt from requiring development (planning) approval from the Shire. Should the Department of Transport want exclusive planning control over the boat harbour it should be declared under the Port Authority Act. Proposed Scheme 4 has no control over the leasing of land. The submitters comment is <u>noted.</u></p>
			<p>Further, the DoT's management responsibility for assets reserved to it under the <i>M&HAct</i> also extends to the control of impacts from Harbour activities. We understand through consultation with the Shire that preservation of amenity formed at least a part of the basis for proposing inclusion of a portion of the</p>	<p>The preservation of amenity was a major consideration in preparing Special Use Zone 5 in proposed Scheme 4. Although the Department of Transport may have the ability to control amenity under the Marine and Harbours Act 1981 this act gives no power to the Shire. The ability for the Shire to control amenity is required when a development</p>

			<p>Harbour within the SU5 zone. The DoT recognises that amenity is one the impacts that it must manage and protect under the <i>M&HAct</i>. Since the DoT already is obliged to manage and protect amenity under the <i>M&HAct</i>, it makes no sense to create potential conflicts between the DoT's management of such impacts, and the new management powers over such impacts proposed <i>LPS4</i> seeks to vest in the Shire.</p>	<p>(planning) application is lodged with the Shire. The preparation of proposed Scheme 4 gives the Shire the opportunity to introduce amenity control provisions for the Exmouth Boat Harbour, in the highest level of statutory planning afforded to a local government. As all development (planning) applications are required to be signed by the owner of the land being the Department of Transport (assumed delegated by the Crown) for the Exmouth Boat Harbour the Department of Transport have the first opportunity to assess any proposal against amenity considerations, prior to signing the application to proceed for assessment by the Shire. Further the provisions of Special Control Area 5 in proposed Scheme 4 have been advertised for 114 days, giving the Department of Transport the opportunity to review and consider provisions reducing any potential conflict between the Department of Transport and Shire framework. The Department of Transport staff are not 'on the ground', and Shire officers believe it is not the primary interest of the Department of Transport to control the impacts of amenity and compatibility of development with surrounding land uses. The submitters comment is <u>noted.</u></p>
			<p>The DoT's Planning Approach is More Sound</p> <p>Gazettal of the <i>2015 Regulations</i> presents an opportunity for the DoT to standardise a planning framework for the Minister's assets throughout the State. The DoT is developing a program of activities to ensure all of the Minister's assets are planned consistently through the preparation of locally appropriate Land Use Frameworks (LUFs) that provide a clear and consistent description of the Minister's intentions for each asset and the relevant approvals pathways for appropriate private uses within those managed assets.</p>	<p>The submitter is referring to a separate document called the Exmouth Boat Harbour Land Use Framework. The Department of Transport have provided the Shire with a Draft copy of the Exmouth Boat Harbour Land Use Framework for comment. The provisions of the Exmouth Boat Harbour Land Use Framework are generally consistent with those provisions in Special Use Zone 5 in proposed Scheme 4. The Land Use Framework has no statutory force in the planning realm. The submitters comment is <u>noted.</u></p>
			<p>Cognisant of the Shire's concerns about its ability to control amenity impacts adjacent to the Harbour, and aligned with the CIBU's underlying objective to "<i>engage with stakeholders and build effective partnerships</i>", the DoT has proactively committed to collaborate with the Shire to deliver a LUF for the Harbour sensitive to the control of amenity impacts outside the reserve. The LUF's purpose is to provide a clear set of guidelines against which any development application can be assessed and for appropriate conditions to be imposed. The LUF would be supported by the DoT's existing controls through leasing contracts, which require from the outset that any negotiation with potential lessees be predicated on initial preparation of land use and development layouts, and operational plans in consultation with local government. Following in-principle support, formal plans can be prepared and submitted for the DoT's approval.</p>	<p>Refer comments above. Although the Exmouth Boat Harbour Land Use Framework can be used to assess development (planning) applications it is not ideal, as this document has no statutory weighting and could easily be challenged in the State Administrative Tribunal. The same applies if the Shire adopted the Exmouth Boat Harbour Land Use Framework as a local planning policy. The preparation of proposed Scheme 4 gives the Shire the opportunity to introduce development control provisions for the Exmouth Boat Harbour, in the highest level of statutory planning afforded to a local government. Proposed Scheme 4 does not prevent the Department of Transport from using the Exmouth Boat Harbour Land Use Framework. The Land Use Framework is not a planning instrument of the WA planning system as provided by the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. Shire officers believe it is not in the interest of the Department of Transport to protect amenity and impacts on existing surrounding land uses. The submitters comment is <u>noted.</u></p>
			<p>In support of formal development application submissions, the DoT advises lessees to consult with the Shire, along with other regulatory stakeholders, to ensure the use, its operation and any associated impacts are identified and addressed. Only if this process is satisfied, will the DoT agree to sign as landowner an Application for Development Approval form enabling submission to the Shire for formal approval. It is also worth noting that any lease executed by the DoT typically includes detailed conditions, the breach of which triggers substantial financial and legal penalties, including revocation of the lease. Working together with the Shire, the DoT can ensure that lease conditions can be strengthened or made more specific to deal with local issues.</p>	<p>The Shire strongly supports the process undertaken by the Department of Transport of referring lessees to consult with the Shire along with other regulatory stakeholders, to ensure the use, its operation and any associated impacts are identified and addressed, prior to signing as landowner on a development (planning) application for assessment by the Shire. The Shire supports the Department of Transport imposing conditions on any lease executed, subject to not being inconsistent with the Shires operating Local Planning Scheme. The Shire supports the Department of Transport working with the Shire to ensure lease conditions are appropriate. The submitters comment is <u>noted.</u></p>
			<p>A draft LUF was presented to the Shire, which the DoT understands is generally supported by Shire officers, but has been deferred pending the outcome of the Scheme review process.</p>	<p>Refer comments above.</p>
			<p>Specific Concerns with Proposed <i>LPS4</i> as Currently Drafted</p> <p>The DoT strategic management approach for all activities in Boat Harbours is being strengthened to ensure it is more effective and sufficiently robust to appropriately control private development within the Harbour. The DoT submits that the provisions proposed in <i>LPS4</i> will not only duplicate many of the</p>	<p>The provisions of Special Use Zone 5 in proposed Scheme 4, may duplicate provisions already contained in the Department of Transports framework. The Shire cannot enforce provisions if they are not included in proposed Scheme 4. The submitters comment is <u>noted.</u></p>

			responsibilities vested in the State but, more concerning, potentially undermine or conflict with the DoT's discharge of these responsibilities.	
			Under the management framework established by State legislation (e.g., the <i>M&H Act</i> , the <i>LA Act</i>), the DoT submits that the Shire is not the appropriate agency to manage activities within the Harbour that do not fall within the broad range of "public works" defined in s.2 of the <i>Public Works Act 1902</i> (and which are exempt from local government control). Development controls proposed in <i>LPS4</i> seek to impose limitations that are likely to prejudice the Minister's ability to develop the Harbour in line with its vested purpose. Numerous provisions in <i>LPS4</i> underpin this concern, including:	The Shire is authorized under the <i>Planning and Development Act 2005</i> and relevant local planning scheme to control land uses and development not defined as public works under the <i>Planning and Development Act 2005</i> , and development not exempt under any other legislation (i.e. low impact telecommunications) in the Exmouth Boat Harbour. The submitter is correct in that the Shire has no management authority over the Exmouth Boat Harbour, as Reserve 49037 has a management order issued to the Department of Transport. Development controls in Special Use Zone 5 in proposed Scheme 4 allow for the expansion and development of the Harbour consistent with the designated purpose of the reserve under <i>Land Administration Act 1997</i> . The Shire is not proposing to manage the boat harbour, only provide controls in accordance with the Planning and Development Act 2005. Should the Department of Transport want exclusive planning control over the Exmouth Boat harbour, it should be declared as a port under the Port Authority Act. The submitters comment is <u>noted</u> .
			<ul style="list-style-type: none"> – The objectives contained within proposed <i>LPS4</i> for the SU5 zone emphasise control of offsite impacts rather than focussing on the legitimate existence of the Harbour itself. The DoT submits that the objectives for a public asset should promote and reinforce the primary purpose of the asset. 	The submitters comment is incorrect the objectives of Special Use Zone 5 in proposed Scheme 4 reinforce the existing harbour itself. The proposed objectives do promote and reinforce the primary purpose of Special Use Zone 5 being a Boat Harbour. The Department of Transport have not provided recommended objectives. The submitters comment is <u>noted</u> .
			<ul style="list-style-type: none"> – No 'permitted' uses. Proposed <i>LPS4</i> provides that no use within the SU5 zone is classified as a "P" (permitted) use. In other words, proposed <i>LPS4</i> does not define any activity as "permitted" within the Harbour. Instead, <i>LPS4</i> proposes to identify a limited range of discretionary "D" or "A" uses that may be approved in the exercise of the Shire Council's broad discretion. This proposed planning framework renders any proposed private use within the Harbour as marginal and uncertain. To further illustrate the point, a 'Marina' land use in the SU5 zone is a discretionary "D" use and is not expressly permitted. This leaves open the possibility that a proposed 'Marina' land use within the Harbour could be refused, despite the Minister's determination that it is needed to promote a public purpose. The Shire's attempt to assert such control cannot be in the public interest. 	The submitter is correct in that there are no P permitted land uses in Special Use Zone 5 in proposed Scheme 4. This means that the Shire could refuse all development in Special Use Zone 5 in proposed Scheme 4. This is not recommended as it provides no certainty. The submitters comment is <u>upheld. (have P uses in both P1 South Harbour and P2 North Harbour) Refer proposed modifications 301 and 307.</u>
			<ul style="list-style-type: none"> – 'X' Uses. The classification of all other (non-Marina) uses within the SU5 zone as "X" denies any opportunity for the Minister to positively promote the Harbour for any use not yet contemplated, regardless of its locational suitability. Resolution of this conflict would require a Scheme amendment, taking unnecessary time, contrary to contemporary approaches supporting a streamlined planning process. 	The submitter is correct in stating that all other non-marina/boat harbour related land uses are classified as X not permitted in Special Use Zone 5 in proposed Scheme 4. This further reinforces the primary purpose of asset being a boat harbour. Further this ensures Special Use Zone 5 remains for the predominant marina/boat harbour use and is not compromised by other incompatible uses. Allowing non-marina/boat harbour related land uses within Special Use Zone 5 will comprise other zones in the Shire. The Shire is unlikely to support any scheme amendment which allows for non-marina/boat harbour related land uses to be supported in Special Use Zone 5 in proposed Scheme 4. There are many permissible land uses in Special Use Zone 5, which allows for many activities. The submitters comment is <u>noted</u> .
			<ul style="list-style-type: none"> – Specific development control. Some of the proposed development controls proposed in <i>LPS4</i> (such as height limits) are inappropriate to the Harbour's operation. The nature of marine infrastructure (e.g. boat stacker, boat lifter, repairs) is bulky and necessarily high; taller buildings may also be required to mitigate other impacts of the Harbour's operation (e.g. to control environmental conditions such as dust and noise emissions) Clause 3.6.2 of LPS4 relating to Special Use zones: 	Special Use Zone 5 in proposed Scheme 4 does include maximum buildings height limits. These height limits are to protect and preserve the amenity of the area considering existing surrounding residential and tourist development. However the Shire has been receiving development (planning) applications which include open sided and un-roofed structures such as cranes and boat lifting devices higher than the prescribed height limits in Special Use Zone 5 in proposed Scheme 4. As these types of buildings are unroofed and open sided, the amenity impacts are reduced. Considering this additional height may be acceptable in certain locations within the Exmouth Boat Harbour, where the amenity impacts on existing surrounding residential and tourist development are minimal. Further the existing Exmouth Marina Village Board Outline Development Plan already controls maximum plate height (8m) and maximum roof height (11m) for the south-western portion of the Exmouth Boat Harbour. The maximum building height limits in Special use Zone 5 in proposed 4 are generally consistent with those prescribed in the Exmouth Marina Village Board Outline Development Plan as

			<p><i>"A person must not use any land or any structures or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use."</i></p> <p>For the reasons set forth above, the DoT's concern stems from the fact that there are no "permissible" uses in the Harbour in proposed <i>LPS4</i>. This means the Minister would be similarly fettered in implementing his powers within the Harbour (if only in the public observation rather than the law).</p>	<p>approved by the WAPC. The submitters comment is <u>partially supported. (modify SU5 P1 South Harbour Precinct Development Requirement cl.1) Refer proposed modification 304.</u></p> <p>The submitter has accurately copied clause 3.6.2 of proposed Scheme 4.</p>
			<p>– Clause 2.4 of <i>LPS4</i> relating to the use of reserves. This clause is not consistent with the <i>2015 Regulations</i> and seeks to unnecessarily fetter activities within reserves, including the Strategic Infrastructure reserve proposed over the waters and requested, by the DoT, over the Harbour land area. As such the DoT does not support its inclusion in <i>LPS4</i>.</p>	<p>The submitters comment is correct that clause 2.4 Use and Development of Local Reserves in proposed Scheme 4 is not within the model provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. This clause is a duplication of other provisions already contained in the deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, and the unnecessary, The submitters comment is <u>upheld. (Delete clause 2.4) Refer proposed modification 21.</u></p>
			<p>– Designation of a Portion of the Harbour Reserve as "Public Open Space". The current draft of <i>LPS4</i> proposes to designate a small portion of the Harbour Reserve north of the fairway entrance (Lot R49038) as "Public Open Space". While this proposed action is less problematic than the Shire's proposal to zone the rest of the land within the Reserve as SU5, this proposed local reserve designation is concerning to the DoT. The public purposes associated with an "Open Space Reserve" are broadly inconsistent with the Minister's exercise of authority under the <i>M&HAct</i>. For example, cl. 2.2.3 of proposed <i>LPS4</i> makes it clear that most of the public purposes associated with "Public Open Space" relate to conservation, public access and recreational activities. While laudable, these purposes have nothing to do with Harbour activities. To the extent the uses associated with an "Open Space Reserve" are inconsistent with the sorts of activities normally associated with the operation of a Harbour, they appear to inappropriately constrain the Minister's decision-making authority with respect to development of the Harbour in accordance with the <i>M&HAct</i>. Accordingly, the local reserve designation for Lot R49038 should likewise be "Strategic Infrastructure".</p>	<p>The submitter is correct in that a small land area north of the waterway entrance (portion R47803) is classified as Public Open Space reserve in proposed Scheme 4. This is inappropriate as it is such a small area and unnecessarily fragments the classification of land in proposed Scheme 4. The same applies for a small land area south of the waterway entrance (R47806). It is recommended that the portion R47803 north of the waterway entrance and R47803 be classified Special Use Zone 5 in proposed Scheme 4. The submitters comment is <u>upheld. (modify the scheme maps changing public open space reserves in the boat harbour to Special Use Zone 5) Refer proposed modifications 394.</u></p>
			<p>Summary and Conclusion</p> <p>It appears to the DoT that the primary motivation for the proposed treatment of the Harbour is largely associated with the Minister's broad power to lease Harbour areas to private persons and the Shire's concern that it lacks planning and enforcement powers to address potentially resulting impacts. The DoT is not insensitive to the Shire's concerns - and the potential for its constituents to be frustrated by a perceived lack of local government control over Harbour activities. Indeed, it is out of sensitivity to these concerns that the DoT has proposed a LUF that we believe accommodates the Shire's concerns and remains committed to negotiating a final LUF on that basis.</p>	<p>The submitter is referring to a separate document called the Exmouth Boat Harbour Land Use Framework. The Department of Transport have provided the Shire with a Draft copy of the Exmouth Boat Harbour Land Use Framework for comment. The provisions of the Exmouth Boat Harbour Land Use Framework are generally consistent with those provisions in Special Use Zone 5 in proposed Scheme 4. The Land Use Framework has no statutory force in the planning realm. The submitters comment is <u>noted.</u></p>
			<p>However, the fact that the Shire has reasonable concerns about impacts of private development or uses within the Harbour does not justify what appears to be an attempt to usurp the Minister's discretion in discharging his/her powers and responsibilities under the <i>M&HAct</i> and other legislation applicable to Crown lands. In all events, the Exmouth Boat Harbour is, broadly speaking, a public work which has been funded by the State Government at a significant cost. In the DoT's considered view, we see no merit in utilising local land use controls to restrict or inhibit the activities that are to take place within the Harbour, particularly if the Harbour's broad purpose includes both nautical and commercial activities ordinarily associated with a marina use. Having funded</p>	<p>Special Use Zone 5 in proposed Scheme 4 is not an attempt from the Shire to usurp the Minister's discretion in discharging his/her powers and responsibilities under the Marine and Harbour Act 1981 and other legislation applicable to Crown lands. The local land use control in Special Use Zone 5 in proposed Scheme 4 is not intended to restrict or inhibit the activities that are to take place within the Harbour, but to control amenity and land use conflicts. The provisions of Special Use Zone 5 in proposed Scheme 4 will protect the Exmouth Boat Harbour from incompatible and unsuitable development. The submitter is referring to Hillary's Boat Harbour which is not comparable to the Exmouth Boat Harbour as it located in a metropolitan area and has an overlying applicable region planning scheme which classifies the Hillary's Boat Harbour Parks and Recreation</p>

			and undertaken the development of the Harbour, it is appropriate that the DoT is able to utilise this public asset to its most appropriate advantage, in accordance with the Minister's powers. The fact that broader commercial activities may be present (or may be introduced in the future does not warrant creating conflicts by introducing inappropriate zoning controls over the Harbour in a planning scheme. For example, we note that the Hillarys Boat Harbour, which includes a very commercial component, is placed in a regional "Parks and Recreation" reserve under the <i>Metropolitan Region Scheme</i> , with the consequential equivalent reservation mirrored in the relevant <i>Local Planning Scheme</i> .	reserve. It should be noted the private development is not a public work, and is subject the provisions of the Planning and Development Act 2005. The submitters comment is <u>noted</u> .
			Because the Exmouth Boat Harbour (and Marina) is a "public work", the land and marine waters within it should be treated, as a unitary whole, by way of a public purpose reservation; namely, a Strategic Infrastructure reserve. This designation will ensure that the Minister's capacity to provide for a full range of facilities anticipated (and which are an ordinary or common component of a Harbour development) to be included with the Harbour reserve, as contemplated under the <i>M&HAct</i> .	The submitter is requesting that the Exmouth Boat Harbour (Reserve 49037) be classified entirely as strategic infrastructure reserve in proposed Scheme 4. This is unsuitable for the reasons referred to in the comments above. The submitters comment is <u>not supported</u> .
				<p>Summary of Submission 22.</p> <ul style="list-style-type: none"> • Department of Transport (DoT) state that all proclaimed areas within the Harbour, are most appropriately placed in a public purpose reserve and objects to Special Use Zone 5 (SU5) – Boat Harbour in proposed Scheme 4. All proclaimed areas within the Harbour are most appropriately placed in a zone in proposed Scheme 4 as the area will be predominately developed for private commercial purposes, site and development requirements can be included to control development, and the area is currently zoned in Town Planning Scheme 3. • DoT state that the provisions relating to the Boat Harbour in proposed Scheme 4 are a significant departure from the provisions in current Town Planning Scheme 3, and will have a negative precedential impact on other DoT coastal assets. The provisions relating to the Boat Harbour in proposed Scheme 4 are not a significant departure from current Town Planning Scheme 3, as the land is already zoned in Scheme 3. • DoT state that they are obliged to recognise amenity as one of the impacts it must manage and protect under the Marine and Harbours Act, and therefore the provisions of SU5 in proposed Scheme 4 should not be included to reduce conflicts between DoT and the Shire. Should DoT want full planning control over the harbour it should be declared as a Port under the Port Authority Act. The Shire has authority to impose development control provisions over the boat harbour in accordance with the Planning and Development Act. • DoT state that Land Use Frameworks provide a more appropriate method of controlling land uses and development, in lieu of provisions in proposed Scheme 4. Land Use Frameworks have no statutory force in the planning realm, it is more appropriate to include provisions within proposed Scheme 4. • DoT state that the provisions of the SU5 in proposed Scheme 4 will potentially undermine or conflict with the DoT's discharge of responsibilities under the Marine and Harbours Act, and are likely to impose limitations that prejudice the Ministers ability to develop the harbour in line with its vested purpose. The land uses permissible in the harbour allow for a range of activities consistent and compatible with the predominate boat harbour use. Public works are exempt from requiring development approval from the Shire. • DoT state that there are no P 'permitted' land uses in SU5 in proposed Scheme 4. This renders any proposed private use within the Harbour as marginal and uncertain. DoT are correct there needs to be P uses in the harbour to provide certainty. • DoT state that the classification of all other (non-Marina) uses of SU5 in proposed Scheme 4 as X 'not permitted' denies any opportunity for the minister to positively promote the harbour for any use not yet contemplated. The land uses permissible in the harbour allow for a range of activities consistent and compatible with the predominate boat harbour use. Public works are exempt from requiring development approval from the Shire.

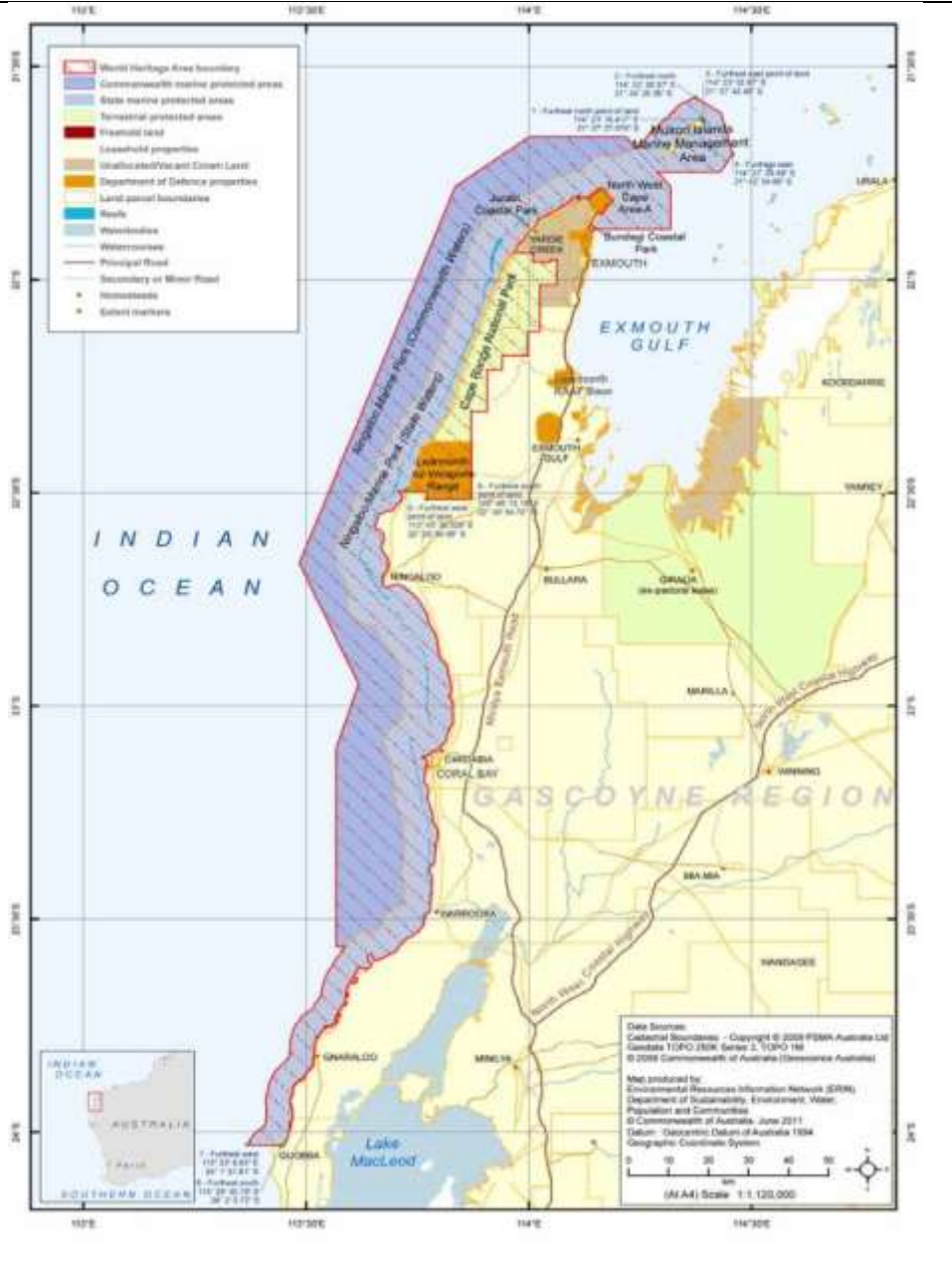
				<ul style="list-style-type: none"> DoT state that some of the development controls of SU5 in proposed Scheme 4 such as height limits are inappropriate to the Harbour's operation. The height limits in proposed Scheme 4 are considered to be inappropriate considering the existing and intended type of development. DoT state that cl.2.4 Use and Development of Local Reserves is inconsistent with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, and does not support it. Clause 2.4 of proposed Scheme 4 is already covered by the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and is not required. Modifications 21, 301, 304, 307 and 394 proposed to Scheme 4.
23.	Lot 319 Yardie Creek Road and Lot 6 Yardie Creek Road	Property Owners (Department of Lands and Ablett Pty Ltd)	<p>ADDRESSES OF PROPERTIES AFFECTED</p> <ol style="list-style-type: none"> Part Lot 6 (Lot B) Yardie Creek Road – Ablett Pty Ltd Lot 319 (Lot A) – Unallocated Crown Land (UCL) – State of Western Australia <p>See Attachment 1.</p> <p>BACKGROUND OF SUBMISSION</p> <ul style="list-style-type: none"> Ablett Pty Ltd is the owner of Lot 6 (Lot B&C). The State of Western Australia (State) is the owner of Lot 319 (Lot A). Ablett Pty Ltd and the State entered into a land exchange agreement dated 6th August 2007 whereby Ablett agreed to sell to the State part of Lot 6 (Lot B) and the State agreed to sell Ablett Lot 319 (Lot A). Lot 319 (Lot A) was to be amalgamated with part Lot 6 (Lot C), assuming the transaction proceeded. Ablett was to pay the difference in land values between Lot 319 (Lot A) and Lot B to the State based on valuations provided by the Valuer General. In order to complete the exchange it was agreed that Lot 319 (Lot A) – Unallocated Crown Land and part Lot 6 (Lot B) – 'Tourist', were to be rezoned – Lot 319 (Lot A) to become 'Tourist' and part Lot 6 (Lot B) to become 'Recreation and Open Space'. The then Department for Planning and Infrastructure's Ningaloo Sustainable Development Office prepared a Masterplan for the Vlamingh Head Node and it was finally adopted in April 2014. The Masterplan allocated 300 beds to Lot 319 (Lot A) and Part Lot 6 (Lot C) on the basis that the land exchange between Ablett and the State was to proceed. The Shire of Exmouth resolved on 20th June 2011 to amend its Town Planning Scheme No. 3 – Amendment 25, to reflect the land exchange and rezoning agreement. Part of Lot 6 (Lot C) and Lot 319 (Lot A) were rezoned – 'Special Use – Tourist Accommodation' and also, part of Lot 6 (Lot B) was rezoned 'Recreation and Open Space'. See Attachment 2. In a letter dated 15th February 2016 the Department of Lands (DoL) advised Ablett that the August 2007 land exchange agreement had expired as of 5th August 2009 and that the agreement had no further effect. 	<p>The submitter is providing background information to the submission. The submitters comment is <u>noted.</u></p>
			<p>PURPOSE OF SUBMISSION</p> <ul style="list-style-type: none"> DoL and Ablett have now resolved that the zoning amendments as outlined above should be 'reversed' that is, each party is to be reinstated to it's original status. Ablett has agreed to be responsible for any external costs associated with the process. 	<p>The submitter is requesting that Lot 319 Yardie Creek road be classified as Recreation and Open Space reserve or similar in proposed Scheme 4 as the land exchange is not proceeding. This is not recommended should the land exchange process occur in the future. This is also inconsistent with the Vlaminghead Masterplan. Therefore it is recommended that this land be classified as 'Rural' zone until the Vlaminghead Masterplan is reviewed.</p>

				The submitter is also requesting that all of Lot 6 Yardie Creek road be classified Special Use Zone 7 or similar in proposed Scheme 4. This can be supported as all of Lot 6 Yardie Creek road is discussed in the Vlaminghead masterplan. It should be noted that a review of the Vlaminghead masterplan may be required to support development in all of Lot 6 Yardie Creek road. The submitters comment is <u>upheld. (modify scheme maps to classify Lot 319 Yardie Creek road as Rural zone and the whole of Lot 6 Yardie Creek road as Special Use Zone 2) Refer proposed modifications 388 and 389.</u>
			<p>PROPOSAL</p> <ul style="list-style-type: none"> There will be no amalgamation of Lot 319 (Lot A) and part Lot 6 (Lot C). It is proposed that Lot 319 (Lot A) be rezoned from 'Special Use – Tourist Accommodation' to 'Recreation and Open Space' It is proposed that part Lot 6 (Lot B) be rezoned from 'Recreation and Open Space' to 'Special Use – Tourist Accommodation'. The rezonings of Lot 319 (Lot A) and part Lot 6 (Lot B) are dependent on each other. The State will retain ownership of all Lot 319 (Lot A) – existing status. Ablett will retain ownership of all Lot 6 (Lot B and Lot C) – existing status. The 300 bed allocation as detailed in the Vlamingh Head Masterplan is applicable to Lot 6 only, as would have been the case other than for the proposed land exchange agreement of 2007. 	Refer comments above. The ownership of land has no impact on its classification in a Local Planning Scheme. The classification of land in a Local Planning Scheme is based upon its existing use and future intended use. It should be noted that a review of the Vlaminghead masterplan may be required to support development in all of Lot 6 Yardie Creek road. The submitters comment is <u>noted.</u>
				<p>Summary of Submission 23.</p> <ul style="list-style-type: none"> The submitter is requesting that Lot 319 Yardie Creek road be classified as Recreation and Open Space reserve or similar in proposed Scheme 4, and that all of Lot 6 Yardie Creek road be classified Special Use Zone 7 or similar in proposed Scheme 4 as the land exchange is not proceeding. It is recommended that proposed Scheme 4 maps be modified to indicate the whole of Lot 6 Yardie Creek Road as Special Use Zone 2, and Lot 319 Yardie Creek road as Rural zone, to ensure consistency with the proposed Local Planning Strategy, the Vlaminghead Masterplan, and to allow for the land exchange to possibly occur in the future. Modifications 388 and 389 proposed to Scheme 4.
24.	N/A	Ningaloo Coast World Heritage Advisory Committee	Thank you for the opportunity to comment on the Exmouth Shire Local Planning Strategy and Local Planning Scheme 4 and the extension of time granted for our submission. This submission is from Ningaloo Coast World Heritage Advisory Committee (NCWHAC) that was established in 2013 by agreement between the Commonwealth and Western Australian governments.	The submitter is thanking the Shire for giving the opportunity to provide comment on proposed Scheme 4. The submitters comment is <u>noted.</u>
			<p>The role of the NCWHAC is to:</p> <ul style="list-style-type: none"> provide advice to the Commonwealth and State Environment Ministers on the protection, conservation, presentation and management of the values of the World Heritage area; develop and provide input into initiatives and opportunities for the promotion and presentation of the World Heritage area values to the local, national and international communities; and contribute to enhancing the stewardship and connection of the community to the World Heritage area nominate members from the NCWHAC to represent the Committee on the Australian World Heritage Advisory Committee and the Australian World Heritage Indigenous Network. 	The submitter is providing general comment on the role of the Ningaloo Coast World Heritage Advisory Committee. The submitters comment is <u>noted.</u>
			The current membership of the NCWHAC is at Attachment 1 and a map of the Ningaloo Coast World Heritage Area is at Attachment 2. The members bring a wide diversity of expertise and interests to Committee business, including local government (Exmouth and Carnarvon Shires), Aboriginal traditional owner interests, science, research and natural resource management (both terrestrial	The submitter is providing comments on the experience of members of the Ningaloo Coast World Heritage Advisory Committee. The submitters comment is <u>noted.</u>

		<p>and marine), conservation, heritage, tourism, industry (including pastoral) interests, corporate governance and community interests (local and broader community).</p> <p>Ningaloo Coast World Heritage Area (NCWHA)</p> <p>As you know, the NCWHA was inscribed on the World Heritage List in 2011 as one of the outstanding natural places in the world, in particular for its natural beauty and high biological diversity. In particular, the listing recognises the:</p> <ul style="list-style-type: none">• striking natural landscapes of Cape Range and Ningaloo Reef• high biological diversity of Ningaloo reef• one of the world’s largest annual aggregations of whale sharks, as well as other marine mammals, turtles and manta rays• unusual diversity of marine turtle species and a key turtle rookery• rare and diverse plants and animals of Cape Range, particularly the unique subterranean cave creatures.	<p>The submitter is providing comments on what the World Heritage listing in Shire recognises. The submitters comment is <u>noted</u>.</p>														
		<p>The World Heritage listing creates obligations on the Commonwealth and State governments to ensure that the outstanding universal value of the area is conserved so existing and future generations can enjoy them. The area comprises high value ecosystems on land (e.g. karst formations) and in the marine environment that includes both State marine and national parks, marine management areas, Commonwealth marine park and Defense lands.</p>	<table><tr><td>Area</td><td>Classification in proposed Scheme 4</td></tr><tr><td>Cape Range National Park</td><td>Environmental Conservation Reserve</td></tr><tr><td>Learmonth Air Weapons Range (Defence Land)</td><td>Public Purposes – Government Services Reserve</td></tr><tr><td>Ningaloo Marine Park and all water areas</td><td>Waterways</td></tr><tr><td>Muiron Islands and Peak Island</td><td>Environmental Conservation Reserve</td></tr><tr><td>Jurabi Coastal park</td><td>Environmental Conservation Reserve</td></tr><tr><td>Bundegi Coastal Park</td><td>Environmental Conservation Reserve</td></tr></table> <p>The submitters comment is <u>noted</u>.</p>	Area	Classification in proposed Scheme 4	Cape Range National Park	Environmental Conservation Reserve	Learmonth Air Weapons Range (Defence Land)	Public Purposes – Government Services Reserve	Ningaloo Marine Park and all water areas	Waterways	Muiron Islands and Peak Island	Environmental Conservation Reserve	Jurabi Coastal park	Environmental Conservation Reserve	Bundegi Coastal Park	Environmental Conservation Reserve
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Ningaloo Marine Park and all water areas	Waterways																
Muiron Islands and Peak Island	Environmental Conservation Reserve																
Jurabi Coastal park	Environmental Conservation Reserve																
Bundegi Coastal Park	Environmental Conservation Reserve																
		<p>Comments and Recommendations:</p> <p>The NCWHAC commends the Shire on the effort that has gone into addressing the long-term planning for balanced development and conservation use of the area and in the recognition of the conservation values of the area. In particular the NCWHAC supports the following:</p> <ul style="list-style-type: none">• the strong conservation emphasis in the Strategy by the inclusion of a new zone “Environmental Conservation”• the recognition of the Ningaloo Coast World Heritage Area and its Outstanding Universal Value (but see recommendations below)• the application of the “precautionary principle” for coastal developments• the 40m setback from landward of the high tide mark• the inclusion of visual amenity as an important component of visitor experience and of the Ningaloo Coast World Heritage Area values• Shire support for any future consideration of extensions to the boundaries of the NCWHA	<p>The submitter is correct that proposed Scheme 4:</p> <ul style="list-style-type: none">– includes an Environmental Conservation reserve classification;– includes land 40m above the high water mark adjacent pastoral leases being classified Environmental Conservation reserve; and– includes Special Control Area 6 to preserve visual amenity on Minilya-Exmouth road. <p>The submitters comment is <u>noted</u>.</p>														
		<p>The NCWHAC recommends further strengthening of the Strategy and the Scheme through:</p> <ul style="list-style-type: none">• Inclusion of the NCWHA boundary e.g. as an overlay, in all relevant planning maps to better clarify the spatial relationship between the different planning and management regimes that apply the LPS area. Please note that human activities that may affect the values of the NCWHA not only occur within the boundaries of the NCWHA but also outside and adjacent to the Area.	<p>The submitter is requesting that the Ningaloo Coast World Heritage Area boundary be indicated on the scheme maps forming part of proposed Scheme 4. The Ningaloo Coast World Heritage Area is classified as Environmental Conservation Reserve, Public Purposes – Government Services Reserve and Waterways. The Environmental Conservation reserve is considered to provide adequate protection of the World Heritage Area, subject to modifying objective (ii) to make reference to World Heritage Areas.</p>														

				<p>Development undertaken by the Department of Defence within the world heritage area, classified as Public Purposes – Government Services Reserve and Waterways in proposed Scheme 4 is exempt from requiring development approval from the Shire. Therefore including additional provisions over this land within proposed Scheme 4 will have no impact on development. The submitter has not provided any recommended provisions to include in proposed Scheme 4 relating to world heritage. The submitters comment is <u>noted. (modify Environmental Conservation objective (ii) by adding World Heritage Areas) Refer proposed modification 16.</u></p>
			<ul style="list-style-type: none"> Acknowledgement of Ningaloo Coast Regional Strategy as a key planning strategy that formed part of the support by UNESCO for inclusion of the NCWHA on the world heritage list. 	<p>The submitter is requesting that the Ningaloo Coast Regional Strategy be referenced in proposed Scheme 4. As the Ningaloo Coast Regional Strategy is an approved stand-alone planning document, the Shire is required to have due regard to it in determining development (planning) applications in accordance with deemed clause 67 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. Therefore it is inappropriate to include reference to the Ningaloo Coast Regional Strategy within proposed Scheme 4. The submitters comment is <u>not support.</u></p>
			<ul style="list-style-type: none"> Recognition of recent changes to Commonwealth/State responsibilities in relation to referrals under the EPBC Act (Cwlth) which delegated powers under that Act to the State Government to make referrals and undertake assessments e.g. in relation to listed species. The NCWHAC can provide further information on these changes if required. 	<p>Changes to Commonwealth and State responsibilities in relation to the Environmental Protection and Biodiversity and Conservation Act have no impact upon proposed Scheme 4, which only provides the statutory planning framework in which the Shire operates. Proposed scheme 4 has no control over the responsibilities of the Commonwealth and State. Therefore is inappropriate to include recognition of recent changes to Commonwealth and State responsibilities in relation to the Environmental Protection and Biodiversity and Conservation Act in proposed Scheme 4. The submitters comment is <u>not supported.</u></p>
			<ul style="list-style-type: none"> Noting that management of the NCWHA by State Government agencies is not just the responsibility of the Department of Parks and Wildlife, but that the WA Department of Fisheries is also responsible for fisheries management in the State Ningaloo Marine Park and the Ningaloo Marine Park (Commonwealth Waters) e.g. in Section 2.3.5 of the Strategy 	<p>The management of and responsibilities of various state government agencies in relation to the Ningaloo Coast World Heritage Area has no impact upon proposed Scheme 4, which only provides the statutory planning framework in which the Shire operates. Therefore it is inappropriate to note within proposed Scheme 4 the management of and responsibilities of various state government agencies in relation to the Ningaloo Coast World Heritage Area. The submitters comment is <u>not supported.</u></p>
			<ul style="list-style-type: none"> Inclusion of a hierarchy of legislation (local, state, Commonwealth and international) that applies to conservation management of the Shire, to provide clarity around the legislative responsibilities of various agencies. 	<p>The management of and responsibilities of various agencies in relation to the Ningaloo Coast World Heritage Area has no impact upon proposed Scheme 4, which only provides the statutory planning framework in which the Shire operates. The submitters comment is <u>not supported.</u></p>
			<ul style="list-style-type: none"> Development of a lighting strategy particularly to set standards and guide industrial and tourism activities along the coast adjacent to vulnerable turtle nesting sites. Marine turtles are particularly susceptible to impacts (misorientation and disorientation of hatchlings leaving nests leading to increased mortality either from increased predation or exposure; and artificial light can also interfere with female turtles and nesting success). The effects of light can occur not just from direct lighting on beaches but also from reflected light-glow up to several kilometres from the nesting beach. Also nesting turtles are biologically programmed to return to the same natal beach each time they nest; the loss of a nesting beach is not offset by the availability of another beach nearby and may have detrimental consequences for nesting and hatchling success at the nesting beach and in the wider population. 	<p>The submitter is requesting the development of a lighting strategy. This is beyond the scope of proposed Scheme 4. Clause 4.16 (Floodlighting) of proposed Scheme 4 provides control over the erection, installation and maintenance of floodlighting, however is worded in such a way to only provide control over the amenity impacts on land zoned Residential and/or Tourist and the nearby street system. The clause could be worded in such a way to provide greater control over lighting to mitigate the impacts of floodlighting on any location. <u>(modify clause 4.16 to provide control over floodlighting to reduce the impacts of floodlighting on any locality) Refer proposed modification 150.</u></p> <p>It is important to note that clause 61 of the deemed provisions of the Western Australian <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> exempts certain development (single houses and ancillary dwellings where compliant with the deemed to comply provisions of the R-Codes) and certain land uses from requiring development (planning) approval from the Shire. Public works as defined in the Western Australia <i>Planning and Development Act 2005</i> are also exempt from requiring development (planning) approval in the Shire of Exmouth. Low Impact Telecommunications facilities are also exempt from requiring development (planning) approval from the Shire in accordance with the Federal <i>Telecommunications (Low-impact Facilities) Determination 1997</i>. Mining activities on Crown land are also exempt from requiring development (planning) approval from the Shire in accordance with the Western Australian <i>Mining Act 1978</i>. Therefore the control of lighting over such development cannot be enforced through Western Australian planning legislation by the Shire. The submitters comment is <u>noted.</u></p>

			<ul style="list-style-type: none"> The NCWHAC is currently developing an expanded Statement of Outstanding Universal Values for the NCWHAC to better assist in its assessment of human activities that might affect the Outstanding Universal Value expressed in the UNESCO listing. The Committee would welcome the opportunity to discuss this Statement with the Shire, when completed. 	The submitter is advising that they are developing a statement to better assist in the assessment of human activities that may affect the Ningaloo Coast World Heritage Area, and ask whether the Shire would be interested in providing comment. This is beyond the scope of proposed Scheme 4. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Note the current review by the Department of Parks and Wildlife of the seascape values of the NCWHA and Ningaloo Marine Park. Seascapes are one of the key values included in the decision to inscribe the Area on the World Heritage list. Design principles, guidelines and controls that might be developed by the Shire may intersect with this exercise. 	The submitter is advising that the Department of Parks and Wildlife are currently reviewing the seascape values of the Ningaloo Coast World Heritage Area which may intersect with Shire design principles, guidelines and control. The Department of Parks and Wildlife have provided a submission on proposed Scheme 4 and are aware of proposed Scheme 4. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Recognition be given to the current Cape Range National Park Management Plan in relation to Yardie Creek i.e. that “to prevent adversely impacting on key values... maintain the Yardie Creek crossing in its current state” i.e. access by 4wd vehicles only at low tide (pg. 64). In addition recognition be given to the provisions in the plan for Sandy Bay track i.e. to be “4WD access only” with specific management controls. The NCWHAC has identified weeds as a major threat to the values of the Area and is concerned that there is increased risk of further serious weed introductions to the Area from any increased use of the Sandy Bay track. Management of access could include a limited number of permits to reduce the potential for weed introductions and impacts. One-way access east to west due to the difficulty in the incline on the western side may also assist conservation management of the area and retention of values. 	The submitter is requesting the management of land in the Cape Range National Park be recognized in proposed Scheme 4. The management of land has no impact on the classification of land in proposed Scheme 4. The classification of land in proposed scheme 4 is based upon existing use and future intended use. It should be noted 4wd tracks are generally public works (i.e. works undertaken by a public authority) and therefore exempt from requiring development (planning) approval from the Shire of Exmouth and therefore not subject to proposed Scheme 4. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> The NCWHAC continue to be regarded as a key stakeholder group for consultation on matters that might affect the values of the NCWHA. In this regard I would like to acknowledge the past contribution of Cr Turk Shales and the valuable contribution of Cr Mick Hood in the activities of the Committee. 	The submitter is acknowledging Shire Councilors for past contribution to the Ningaloo Coast World Heritage Area Committee. The submitters comment is <u>noted.</u>
			<p>If you require clarification of these comments and recommendations, please contact me at the address below.</p> <p>Attachment 1</p> <p>Ningaloo Coast World Heritage Advisory Committee: Membership as at September 2016</p> <p>Mr Simon Woodley (Chair) Cr Karl Brandenburg Mr Anthony Dowling Mr Anthony Evans Ms Jacqueline Hine Cr Mick Hood (appointment pending) Professor William Humphreys Mr Frazer McGregor Ms Leonie McLeod Mrs D. Ann Preest Ms Hazel Walgar</p>	The submitters attachment is <u>noted.</u>
			Attachment 2: NCWHA Boundary Map	The submitters attachment is <u>noted.</u>



- Summary of Submission 24.
- The submitter commends the Shire on the effort that has gone into addressing the long term planning for balanced development and conservation use of the area and in the recognition of the conservation values of the area.
 - The submitter provides general support for the following in proposed Scheme 4:
 - The Environmental Conservation reserve;
 - The 40m Environmental Conservation reserve adjoining pastoral stations on the coast;
 - Special Control Area 6 – Minilya Exmouth Road
 - The submitter requests for inclusion of the Ningaloo Coast World Heritage Area (NCWA) boundary as an overlay on proposed Scheme 4 maps. The classification of the NCWA in proposed Scheme 4 is considered to be adequate however Environmental Conservation reserve objective (ii) could be strengthened by including reference to World Heritage Areas.
 - The submitter requests that the Ningaloo Coast Regional Strategy, Cape Range National Park Management Plan, and hierarchy of legislation in relation to the NCWA be referenced in proposed Scheme 4. These are stand-alone documents which may be considered in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. They are applicable

				<p>regardless if referenced in proposed Scheme 4 or not. They do not need to be referenced in proposed Scheme 4.</p> <ul style="list-style-type: none"> • The submitter requests that the management responsibilities of the relevant authorities be included in proposed Scheme 4. The management of land has no impact on the classification of land in proposed Scheme 4. Proposed Scheme 4 simply controls use and works, not management. • The submitter requests for the creation of a lighting strategy to reduce the impacts of lighting on turtle nesting sites. Clause 4.16 Floodlighting in proposed Scheme 4 could be worded in such a way to provide greater control over lighting to mitigate the impacts of lighting on any location. The creation of a lighting strategy is beyond the scope of proposed Scheme 4. • The submitter acknowledges the past contribution of Councillors in the activities of the Ningaloo Coast World Heritage Advisory Committee. • Modifications 16 and 150 proposed to Scheme 4.
25.	Cape Wilderness Estate	Private Citizen (Grant Evans)	<p>I would like to indicate my very strong support for the amendment contained in the new town planning scheme no 4 which will allow "Holiday Accommodation" in Wilderness Estate.</p> <p>This amendment has been a long time coming and well overdue.</p> <p>As you are well aware this issue (not allowing holiday accommodation in Wilderness Estate) was the subject of a complaint I made to the minister last year. The comments which came back to me was that I would not have to wait too much longer to get approval to be able to rent out my home in Exmouth.</p> <p>For the record I believe Wilderness Estate residences offer holiday accommodation of a type which is not available anywhere else in Exmouth. The blocks are very large by comparison (mine is 15 acres compared to approx 700m2 blocks in Exmouth) and actually have a unique wilderness experience with large swathes of native vegetation all around with very close proximity to the gulf for both walking, swimming and fishing.</p> <p>This type of accommodation is simply NOT available anywhere else in Exmouth.</p> <p>Allowing Holiday accommodation in Wilderness Estate is thus ENHANCING the range of holiday experiences for travelers to the town and region by offering something which is NOT currently available.</p> <p>I hope council will speedily pass this scheme amendment to allow holiday accommodation in Wilderness Estate.</p>	<p>The submitter is providing support for the 'A' designation of Holiday House in the Rural Residential zone in proposed Scheme 4. The submitters comment is <u>noted</u>.</p>
				<p>Summary of Submission 25.</p> <ul style="list-style-type: none"> • The submitter supports the 'A' designation of the land use 'Holiday House' in the Rural Residential zone in proposed Scheme 4 • No modifications proposed to Scheme 4.



Government of Western Australia
Office of the Environmental Protection Authority

Mr. Rhassel Mhasho
Executive Manager Town Planning
Shire of Exmouth
PO Box 21
EXMOUTH WA 6707

Your Ref: OCR14874, LP.PL.0.2, LP.PL.0.4
Our Ref: AC04-2015-0172
Enquiries: Stephen Pavey, 6145 0837
Email: stephen.pavey@epa.wa.gov.au

Dear Mr Mhasho

**SHIRE OF EXMOUTH – DRAFTLOCAL PLANNING SCHEME NUMBER 4
REVISION 10 – REFERRAL FOR INFORMATION PRIOR TO ADVERTISING**

Thank you for your letter dated 23 May 2016 2015 regarding the above. The Office of the Environmental Protection Authority has no comment to make on Revision 10.

Yours sincerely

Liesl Rohl
Manager
Environmental Planning Branch

29 June 2016



Your ref: OCR12820LP.PL.0.2 LP.PL.4
Our ref: TPS/1125
Enquiries: Johan Gildenhuys (6551 9562)

Chief Executive Officer
Shire of Exmouth
PO Box 21
EXMOUTH WA 6707

COPY

Dear Sir

LOCAL PLANNING SCHEME No. 4 - EXAMINATION PRIOR TO ADVERTISING

I refer to your letter of 4 November 2015 and advise that the Western Australian Planning Commission considers the Shire of Exmouth Local Planning Scheme No. 4 (LPS 4) suitable to be advertised in accordance with Regulation 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations 2015).

The Council is advised that:

- (i) the agreed modifications with the Department of Planning is attached (Attachment 1 - Schedule of Modifications). It is expected that these modifications will be made prior to advertising and is mainly to achieve conformance with the Regulations 2015;
- (ii) although the Commission is satisfied that LPS 4 is suitable to be advertised, this should not be taken as an indication that the Commission considers LPS 4 to have planning merit;
- iii) if any modifications to LPS 4 is required and considered significant at final consideration, then the local government may be directed to re-advertise such modifications;
- vi) the view that the boat harbour land cannot be a public reserve as it is not being used for a 'public purpose' is not supported. It is considered that the boat harbour predominately caters toward public use and provides infrastructure which both the State and the locality can benefit from. In this regard the boat harbour land can therefore be considered a 'public purpose' and reserved for such a purpose. In this regard it is advised that the 'Special Use - Boat Harbour' zone in LPS 4 will be the subject of review when LPS 4 is finally considered; and



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(v) the modified document is to be referred to the EPA for their information.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kerrine Blenkinsop'.

Kerrine Blenkinsop
Secretary
Western Australian Planning Commission

14 April 2016


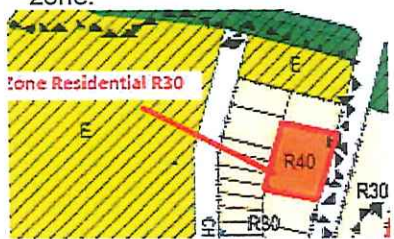
Shire of Exmouth Local Planning Scheme No. 4 – Modifications for advertising March 2016				
1.	Page	Section	Modification	Reason
2.	Contents	Contents	Relabel sections to 3.15 General Industry zone and 3.16 Light Industry Zone.	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
3.	3	2.2 Local Reserves	Change 'Foreshore' reserve to 'Public Open Space' reserve, and add 'To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage'.	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
4.	4	2.2 Local Reserves	Remove 'Public Open Space' reserve.	This has been used to replace 'Foreshore' reserve above.
5.	4	2.2 Local Reserves	Change 'Special Purpose' reserve to 'Strategic Infrastructure' reserve.	This reservation is for the Exmouth Boat Harbour therefore 'Strategic Infrastructure' more appropriate.
6.	5	2.2 Local Reserves	Change 'Waterway' to 'Drainage/Waterway' reserve.	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
7.	6-8	3.2 Zoning Table	<ol style="list-style-type: none"> 1. Change 'Urban Development' zone to refer to clause 3.3.7, instead of 3.11. 2. Remove 'Marina' 3. Add 'Industrial Development' zone – refer to 3.3.7. 4. Remove dual coding and footnotes – Caretakers Dwelling to be an I use in the 'Service Commercial', an X use 'General Industry' zones, Dwelling to be an I use in the 'Service Commercial' zone, Workforce Accommodation to be an A use in the 'Rural' zone, Holiday Accommodation and Holiday House to be an A use in the 'Residential' zone. 5. Add repurposed dwelling and second-hand dwelling as a D use in the 'Residential' zone. 6. Change the symbol of Guesthouse to an A use in the 'Residential' and 'Rural Residential' zones. 7. Change the permissibility for Ancillary Accommodations and Outbuilding to P is the 'Residential' zone. 8. Delete Exhibition Centre 9. Insert Storage Yard land use, D use in General Industry, X in all other zones 10. Change Shop from D use to I use in the 'Tourism' zone. 11. Change Veterinary Centre to A in Service Commercial and Rural 	<p>Land use permissibility's will be outlined in a structure plan.</p> <p>Remove reference to 'Marina' zone throughout the document.</p> <p>It not standard practice to have a dual coding in the Zoning Table.</p> <p>To provide for bed and breakfast type facilities that are larger than what is provided for in the B & B definition.</p>

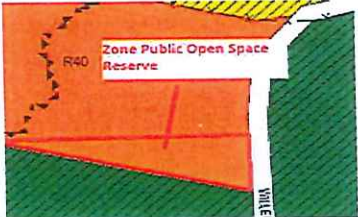
			zones and X in all zones. 12. Delete Aquaculture and Hobby Farm as a use. 13. Change Agriculture Extensive from a D to X use; and Animal Establishment from an A to X; and Animal Husbandry from and A to X in the 'Rural Residential' zone. Change Salvage Yard land use to be D in General Industry, X in all other zones.	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . To be consistent with current scheme 3.												
8.	12	3.	Insert objectives and provisions for 'Industrial Development' zone.													
9.	13	3.12 Commercial Zone	Remove all land uses and symbols from the provisions in 3.12. Insert a Table 2 to provide the land uses and symbols in the Commercial zone, as follows: <table border="1"><tr><td></td><td colspan="3">Commercial Zone</td></tr><tr><td></td><td>Retail Core - C1</td><td>Mixed Use – C2</td><td>Mixed B – C3</td></tr><tr><td>Land Use</td><td></td><td></td><td></td></tr></table> Add text to provide a reference to Table 2. Refer to clause 3.3 to interpret the Table Change Table numbers to reflect this addition.		Commercial Zone				Retail Core - C1	Mixed Use – C2	Mixed B – C3	Land Use				To ensure readability.
	Commercial Zone															
	Retail Core - C1	Mixed Use – C2	Mixed B – C3													
Land Use																
10	14	3.12 Commercial Zone	3.12.3 h – 3 meters	Clarification												
11	15	3.12.5.1 3.12.5.2	Primary Street: 4.5 metres (d) delete error! Reference source not found	Prevent conflict with clause 4.27 Not relevant												
12	17	3.12 Commercial Zone	3.12.6.2 (f) 1 metre	Clarification												

13	19 - 47	3.14 Marina Zone	<p>The Marina zone to be changed to a Special Use zone and added to Schedule 4.</p> <p>Page 21: b) (i) include Ancillary Dwelling and Outbuilding as being classified as 'D'.</p> <p>Page 22: (xiii) (f) Development above natural ground level shall have the underside screened from the canal waterway.</p> <p>Page 23: b) (i) include Ancillary Dwelling and Outbuilding as being classified as 'D'.</p> <p>Page 26: (b) (i) need to include 'Guesthouse' as a D use</p> <p>Page 28: (b) (i) need to include 'Guesthouse' as a D use</p> <p>Page 30: (b) (ii) need to include 'Guesthouse' as a D use</p> <p>Page 35: (iv) change Liquor Store to Liquor Store – Small, (iv) change showroom to Bulky Goods Showroom.</p> <p>Page 38: (iv) change restaurant; café to restaurant/café, (iv) change liquor store to liquor store -small</p> <p>Page 39: (xvii) The building envelope is to be minimum 2 storeys and maximum 3 storeys, Relabel (xvii) to (xviii).</p> <p>Page 40: (b) (i) delete – Liquor Store – Large.</p> <p>Page 45: (b) (i) and 3.14.5.2 (b) (i) need to include 'Guesthouse' as a D use.</p>	<p>Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>Ensure consistency with current local policy.</p>
14	46	3.14 Marina Zone	<p>3.14.6 Area D – a Structure Plan already exists. Change text to reflect this.</p> <p>Page 46: 3.15.2 (b) (i) Primary Street: 7.5 metres</p>	<p>If a structure plan exists, there is no requirement to prepare another one. The existing structure plan may be amended.</p> <p>Prevent confliction with clause 4.27</p>
15	47	3.14 Marina Zone	3.16.2 (b) (i) Primary Street: 7.5 metres	Prevent confliction with clause 4.27
16	48	3.14 Marina Zone	3.17.2(b) (i) Primary Street: 6 metres	Prevent confliction with clause 4.27
17	49	3.17 Service Commercial zone	Add a provision h) Development on a lot may include as an 'I' incidental use a caretakers dwelling or a dwelling, but not both.	To remove the dual use in Table 1.
18	50	3.18 Rural Residential Zone	Add in objective "To provide for lot sizes in the range of 1 ha to 4ha".	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
19	53	4.5 Other SPPs to be read as part of	Add SPP 3.7 Planning in Bushfire Prone Areas	

		the Scheme		
20	55	4.10 Outbuildings	4.10.5 Insert: and (c) there is an approved building permit for a dwelling.	
21	58	4.15 Transported Dwellings	Delete provision.	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
22	59	4.19 Caretaker's Dwelling	4.19.1 Delete (c) entirely	Covered by Table 3 car parking requirements.
23	60	4.20 Holiday Accommodation	Include 4.20.1 Holiday Accommodation and Holiday House shall not be permitted in the Skipjack Circle subdivision.	To allow the removal of dual use coding in Table 1.
24	61-63	4.21 Bed and Breakfast	Include Bed and Breakfast/Guesthouse throughout all of 4.21 where applicable	Guesthouse land use allow for greater number of bedrooms and guests, provisions should also apply to guesthouse.
25	64	4.24 Home Occupation and Home Business	Include 4.24.5 (e) not include the outdoor storage of any materials or supplies.	To ensure consistency with local policy.
26	66-69	4.31 Parking Requirements	Table 3 – Delete Backpacker Accommodation provisions from table. Table 3 – Chalet – delete – One (1) additional space for every two (2) staff members. Table 3 – Tourist Development; Hotel; Motel – Delete – One (1) space for every 4m2 of other public areas. Table 3 – Restaurant/Café; Fast Food Outlet/Lunch Bar Table 3 – under liquor store – small; liquor store – large; shop; health centre include discount department store; fish shop. Table 3 – after brewery include marine support facility Table 3 – after Motor Vehicle, Boat or Caravan Sales include Machinery Sales Table 3 – after Storage Yard include Salvage Yard	To ensure consistency with local policy.
27	70	4.32 Parking Area Development Standards	Table 4 – Include Bus Parking Bay – 14 metre (length) and 3.5 metre (width) – minimum manoeuvring area 12.5 metres	Sizes consistent with PTA guidelines.
28	74-75	4.37 Control of advertisements	Table 5 – insert – Third Party Advertising 'X' in all zones. Include definition – Third party Advertising – Signage or advertising promoting other companies, goods or services not directly part of the	

			subject business.	
29	84	84	Change - 5.4.2 (a) Applications may be required to be supported ... Change 5.4.2 (b) Development may be required to be designed	Too onerous, shall has been changed to may.
30		85	5.5.2 (b) ANEF (Australian Noise Exposure Forecast)	Clarity
31	86	5.7 Minilya-Exmouth Road (SCA 6)	Add in provision for a visual landscape assessment "development will require a Visual Landscape Assessment approved by the local government"	As outlined in Visual Landscape Planning in Western Australia
32	89-104	Schedule 1 – Terms referred to in Scheme	Add: advertisement means any object or structure on which words, numbers, figures or drawings are displayed for the purpose of advertising, announcing or providing direction to any business, function, operation, development, event undertaking or any product. repurposed dwelling – a building or structure not previously used as a single house, which has been repurposed for use as a dwelling; and second-hand dwelling – a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular or transportable dwelling. motel – change c) and d), to a) and b) prescribed premises has the meaning given in Civil Aviation Act 1988. Delete: transportable dwelling	
33	107	Schedule 2 – Additional Use	Add: A4 Lot 1 Kailis Road Caretakers Dwelling 'I' use As stated in clause 4.19 and may only be permitted in existing dwellings as approved by the Local Government.	To allow the removal of dual use coding in Table 1.
34	110	Schedule 2 – Restricted Use	R3 – remove Development Requirement (iii).	This condition is not consistent with SPP 2.5
35	112	SU3	SU3 3. Delete land uses – Club Premises; Industry-Service; Motor Vehicle Repair; Motor Vehicle Wash; Storage yard. SU3 3. Include land use – Prescribed Premises	To provide a better planning outcome.
36	113	SU3	Change 3. and 4., to 4. and 5.	Grammar correction.
37	115	SU 4	Remove educational establishment as a Land Use.	Not an appropriate use for a SU – Caravan park and camping ground.

38	120	SU 1 Map	Delete Strategic Industrial Precinct, Development Investigation Precinct and public open space from the plan.	These areas have been re-zoned on the scheme maps.
39	121-122	SU 3 Maps	Redo aerodrome maps.	To improve readability.
40	123	SU5 Map	Delete boat ramps and associated parking area and marine Rescue Building from the plan. Relabel Port to Boat Harbour	Consistency with Scheme text.
41	129	Schedule 6	Remove form.	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
42	130	Figure C2 – Area C	Insert a better quality map	To improve readability.
43		Scheme Map 3	<ul style="list-style-type: none"> Rezone to Public Purpose for future go-kart site.  <ul style="list-style-type: none"> Change Yardie Creek Road to a Local Distributor Road, and Murat Road to a Primary Regional Road. SCA 5 – change boundary to green. 	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
44		Scheme Map 4	<ul style="list-style-type: none"> Change the 'Rural' zoned land to: Tourism (two coastal lots east of the townsite) and 'Urban Development' (area abutting the residential zone west of the townsite). Remove the small pocket of R40 Tourism in the Residential R30 zone.  <ul style="list-style-type: none"> Retain Public Open Space reservation. 	<p>Consistency with Strategy.</p> <p>Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>

			<ul style="list-style-type: none"> MRWA Hierarchy - Regional Distributor Road, show as Primary Distributor Road. Change Foreshore Reserve to Public Open Space Reserve. SCA 5 – change boundary to green. 	<p><i>Planning Schemes) Regulations 2015.</i></p> <p>Make this change on all relevant maps.</p>
45		Scheme Map 5	<ul style="list-style-type: none"> Change 'Rural' zone in the north west corner of the map to 'Urban Development' zone. Reserve 47805 show as Public Open Space. Reserve 35568 and 41613 to be shown as public purpose reserve – infrastructure services. Marina precinct – names on map to be referred to 'Areas' to be consistent with legend and scheme text. MRWA Hierarchy - Regional Distributor Road show as Primary Regional Road 	<p>Consistency with Strategy.</p> <p>Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i></p>
46		Scheme Map 6	<ul style="list-style-type: none"> Change the 'Rural' zone (abutting the Rural Residential zone) to 'Rural Residential'. Reserve 51279 change to public purpose reserve. Lot 301 LR3131/403 include in POS reserve. Change Foreshore Reserve to Public Open Space Reserve. 	<p>Consistency with Strategy.</p> <p>Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i></p>
47		Scheme Map 7	Change the area of 'Rural' zoned land to 'Industrial Development' zone that is identified as Future Industry Area 4 in the Strategy, page 163.	Consistency with Strategy.
48		Scheme Map 10	Include annotation over Lot 27 as GS government services.	Accuracy.

16 TOWN PLANNING SERVICES

16.1 FINAL CONSIDERATION OF LOCAL PLANNING STRATEGY FOLLOWING ADVERTISING

File Reference:	LP.PL.0.2; LP.PL.0.4
Responsible Officer:	Executive Manager Town Planning Services
Date of Report:	2 December 2016
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none">1. Local Planning Strategy (revision 7)2. Schedule of Proposed Modifications3. Schedule of Submissions4. WAPC Consent to Advertise

PURPOSE

That Council consider adopting the Local Planning Strategy (refer Attachment 1) subject to modifications (refer Attachment 2) following advertising.

BACKGROUND

At the 28 April 2016 Ordinary Council Meeting, Council resolved (Decision 06-0416) to proceed with the Local Planning Strategy (Strategy) including accompanying maps making all modifications as requested by the Western Australian Planning Commission (WAPC), prior to advertising. The revised Strategy was forwarded to the WAPC on Monday, 23 May 2016 with consent given to advertise from the WAPC on Thursday, 2 June 2016 (refer Attachment 4).

COMMENT

After receiving consent to advertise from WAPC, the consultation period commenced on Thursday, 2 June 2016 and concluded on Friday, 23 September 2016 for a period of 113 days. Regulation 13(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a Local Planning Strategy to be advertised for a period not be less than a period of 21 days commencing on the day on which the notice of the Strategy is published in a newspaper circulating in the area to which the Strategy relates (Pilbara News).

A total of 18 submissions were received during the consultation period. Ten (10) submissions were received from government agencies and eight (8) submissions were received from private citizens, owners, or occupiers. A schedule of submissions relating to the Strategy including Officers comments on each submission is included (refer Attachment 3).

As result of submissions received 166 modifications are recommended to be made to the Strategy for the following reasons:

- To improve grammar;
- To ensure consistency with all relevant legislation;
- To ensure consistency with proposed draft Local Planning Scheme No. 4; and
- To address concerns raised by submitters.

Four major changes are proposed to the Strategy, these include:

- Deletion of all reference to an adjustment of Water Corporation (Public Drinking Water P1) reserve to enable future development within the area in response to submission received;
- Deletion of all specific sites identified as a Nature Based Park investigation area in response to submission received;
- Deletion of all reference to the existing Waste Water Treatment Plant buffer area being included as a Special Control Area in Local Planning Scheme No. 4 to ensure consistency with modification/s proposed to Local Planning Scheme No. 4; and
- Adding actions to state '*Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.*' and '*Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.*' for development sites fronting Minilya-Exmouth Road in response to submission received.

In accordance with Regulation 14 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* the Council may:

- a) *support the local planning strategy without modification; or*
- b) *support the local planning strategy with proposed modifications to address issues raised in the submissions.*

Process for Preparation or Adoption of a New Local Planning Strategy

In accordance with Regulation 14 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* after the completion of the review of the Strategy the Shire must submit to the WAPC a copy of the advertised Strategy, a schedule of the submissions received, and all proposed modifications to the Strategy. The process after this is as follows:

- i. Within 60 days of receiving the documents the WAPC may endorse the Strategy, endorse the Strategy with some or all of the modifications proposed by the Shire, require the Shire to further modify the Strategy before the Strategy is submitted to the Commission for endorsement, or refuse the Strategy;
- ii. If the WAPC endorses the Strategy the WAPC must publish the Strategy in any manner the WAPC considers appropriate;
- iii. The Shire must ensure that an up to date copy of the Strategy is kept and made available for public inspection during business hours and made available for public inspection during business hours at the Shire administration offices, and may publish an up to date copy of the Strategy on the Shire website.

Considering the above it is recommended that Council adopt the Local Planning Strategy (refer Attachment 1) subject to modifications (refer Attachment 2). The completion of the preparation and adoption of a new Local Planning Strategy process is expected to be completed mid-2017.

CONSULTATION

In accordance with Regulation 13 of the *Planning and Development (Local Planning Schemes) Regulations 2015* consultation involved the following:

- i. A display of the Strategy at the Shire Administration Office, Shire Library and WAPC Administration Offices;
- ii. A display of the Strategy on the Shire website;
- iii. A notice being published in the Pilbara News;

- iv. A notice being sent to all relevant State Government agencies and to all persons on the Shire's rate book; and
- v. Five (5) community consultation sessions.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

POLICY IMPLICATIONS

State Planning Policy 1.0 - State Planning Framework Policy

State Planning Policy 2.0 - Environment and Natural Resources Policy

State Planning Policy 2.5 - Land Use Planning in Rural Areas

State Planning Policy 2.6 - State Coastal Planning Policy

State Planning Policy 2.7 - Public Drinking Water Source Protection Policy

State Planning Policy 2.9 - Water Resources

State Planning Policy 3.0 - Urban Growth and Settlement

State Planning Policy 3.1 - Residential Design Codes

State Planning Policy 3.4 - Natural Hazards and Disasters

State Planning Policy 3.5 - Historic Heritage Conservation

State Planning Policy 3.7 - Planning in Bushfire Prone Areas

State Planning Policy 4.1 - State Industrial Buffer Policy

State Planning Policy 5.2 - Telecommunications Infrastructure

State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning

State Planning Policy 6.3 - Ningaloo Coast

All Shire of Exmouth Local Planning Policies

Council Policy 1.16 - Cape Range National Park

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

Economic:	1	<u>To be a diverse and innovative economy with a range of local employment opportunities.</u>
	1.2	<i>Planned and balanced economic growth.</i>
Environment:	2	<u>To have a balanced respect for our environment and heritage, both natural and built.</u>
	2.2	<i>Our pristine natural environment and biodiversity will be understood, maintained and protected.</i>
Social:	3	<u>To be a dynamic, passionate and safe community valuing natural and cultural heritage.</u>
	3.4	<i>A community that is well informed and educated about our natural, cultural and built environment.</i>
Civic Leadership:	4	<u>To work together as custodians of now and the future.</u>

- 4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
- 4.2 *A local government that is respected, professional, trustworthy and accountable.*
- 4.3 *To be strong advocates representing the region's interests.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 16.1

That Council:

1. Adopts the Local Planning Strategy (refer Attachment 1) subject to modifications (refer Attachment 2) pursuant to Regulation 14 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. Forward the advertised Local Planning Strategy (refer Attachment 1); modifications to the advertised Local Planning Strategy proposed by Council (refer Attachment 2); and schedule of submissions received including Council response to each submission (refer Attachment 3) to the Western Australian Planning Commission for final endorsement; and
3. Advise all submitters of Council's resolution in relation to the Local Planning Strategy following advertising; modifications to the advertised Local Planning Strategy proposed by Council (refer Attachment 2); and schedule of submissions received including Council response to each submission (refer Attachment 3).

COUNCIL RESOLUTION

ITEM 16.1

Res No: 22-1216

MOVED: Cr Jones

SECONDED: Cr McHutchison

That Council:

1. **Adopts the Local Planning Strategy (refer Attachment 1) subject to modifications (refer Attachment 2) pursuant to Regulation 14 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;**
2. **Forward the advertised Local Planning Strategy (refer Attachment 1); modifications to the advertised Local Planning Strategy proposed by Council (refer Attachment 2); and schedule of submissions received including Council response to each submission (refer Attachment 3) to the Western Australian Planning Commission for final endorsement; and**
3. **Advise all submitters of Council's resolution in relation to the Local Planning Strategy following advertising; modifications to the advertised Local Planning Strategy proposed**

by Council (refer Attachment 2); and schedule of submissions received including Council response to each submission (refer Attachment 3).

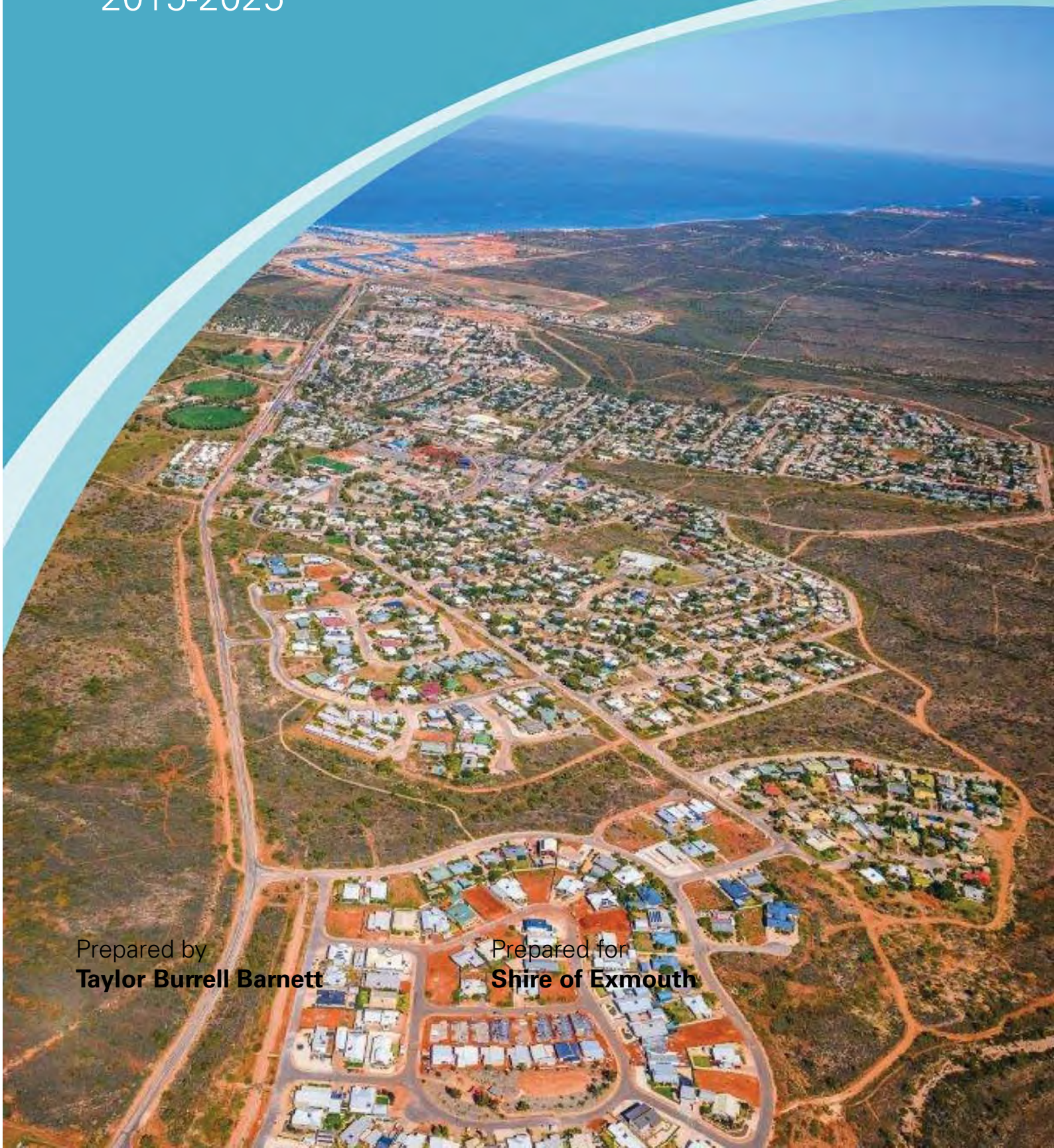
CARRIED 3/0



LOCAL PLANNING STRATEGY 2015-2025

Prepared by
Taylor Burrell Barnett

Prepared for
Shire of Exmouth



DOCUMENT STATUS

Local Planning Strategy 2015 – 2025		13/013	Revision	Reviewer	Date Issued
Prepared By:	Taylor Burrell Barnett Town Planning and Design 187 Roberts Road SUBIACO WA 6008 Phone: 9382 2911 Fax: 9382 4586 admin@tbbplanning.com.au		1	LB	Feb 2014
			2	SB	April 2014
			3	SB	Sept 2014
			4	STH	Nov 2014
In association with:	Terra Rosa Cultural Resource Mapping Hyd2o Hydrology		5	STH	Jan 2015
			6	MW	Oct 2015
			7	MW	May 2016

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LIST OF ACRONYMS

ABS	Australian Bureau of Statistics
ANEF	Australian Noise Exposure Forecast
DPaW	Department of Parks and Wildlife
ExPS	Exmouth Power Station
LPS	Local Planning Strategy
LPS 4	Local Planning Scheme No. 4
ODP	Outline Development Plan (Local Structure Plan in LPS 4)
OLS	Obstacle Limitation Surface
RAAF	Royal Australian Air Force
R-Codes	State Planning Policy 3.1 <i>Residential Design Codes of Western Australia</i>
UCL	Unallocated Crown Land
WA	Western Australia
WAPC	Western Australian Planning Commission
WWTP	Waste Water Treatment Plant

ADVERTISING

The Shire of Exmouth Local Planning Strategy certified for advertising on

an officer of the Commission duly authorised by the Commission
(pursuant to the *Planning and Development Act 2005*)

Date: _____

ADOPTED

Adopted by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the
..... day of 20....

.....
Shire President

.....
Chief Executive Officer

ENDORSEMENT

Endorsed by the Western Australian Planning Commission on the day of 20....

an officer of the Commission duly authorised by the Commission
(pursuant to the *Planning and Development Act 2005*)

Date: _____

EXECUTIVE SUMMARY

The Shire of Exmouth is in a period of growth that is driven in part by tourism, lifestyle, industrial and regional development. In preparing the Shire of Exmouth *Strategic Community Plan* (2011), the community reflected their support for progress, but not at the expense of their natural environment, relaxed lifestyle or small town values. This is seen as achieving balanced growth, with small town values and a positive community spirit, increasing the town centre's commercial and retail opportunities and protecting and enhancing the natural environment. The Local Planning Strategy draws extensively on the Strategic Community Plan and will assist in the sustainable growth of Exmouth.

The Strategy is not a stand-alone document, but forms part of an integrated suite of documents that collectively form the Shire's planning framework, consisting of the *Strategic Community Plan*; the Local Planning Strategy; and the Local Planning Scheme. The Strategy is a guiding document that can be amended as needed in response to changes in policy and factors influencing the Shire's growth and development over time. By its nature it is dynamic and provides flexibility rather than prescription to achieve the Shire's, and ultimately the community's, aspirations.

The **Part 1** outlines the Strategic Aims, Objectives and Actions applicable to the Shire of Exmouth local government area. These are divided into each of the applicable reserve and zones that will be introduced in the Shire of Exmouth Local Planning Scheme No. 4, cross-referenced to detailed Spatial Plans covering the full extent of the Study Area.

The **Part 2** analysis identifies that the Shire of Exmouth:

- Has sufficient land within the Exmouth Townsite to accommodate predicted population growth;
- Whilst sufficient land is available within the Exmouth Townsite, the Exmouth Power Station and Wastewater Treatment Plant in their current locations represent constraints to growth, due to buffer distances to sensitive uses being required;
- The economy of Exmouth will need to diversify to maintain job growth commensurate with population growth;
- The environmental and natural values of the Shire of Exmouth are directly conducive to maintaining the small-town atmosphere that is highly desirable to existing and future residents;
- The natural environment is a large drawcard for tourism to the Shire;
- It will be important to introduce planning controls to ensure a high quality of urban form and development outcomes, particularly within the Exmouth Marina Village and the Exmouth Town Centre.

The **Part 3** provides the rationale for the classification of land within the Strategy including the examination of issues, identification of planning considerations and action statements to be addressed within the statutory framework of LPS 4. Part 3 presents Strategic Plans for each of the land uses identified by the Strategy.

There are numerous Shire and other agency reference documents that informed the Strategy. Those which have WAPC endorsement are:

- *Exmouth-Learmonth (North West Cape) Structure Plan* (1998);
- *Ningaloo Coast Regional Strategy Carnarvon to Exmouth* (2004);
- State Planning Policy 6.3 *Ningaloo Coast* (2004);
- *Exmouth Townsite Structure Plan* (2011); and
- *Exmouth South Structure Plan* (2013).

INTRODUCTION

BACKGROUND

All local government authorities in Western Australia are required to prepare a Local Planning Strategy (LPS) as a pre-requisite to undertaking a review of an existing Local Planning Scheme. The *Planning and Development (Local Planning Schemes) Regulations 2015* require a LPS to set out the strategic planning directions for the local government area, apply state and regional planning policies and provide the rationale for the zones and other provisions of the Scheme.

The LPS provides an overarching non-statutory planning framework that is to guide sustainable growth and development within a local government area over a 10 year period. It expresses the vision of the community, promotes economic activity and community development and ensures the protection of the natural and built form environment unique to a particular local government area.

The LPS together with the Shire's local planning scheme, will provide clear guidance for land use and development permitted within different sectors of the Shire. The LPS will provide the rationale for the zones and provisions to be incorporated into the statutory framework of the Shire of Exmouth Local Planning Scheme No 4 (LPS 4).

PURPOSE OF THE LOCAL PLANNING STRATEGY

The purpose of the LPS is to:

- Provide strategic planning direction over a 10 year period for the Shire of Exmouth, as distinct from the local planning scheme which will manage growth within a statutory framework.
- Set out the direction for economically, socially and environmentally sustainable development based on an assessment of state, regional and local planning policy.
- Provide strategic direction for the Shire of Exmouth, the Department of Planning, Western Australian Planning Commission and the Minister for Planning in the assessment of amendments and applications for subdivision and development.
- Provide the context for coordinated planning and programming of physical and social infrastructure at the local level.
- Provide the rationale for the zoning and reservation of land and for the provisions of the Scheme to inform all stakeholders.
- Identify the need for further studies or investigation within the Shire to address longer term strategic planning and development issues.

The LPS will also provide a platform to initiate discussions with State and Federal Government, noting that the implementation of strategies and actions will need to extend beyond realm of land use planning. Coordinated and collective funding arrangements between organisation delivering infrastructure and services will also be required.

STUDY AREA

From a regional context, Shire of Exmouth is located within the Gascoyne Region of Western Australia along with the Shire's of Carnarvon, Upper Gascoyne and Shark Bay. Exmouth Townsite is the principal settlement area of the North West Cape and is designated as the sub-regional centre servicing the Gascoyne Region.

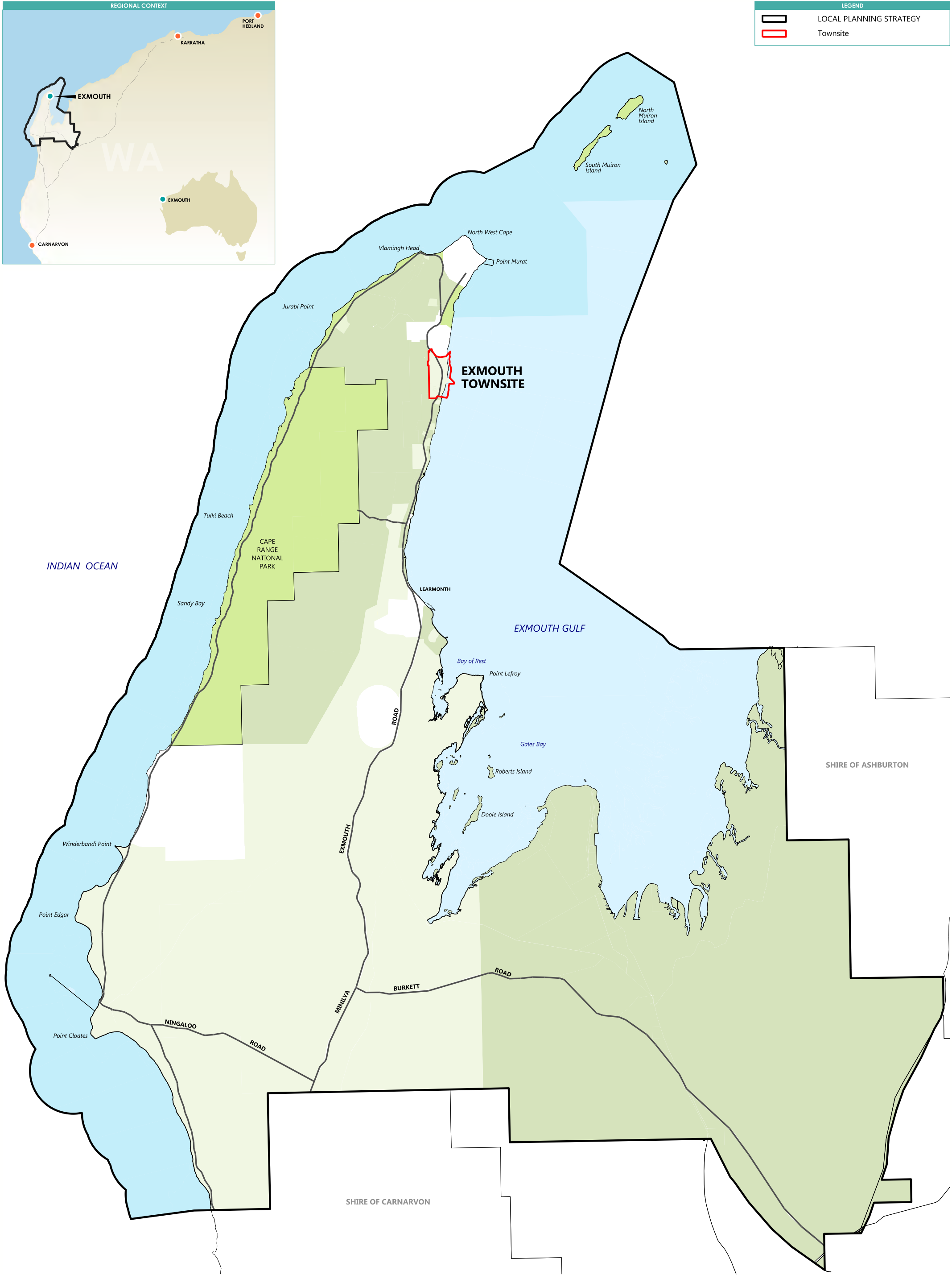
From a local context, the study area comprises an area 6,503 km² and applies to all land and waters within the Shire of Exmouth Local Government boundary. The study area is shown on **Figure 1**. The extent of the study area differs from that of the Shire of Exmouth Town Planning Scheme No 3 given the inclusion of the Ningaloo Marine Park (State Waters, including Muiron Islands) and portion of the waters of Exmouth Gulf.

Originally established as a support town for the Naval Communications Station Harold E. Holt, the Exmouth Townsite remains as the main settlement and administrative centre within the Shire. In addition to the townsite, the LPS study area importantly contains the World Heritage Listed Cape Range National Park and Ningaloo Marine Park (State Waters). The balance of the study areas comprises Department of Defence landholdings (including the Naval Communications Station Harold E. Holt and the Learmonth RAAF Base), Unallocated Crown Land (UCL), expansive pastoral leases and mangrove areas of the Exmouth Gulf.

FORMAT OF LOCAL PLANNING STRATEGY

The LPS has been formatted with regard to the Western Australian Planning Commission *Local Planning Manual – A guide to the preparation of local planning strategies and local planning schemes in Western Australia* (March 2010) and is presented as three parts as follows:

- Part 1 Summary of the *Objectives, Strategies and Actions* required to implement the overall Strategy, cross-referenced to detailed Spatial Plans (Sheets 1-6) covering the full extent of the Study Area.
- Part 2 *Background Information* examining the Planning Context and Local Profile of the Shire including the identification of Planning Implications.
- Part 3 *Planning Analysis* providing the rationale for the classification of land within the Strategy including the examination of issues, identification of planning considerations and action statements to be addressed within the statutory framework of LPS 4. Part 3 presents Strategic Plans for each of the land uses identified by the Strategy.



PART 1

THE STRATEGY



1 VISION

The Shire's Community Vision is expressed in the *Shire of Exmouth Strategic Community Plan* (2011) which is:

To be welcoming custodians embracing our past, valuing our present and planning for the future.

The *Shire of Exmouth Local Planning Strategy 2015–2025* builds upon this overall Community Vision and in ‘planning for the future’, articulates that Exmouth will continue to be a thriving tourist-based town of the Gascoyne Region supported by a strong community spirit, robust and diversified economy, efficient movement network, appropriate community services and infrastructure, with sustainable protection of the environmental values of the local area. This vision is supported by the community’s strategic objectives identified in the 2011 *Strategic Community Plan* as follows:

- **ECONOMIC:** To be a diverse and innovative economy with a range of local employment opportunities.
- **ENVIRONMENT:** To have a balanced respect for our environment and heritage, both natural and built.
- **SOCIAL:** To be a dynamic, passionate and safe community valuing natural and cultural heritage.
- **CIVIC LEADERSHIP:** To work together as custodians for now and the future.

These strategic objectives are the underlying planning principles of both the Local Planning Strategy and LPS 4. **Part 1** of the Strategy has regard to these objectives in the formulation of specific strategies and actions for each land use category analysed by the LPS 4. **Part 1** specifically sets out the Strategy objectives for eleven (11) land use categories including Residential, Rural Residential, Industrial, Tourism, Town Centre, Community and POS, Conservation, Pastoral, Restricted Rural, Movement and Land Use Buffers. Corresponding Strategies and Actions are also outlined to provide strategic direction for Council decision making. **Part 2** of the Strategy provides a planning context and local profile and sets an important framework for **Part 3** – Planning Analysis which identifies planning issues, planning considerations and actions statement for specific areas within the townsite and region which will guide the assessment of rezoning, structure planning, subdivision and/or development applications over time.



SOURCE: SHIRE OF EXMOUTH STRATEGIC COMMUNITY PLAN 2011

2 RESIDENTIAL

2.1 OBJECTIVE

To reinforce Exmouth Townsite as the only settlement area within the Shire, and ensure the delivery of sustainable and well planned residential living areas having regard to the efficient provision of infrastructure and services.

2.2 STRATEGIES

The strategies to be adopted to meet the objective for residential land use are as follows:

- 1) Ensure that residential growth areas are identified within the townsite which are capable of supporting town's projected population growth overtime.
- 2) Encourage future structure planning of residential land provides for arrange of housing densities to accommodate the lifestyle expectations of existing and future communities.
- 3) Consider Future Residential Areas (Long term) for rezoning only once less constrained and more viable residential development opportunities have been realised.
- 4) Ensure the population capacity of the Exmouth Townsite informs the provision of servicing, in particular water supply.
- 5) Preserve the amenity of existing and proposed residential areas by limiting 'non-residential' activities to those which create self-employment or creative activities, provided such activities do not adversely affect the residential amenity of a locality.
- 6) Facilitate the relocation of the Waste Water Treatment Plant (WWTP) and the Exmouth Power Station to unlock the development potential of future residential growth areas to be realised.

2.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Existing Residential' where identified appropriate, 'Future Residential' and 'Future Residential (Long Term)' areas to address the planning considerations detailed within Part 3, Section 3.0.
- b) Include a 'Residential' zone within LPS 4 for existing residential development and land that does not require Structure Plan prior to the local government recommending approval to any subdivision.
- c) Include an 'Urban Development' zone within LPS 4 for future residential development where a Structure Plan is required prior to recommending approval to any subdivision.
- d) Include a 'Special Use - Marina' zone within LPS 4, transfer the development requirements of detailed design guidelines of the Exmouth Marina Village Outline Development Plan (ODP) for Precincts A, B and C (TPS 3) and refer to the land as 'Areas A, B and C'.
- e) Include 'Future Residential' - Area 1 (portion) and 2 within the 'Residential' zone under LPS 4 with associated provisions.
- f) Include 'Future Residential' - Area 1 (portion) and Areas 3 to 6 within the 'Urban Development' zone under LPS 4 with associated provisions.
- g) Include 'Future Residential' - Area 7 within the 'Special Use - Marina' zone under LPS 4 with associated provisions, refer to the land as 'Area D' and requires a Structure Plan to be prepared that reviews the design vision and development requirements of the approved broad and detailed design guidelines of the Exmouth Marina Village Outline Development Plan (ODP).
- h) Review Murat Street Design Guidelines to include development requirements for the Special Use - Marina Zone.
- i) Include 'Future Residential (Long Term)' - Areas 1 to 4 within the 'Rural' zone under LPS 4 with associated provisions and support future rezoning of this land only upon less constrained and more viable land being progressively developed within the townsite.
- j) Review and consolidate existing Scheme provisions to address:
 - i) development control issues within the existing residential and marina village area (Precincts A, B, C and D);

- ii) development requirements applicable to the Urban Development Zone; and
 - iii) permitted uses within the Zoning Table.
- k) Investigate future funding arrangements for:
 - i) the longer term implementation of the Neighbourhood Connector Road network.
 - ii) the upgrade of the Market Street bund.
- l) Investigate the longer term relocation of the Exmouth Power Station and Broadcast Australia infrastructure.
- m) Investigate an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Waters need to maintain a high level of protection of the P1 Source Protection Area.
- n) Support staged subdivision within 'Future Residential' - Area 3 in accordance with the approved Nimitz Street ODP.
- o) Liaise with the Department of Lands to coordinate the forward clearance of Native Title of UCL within the Exmouth Townsite, assisting the Shire to implement the release of future residential land in a timely and efficient manner.

3 RURAL RESIDENTIAL

3.1 OBJECTIVES

To promote sustainable low density development that provides lifestyle choices and responds appropriately to the visual and environmental attributes of the locality.

3.2 STRATEGIES

The strategies to be adopted to meet the objective for rural residential land use are as follows:

- 1) Ensure that rural residential areas are planned and developed in an efficient and coordinated manner by being located within or in close proximity to the Exmouth Townsite.
- 2) Ensure that the design of future rural residential areas have regard to the protection of the environment, including remnant vegetation, water resources, view sheds of the Exmouth Gulf and setbacks to Minilya-Exmouth Road.
- 3) Facilitate and promote the retention and sustainable growth of the Preston Street Rural Residential area within environmental constraints.
- 4) Ensure development within the Cape Wilderness Estate is limited to the extent of the approved subdivision guide plan.

3.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Rural Residential' and 'Future Rural Residential' and 'Future Residential (Long Term)' areas to address the planning considerations detailed within Part 3, Section 4.0.
- b) Introduce a 'Rural Residential' zone within LPS 4 by rezoning the existing 'Special Rural' and 'Special Use Area 2: Cape Wilderness Estate' zones within TPS 3.
- c) Include 'Existing Rural Residential' - Areas 1 and 2, and 'Future Rural Residential' - Area 2 within the 'Rural Residential' zone and refer to the Preston Street Rural Residential Area as 'Area A' and the Cape Wilderness Estate as 'Area B' with associated provisions.
- d) Rationalise the boundary (immediately adjacent to the Future Rural Residential Area 2 and Cameron's Cave) between the existing 'Special Rural' zone and the 'Recreation and Open Space' reserve, under TPS 3 by:
 - i) Including portions of land currently zoned 'Special Rural' zone under TPS 3 within the 'Environmental Conservation' reserve under LPS 4.
- e) Define the extent of the rural zoning of 'Future Rural Residential' - Area 3 by:
 - i) Including that portion of Area 3 currently reserved 'Recreation and Open Space' under TPS 3 within the 'Rural' zone under LPS 4; and
 - ii) Including land currently reserved 'Recreation and Open Space' under TPS 3 within the 'Environmental Conservation' reserve under LPS 4.
- f) Review and consolidate existing Scheme provisions to facilitate:
 - i) A minimum lot size of 1.0ha in the Existing Rural Residential Zone - Area A given the availability of reticulated water.
 - ii) Retain as per current lot sizes in the Existing Rural Residential Zone - Area B and the conservation objectives of the estate.
- g) Include the existing scheme provisions for Existing Rural Residential Area 2 from Special Use Zone No. 3 (TPS 3) within LPS 4.

4 INDUSTRIAL

4.1 OBJECTIVES

Provide an adequate supply of appropriately located service, light, general and marine based industrial land encouraging diversification of industrial activity to strengthen employment opportunities and broaden the economic base of the Shire.

4.2 STRATEGIES

The strategies to be adopted to meet the objective for industrial land use are as follows:

INDUSTRIAL LAND WITHIN TOWNSITE

- 1) Consolidate the location of service and light industrial land uses to existing industrial areas located within the townsite (Mixed Use and the Welch Street Industrial areas respectively).
- 2) Identify additional land suitable for service and light industrial development on land within the townsite boundary abutting the Welch Street locality to the south and west respectively.
- 3) Promote the continuation of composite residential/industrial development on land identified as existing and future service industry to enable business ventures to more easily establish within an affordable live-work environment.
- 4) Allow the establishment of Caretaker Dwellings within the existing and proposed light industrial areas.
- 5) In the event that compliance with EPA Guidance Statements cannot be achieved, facilitate the relocation of the Exmouth Power Station to remove the constraint upon the establishment of composite residential/industrial development and caretaker's dwellings on land identified for service and light industrial use where impacted by the noise buffer of the Exmouth Power Station.
- 6) Consolidate marine-based light industrial development on land contiguous with the Exmouth Boat Harbour recognising synergies of land use.
- 7) Encourage the ongoing relocation of general industry uses and land use activity incompatible with sensitive land uses, to appropriately zoned industrial land south of the Exmouth Townsite where larger land take requirements and land use impacts can more easily be accommodated.

INDUSTRIAL LAND OUTSIDE TOWNSITE

- 1) Promote industrial development identified by the Strategy in locations south of the townsite corresponding with the location of existing industrial nodes within the Exmouth Gulf coastal corridor.
- 2) Promote the creation of new industrial lots to the west of the Ingram Street Industrial area and to the north of the Kailis Site on Minilya-Exmouth Road to cater for general industrial development and potential lay down facilities for the resource sector, subject to detailed reporting and rezoning processes.
- 3) Limit the expansion of industrial development outside the industrial nodes identified by the strategy, acknowledging the community values for retaining and protecting important view sheds and areas of natural or ecological importance.
- 4) Reinforce the status of the existing strategic industrial, industrial and composite land use precincts within the Ingram Street Industrial Area (Lot 51) through the recognition of the approved Subdivision Guide Plan for the locality and environmental management plan.
- 5) Promote the development of the existing zoned land north of Ingram Street (Lot 50) as a 'marine based' general industrial area acknowledging existing environmental approvals for a causeway and wharf associated with a barge loading facility immediately adjacent to the land.

- 6) Protect the economic opportunities of general industrial development by prohibiting caretaker's dwellings within the future general industrial development areas.
- 7) Ensure that new industrial land development incorporates adequate buffers and are landscaped appropriately to minimise visual impact.
- 8) Support aquaculture development within the Exmouth Gulf coastal corridor having regard to best-practice environmental management principles and relevant environmental approvals.

4.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Existing and Future Industry' areas to address the planning considerations detailed within Part 3, Section 5.0.

Industrial Land within the Townsite

- b) Include a 'Service Commercial' zone within LPS 4 to replace the 'Mixed Use' zone within TPS 3.
- c) Include a 'Light Industry' zone within LPS 4 to replace the 'Light Industrial' zone within TPS 3.
- d) Include 'Existing Mixed Use' – Area 1 and 'Future Industry - Service' – Area 1 within the 'Service Commercial' zone and 'Public Open Space' reserve under LPS 4 with associated provisions.
- e) Include 'Existing Light Industry' – Area 2 and 'Future Industry - Light' – Area 2 within the 'Light Industry' zone, 'Public Open Space' reserve and 'Public Purposes' reserve under LPS 4 with associated provisions.
- f) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change.
- g) Acknowledge that existing land uses, inconsistent with the proposed zoning change will continue to operate as non-conforming uses.
- h) Insert provisions within the 'Service Commercial' and 'Light Industry' zones within LPS 4 to require the preparation of a Structure Plan prior to the local government recommending approval to any subdivision, with the exception of where small-scale subdivision is proposed.
- i) Finalise the relocation of the existing WWTP infrastructure and investigate the relocation of the Exmouth Power Station to remove any impediment to the approval of a residential/caretaker use within portion of the 'Existing and Future Industry - Service' zone and 'Existing and Future Industry - Light' zone.
- j) Review the Murat Road Design Guidelines to include development requirements for the 'Service Commercial' zone.
- k) Include 'Existing Marine based Light Industry' – Area 6 (Precinct E) within the 'Special Use' zone under LPS 4 and transfer the development requirements of the broad and detailed design guidelines of the Exmouth Marina Village Outline Development Plan (ODP) for Precinct E within LPS 4.
- l) Work collaboratively with the Department of Transport to achieve a high standard of development within that portion of Area E located within the Exmouth Boat Harbour Reserve.
- m) The local government to amend the Exmouth Marina Village ODP and associated Broad Design Guidelines.

Industrial Land Outside the Townsite

- n) Include a 'General Industry' zone within LPS 4 to replace the 'Industrial' zone within TPS 3.
- o) Transfer 'Existing Special Use' – Area 3 (Lot 51) to the 'Special Use' zone under LPS 4 and include the approved subdivision guide plan for Area 3 and associated scheme provisions from Special Use Zone No 5 (TPS 3) within LPS 4.
- p) Include 'Existing General Industry' – Area 4 (Lot 50) and Area 5 within the 'General Industry' zone under LPS 4 with associated provisions.
- q) Include 'Future General Industry' – Areas 3 and 4 within the 'Rural' zone and 'Environmental Conservation' reserve under LPS 4 with associated provisions.
- r) Insert provisions within the 'General Industry' zone under LPS 4 to require the preparation of a Structure Plan prior to the local government recommending approval to any subdivision where 5 or more lots are proposed.
- s) Shire to undertake further liaison with the Department of State Development regarding the investigation of options and due diligence regarding the potential development for a marine support facility within the Shire of Exmouth.
- t) Liaise with the Department of Lands to coordinate the forward clearance of Native Title of UCL within the Exmouth Townsite, assisting the Shire to implement the release of future industrial land in a timely and efficient manner.

5 TOURISM

5.1 OBJECTIVES

To acknowledge tourism as a vital economic growth industry for Exmouth where the sustainable growth of tourism and tourism related opportunities throughout the Shire is to be encouraged balanced against the conservation values of the environment upon which the tourism industry is based.

5.2 STRATEGIES

The strategies to be adopted to meet the objective for tourism are as follows:

- 1) Facilitate best practice tourism development by encouraging a high standard of built form, landscaping and presentation for all new tourism uses that reflect the Exmouth environment.
- 2) Encourage a diverse range of accommodation based on the projected tourism demand when assessing proposals for short stay accommodation, tourism/residential, caravan park and camping grounds, and nature-based parks.
- 3) Encourage development within the Shire that provides a tourism experience unique to Exmouth adding to the competitive advantage of Exmouth in comparison to other tourist destinations, subject to environmental and cultural management and appropriate levels of infrastructure.
- 4) Protect existing and future tourism sites from the encroachment of incompatible use or development to ensure their tourism potential is not compromised.
- 5) Encourage affordable holiday accommodation through the retention of existing and identification of future sites specifically for caravan park and camping grounds in appropriate locations.
- 6) Assist the establishment of new tourism development by considering a proportion of permanent residential being permitted within new tourist developments (or substantial refurbishments to existing tourism developments) in select locations within the townsite where certain criteria is met.
- 7) Establish appropriate signage that identifies Shire and other tourist related activities within the Shire.

5.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Existing and Future Tourism' areas to address the planning considerations detailed within Part 3, Section 6.0.
- b) Introduce a 'Tourism' zone and 'Special Use - Caravan Park and Camping' zone within LPS 4 to replace the 'Tourist' zone under TPS 3.
- c) Include existing sites zoned 'Tourist' within TPS 3 with the 'Tourism' zone and 'Special Use - Caravan Park and Camping' zone under LPS 4 with associated provisions.
- d) Include 'Future Tourism' – Areas 1 and 2 within the 'Rural' zone under LPS 4 to secure the future use of the land for tourism purpose only, subject to rezoning applications supported by detailed site investigation.
- e) Include 'Future Tourism' – Areas 3 to 9 within the 'Tourism' zone within LPS 4.
- f) Include 'Future Tourism' – Area 10 within the 'Urban Development' zone within LPS 4.
- g) Include 'Future Caravan Park and Camping' – Areas 11 and 12 within the 'Special Use - Caravan Park and Camping' zone under LPS 4 with associated provisions.
- h) Include provisions within LPS 4 to include and update interpretations for tourism uses within Schedule 1 - Dictionary of Defined Words and Expressions.
- i) Include provisions with LPS 4 to:
 - i) Limit the proportion of permanent residential permitted within new tourist developments within the townsite (or substantial refurbishment to existing tourism developments) to no greater than 40% of the site; Apply a density coding of R40 to residential use within the 'Tourism' zone where applicable.
 - ii) Exclude permanent residential use within the 'Special Use - Caravan Park and Camping' zone, by introducing Residential Land Uses within the Zoning Table as 'X' uses, not permitted within the zone.

- iii) Reinforce the tourism component as the predominant use within the 'Tourism' zone in assessing the extent of commercial activities within the 'Tourism' zone and 'Special Use - Caravan Park and Camping' zone.
- iv) Require management plans and site plans to be prepared in support of development applications for Nature-Based Parks.
- j) Review the Vlamingh Head Master Plan to re-assess the limitations on the scale of development permitted in the context of overall sustainability objectives and the changing supply and demand characteristics of the tourism market.
- k) Investigate the prospect of additional informal camping areas within Jurabi Coastal Park in consultation with management authorities.
- l) Finalise the relocation of the existing Waste Water Treatment Plant (WWTP) infrastructure to remove any impediment for the approval of 'sensitive land uses' within 'Future Tourism' – Areas 1, 2 and 5 and 'Future Caravan Park and Camping' – Areas 11 and 12.
- m) Investigate the longer term relocation of the Exmouth Power Station infrastructure to remove the impediment for the approval of 'sensitive land uses' within 'Future Tourism' – Areas 6 and 7.

6 TOWN CENTRE

6.1 OBJECTIVES

To consolidate retail and commercial activity within the Exmouth town centre, to maintain the town centre as the principal retail, commercial, community, civic and administrative activity centre for the Shire.

6.2 STRATEGIES

The strategies to be adopted to meet the objectives for the town centre are as follows:

- 1) Implement the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) to consolidate the primacy of town centre in its present location above other townsite locations.
- 2) Facilitate the consolidation of retail floorspace in the short to medium term around the primary structural axis of the Ross Street Mall and Kennedy Street, with expansion opportunities to accommodate a 'supermarket and associated sleeved development' only contemplated on land assembled east of Maidstone abutting Federation Park.
- 3) Support the transitional upgrading of Kennedy Street as an activated Main Street environment with shared space for pedestrians and slow moving traffic, ultimately transformed into a pedestrian mall when sufficient commercial retail growth has occurred.
- 4) Prioritise the implementation of landmark sites, landscape and signage initiatives to strengthen the entry to the town centre.
- 5) Ensure town centre car parking is located on the periphery of the Retail Core to enable buildings to improve their relationship to the public realm and further, promote the provision of reciprocal car parking arrangements where shared access between sites will reduce the burden of parking provision.
- 6) Promote mixed use development (activated ground floor with upper level residential) (west side of Learmonth Street and north side of Maidstone Crescent) to provide a transition between town centre uses and surrounding residential areas.
- 7) Prioritise vehicular, pedestrian and cycleway infrastructure to improve legibility of the movement system within the town centre.
- 8) Facilitate the relocation of town centre uses not critical to maintaining the vibrancy of the town centre (where suitable alternative premises can be secured) to assist in the land assembly and early delivery of viable development sites.
- 9) Preserve the important community function of Federation Park as reinforced through the realignment of Payne Street and associated landscape upgrades, and ensure an ongoing maintenance programme is actioned.
- 10) Maximise the opportunity for short stay tourism/residential development within the Town Centre along the Murat Road frontage.

6.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications within the 'Town Centre Precinct' Areas 1-5 to address the planning considerations detailed within Part 3, Section 7.0.
- b) Introduce a 'Commercial' zone within LPS 4 to replace the 'Town Centre' zone within TPS 3.
- c) Define Precincts 1 to 3 (Retail Core, Mixed Use, and Mixed Business), include within the 'Commercial' zone within LPS 4 and set out objectives, site and development requirements for each Precinct within the Scheme.
- d) Include Precinct 4 (Short Stay Tourism/Residential) within the 'Tourism' zone under LPS 4.
- e) Rezone Precinct 5 (Recreation) from 'Town Centre' to 'Public Open Space' reserve under LPS 4.
- f) Include 'supermarket and sleeved commercial development' as a 'Restricted Use' within Schedule 3 – Restricted Use of LPS 4 to guide land use and development within Precinct 1A.
- g) Forecast and budget ongoing works to implement the initiatives of the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- h) Progress feasibility assessments of town centre redevelopment opportunities to assist in the land assembly and early delivery of viable development sites.
- i) Review the design of the existing car park adjacent to Ross Street Mall to allow periodic conversion of the space to a town square with the potential to accommodate community events.
- j) Review the statutory framework for the control of advertising that achieves effective identification of businesses, but does not detract from the character of the Town Centre.
- k) Prepare and progressively update an audit of car parking within the town centre to monitor car parking demand and supply.
- l) Prepare a Retail Activation Strategy consistent with the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* for improving development fronting streets, improving the retail mix and offer, implementation via management and governance, to create a more value-added experience.

7 COMMUNITY AND PUBLIC OPEN SPACE

7.1 OBJECTIVES

To recognise the need for appropriate provision, development and maintenance of high quality community facilities and public open spaces that have regard to local climatic conditions and achieve positive community and social outcomes.

7.2 STRATEGIES

The strategies to be adopted to meet the objective for community facilities and public open space are as follows:

Community

- 1) Promote the ongoing and timely delivery of superior community facilities to meet community expectations.
- 2) Promote innovative design of community facilities which acknowledge the regional setting environment of Exmouth.
- 3) Ensure that structure planning of future residential growth areas adequately provide land for future community facilities in locations accessible to the community.
- 4) Promote the intensification of activity around the Town Centre, Town Beach and the Exmouth Marina to optimise usability and accessibility to existing and proposed community facilities and open space areas.
- 5) Recognise the strategic importance of the Ningaloo Centre as a community focal point to be reinforced through ongoing investment.
- 6) Work closely with community groups to establish flexible multi-purpose facilities that can cater for a range of community needs and user-groups.
- 7) Support the establishment of an Emergency Services Precinct on the dis-used power station site to facilitate the relocation of emergency service facilities from the Town Centre.
- 8) Support the establishment of a Wellness Centre on the existing hospital site promoting the sensitive design and planning of aged and disabled care facilities.
- 9) Encourage the establishment of shared government offices within the Town Centre where purpose built facilities are unavailable.

Public Open Space

- 10) Promote the rationalisation and reconciliation of public open space provision as population growth occurs.
- 11) Ensure that structure planning of future residential growth areas adequately addresses public open space provision through the subdivision process, having primary regard to the protection of landscape features and provision of accessible and safe neighbourhood parks.
- 12) Endorse the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)* in relation to improvements to streetscapes, public spaces and events space within the Town Centre; upgrades to the existing Town Beach; and implementation of a new Town Beach and associated infrastructure.
- 13) Promote landscaping upgrades to Town Creek and associated drainage lines within the Town Centre to improve ecological habitat values and drainage functionality.
- 14) Incorporate townsite creeks and their floodplains within public open space areas where applicable.
- 15) Consider environmental and public access requirements in the definition of coastal foreshore and waterway reserves.
- 16) Maximise the presentation and water-wise design of open space areas to reflect climatic conditions of Exmouth.

7.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting 'Community and Public Open Space' to address the planning considerations detailed within Part 3, Section 8.0.

Community

- b) Include various community facilities as 'Civic and Community' and 'Public Purposes' reserves within LPS 4.
- c) Forecast and budget ongoing works to implement the town centre community facility initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- d) Investigate the rationalisation and relocation of existing community facilities and assets within the Town Centre following the development of the Ningaloo Centre.
- e) Include the disused power station site (proposed Emergency Services Precinct) within the 'Service Commercial' zone under LPS 4.

Public Open Space

- f) Include various public open space areas within the townsite as 'Public Open Space' reserves within LPS 4.
- g) Include the existing foreshore reserve within the Exmouth Townsite within the 'Foreshore' reserve under LPS 4.
- h) Prepare and progressively update an audit of Public Open Space provision within the townsite to monitor surpluses or deficiencies in supply.
- i) Investigate opportunities to reconcile the overprovision of public open space (existing and proposed) within the townsite.
- j) Forecast and budget ongoing works to implement the foreshore and public open space initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- k) Insert provisions within LPS 4 for Landscape Plans to incorporate water-wise design.

8 CONSERVATION

8.1 OBJECTIVES

Protect and enhance the natural characteristics of the Shire that are of local, regional, national and international significance.

8.2 STRATEGIES

The strategies to be adopted to meet the objective for conservation are as follows:

- 1) Adopt a co-operative management approach with relevant government agencies and community groups to promote sustainable land management and protection of terrestrial and marine based conservation areas throughout the Shire.
- 2) Reinforce the conservation and recreational objectives of the *Cape Range National Park Management Plan* and encourage the State Government implementation of best management practices.
- 3) Support the inclusion of portion of Exmouth Gulf Station within the Public Conservation Estate as an addition to the Cape Range National Park upon the expiry of the pastoral leases in 2015.
- 4) Support the inclusion of portion of Exmouth Gulf Station within a Conservation and Landscape Protection area upon the expiry of the pastoral leases in 2015, managed by the Department of Lands and Shire.
- 5) Ensure activity within the Jurabi and Bundegi Coastal Parks and Muiron Islands is compatible with the management plan objectives of the *Jurabi and Bundegi Coastal Parks and Muiron Islands Management Plan* prepared by the Department of Parks and Wildlife in consultation with the Shire.
- 6) Manage public access and visitor numbers to recreational areas where increased human activity may potentially impact on conservation values.
- 7) Acknowledge the ecological importance of the critically endangered Troglobitic Community within Cameron's Cave.
- 8) Acknowledge the ecological values of Exmouth Gulf for habitat and as breeding grounds noting the importance of the recommended marine protected areas south of Wapet Creek.
- 9) Protect sites of indigenous cultural significance and celebrate both indigenous and non-indigenous cultural heritage associated with the Exmouth Region.
- 10) Limit the extraction of basic raw materials to areas where it is assessed to be appropriate and, based on advice from relevant authorities, is understood to not impact on internationally significant flora or fauna or areas of high conservation value.
- 11) Encourage the State Government to implement best management practices for Giralia UCL, in the event that the Department of Parks and Wildlife obtain care and control via Management Order.
- 12) Ensure a 40m setback (landward of the high water mark) is implemented where land abuts the Ningaloo Marine Park and/or Exmouth Gulf.
- 13) Apply the 'precautionary principle' in regards to coastal setbacks and the siting of permanent development or high-value infrastructure adjacent to the coast.

8.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting conservation areas to address the planning considerations detailed within Part 3, Section 9.0.
- b) Introduce a 'Environmental Conservation' reserve within LPS 4.
- c) Include:
 - i) The Cape Range National Park, Jurabi and Bundegi Coastal Parks and Muiron Islands, Exmouth Water Reserve, Cameron's Cave and buffer, and land along the coastal strip of Exmouth Gulf (to reflect a 40m setback landward of the high water mark) within the 'Environmental Conservation' reserve under LPS 4.
 - ii) Giralalia Pastoral Station and portion of 2015 Pastoral Lease Exclusion Area within the 'Rural' zone under LPS 4.
 - iii) Land abutting the coastal strip of the Ningaloo Marine Park and/or Exmouth Gulf (to reflect the 40m setback landward of the high water mark,) within the 'Foreshore' reserve under LPS 4.
- d) Include the Exmouth Water Reserve as a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.
- e) Work collaboratively with the DPaW:
 - i) in the investigation of future community uses on unallocated Crown Land on the peninsula to the north and north-west of the Exmouth Townsite as need arises.
 - ii) to investigate the prospect of additional informal camping areas being designated within the Jurabi Coastal Park.
- f) Require structure planning, subdivision and development applications to have regard for 'Registered Aboriginal Heritage Sites' and 'Other Aboriginal Heritage Places' as identified on the LPS Mapping and undertake investigatory reporting where required.
- g) Support the protection sites of indigenous cultural significance and celebrate both indigenous and non-indigenous cultural heritage associated with the Exmouth Region.
- h) Support the extraction of basic raw materials where it is assessed to be appropriate and, based on advice from relevant authorities, is understood to not impact on internationally significant flora or fauna or areas of high conservation value.
- i) Acknowledge the World Heritage Listing of land where located within the Scheme area.

9 PASTORAL

9.1 OBJECTIVES

To recognise the economic benefit of the pastoral industry to the Shire by protecting and promoting the continuation of sustainable pastoral activities on lands within the Pastoral Stations of Exmouth including the diversification of activities.

9.2 STRATEGIES

The strategies to be adopted to meet the objective for pastoral land uses are as follows:

- 1) Protect the pastoral land use activity on the Exmouth Gulf, Bullara and Ningaloo Pastoral Stations from incompatible land uses, development and land management practices.
- 2) Encourage sustainable land management practices on pastoral lands.
- 3) Facilitate the diversification of land use for eco-tourism purposes on Exmouth Gulf, Bullara and Ningaloo Stations in locations where identified as being compatible with the established pastoral activities.
- 4) Identify Nature-Based Camping Investigation Areas on Exmouth Gulf and Bullara Pastoral Stations within which the suitability of the site to support nature-based camping will need to be determined following which a development application may be prepared.
- 5) Reinforce the outcome of the 2015 Pastoral Exclusion process administered by the Department of Lands where it may impact the extent of pastoral leases for Exmouth Gulf Station and Ningaloo Station.
- 6) Reinforce the 40m development setback where development is proposed within pastoral leases adjacent to Ningaloo Coast and/or Exmouth Gulf.

9.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting 'Pastoral' areas to address the planning considerations detailed within Part 3, Section 10.0.
- b) Introduce a 'Rural' zone within LPS 4 including objectives, site and development requirements to replace the 'Pastoral' zone under TPS 3.
- c) Include land currently zoned 'Pastoral' under the existing TPS 3 within the 'Rural' zone within LPS 4 and associated scheme provisions.
- d) Review the range of permitted uses within Table 1 – Zoning Table for the 'Rural' zone under LPS 4 to reflect the predominant pastoral activities, including opportunity for diversification of uses within the zone.
- e) Support subdivision of the 'Existing Restricted Residential Area 1' in liaison with the Department of Lands.
- f) Include 'Existing Restricted Rural Area 1' and 'Future Restricted Rural Area 1' within the 'Rural' zone under LPS 4, with a restricted use of 'Agriculture – Extensive' and include site and development requirements within the Restricted Use Table.
- g) Initiate future scheme amendments to LPS 4 to reflect the outcome of the 2015 Pastoral Exclusion process.
- h) Include within the pastoral leases abutting the coastal strip of the Ningaloo Marine Park and/or Exmouth Gulf (to reflect the 40m setback landward of the high water mark,) within the 'Foreshore' reserve under LPS 4.

10 MOVEMENT

10.1 OBJECTIVES

To ensure movement networks are maintained and managed to accommodate future growth of the Exmouth Townsite and the requirements of the region for residents, tourism and industry.

10.2 STRATEGIES

The strategies to be adopted to meet the objective for movement infrastructure are as follows:

Pedestrian and Vehicular

- 1) Identify improvements and prioritise upgrades to the pedestrian and vehicular movement within the townsite.
- 2) Prioritise a pedestrian movement network within the Town Centre.
- 3) Endorse the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)* and the refinements proposed in the LPS in relation to improved pedestrian and vehicular connectivity between Exmouth Gulf and key destinations within the Exmouth Townsite, including upgrades to coastal trails and infrastructure.
- 4) Maximise the use of natural drainage lines as a movement corridor asset through landscape maintenance, planting, lighting and safe pedestrian and cyclist access.
- 5) Develop a sustainable coastal route connecting Coral Bay with Exmouth, a hierarchy of Primary and District Distributor Roads for Minilya-Exmouth and Murat Roads respectively, and a network of neighbourhood connector roads within the townsite.
- 6) Ensure management responsibilities are defined where public roads (not defined by reservations) and public infrastructure (Bundegi boat ramp) traverse Commonwealth Lands.

Air

- 7) Develop a strategy to develop improved air transport connections to the Exmouth Region including the expansion of airport infrastructure.
- 8) Ensure sufficient planning controls are in place to maintain operational requirements and future expansion opportunities of the Learmonth and Airport and Exmouth Aerodrome.
- 9) Ensure the orderly and progressive development of airport related activities within the Exmouth Aerodrome to benefit the retention and future viability of the facility.
- 10) Ensure formalisation of Australian Noise Exposure Forecasts (ANEF) for the Learmonth Airport and Exmouth Aerodrome by the Department of Defence and the Shire of Exmouth, respectively.

Marine Infrastructure

- 11) Support the Department of Transport initiatives to expand the Exmouth Boat Harbour where industry objectives are balanced against with the needs of the community.
- 12) Maintain existing points of boat ramp access to the Indian Ocean and Exmouth Gulf for tourists, recreational vessels and commercial operators.

10.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting 'Movement Infrastructure' to address the planning considerations detailed within Part 3, Section 12.0.

Pedestrian and Vehicular

- a) Forecast and budget ongoing works to implement the town centre and foreshore pedestrian, cycleway and vehicular movement initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- b) Include 'Primary Distributor Road' and 'District Distributor Road' reservations within LPS 4.
- c) Provide for the planned future neighbourhood connector road linking Murat Road with Nimitz Street; and Reid Street with Learmonth Street.
- d) Consult with Main Roads WA to ensure an ongoing works and maintenance program for Minilya-Exmouth Road is implemented.
- e) Establish management agreements to address the land tenure anomalies of Murat Road, public access roads and the Bundegi Boat Ramp on Commonwealth land, in consultation with the Department of Lands and Department of Defence.
- f) Consult with Main Roads WA, Department of Parks and Wildlife (DPAW), Department of Lands and Department of Defence to establish a sustainable coastal route connecting Coral Bay with Ningaloo Coast via Yardie Creek Road, as an alternative route to Ningaloo Road.
- g) Consult with the DPAW, Department of Lands and Department of Defence in relation to the formalisation of the Sandy Bay 4WD track between Minilya-Exmouth Road and the west coast.

Air

- h) Include the Learmonth Airport as a 'Public Purposes' (Government Services) reserve under LPS 4.
- i) Include the Exmouth Aerodrome as a 'Special Use' zone under LPS 4.
- j) Advocate increased frequency of Regular Public Transport (RPT) aircraft movements to the region and connectivity with northern Australian tourist markets.
- k) Implement the airport layout and design guidelines of the Exmouth Aerodrome Master Plan and include as provisions within LPS 4 where applicable.
- l) Identify the indicative noise buffer of the Exmouth Aerodrome as a Special Control Area within LPS 4.

Marine Infrastructure

- m) Include the proclaimed Exmouth Boat Harbour Reserve within an appropriate 'Strategic Infrastructure' type classification in LPS4.
- n) Consult with the Department of Transport to facilitate Exmouth Boat Harbour expansion initiatives including ongoing community consultation.
- o) Consult with the Department of Transport in regard to the assessment of subdivision and /or development applications within the Boat Harbour Reserve.

11 LAND USE BUFFERS

11.1 OBJECTIVES

To protect key infrastructure and areas of conservation value within the Exmouth Region from land use conflict and sensitive land uses through the identification of land use buffers.

11.2 STRATEGIES

- 1) Ensure appropriate buffers are identified within the Strategy to protect key infrastructure and areas of conservation value.
- 2) Safeguard public drinking water resources through the protection of the Exmouth Water Reserve.
- 3) Recognise floodplain mapping of significant waterways in the assessment of structure planning, subdivision and development applications.
- 4) Recognise the need to protect the view corridors of the Cape Range and Exmouth Gulf from Minilya-Exmouth Road.
- 5) Safeguard the continued operations of the Learmonth RAAF Base and the Exmouth Aerodrome.
- 6) Protect the important view shed of the Cape Range and Exmouth Gulf (which significantly contribute to the tourism values of the Shire) through the implementation of a development setback from Minilya-Exmouth Road.
- 7) Ensure that impediments on land constrained by the Waste Water Treatment Plant and Exmouth Power Station are progressively removed through the relocation of infrastructure.

11.3 ACTIONS

- a) Require rezoning, structure plan, subdivision and/or development applications affecting 'Land Use buffers' to address the planning considerations detailed within Part 3, **section 13.1**.
- b) Include the Exmouth Water Reserve within a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.
- c) Include the existing WWTP and associated 500m odour buffer as a Special Control Area within LPS 4 requiring any development proposed within the buffer to be approved by the local government upon receiving advice from the EPA and Water Corporation.
- d) Prioritise negotiations with the Department of Defence and Water Corporation to progress the relocation of the WWTP to Commonwealth land by 2016/2018.
- e) Include the Exmouth Power Station and associated noise buffer within a Special Control Area within LPS 4 requiring any development proposed within the buffer to be approved by the local government upon receiving advice from the EPA.
- f) Require the operators of the power station to undertake revised noise modelling of the power station upon the commissioning of additional engines and/or assuming the operation of the power station at full capacity (10,000kW).
- g) Investigate the longer term relocation of the existing Exmouth Power Station Infrastructure to remove the impediment for development of sensitive land uses within the power station buffer.
- h) Include Cameron's Cave and 500m buffer within the 'Environmental Conservation' reserve under LPS 4 and support its inclusion within an 'A Class' reserve under the *Land Administration Act 1997*.
- i) Include the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect view corridors of the Cape Range and Exmouth Gulf.
- j) Adopt the boundary of the indicative noise buffer of the Exmouth Aerodrome as a Special Control Area within LPS 4 requiring development proposed within the buffer to be approved by the local government upon the advice of the Airport Manager.
- k) Adopt the boundary of the indicative noise buffer of the Learmonth Airport as a Special Control Area within LPS 4 requiring development proposed within the buffer to be referred to the Department of Defence prior to determination.
- l) Include a provision within LPS 4 to control development heights within the Learmonth Airport Obstacle Limitation Surface.
- m) Monitor the capacity of the existing landfill site to accommodate the current rate of landfill activity and consider the longer term relocation of the facility.

12 ADMINISTRATION AND IMPLEMENTATION

12.1 ADOPTION OF THE STRATEGY

The adoption of the Local Planning Strategy will be undertaken in accordance with the procedures within the *Planning and Development (Local Planning Schemes) Regulations 2015*, summarised as follows:

- 1) The Local Planning Strategy is prepared and forwarded to the WAPC;
- 2) WAPC certification of Local Planning Strategy for advertising;
- 3) Advertising in a locally circulating newspaper for two consecutive weeks and for an advertising period of not less than 21 days;
- 4) Shire of Exmouth review of Local Planning Strategy in light of submissions made and advice received;
- 5) Shire of Exmouth adoption of the Local Planning Strategy with such modifications as it thinks fit, to give effect to the submissions and advice;
- 6) Submit an advertised copy and adopted copy of the Local Planning Strategy to the WAPC for its endorsement; and
- 7) Once endorsed, publication of a notice of the Local Planning Strategy in a locally circulating newspaper.

12.2 MONITORING, REVIEW AND MODIFICATIONS TO THE STRATEGY

The preparation of the LPS4 has been undertaken and follows the procedures contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The procedures outlined in **section 12.1** apply to an amendment to the Local Planning Strategy in the same way as it applies to the preparation of a Local Planning Strategy.

In this instance, it is desirable to continually monitor and review the Part 2 - Background Information and Part 3 - Planning Analysis of the Local Planning Strategy, in order for efficient administration of the document for when it is reviewed and/or modifications are sought.

The Shire will aim to update the background information for this Strategy on an as needs basis.

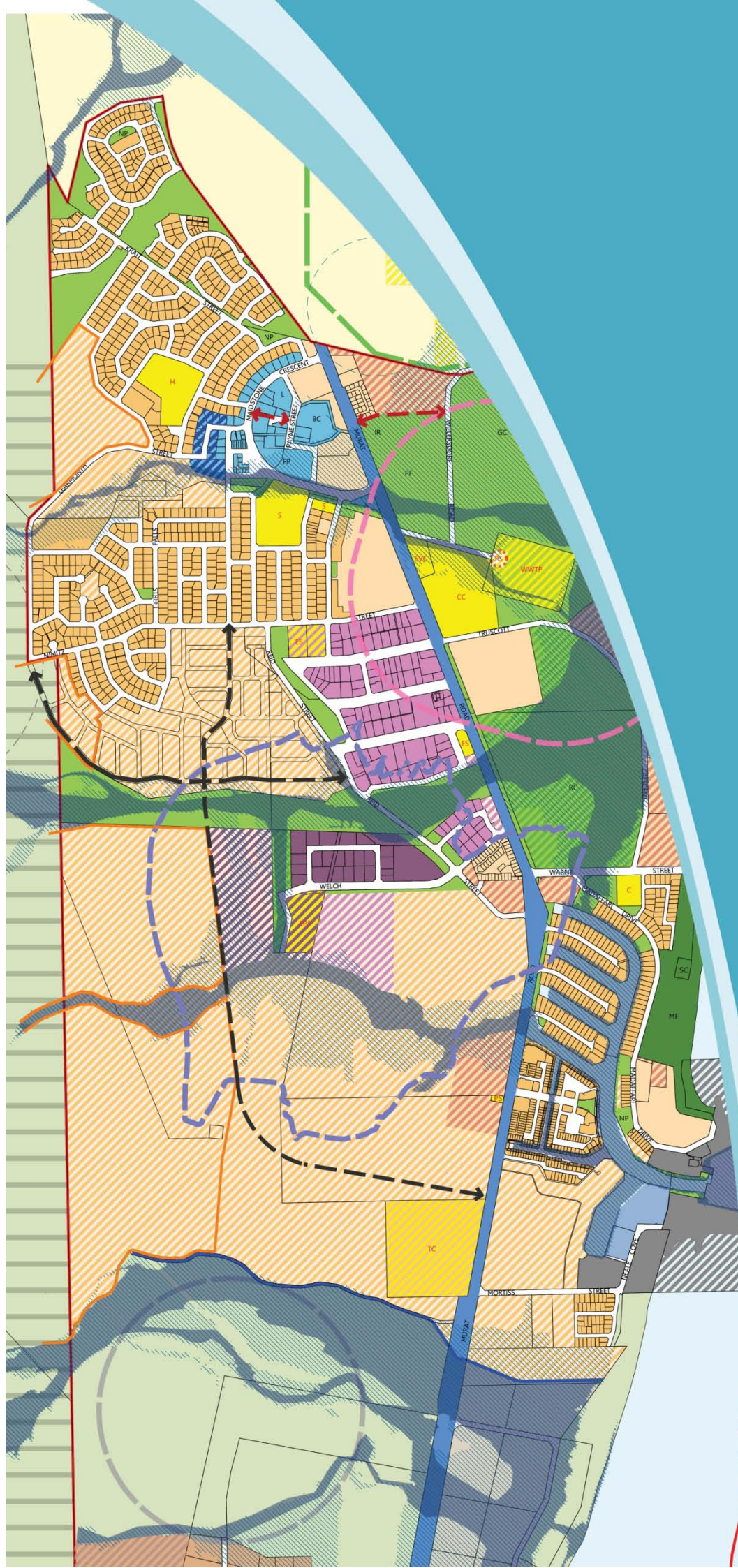
12.3 SHIRE OF EXMOUTH LOCAL PLANNING SCHEME NO. 4

The Shire of Exmouth will implement the Local Planning Strategy through the new LPS 4. The Scheme Text has been prepared in conjunction with the Local Planning Strategy.

The preparation of the LPS 4 has been undertaken and will follow the procedures contained in the *Planning and Development (Local Planning Schemes) Regulations 2015* as they relate to the preparation, advertising, consideration of submissions, and ultimately consideration by the WAPC and approval by the Minister for Planning.

LPS 4 will continue to have regard to local planning policies previously adopted by the Shire. Several local planning policies are identified for modification, commensurate with provisions within these policies being incorporated into the LPS 4 scheme text. **Part 2 – section 1.3.7** provides a Local Planning Policy Schedule for a holistic review of the existing local planning policies to ensure consistency with the LPS 4.

SPATIAL PLANS



SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY

NOTE

Existing Use / Development

Future Use / Development

LEGEND

Local Planning Strategy Boundary

RESERVATIONS

National Park and Nature Reserves

Conservation and Landscape Protection

Public Conservation Estate

Exmouth Water Reserve

Waterways

URBAN LAND USE

Tourism

MOVEMENT INFRASTRUCTURE

Primary Distributor Road (MRWA)

BUFFERS AND CONSTRAINTS

Obstacle Limiting Surface

Wellhead Protection Zone

Registered Aboriginal Heritage Place

Other Aboriginal Heritage Place

100m Development Setback

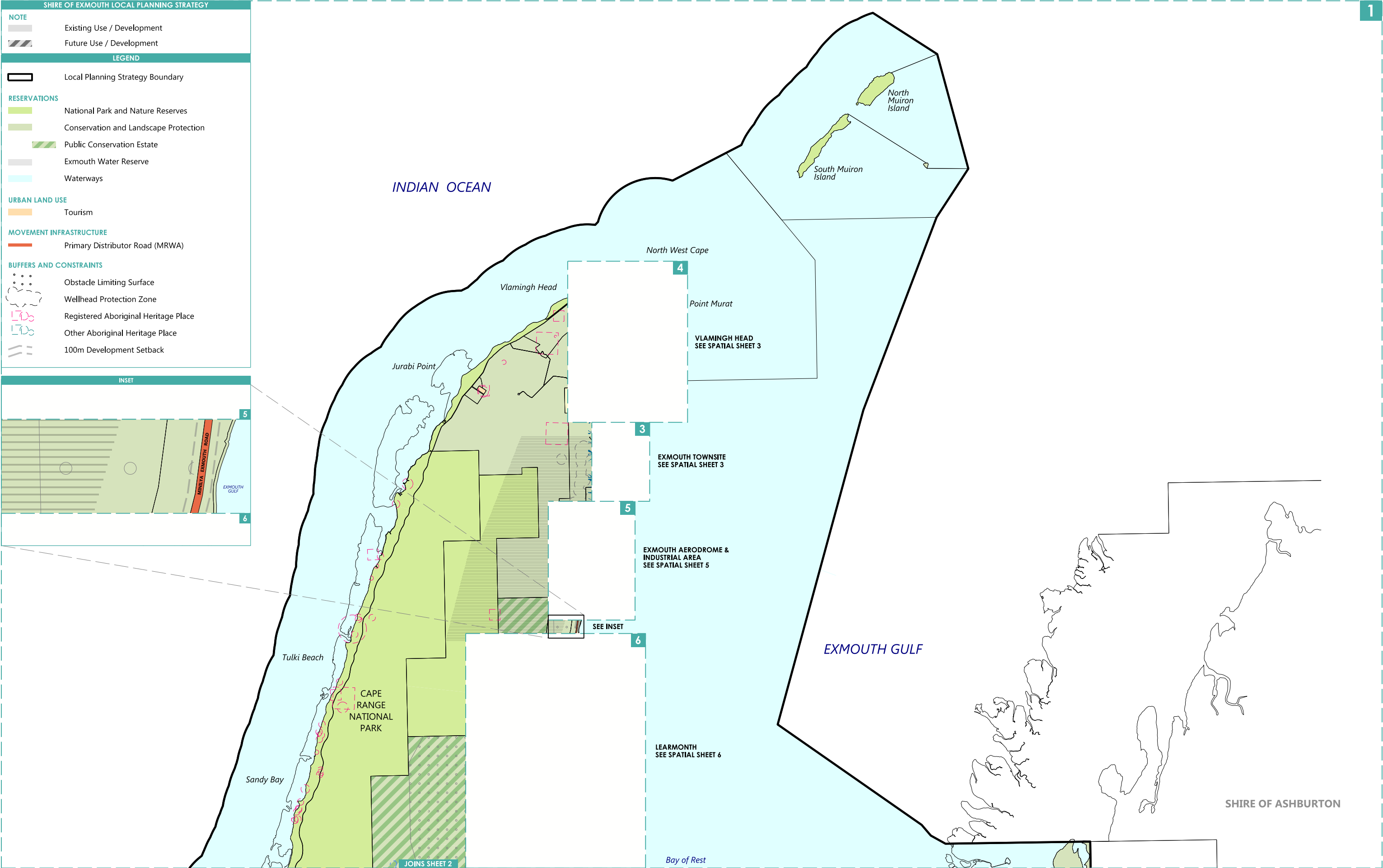
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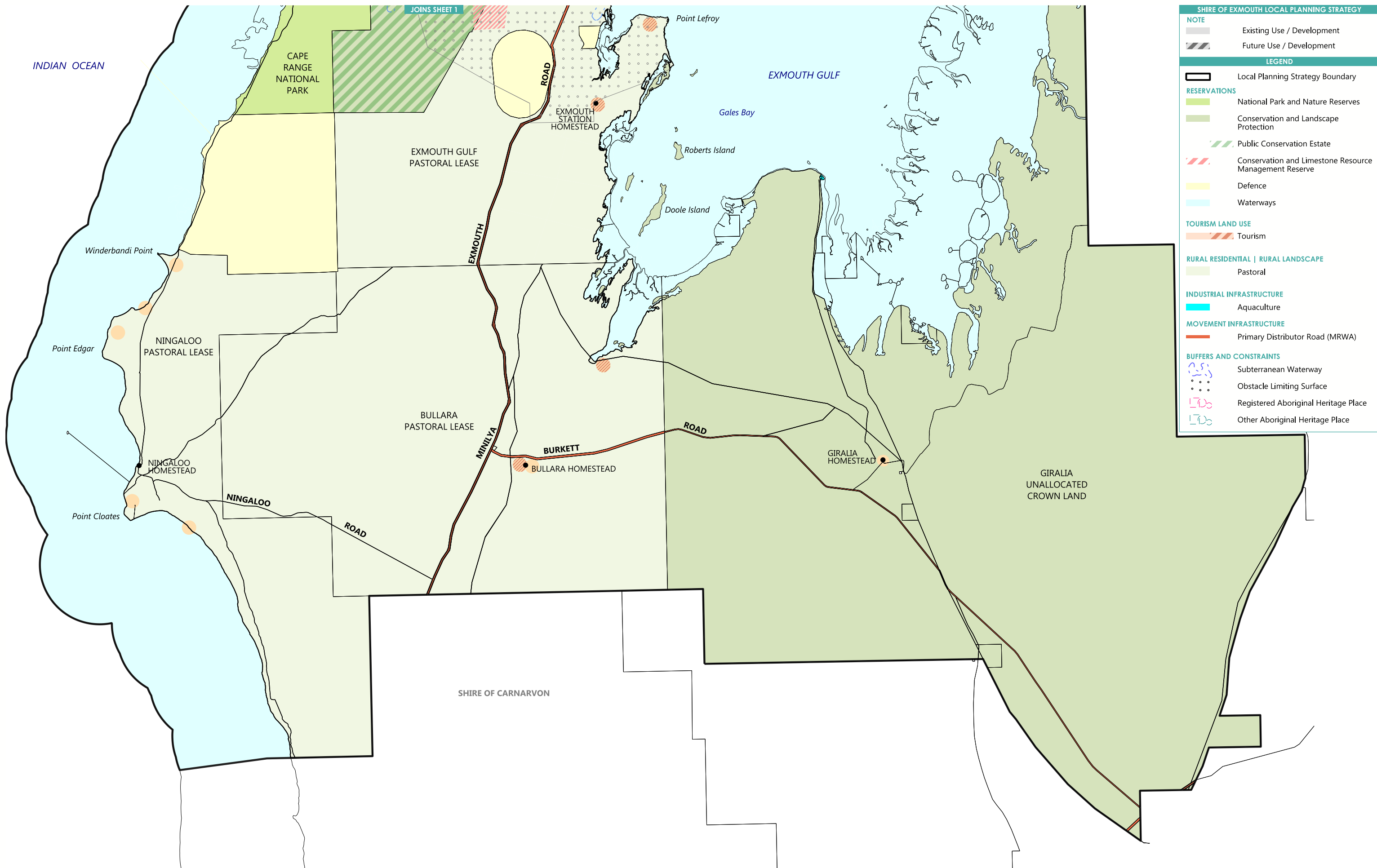
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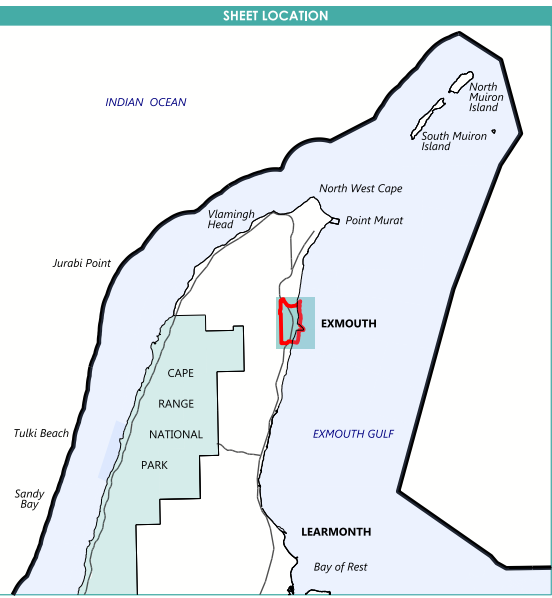
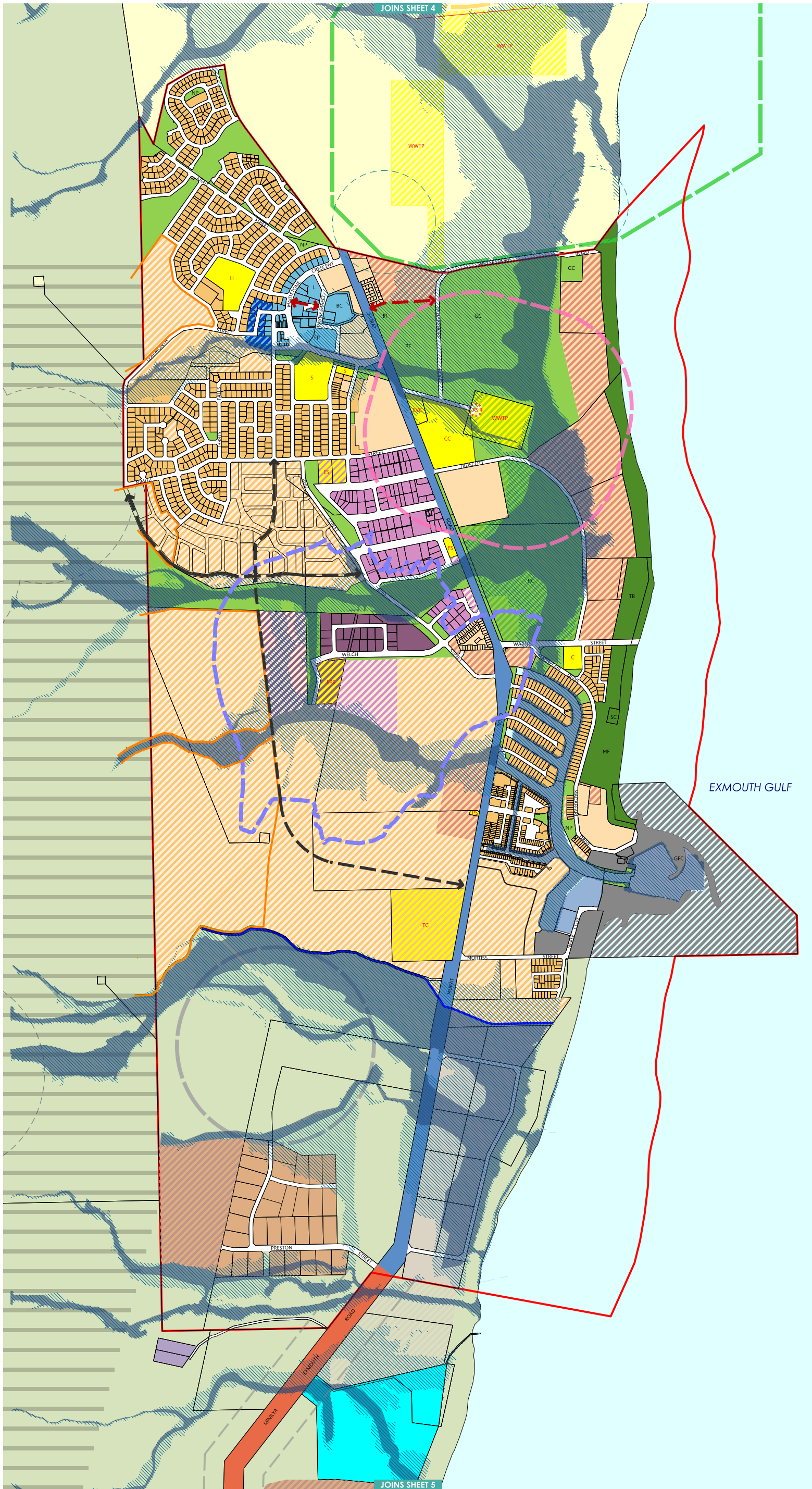
MINILYA EXMOUTH ROAD

EXMOUTH GULF

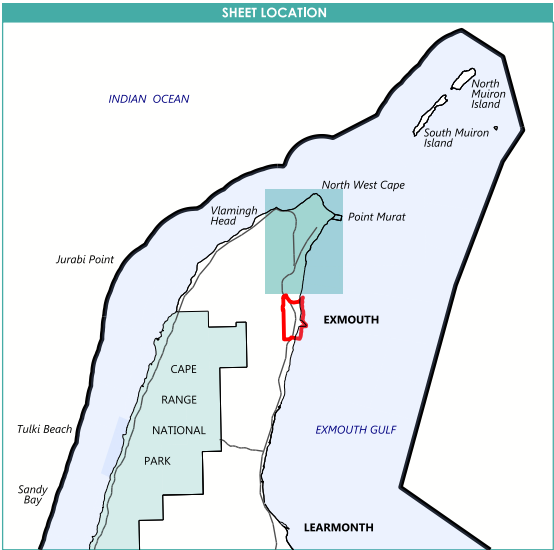
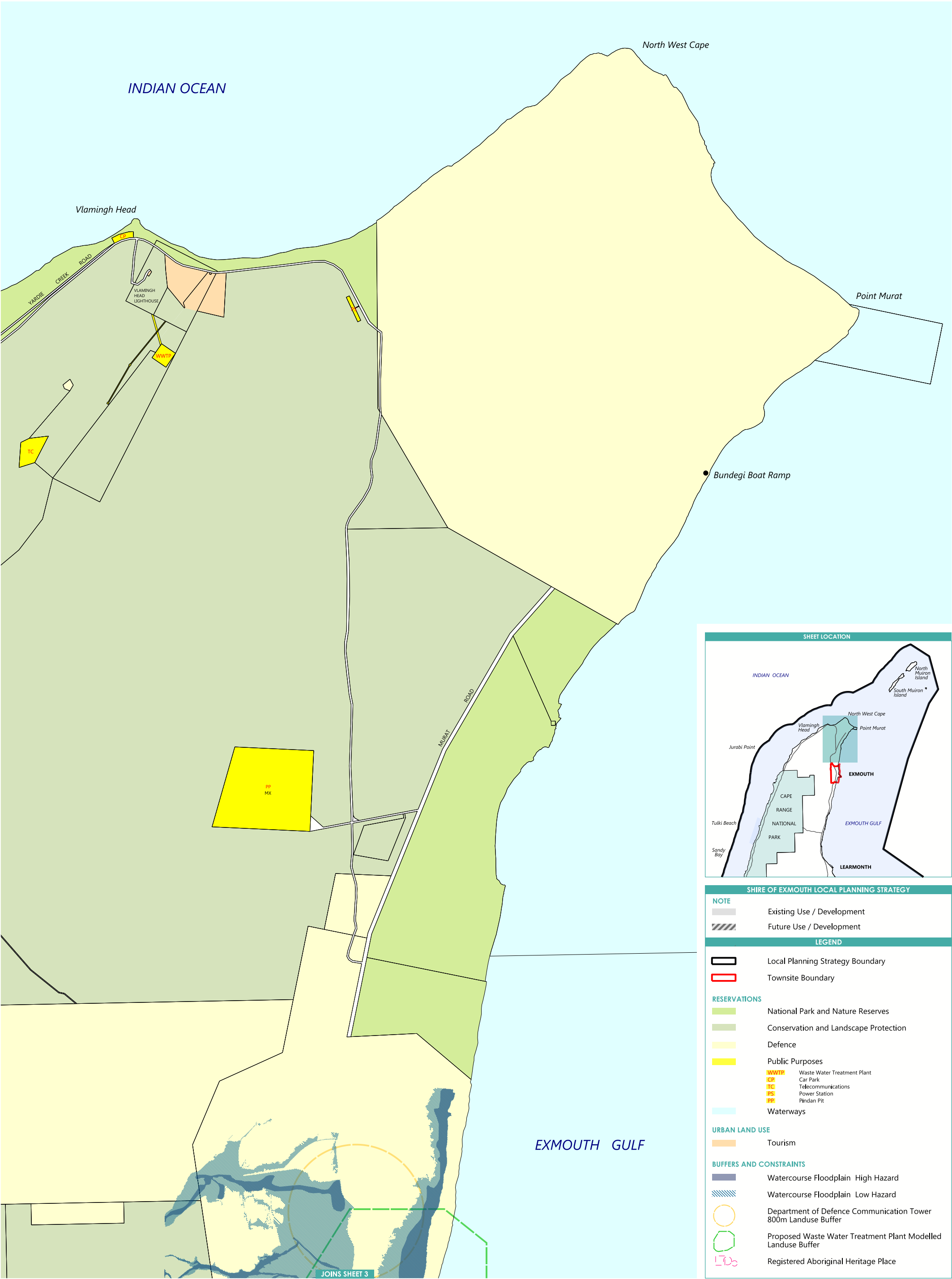




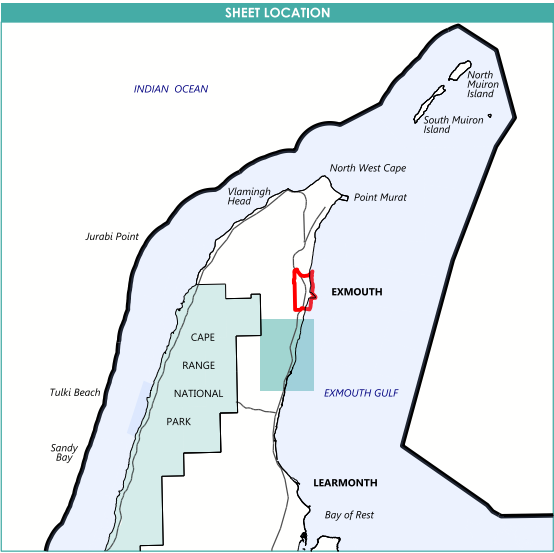
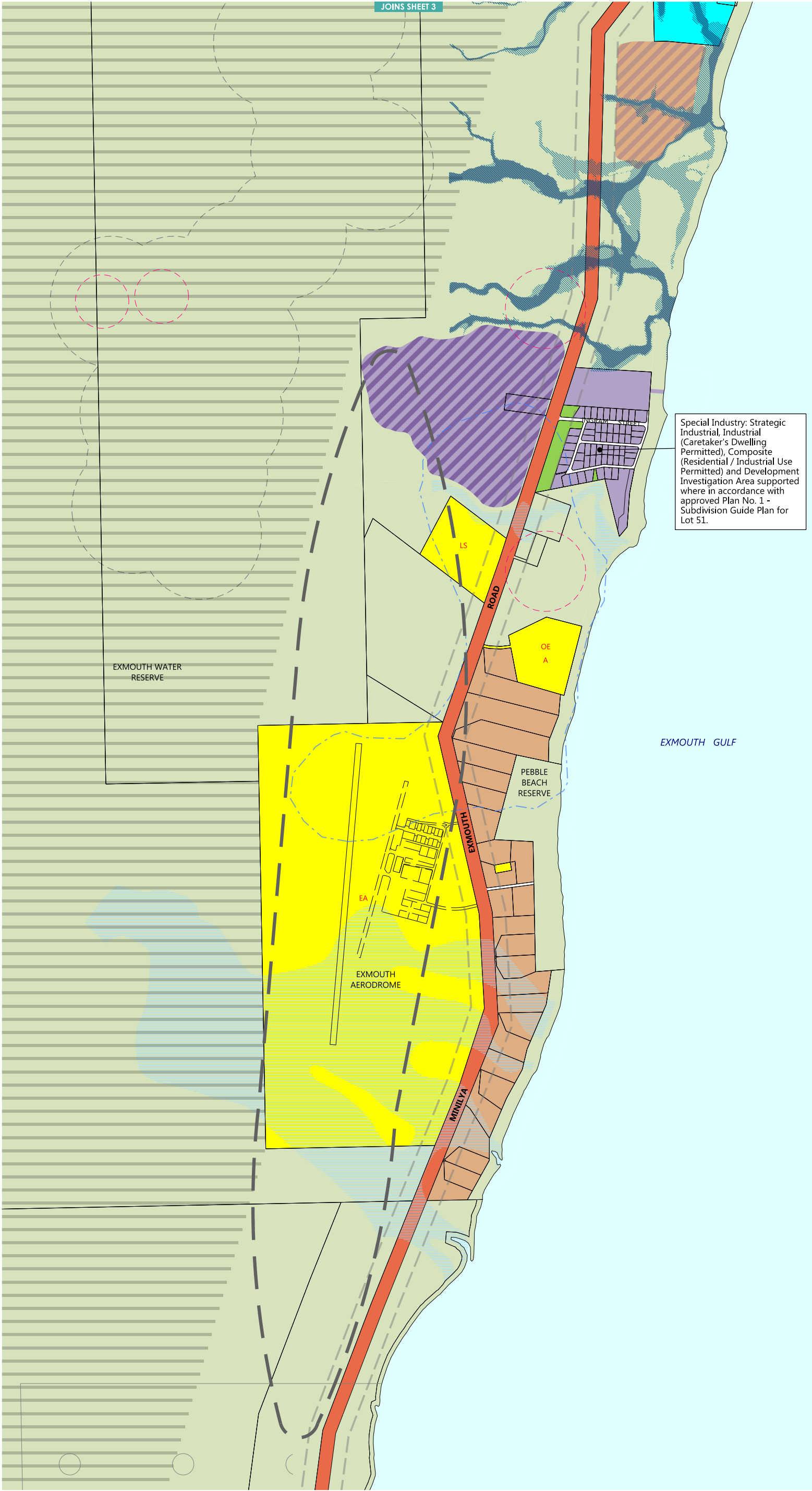
SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY	
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	Existing Use / Development
	Future Use / Development
LEGEND	
	Local Planning Strategy Boundary
RESERVATIONS	
	National Park and Nature Reserves
	Conservation and Landscape Protection
	Public Conservation Estate
	Conservation and Limestone Resource Management Reserve
	Defence
	Waterways
TOURISM LAND USE	
	Tourism
RURAL RESIDENTIAL RURAL LANDSCAPE	
	Pastoral
INDUSTRIAL INFRASTRUCTURE	
	Aquaculture
MOVEMENT INFRASTRUCTURE	
	Primary Distributor Road (MRWA)
BUFFERS AND CONSTRAINTS	
	Subterranean Waterway
	Obstacle Limiting Surface
	Registered Aboriginal Heritage Place
	Other Aboriginal Heritage Place



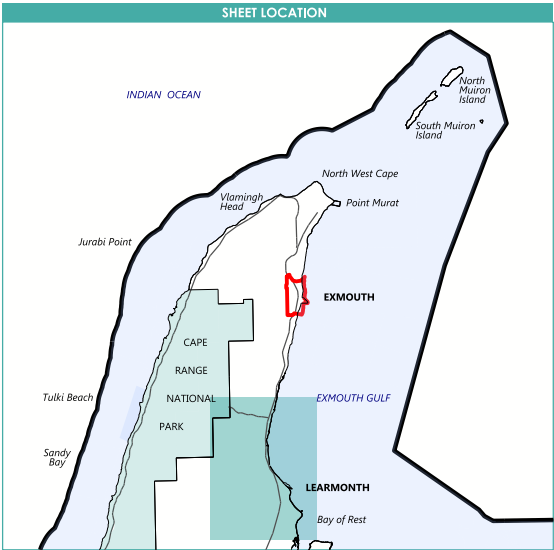
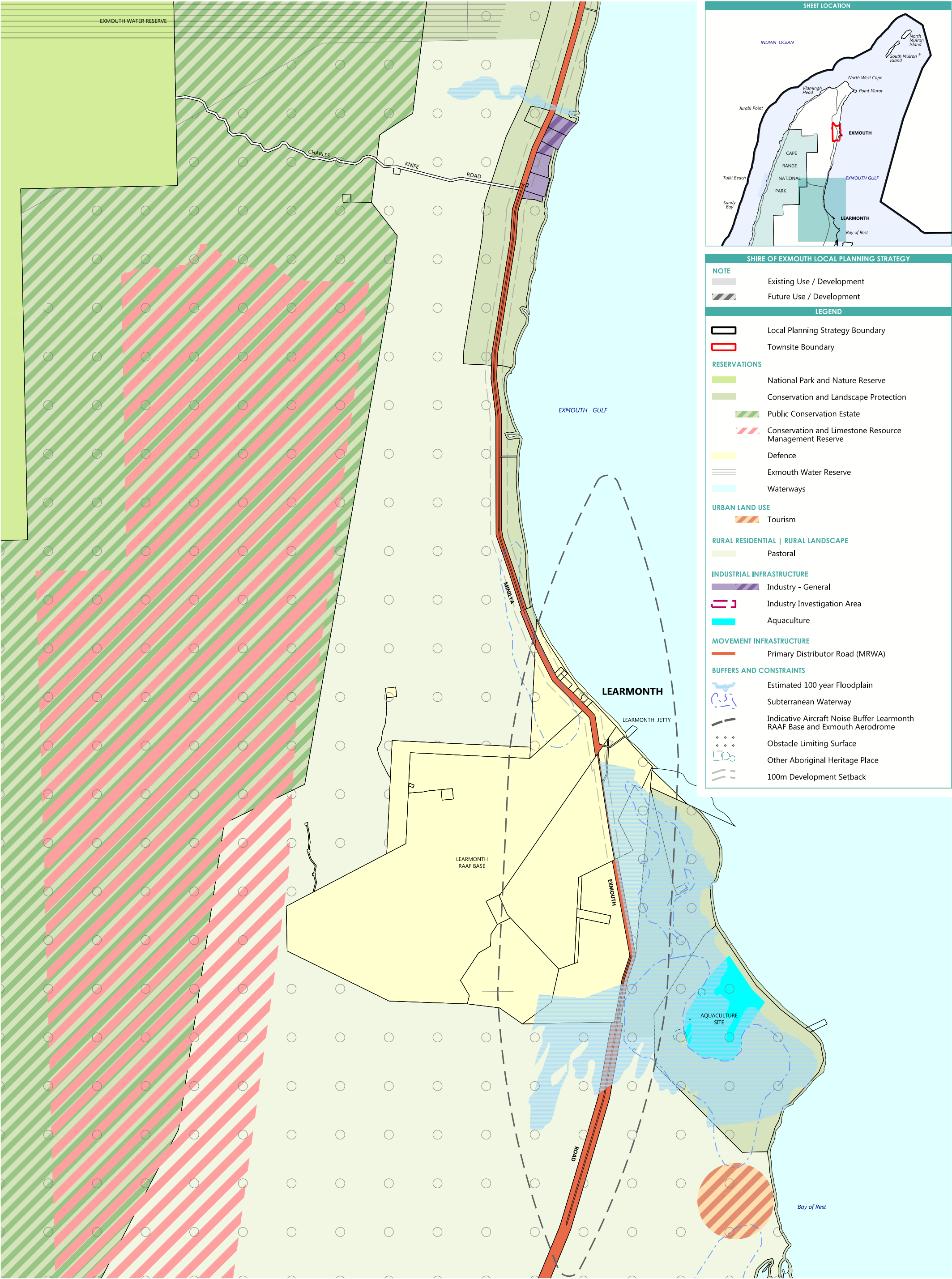
SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY	
NOTE	
	Existing Use / Development
	Future Use / Development
	Long Term Development
LEGEND	
	Local Planning Strategy Boundary
	Townsite Boundary
RESERVATIONS	
	Conservation and Landscape Protection
	Foreshore Recreation
TB	Town Beach
SC	Surf Club
MF	Marina Foreshore
	Public Open Space
PF	Playing Fields
IR	Indoor Recreation
NP	Neighbourhood Park
GFC	Game Fishing Club
GC	Golf Course
MX	Motor Cross
RC	Race Course
	Defence
	Public Purposes
PS	Pump Station
WWTP	Waste Water Treatment Plant
S	School
H	Hospital
C	Cemetery
EPS	Exmouth Power Station (Future Relocation from Townsite)
ES	Emergency Services Hub
CC	Community Centre
TC	Telecommunications
EVC	Exmouth Visitor Centre
FS	Fire Station
	Exmouth Water Reserve
	Boat Harbour
	Waterways
URBAN LAND USE	
	Town Centre
BC	Bowling Club
L	Library
FP	Federation Park
	Tourism
	Residential
	Marina
RURAL RESIDENTIAL RURAL LANDSCAPE	
	Rural Residential
	Restricted Rural
INDUSTRIAL INFRASTRUCTURE	
	Industry - Service
	Industry - Light
	Industry - General
	Aquaculture
MOVEMENT INFRASTRUCTURE	
	Primary Distributor Road (MRWA)
	District Distributor Road (Shire of Exmouth)
	Neighbourhood Connector (Future)
	Road Access (Future)
BUFFERS AND CONSTRAINTS	
	Watercourse Floodplain High Hazard
	Watercourse Floodplain Low Hazard
	Mortiss Street Bund (Developed Case)
	Proposed Waste Water Treatment Plant Modelled Landuse Buffer
	Proposed Sewer Pump Station Indicative 30m Landuse Buffer
	Waste Water Treatment Plant 500m Buffer (subject to decommissioning)
	Exmouth Power Station Noise Buffer (Compliant with Environment Protection (Noise) Regulations 1997 - Based on Existing Night Operating Conditions: 4 Engines)
	Cameron's Cave 500m Landuse Buffer
	Wellhead Protection Zone
	Other Aboriginal Heritage Place
	100m Development Setback



SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY	
NOTE	
	Existing Use / Development
	Future Use / Development
LEGEND	
	Local Planning Strategy Boundary
	Townsite Boundary
RESERVATIONS	
	National Park and Nature Reserves
	Conservation and Landscape Protection
	Defence
	Public Purposes
	Waste Water Treatment Plant
	Car Park
	Telecommunications
	Power Station
	Pindan Pit
	Waterways
URBAN LAND USE	
	Tourism
BUFFERS AND CONSTRAINTS	
	Watercourse Floodplain High Hazard
	Watercourse Floodplain Low Hazard
	Department of Defence Communication Tower 800m Landuse Buffer
	Proposed Waste Water Treatment Plant Modelled Landuse Buffer
	Registered Aboriginal Heritage Place



SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY	
NOTE	
	Existing Use / Development
	Future Use / Development
LEGEND	
	Local Planning Strategy Boundary
	Townsite Boundary
RESERVATIONS	
	Conservation and Landscape Protection
	Public Open Space
	Public Purposes
	Landfill Site
	Exmouth Aerodrome
	Outdoor Education
	Animal Welfare
	Exmouth Water Reserve
	Waterways
RURAL RESIDENTIAL RURAL LANDSCAPE	
	Rural Residential
INDUSTRIAL INFRASTRUCTURE	
	Industry - General
	Aquaculture
MOVEMENT INFRASTRUCTURE	
	Primary Road (MRWA)
BUFFERS AND CONSTRAINTS	
	Watercourse Floodplain High Hazard
	Watercourse Floodplain Low Hazard
	Estimated 100 year Floodplain
	Subterranean Waterway
	Indicative Aircraft Noise Buffer Learmonth RAAF Base and Exmouth Aerodrome
	Obstacle Limiting Surface
	Wellhead Protection Zone
	Registered Aboriginal Heritage Place
	Other Aboriginal Heritage Place
	100m Development Setback



SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY	
NOTE	
	Existing Use / Development
	Future Use / Development
LEGEND	
	Local Planning Strategy Boundary
	Townsite Boundary
RESERVATIONS	
	National Park and Nature Reserve
	Conservation and Landscape Protection
	Public Conservation Estate
	Conservation and Limestone Resource Management Reserve
	Defence
	Exmouth Water Reserve
	Waterways
URBAN LAND USE	
	Tourism
RURAL RESIDENTIAL RURAL LANDSCAPE	
	Pastoral
INDUSTRIAL INFRASTRUCTURE	
	Industry - General
	Industry Investigation Area
	Aquaculture
MOVEMENT INFRASTRUCTURE	
	Primary Distributor Road (MRWA)
BUFFERS AND CONSTRAINTS	
	Estimated 100 year Floodplain
	Subterranean Waterway
	Indicative Aircraft Noise Buffer Learmonth RAAF Base and Exmouth Aerodrome
	Obstacle Limiting Surface
	Other Aboriginal Heritage Place
	100m Development Setback

PART 2

BACKGROUND INFORMATION



1 STATE, REGIONAL AND LOCAL PLANNING CONTEXT

The Shire of Exmouth Local Planning Strategy is prepared within the context of the State, Regional and Local policies where these policies are applicable to the Shire of Exmouth.

1.1 STATE PLANNING CONTEXT

1.1.1 STATE SUSTAINABILITY STRATEGY (2003)

The *State Sustainability Strategy* sets out a framework to respond to the sustainability agenda by adopting key principles, visions and goals supporting a transition to a more sustainable future for the State. The Strategy seeks to ensure that sustainability is considered in all levels of government as part of decision making and actions affecting the future of Western Australia. It should underpin the future planning for the Shire of Exmouth.

1.1.2 STATE PLANNING STRATEGY (2014)

The *State Planning Strategy* (SPS) document is a vision for Western Australia to 2050 and beyond, and replaces the previous *State Planning Strategy* (1997) to be the overarching strategic document informing State, regional and local planning strategies, policies and approvals.

The six inter-related principles of the SPS are applicable to all regions within the State:

- **Community:** enable diverse, affordable, accessible and safe communities;
- **Economy:** facilitate trade, investment, innovation, employment and community betterment;
- **Environment:** conserve the State's natural assets through sustainable development;
- **Infrastructure:** ensure infrastructure supports development;
- **Regional development:** build the competitive and collaborative advantages of the regions; and
- **Governance:** build community confidence in development processes and practices.

The SPS spatially divides the State into three sectors – North West, Central and South West. The Shire of Exmouth is positioned within the Central Sector which includes the Gascoyne, Mid West and Goldfields-Esperance Regions. This sector contributes significantly to the State economy underpinned by mining, agriculture, fisheries and tourism.

Specifically the SPS continues to recognise Exmouth's status as a sub-regional centre servicing the Gascoyne Region attracting "*investment by the State's Royalties for Regions program into major infrastructure, headworks and community priority projects over the five years commencing 2010-11*" (WAPC 2014, 31). The SPS also identifies the following elements as being strategically important:

- Planning for economic development – Exmouth's location within an economic activity area and petroleum resource province.
- Planning for tourism and the environment – Exmouth's location within a world heritage area and marine conservation area.
- Planning for agriculture and food – Exmouth's focus on pastoral; sheep and/or cattle grazing.
- Planning for movement – Exmouth's major transport infrastructure includes major roads connecting with regional centres such as Carnarvon and Karratha and a port facility (managed by others).

- Planning for security – Exmouth is located within a defence training area. In addition, air force and navy infrastructure is located within Exmouth, including the Naval Communication Station Harold E. Holt, Learmonth RAAF Base and the Learmonth air weapons range.

1.1.3 STATE PLANNING POLICIES

State Planning Policies (SPP) are prepared and adopted by the Western Australian Planning Commission (WAPC). The WAPC and local government must have due regard for these policies when making planning decisions. The following SPPs are relevant to the Shire of Exmouth.

SPP 2 – ENVIRONMENT AND NATURAL RESOURCES POLICY

SPP 2 seeks to ensure environmental and natural resource considerations are integrated with planning decisions and actions and the conservation of important areas. The policy identifies a series of general measures to achieve this goal including avoiding development that may result in unacceptable environmental damage; actively seeking opportunities for improved environmental outcomes; protecting significant natural, indigenous and cultural features; ensuring coastal development is sustainable; and taking into account the impact of environmental change.

The environment is of particular importance to the Exmouth community, as identified within the *Shire of Exmouth Strategic Community Plan* (2011) and during community and stakeholder consultation undertaken as part of the preparation of the Local Planning Strategy.

Balancing environmental and natural resource management objectives within Exmouth are underpinned by the following areas of interest:

- Ningaloo World Heritage Area;
- Cape Range National Park;
- Jurabi, Bundegi and Muiron Islands Coastal Parks;
- Ningaloo Marine Park (State and Commonwealth);
- Limestone and Conservation Reserve (s. 5 of CALM Act);
- Exmouth Water Reserve Water Source Protection Area;
- Floodplains;
- Aboriginal Heritage and European Heritage areas; and
- Mining tenements.

SPP 2.5 – LAND USE PLANNING IN RURAL AREAS

SPP 2.5 seeks to ensure the protection of rural land from incompatible uses, promote regional development through provision of ongoing economic opportunities on rural land. Development on land zoned for rural or agricultural purposes should promote sustainable settlement in and adjacent to, existing urban areas and protect and improve environmental and landscape assets. A strong emphasis is placed on the need to provide economic opportunities for rural communities and to protect the State's primary production and natural resource assets.

The predominant tenure for rural land within the Shire is in the form of Pastoral Leases as defined by Part 7 of the *Land Administration Act 1997*. This tenure is applicable to Ningaloo Station, Bullara Station and Exmouth Gulf Station. Pastoral Leases stipulate what can occur on the land and how the land is to be managed and as such the Department of Lands as the lessor should have regard to SPP 2.5.

The Local Planning Strategy expresses the vision for the rural/pastoral components of the Shire, protecting existing land use opportunities and key natural resources (water, ecosystems, minerals and basic raw materials).

SPP 2.6 – STATE COASTAL PLANNING POLICY

SPP 2.6 was gazetted on 30 July 2013 and is supported by guidelines. The purpose of the policy is to manage development and land use change within the coastal zone, establish foreshore reserves and protect coastal values. SPP 2.6 requires adequate coastal hazard risk management and adaptation planning to be undertaken where developments or landholdings are in an area of risk of being affected by coastal hazards over time.

This policy guides the recommendations of the Local Planning Strategy in regard to identifying sustainable use of coastal locations for housing, tourism, recreation, foreshore access and maritime industry purposes. Coastal foreshores are already established within the Exmouth Townsite.

SPP 2.7 – PUBLIC DRINKING WATER SOURCE PROTECTION POLICY

SPP 2.7 was gazetted on 10 June 2003 and outlines the importance of ensuring that land use and development within Public Drinking Water Source Areas (PDWSAs) protects and manages water resources for long-term supply. Competing land use activities such as urban development often place pressure on surface water and groundwater catchments, therefore appropriate decision-making and management should be adopted in order to protect public water supply.

The Department of Water's Land Use Compatibility Table identifies the suitability of various land uses within Priority 1, Priority 2, or Priority 3 PDWSAs. Priority 1 (P1) areas offer the highest level of protection, allowing for no degradation of drinking water sources to be caused by the development of incompatible land use activities. The Exmouth Water Reserve is classified as a Priority 1 area.

SPP 2.7 recommends that Public Drinking Water Source Areas be shown as a Special Control Area in local planning schemes, with scheme provisions having regard to the approved *Exmouth Water Reserve Water Source Protection Plan*.

SPP 2.9 – WATER RESOURCES

SPP 2.9 presents a number of objectives relating to protecting, preserving, managing and improving the state's water resources through land use planning. An integrated management approach, focused on achieving sustainable outcomes will ensure that economic, social, cultural and/or environmental values are considered and enhanced.

SPP 2.9 refers to the Department of Water's *Better Urban Water Management* (2008) as a means of promoting integrated water cycle management to achieve more efficient use of water resources and sustainable outcomes for the environment and urban form.

The identification of water resources such as groundwater catchments, floodplains and foreshores will in particular inform the Local Planning Strategy and LPS 4, with the aim of managing the total water cycle as sustainably as possible.

SPP 3 – URBAN GROWTH AND SETTLEMENT

SPP 3 sets out requirements for well planned and coherent settlements. Planning should ensure that settlements have a strong, diversified and sustainable economic base to provide employment; sufficient and capable land in suitable locations for housing, employment, commercial, recreational and other purposes; co-ordination of various land uses; a choice of housing and lifestyle opportunities; and proper consideration of the environment. Importantly for Exmouth, the policy requires that in regional areas, growth should be accommodated through consolidation and expansion of existing settlements rather than creation of dispersed new settlements.

SPP 3 will underpin the planning of future urban uses within Exmouth Townsite.

SPP 3.1 – RESIDENTIAL DESIGN CODES

The Residential Design Codes (R-Codes) detailed in this policy assist with planning for residential development. The R-Codes were recently updated in August 2013, and are also currently subject to a review process. SPP 3.1 is incorporated in all Western Australian local planning schemes, requiring local governments to have regard to its content when considering approvals for residential development. The Policy provides the Shire with the scope to amend or modify R-Code provisions.

SPP 3.4 – NATURAL HAZARDS AND DISASTERS

SPP 3.4 addresses a number of natural hazards which should be taken into consideration in the preparation of statutory and non-statutory planning documents, particularly as natural elements may contribute to the occurrence of natural hazards including climate, geology, soils, vegetation cover, slopes, landforms and hydrology.

Of particular relevance to Exmouth is the potential for natural hazards such as floods, cyclonic activity, storms and storm surges. The risk and frequency of such hazards needs to be considered in relation to the built environment, long-term risks from climate and land use change, and community awareness.

The Local Planning Strategy and LPS 4 will be informed through floodplain management, built form controls through Building Code of Australia, and coastal processes via SPP 2.6.

SPP 3.7 – PLANNING FOR BUSHFIRE MANAGEMENT

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas.

SPP 3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. It applies to all higher order strategic planning documents, strategic planning proposals, subdivision and development applications located in designated bushfire prone areas (unless exemptions apply). The policy also applies where an area is not yet designated as bushfire prone but the proposed development is planned in a way that introduces a bushfire hazard (e.g. revegetation).

The *Australian Standard for the Construction of buildings in bushfire-prone areas* AS3959 would apply in areas which have been formally designated as bushfire-prone areas.

SPP 4.1 – DRAFT STATE INDUSTRIAL BUFFER (AMENDED, 2009)

A draft SPP 4.1 *State Industrial Buffer* (prepared in 2004 and amended in July 2009) has not been finalised, with the current SPP 4.1 gazetted in May 1997. The purpose of the policy is to protect and provide long-term security of new industrial areas and uses (including infrastructure), sensitive land uses in proximity to existing industrial areas and the expansion or change in the operations of existing industry and infrastructure.

The Policy outlines the importance of defining appropriate buffers to ensure that encroachment of sensitive land uses is managed, minimised and/or avoided. Strategic planning direction, subdivision and land use controls are mechanisms to prevent encroachment having regard to the principles and policy requirements of SPP 4.1. SPP 4.1 is directly applicable to the determination of an appropriate buffer to the Exmouth Power Station and waste water infrastructure. The definition of the respective buffers must have due regard for the draft version of the SPP.

SPP 5.2 – TELECOMMUNICATIONS INFRASTRUCTURE

SPP 5.2 *Telecommunications Infrastructure* (September 2015) identifies the need to ensure effective telecommunications services and the visual character – both issues identified particularly on the western coastline of the North West Cape where coverage is not reliable. On the western side of the North West Coast, efforts to minimise the visual impact of telecommunications infrastructure should be strongly considered through careful siting and design, to maintain the remoteness of the area, which in turn would be conducive to positive tourism experiences. Further improvements to telecommunications coverage within the local government area would have regard to the SPP 5.2.

SPP 5.4 – ROAD AND RAIL TRANSPORT NOISE AND FREIGHT CONSIDERATIONS IN LAND USE PLANNING

SPP 5.4 seeks to minimise the adverse impact of transport noise, without placing unreasonable restrictions on noise-sensitive residential development. The policy applies to proposals for new noise-sensitive development, new major roads (including redevelopment of existing major roads) and new freight handling facilities.

Within the Shire of Exmouth, SPP 5.4 identifies the Minilya-Exmouth Road (and extension as Murat Road to the Exmouth Townsite) and Burkett Road as state freight roads. The SPP 5.4 potentially will be applicable in assessing the progressive upgrade of the Minilya-Exmouth Road.

SPP 6.3 – NINGALOO COAST

SPP 6.3 was prepared to accompany the *Ningaloo Coast Regional Strategy* and has the following key objectives: of direct relevance to land use planning within the Shire of Exmouth:

- Provide state agencies, local government, community and proponents with clear guidance regarding acceptable and sustainable development on the Ningaloo coast.
- Maintain the Ningaloo coast as an all-seasons recreation and nature-based tourism destination and limit growth with managed staged development, to ensure that the community continues to enjoy a remote and natural experience.
- Preserve and protect the natural environment and enhance and rehabilitate degraded areas within the environment.
- Consolidate future residential, commercial, higher-impact tourism and industrial development in the towns of Carnarvon and Exmouth and provide strategic directions for their future growth.

1.1.4 OTHER

STATE GOVERNMENT STRATEGY FOR TOURISM IN WESTERN AUSTRALIA 2020

The *State Government Strategy for Tourism in Western Australia 2020* sets the direction for WA's tourism industry over the next decade, including detailing how Tourism WA's strategic goal to double the value of tourism in Western Australia (from \$6 billion to \$12 billion by 2020), can be achieved. To achieve its 2020 goal, the strategy focuses on seven strategic pillars of growth (as identified in the graphic opposite).

A whole-of-government strategy, the document outlines a phased approach, with work up to the end of 2014 focussing on Government and tourism industry working together to set the foundation to enable the required growth to occur, from 2015 through till the end of 2020. State Government and Shire of Exmouth initiatives will need to continue to have regard for this Strategy.



VISUAL LANDSCAPE PLANNING IN WESTERN AUSTRALIA (WAPC, 2007)

This manual includes a detailed outline of a process for assessing the visual impacts of development proposals, for use by those decision makers who are responsible for recommending the acceptance or otherwise of specific development proposals. The manual assists in identifying measures to address the potential negative impacts and constraints related to development proposals, and to facilitate positive impacts and opportunities. Development proposals should meet visual character objectives through careful siting, planning and design. Serious constraints should be identified and avoided early in the design process, by undertaking a visual impact assessment. The outcome of this visual impact assessment process should be a recommendation that is based only on visual impacts, the proposed development should be accepted as proposed, accepted with modifications or rejected.

1.2 REGIONAL PLANNING CONTEXT

1.2.1 EXMOUTH-LEARMONTH (NORTH WEST CAPE) STRUCTURE PLAN 1998

The focus of the *Exmouth-Learmonth (North West Cape) Structure Plan* is to “promote sustainable uses that enable diversification of the economy while protecting the fragile environment of the North West Cape”. Spatially, the Structure Plan recommends that urban, commercial and tourism development should be confined to the east coast of the North West Cape and more specifically within the boundary of the Exmouth Townsite.

Land use recommendations for the study area include:

- Proposed eastwards extension to the Cape Range National Park;
- Promotion of diversification of uses on pastoral land such as small-scale/low impact tourism and creation development in keeping with local environmental constraints;
- Support for development of aquaculture projects;
- Preparation of visual amenity plan to address the interface on land either side of the Minilya-Exmouth Road between Learmonth RAAF Base and Exmouth Townsite;
- Residential (including marina) – to supply sufficient land in appropriate locations to meet future housing needs within environmental constraints;
- Identification of discrete cells for future residential creating a sense of local identity. Native vegetation greenways and public open space to be identified to assist delineation the extent of these cells;
- The high costs of providing services and the limited supply of potable water should be taken in account when planning future growth;

- Provision of potable water identified as a priority issue with recognition given to the importance of investigating options for sourcing water, such as an expanded borefield, water efficiency measures, and desalination;
- Provision is made for a population of up to 5,200 persons (excluding rural residential lots), exceeding projected 2027 population of 3,800;
- Long-term urban growth to occur with infill development, creating opportunities for variety of housing supply and choice; and
- All planning within the study boundary to be guided by guidelines established via research into the karst system, and should maintain ongoing consultation with relevant Aboriginal agencies.

1.2.2 NINGALOO COAST REGIONAL STRATEGY CARNARVON TO EXMOUTH 2004

The *Ningaloo Coast Regional Strategy Carnarvon to Exmouth* was prepared in conjunction with the Ningaloo Coast SPP 6.3, and provides the strategic framework for sustainable tourism and land use on the Ningaloo Coast for a 30 year timeframe. The Strategy was split into separate sections, the first of which dealt with regional scale issues, particularly providing the guidelines for coastal tourism and regional land use. The second section established individual Structure Plans for the three main settlements in the region – Carnarvon, Exmouth, and Coral Bay.

Exmouth and Carnarvon are identified as the regional centres for high-order developments with both centres to serve as the gateways to the Ningaloo coast, with coastal development in other areas limited to small-scale, low-impact development. The Regional Strategy established the following environmental principles for development which continue to be relevant in the Exmouth context.

1. Sustainable development: must meet the needs of current and future generations.
2. Community Aspirations: consistent with vision for Ningaloo Coast and providing equity of access and a range of experiences.
3. Aboriginal Heritage: protection of heritage and opportunities for culturally appropriate tourism.
4. Economic Development: planning should actively assist the creation of regional wealth.
5. Interdependence: no significant interference with ecological processes.
6. Limits of Acceptable Change: as defined by environmental, social and economic concerns.
7. Precautionary Principle: no development without thorough scientific study.
8. Cumulative Impacts: all development to be considered in this context.
9. Protection of high-conservation values: natural assets to be protected.
10. Protection of remoteness values: remote values to be identified and protected.
11. Protection of biodiversity.

A Coastal Tourism Framework within the *Ningaloo Coast Regional Strategy* in particular states that Exmouth is one of three key destinations in the Gascoyne Region for new tourism development.

1.2.3 OTHER STUDIES

GASCOYNE REGIONAL DEVELOPMENT PLAN 2010-2020

The *Gascoyne Regional Development Plan* (RDP) was circulated in 2009 for local government and State Government input and agreement. The nineteen outcomes are accompanied by priority lists for achieving these goals. Of relevance to planning are:

- Outcome 1: Substantial increase in population – coordinated planning for attracting the retiree and young demographics.

- Outcome 3: Balanced urban and coastal development – phased urban development of Exmouth; townscape and urban architectural theming; provision of residential and industrial land supply.
- Outcome 8: Improved regional infrastructure – improved roads system; improved communication technology and services.

GASCOYNE REGIONAL INFRASTRUCTURE REVIEW (2010)

The *Gascoyne Regional Infrastructure Review* was prepared by the Gascoyne Development Commission to provide information on infrastructure within the Gascoyne Region which could be updated on an ongoing basis. The review provides the following information in regard to key infrastructure items of relevance to Exmouth:

Sustainable Water Supply – water supplies will be through bores located in the Cape Range Limestone Aquifer, with future extensions occurring towards the south of the existing bore field. A possible desalination plant, located near the naval jetty, or south of the town along Murat Road, potentially powered by wind and solar power may also be considered by the Water Corporation. It has also been identified that the original waste water treatment plant is proposed to be relocated to the Area B of Naval Communications Station Harold E. Holt, north of the Exmouth townsite.

Road Infrastructure – investigations on the feasibility of constructing a bridge at Lyndon River crossing have been completed, allowing all-weather access to Coral Bay, Learmonth and Exmouth. These investigations also identified a need for causeway upgrades between Learmonth and Exmouth and an upgrade of Yardie Creek Road.

Power infrastructure – upgrades and undergrounding of power throughout Town; wind farm on Cape Range (subject to Department of Parks and Wildlife (DPAW) consideration of National Park issues); solar power generation potentially in conjunction with developing extended University campus activities in Exmouth.

Transport facilities such as the Learmonth RAAF Base and Exmouth Boat Harbour have also been investigated as part of this review. A review of the Learmonth RAAF Base determined a need for additional capacity for emergency landings (large aircraft), and access between Exmouth and Learmonth in heavy rain and/or cyclonic activity. In addition to this, a 2008 *Exmouth Harbour Development Community Consultation Report* stated that there is substantial support for expanding the harbour. Commensurate with the expansion of the Harbour, an Exmouth Light Industrial Area was also recommended for industrial expansion.

A significant amount of mining activity has been identified in the review and is of direct relevance to the Exmouth area. Exmouth Limestone Pty (EXL), Woodside, BHP Billiton and Apache Corporation all have interests in oil and gas explorations within the Exmouth area.

GASCOYNE REGIONAL DEVELOPMENT AND INFRASTRUCTURE FRAMEWORK

The objectives of the *Draft Gascoyne Regional Planning and Infrastructure Framework* are to:

- provide the regional context for land-use planning in the Gascoyne;
- provide an overview of the major regional economic, social, cultural and environmental issues;
- identify priority actions to enable comprehensive regional planning and guide local processes; and
- identify regional infrastructure priorities to facilitate economic and population growth.

EX1	Prepare local planning strategy and review local planning scheme.
EX2	Provide the requisite hard and social infrastructure to facilitate and support future growth of Exmouth's population and local economy.
EX3	Undertake flood management and mitigation works.
EX4	Identify sufficient and appropriately located land to accommodate growth.

The document identifies Exmouth as a Regional Centre, whose significance in the Gascoyne is growing as a result of rising population (due primarily to continued expansion in the tourism sector) and its important contribution to the regional economy over recent decades.

Within the Growth Management Strategy (Section 3.6), the document identifies four select strategies for Exmouth that respond to key drivers and opportunities, as depicted opposite.

The framework identifies the area's diverse economy as providing numerous opportunities for growth in Exmouth. Identified drivers for growth include economic activities associated with the marina boat harbour (primarily tourism, fishing and the oil and gas sector), with upgraded infrastructure likely to accommodate expansion of these economic activities and generate demand for additional industrial land. Flood management and mitigation, and seasonal population influxes are also identified in the document as requiring consideration when planning for future infrastructure provision.

1.3 LOCAL PLANNING CONTEXT

1.3.1 SHIRE OF EXMOUTH STRATEGIC COMMUNITY PLAN 2011

The *Shire of Exmouth Strategic Community Plan 2011* sets out a ten-year vision for the Shire. The Plan presented four thematic sets of strategic outcomes, which have been considered as part of the preparation of the Local Planning Strategy and Local Planning Scheme No. 4.

Through zoning, land use and development provisions of the Local Planning Scheme No. 4, the Local Planning Strategy can contribute to achieving the following strategic outcomes of the *Strategic Community Plan 2011*:

Economic – to be a diverse and innovative economy with a range of local employment opportunities.

- 1.1.1 *Maintain and review town planning strategies to ensure a diversity of land use options.*
- 1.1.6 *Facilitate and assist innovative industries including research, marine, environment, aquaculture.*
- 1.1.7 *Lobby to expand the capacity of the Exmouth Boat Harbour.*
- 1.1.8 *Lobby for improved telecommunication services.*
- 1.1.10 *Facilitate the development of coastal commercial assets at the industrial estate.*
- 1.2.1 *Plan to encourage balanced growth.*
- 1.5.1 *Advocate for the provision of infrastructure and utilities to facilitate economic growth.*
- 1.5.3 *Adopt and implement a plan for expansion of the airports and operations.*

Environment – to have a balanced respect to our environment and heritage, both natural and built.

- 2.1.1 *Develop and implement the initiatives that address access and connectivity in the Town Centre Revitalisation and Foreshore Development Plan, and the Structure Plan.*
- 2.4.1 *Investigate and consider preparation of local planning policies and/or design guidelines to integrate environmentally sustainable design principles in all industrial, commercial and residential development.*
- 2.5.1 *Implement the outcomes of the Town Centre Revitalisation and Foreshore Development Plan.*
- 2.5.3 *Advocate for relocation of key infrastructure in line with the Gascoyne Infrastructure Plan (i.e. power house, power network and sewerage ponds).*
- 2.5.5 *Install flood mitigation measures to protect the town centre and future land developments.*
- 2.6.2 *Consider the effects of climate change in all future land development, planning and policy.*

Social – to be a dynamic, passionate and safe community valuing natural and cultural heritage.

- 3.1.1 *To engage the community in decision making and a shared responsibility to achieve our goals.*
- 3.1.4 *Incorporate 'designing out crime principles' in planning for new developments.*

- 3.2.3 *Develop, implement and regularly review a recreational, cultural facilities and public open space plan.*
- 3.2.4 *Develop tourism and recreational infrastructure at the Exmouth Marina development.*
- 3.7.2 *Advocate for health and support services that meet the needs of the local community.*
- 3.8.1 *Advocate for State Government to release more land.*
- 3.8.2 *Council to investigate opportunities to acquire crown land for development.*
- 3.8.3 *Develop affordable service workers accommodation.*

Civic Leadership – to work together as custodians of now and the future.

- 4.1.1 *To engage the community in decision making and a share responsibility to achieve our goals.*
- 4.1.2 *To facilitate better engagement with government agencies and key stakeholders.*
- 4.2.4 *Ensure compliance with all relevant legislation and regulation.*

1.3.2 EXMOUTH TOWNSITE STRUCTURE PLAN (2011)

The *Exmouth Townsite Structure Plan* provides an overarching framework for the future development of the Exmouth Townsite. The Exmouth Townsite Structure Plan built upon the strategic planning direction provided by previous structure plans for Exmouth, however was based on a more comprehensive and detailed understanding of the regional and local planning and environmental issues affecting the study area.

The Structure Plan provides a framework for sustainable development within the Exmouth Townsite that has regard to Exmouth's role as a sub-regional tourism and service centre, while also respecting the unique environmental and aesthetic fragility of the environment in which it is situated.

The following objectives are supported through the Local Planning Strategy.

- Ensure that the goals of environmental protection, social advancement and economic prosperity are given equal priority in establishing Structure Plan outcomes.
- Acknowledge and ensure consistency with the townsite's existing land uses, built form and natural features in formulating the future development framework.
- Respond to and incorporate the outcomes of the Exmouth Flood Management Study in determining locations for future developable land and in managing growth within the constraints of the identified floodplain.
- Plan for an appropriate intensity, diversity and type of land use, reflecting Exmouth's particular character and development objectives.
- Encourage the mixing of uses across the Townsite, to create a well functioning and economically sound community, whilst appropriate managing relationships between different uses.
- Improve the circulation and legibility of the movement network, and providing suitable movement systems for all vehicle and pedestrian needs.
- Facilitate upgrading and improvement of the quality of public realm, civic spaces, cultural and community facilities across the townsite.
- Improve the street structure and street environment to ensure integration with the existing land uses, and ensure the creation of safe, attractive, friendly, efficient and climatically appropriate public spaces.
- Facilitate the development of a diversity of lot sizes and housing types, to improve the choice of product in the local housing market.

1.3.3 EXMOUTH SOUTH STRUCTURE PLAN (2013)

In 2012 the Shire of Exmouth commissioned the preparation of the *Exmouth South Structure Plan* covering an area south of the Exmouth Townsite, east of the Cape Range National Park and south to the Department of Defence Communication Tower (south of Learmonth RAAF Base). The Structure Plan provides a framework for the coordinated provision and arrangements of future land use for the study areas and will inform the Local Planning Strategy and LPS 4.

The key initiatives of the Exmouth South Structure Plan have been summarised in **Table 1** below:

TABLE 1 INITIATIVES OF THE EXMOUTH SOUTH STRUCTURE PLAN

Summary of Actions	
Beachside bridle trail	Opportunity for creating a beachside bridle trail from existing equestrian area to Mowbowra Creek day-use site
Special Rural Eco Estate	Identify low density rural residential area with detailed investigations into feasibility and suitability, having regard to floodways and flood fringe mapping and sensitive area separation distances to industry.
Creek Corridors	Identify drainage, conservation, heritage implications in conserving the values of the corridors.
Rural landscape	To assist in retaining the amenity of the landscape, identify rural-conservation and landscape protection reserves in the Scheme.
Limestone Mining precinct	Drinking water quality identified as a priority to limestone mining, with this objective also applying to the Cape Range National Park Management Plan in regard to retaining the values of the park.
Strategic Industrial Area	Strategic Industrial Area zoning and planning framework for a Marine Support facility warrant detailed investigation.
Future Power Station Site	Power transmission alignments, buffers, height limits, air pollution on Learmonth Solar Observatory, reservation of land, visual impacts to be considered in confirming a relocation site.
Exmouth Aerodrome	Increase the land take for aerodrome for runway extension, all-weather access, ANEF and height limits to be determined, which will be controlled through a Special Control Area. Rubbish tip relocation – investigation is long-term.
Minilya-Exmouth Road	Minilya-Exmouth Road 100m setback (both sides of road) for landscape protection is supported by the Strategy. The MRWA is investigating road widening for a 9.0m road pavement and all-weather access.
Pastoral Land	Support for land uses – grazing, nature-based/eco tourism, and aquaculture to be reflected in the Scheme.
Kailis Site	Marine Support facility investigation for lay-down and general industry should be part of the scope for industry investigations.
Cape Range National Park	Expansion via exclusions to 2015 Exmouth Station Pastoral Lease supported by the Strategy, together with the Limestone resource extraction area.
Military Heritage Precinct	Support for Heritage Inventory and Tourism investigation
Learmonth RAAF Base and Airport	ANEF and Building Heights and all-weather access are of importance.
Marine Protection Area	Wapet Creek – SPP6.3 Ningaloo Coast ‘significant environmental area’
Marine Based Industry Reserve (Heron Point)	Heron Point - Identification of areas for Aquaculture, marine-based industry Aboriginal heritage; Marine Protection Area
Waste water	Development within Strategy area to connect to WWTP.
Rubbish Tip	Investigate merits of relocating existing Rubbish Tip site
Drainage and Flood Management	Recommends DWMS, floodway and flood fringe mapping as part of detailed investigations for subdivision or development, within creeklines or identified floodplains.

1.3.4 EXMOUTH TOWN CENTRE AND FORESHORE REVITALISATION PLAN (2012)

The *Exmouth Town Centre Revitalisation Plan and Foreshore and Open Space Development Plan* are two projects initiated by the Shire of Exmouth to provide necessary amenities for local residents and visitors and to accommodate future growth and development.

Of particular importance, the plan allowed for the expansion of retail floor space to meet the demand for the expected growth in population and also considered the connections between existing coastal nodes and how these can assist in improving connections to the town centre. The objectives for the town centre and foreshore were established through community engagement, which enabled the Shire to consider any future development proposals with respect to the expectations of the community.

The town centre and foreshore plans have been developed with regard to the existing conditions, the aspirations of the Shire and the through the feedback received from the community consultation process. These objectives have ensured that the design quality is evident in all future development.

1.3.5 MANAGEMENT, MASTER AND OUTLINE DEVELOPMENT PLANS

CAPE RANGE NATIONAL PARK MANAGEMENT PLAN (2010)

The *Cape Range National Park Management Plan* recognises the importance of the Cape Range National Park ecology and provides for protection of these natural, cultural and scientific values.

The Management Plan recognises the value in consolidating the pastoral lease exclusion areas (i.e. Exmouth Gulf Station lands) as additions to the public conservation estate, into the national park.

Managing visitor use is essential to maintaining the values of the national park. The Management Plan applies Visitor Management Settings to preserve the conditions and character of the various areas of the park. Consistent with the *Ningaloo Coast Regional Strategy*, potential development of one eco-lodge accommodation is contemplated; the remainder of accommodation is via camping sites (refer to Table 6 and Maps 7 and 8 of the Management Plan).

Mineral and Petroleum exploration and development and use of basic raw materials is contemplated insofar as this does not compromise the values of the park or any areas proposed for addition to it.

JURABI AND BUNDEGI COASTAL PARKS, AND MUIRON ISLANDS MANAGEMENT PLAN (1999-2009)

The *Jurabi and Bundegi Coastal Parks, and Muiron Islands Management Plan* is jointly managed by DPaW and the Shire of Exmouth. Jurabi Coastal Park lies on the western side of the Cape Range, north of the Cape Range National Park and west of Yardie Creek Road. Bundegi Coastal Park lies on the east side of Cape Range and east of Murat Road and Commonwealth landholdings. The Muiron Islands comprise two islands located approximately 16km north-east of Point Murat. The Management Plan outlines the conservation management directions for the Park identifying both recreation and special conservation zones. Key environmental strategies focus on information, interpretation and education, restriction of access to authorised areas and control of camping.

VLAMINGH HEAD MASTER PLAN

Vlamingh Head is located 18km north-west of Exmouth Townsite on northern extremity of the North West Cape and is accessed via Yardie Creek Road. The *Vlamingh Head Master Plan* study area focused on the development envelope of the existing Vlamingh Head tourist node (the Lighthouse Caravan Park and associated tourism uses) which immediately abuts the heritage listed Vlamingh Head lighthouse. The *Master Plan* was prepared by the WAPC to establish a clear framework for future development of the tourist node. The *Master Plan* set out the principles for land use and development based on the recommendations of the *Ningaloo Coast Regional Strategy Carnarvon-Exmouth* (2004) and the Ningaloo Coast SPP 6.3. In particular the scale and extent of physical development was assessed wherein support was given for low-impact tourism only, with limitations being place on the sites capacity for accommodation (1,020 beds maximum). A land exchange formally negotiated between State Government and the Proponent was implemented via TPS 3 Amendment 25 in which the extent of physical development was made statutory.

EXMOUTH MARINA VILLAGE OUTLINE DEVELOPMENT PLAN (2003)

The Exmouth Marina Village Outline Development Plan (ODP) was prepared by LandCorp and Taylor Burrell Barnett on behalf of the Exmouth Development Steering Committee to facilitate a marina village consisting of tourist, residential, commercial and marine based industrial development around the existing Exmouth Boat Harbour. Five precincts were developed with differing characters and built form typologies:

- Precinct A (North) – Canal based and dry lot residential incorporating a landmark development site (tourist complex, holiday accommodation etc) entrance site
- Precinct B (Central) – Canal based and dry lot residential, commercial/mixed used (cafe/restaurant/tourism), short stay accommodation and landmark development site.
- Precinct C (East of Madaffari Drive) – Resort site, permanent residential, residential R30 strata development to north of resort site.
- Precinct D (South) – Canal based and dry lot residential, caravan park, recreation, mixed use residential/low key marine based uses.
- Precinct E (South-East) – Marine based light industrial.

Development within each Precinct is to comply with the approved ODP and have regard to the Broad and Detailed Development Guidelines that are contained within the document.

NIMITZ STREET OUTLINE DEVELOPMENT PLAN (2012)

The Nimitz Street Outline Development Plan (ODP) was prepared by LandCorp to facilitate the provision of residential development and public open space on land identified for this purpose by the *Exmouth Townsite Structure Plan* (2011) and predominantly zoned Residential Development under TPS 3. The ODP was adopted by the WAPC on 23 July 2012.

The ODP area covers approximately 44 hectares and two stages containing 70 residential lots were granted subdivision approval by the WAPC between 2012 and 2013. In June 2013, a modified ODP was lodged with the Shire commensurate with Amendment No 29 to TPS 3, seeking to reclassify a portion of the ODP area from the 'Recreation and Open Space' reserve to the 'Residential Development' zone. Amendment No. 29 was approved by the Minister for Planning on 30 January 2013 and published in the Government Gazette on 12 February 2013.

The modified ODP will guide subdivision and development for the subject land. The anticipated dwelling yield from the ODP is approximately 453 lots, comprising 305 lots at R17.5 density, 98 lots at R20 density and 4 lots at R30 density (pers. comm. RPS, 5 November 2013).

MORTISS STREET OUTLINE DEVELOPMENT PLAN

The Lot 11 and 12 Mortiss Street Outline Development Plan “Seaside Estate” was prepared by Koltasz Smith to facilitate the provision of residential development and public open space. The ODP has been adopted by the WAPC. The ODP covers approximately 2.7ha of land. The subject land has since been subdivided with the creation of 43 lots at ‘R20’ density and a parcel of coastal reserve. Development is subject to Design Guidelines.

1.3.6 TOWN PLANNING SCHEME NO. 3

The local government currently makes planning decisions within the statutory framework of the Shire of Exmouth Town Planning Scheme No 3. This Scheme was gazetted in 3 September 1999 and currently provides the statutory control for the whole of the Shire of Exmouth. The existing scheme provides the statutory regulation and framework for the provision of various land uses and development, controlled through the creation of reserves and zones.

The Scheme will be replaced by proposed Local Planning Scheme No 4 which will have specific regard for the recommendations of the Local Planning Strategy. A Resolution deciding to prepare Local Planning Scheme No 4 was noted by the WAPC in June 2013.

1.3.7 LOCAL PLANNING POLICIES

The Shire of Exmouth's Local Planning Policies (LPPs) have been reviewed as part of the preparation of the Local Planning Strategy and LPS 4. A schedule summarising the LPPs is contained in **Table 2**.

TABLE 2 LOCAL PLANNING POLICY SCHEDULE

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
6.1 Home Occupation 21 February 2013 Whole of District	Provide for and promote the different types and scale of home occupations, and ensure these uses do not compromise the amenity of existing residential areas.	<ul style="list-style-type: none"> Benefits of promoting work-from-home opportunities. Defines difference between Home Office & Business. Sets limits on scale and hours of operation. Outlines Approval Process, need for annual Home Occupation Permit and the local government's ability to rescind approval where it becomes a nuisance to locality. 	Incorporate relevant provisions into LPS 4 Scheme Text, and revoke current Policy.
6.2 Colour Palette 21 February 2013 Whole of District	Strengthen town identity and ensure high quality visual streetscapes by adopting a colour palette for all new development, excluding the residential zone (using colours from the existing natural environment).	<ul style="list-style-type: none"> Palette applies to all new development, excluding the residential zone including street furniture and public buildings. Requests to deviate must be documented and adequately justified. 	Retain. Suggest updated to reflect colour palettes as opposed to a limited selection of colours as presented in the policy. Otherwise policy will require development to be generally in accordance with the current colour palette.
6.3 Ancillary Accommodation 21 February 2013 Residential Special Rural Cape Wilderness (S/U) Pastoral	Provide guidance/regional variations to Part 5.5.1 – Ancillary Dwellings, of the Residential Design Codes.	<ul style="list-style-type: none"> Replicates outdated standards of the R-Codes. Limits use to member of family occupying Main Dwelling. Section 70A Notification required. Allows for up to 100m² (including garage, carports etc.) Design and materials must complement Main Dwelling. 21 day Advertising Period prior to determination. 	Recommend revocation of policy, with Scheme provisions and R-Codes provisions to be in place.
6.4 Caretaker's Dwelling 21 February 2013 Town Centre Tourist Mixed Use Light Industrial Industrial Pastoral	Provide for caretaker's dwelling where full-time or permanent residency is warranted by a person responsible for the care of buildings, plant and equipment or grounds.	<ul style="list-style-type: none"> Avoid proliferation and/or de facto residential settlement pattern lacking appropriate community and social services. Protect employment areas from limiting land uses and maintain the integrity of the Local Planning Scheme. Must be incidental to primary use and suitably justified. Excludes use of caravans or park home. Maximum 100m² floor space and screened from street. Signed statement required from occupier acknowledging potential lesser environmental health standards. 	Incorporate relevant provisions into LPS 4 Scheme Text and revoke policy.
6.5 Bed & Breakfast Accommodation 21 February 2013 Residential Special Rural Marina Town Centre	Provide appropriate development standards and guidance on the processing of Bed & Breakfast accommodation applications as an important part of a diverse tourist accommodation base.	<ul style="list-style-type: none"> Currently "Use Class Not Listed" in most zones. Maximum of 4 Bedrooms / 6 guests (at one time). Physically connected and complimentary to Main Dwelling. 1 on-site paid bay per room (no on-street parking). On-site and directional sign limitations. Highlights key Building & Environmental Health standards. Annual fee for inspection and permit issued by the local government. Management Plan and Code of Conduct required to minimise impact on surrounding land uses. 21 day Advertising Period prior to determination. 	Review in light of "Bed & Breakfast" use class being introduced into the Scheme. Incorporate relevant provisions into LPS 4 Scheme Text, and revoke current Policy.
6.6 Outbuildings 21 February 2013	Provide guidance on the location, size and scale of	<ul style="list-style-type: none"> Specifies triggers for Development Approval for lots in specific zones and/or above 60m² in floor 	Review in light of updated provisions of the Residential Design

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
Whole of District	outbuildings.	<ul style="list-style-type: none"> area. Allowance for larger outbuildings on larger lots. Limitations on wall length/height on higher R-Coded land. Outlines specific circumstances (only) where outbuilding will be permitted on vacant land (prior to a dwelling). Additional standards/limitations apply within the Wilderness Estate, Special Rural and Pastoral zones. 	Codes. Consider inclusion of development requirements in Scheme, as variation to R-Codes, in lieu of policy.
6.7 Murat Road Development Guidelines 21 February 2013 Town Centre Tourist Mixed Use Public Purpose (Development that addresses or is clearly visible from Murat Rd between Maidstone Cres & Mortiss St)	Provide guidance and encourage diverse architectural presentation and an enhanced streetscape presentation along the main arterial road.	<ul style="list-style-type: none"> Varying setback, landscaping, access, parking, roof pitch, fencing requirements as they relate to each zone. Allowance to claim 2m strip of an adjoining road reserve. 12 month landscaping maintenance bond. Maximum Building Height of 2 x storeys. High standard of building materials, colours from palette. 1.8m tall fencing (with 2.1m piers), 50% visually permeable. External lighting to meet CPTED standards. 	Review in light of provisions inserted into LPS 4 Scheme Text. Remove all development standards/requirements from policy. Introduce principles behind the development standards of Scheme Text. Insert reference to the Urban Development Zone in the Policy.
6.8 Signs 21 February 2013 Whole of District	Provide guidance on how the Shire will control signage in order to safeguard the visual amenity of the district and safe use of thoroughfares.	<ul style="list-style-type: none"> Exemption of pre-existing signs. Categories of signs, and applicability based on TPS zones. Safety requirements/standards. Total Site Signage Plan required when variations proposed. Complex Total Site Signage Plan required in some instances. Defined standards/limitations for each sign type. Approval process, fees and enforcement regulations. 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.
6.9 Use of Sea Containers 21 February 2013 Light Industry Industry Composite Industry (S/U) Strategic Industry Mixed Use Pastoral	Establish standards for the placement and use of sea containers for the storing of goods and equipment in a manner that does not detract from the amenity of the locality.	<ul style="list-style-type: none"> Limitations on number and size (based on relevant zone). Excluded from residential use. Requirement to upgrade or remove where unsightly or in a state of disrepair. Screened from public view. External colour to confirm to Town palette. Site location determined by Residential Design Codes. 	Introduce development standards in LPS 4 Scheme Text and revoke policy.
6.10 Landscaping 21 February 2013 Whole of District	Ensure a consistent, equitable and fair approach to landscaping that protects the landscape character of the district.	<ul style="list-style-type: none"> Landscaping plan submitted with all D/A's. Landscaping to be reticulated (inclusive of conduits). 1 tree per 4m of road frontage / every 7 car parking bays. 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy. Suggest inclusion of a landscape species list.
6.11 Parking 21 February 2013 Whole of District	Consolidate parking requirements of the Scheme and clarify the Shire's approach to assessing development and subdivision within non-residential areas.	<ul style="list-style-type: none"> Location and accessibility requirements. Incorporation of landscaping for amenity and shading. Access and manoeuvrability standards. Provision of and loading bay standards. Special purpose bay provision (where appropriate). Construction standards. Refined parking bay numbers based on varying forms of Tourist Accommodation. 	Consider inclusion of refined parking standards in Scheme in lieu of policy.
6.12 Holiday Accommodation 21 February 2013 Residential Tourist Special Rural	To provide an effective management strategy to guide the nature and extent of holiday accommodation (particularly in Residential areas), in a manner that	<ul style="list-style-type: none"> Permissibility of Holiday Accommodation within zones. Defines various forms of accommodation. Protect Skipjack Circle Estate for long-term residential. Sign and parking limitations. 	Incorporate development standards/requirements into LPS 4 Scheme Text and revoke policy. Some information can be generated as a public information brochure in lieu of being a policy.

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
Marina	protects adjoining amenity.	<ul style="list-style-type: none"> Management and refuse collection arrangements. Code of Conduct & Emergency Response Plan required. Annual fee for inspection and permit issued by the local government. 21 day Advertising Period prior to determination. Compliance and enforcement arrangements. 	
6.13 Temporary Workers Accommodation 21 February 2013 Whole of District	Provide a framework and guide the provision of Temporary Workers Accommodation to accommodate the current shortage, offset increasing cost of accommodation and retain local individuals and families, without compromising local amenity.	<ul style="list-style-type: none"> Adaptable infrastructure to facilitate favourable end-use. Preference for each unit to contain own bathroom, kitchenette only, and have access to communal laundry. Management statement detailing transport, catering, emergency management, security and occupant conduct. Likely conditions include 3 year max. time limitation. 21 day Advertising Period prior to determination. 	Incorporate relevant provisions into LPS 4 Scheme Text, and revoke current Policy.
6.14 Naming of Roads, Public Places & Streets 21 February 2013 Whole of District	Provide a framework, identify limitations, exclusions and clarify information requirements for the inclusion of names on the public reserves and road names register.	<ul style="list-style-type: none"> Geographic Names Committee standards specified. Preference for Locality Names to have an Australian emphasis. 	Query the legitimacy of this local planning policy, State Government procedures are in place for naming of streets and localities. Suggest the policy be revoked.
6.15 Construction of Shed/Barn Style Dwelling 21 February 2013 Whole of District	Establish development standards for shed/barn style dwellings and provide guidance on acceptable locations.	<ul style="list-style-type: none"> Form of development triggers Development Approval. Excluded from Residential and Marina zones on aesthetics. Verandas, balconies and external treatments required to improve visual appearance. Limitations on external materials and roof pitch. 	Review in light of updated provisions of the Residential Design Codes. Consider inclusion of development requirements in Scheme, if applicable, as variation to R-Codes, in lieu of policy.
6.16 Design Guidelines for the Exmouth Marina Village Precinct 'A'	Design guidelines to ensure a high standard of residential construction and amenity.	<ul style="list-style-type: none"> Permissible land uses Building form, Minimum Dwelling Size, Building height, Minimum Finished Floor Level, Climate responsive design, External colours and materials, Site layout Guidelines for dry lots, canal lots and landmark lots 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.
6.17 Design Guidelines Lot 11 and 12 Market Street Exmouth – Seaside Estate	Design guidelines to ensure a high standard of residential construction and amenity.	<ul style="list-style-type: none"> Permissible land uses General guidelines – building form, minimum dwelling size, density, services, building height, external colour and materials, site layout 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.
6.18 Town Planning Fees 21 February 2013 Whole of District	Provide guidance on the applicability of fees for planning services, how they are determined and when they are due.	<ul style="list-style-type: none"> Reference to Planning & Development Regulations 2009. Payment of fees due upon application. No refund for refusals. Guidelines for partial refunds upon withdrawal. Waivering of fees for not-for-profit organisations. Forecasting, up-front payment and final auditing of TPS Amendment, ODP and Structure Plan fees. Permit renewal occurs on anniversary of first approval. Subdivision clearance fee based on resultant lots (irrespective of original number). 	Review in relation to content of LPS 4 Scheme Text, refine and remove duplication from policy.
6.19 District Water Management Strategy 21 February 2013 Whole of District	Provide a broad level stormwater management framework and water conservation strategy necessary to support future townsite expansion.	<ul style="list-style-type: none"> Details pre-development environment (geotechnical conditions, environmental assets, potable and wastewater, contamination and heritage land uses). Outlines water management design criteria and objectives (total water cycle management for water conservation, stormwater and groundwater management). Details proposed water management strategy (Potable, wastewater and stormwater design 	Retain. Strengthen through incorporation of standards into Scheme where appropriate. Consider replacing with a short policy advising of an intent to implement the DWMS under the Better Urban Water Management framework.

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
		<ul style="list-style-type: none"> principles & strategies). Outlines requirements for Local Water Management Strategies and Urban Water Management Plans (design and management objectives, monitoring, reporting, staging, technical review and roles and responsibilities). 	
6.20 Design Guidelines for Exmouth Marina Village Precinct 'B' 21 February 2013 Exmouth Marina – Precinct B	Precinct specific guidelines to ensure a high level of residential construction and amenity, reinforcing its unique coastal location.	<ul style="list-style-type: none"> Variations discouraged and must be approved by the Shire. Specified list of land uses and site specific built form development standards for 10 sub-precincts. Urban edge to public open space where provided. Landscaping species taken from Council Landscaping Policy. Public Domain cannot be altered (unless higher standard). Minimise crossovers (with maximum widths). Resident/Employee parking and access from rear, street embayments reserved for visitors. Prioritise pedestrian access and movements. Verandas and awnings mandated for commercial, encouraged for residential. High standard of private signage expected. CPTED principles and Public Art encouraged. 2 Storey height limit (3 storeys for iconic mixed use). Strong emphasis on streetscape & architectural character. High level of articulation in building facades. Zero side setbacks commonly promoted. Private open space (ground, 16m², 3.3m min. dimension). Buildings and internal fencing to cyclone standard. Murat Rd fencing (limestone base/pillars permeable insert). Services sensitively located and screened from view. Specified external building materials (Maritime Theme). Minimum roof pitch of 35 degrees, unless 2-3 storeys. No discharging stormwater into or painting of canal walls. 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.
6.21 Design Guidelines for Exmouth Marina Village Precinct 'C' 21 February 2013 Exmouth Marina – Precinct C	Precinct specific guidelines to ensure a high level of residential construction and amenity, reinforcing its unique coastal location.	<ul style="list-style-type: none"> Variations discouraged and must be approved by the Shire. Limited number of tourist/hospitality land uses specified. Strong emphasis on streetscape & architectural character. Two-storey development encouraged, particularly where view corridors are accommodated between buildings. 0-40 degree roof pitches. High level of articulation in building facades. Creation of private outdoor spaces. 5m street & beach setback (with allowance for protrusions). Central facilities building to include landmark feature. Use of water efficient landscaping in a themed manner. Specified, limited crossovers for aesthetics and safety. Integrated, safe path network to be established. Parking conveniently located but screened from view. 	Strengthen through incorporation of standards into Scheme where appropriate, refine and remove duplication from policy.

Policy/Most Recently Adopted/Extent of Application of Policy (Zones)	Purpose of Policy	Key Matters Dealt With in Policy	Recommendation for New Scheme
		<ul style="list-style-type: none"> External fencing to be semi-permeable, no internal fencing (other than for safety). 	
6.22 Sand & Dust Control on Private Property 21 February 2013 Whole of District	Provide guidance to ensure works, subdivisions and significant developments are carried out in such a way as to minimise dust and sand nuisance.	<ul style="list-style-type: none"> Dust Management Plan required prior to Building Licence (where land area exceeds 2000m², close to urban area, likely to generate dust in adverse conditions and significant development – ground floor area 300m²+). Standards to meet DEC guidelines – Land Development Sites and Impacts on Air Quality – A guideline for the Prevention of Dust and Smoke Pollution from Land Development Sites in WA (DEP 1996). 	Incorporate relevant provisions into LPS 4 Scheme Text, and revoke current Policy.
6.23 Secondhand Buildings & Secondhand Building Materials 21 February 2013 Whole of District	Provide guidance for the relocation of second-hand buildings and use of second-hand building materials to ensure development is sympathetic to neighbourhood character.	<ul style="list-style-type: none"> Local government inspection or structural certification required. Building Licence supplemented by plans and photos. Bond/Bank Guarantee of \$10,000 to ensure completion. Likely conditions of approval. Exclusion of second hand materials within Town Boundary. Shire permission required outside Town Boundary. 	Strengthen through incorporation of standards into Scheme where appropriate, and revoke policy.

Following the gazettal of LPS 4, the Shire's Local Planning Policy Manual will need to be updated, given the inclusion of various elements of existing LPPs as Scheme text provisions. This can be undertaken by the Shire as an omnibus modification, with the modified Policy Manual able to be adopted *en bloc* for advertising and consideration for final adoption by the Council under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Regulation 79 of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that all planning instruments made under the *Planning and Development Act 2005* continue in force as an instrument of the same type under the new *Regulations*, including local planning policies.

2 LOCAL PROFILE

2.1 THE EXMOUTH ENVIRONMENT

2.1.1 CLIMATE

Exmouth experiences a semi-arid climate, with hot summers between 30C and 40C and cooler winters, approximately 25C.

Exmouth is located in the most cyclone prone section of the Australian coast. Cyclone frequency and intensity is extremely variable from year to year, however cyclones are more frequent during the December to April period.

Based on the Bureau of Meteorology's Learmonth rainfall station (station 005007), the long term average rainfall is 258 mm/year; however, this is dependent on monsoon low pressure systems, thunderstorm activity and the passage of tropical cyclones.

The winds at Learmonth are dominated by the land/sea breeze effect, with southerly winds in the morning and north/north-easterly winds in the afternoon. This effect causes wind variations on a daily time scale and influences the wave climate.

2.1.2 LANDFORM AND GEOLOGY

The topography and landform of the Exmouth area is dominated by Cape Range anticline, a north south linear range that rises to approximately 300 mAHD. The range itself is composed of sandstone and limestone with the edges of the range falling away steeply into deep canyons, however the coastal terrain at the Exmouth Gulf is typically flat at the base of the range.

Surface geology within Exmouth consists mainly of alluvial, diluvial and colluvial deposits, predominantly sand.

The Cape Range drains to the Indian Ocean and Exmouth Gulf. The Exmouth Townsite is in a location where the geology consists of limestone and dunes, with several creeks flowing to Exmouth Gulf. The dunal system can cause floodwater to pool behind the dunes, resulting in floodplains within the Townsite.

The bedrock comprises mainly exposed Tulki Limestone, and contains sections of high-grade limestone. The Shire contains mineral resources including sand, aggregate, clay and limestone. Limestone and other basic raw material deposits occur within the Shire area, and are covered by granted mining tenements and pending tenements.

It is expected that there will be future proposals for access to limestone resources within and beyond existing lease areas. Any future application would need to take into account requirements under the *Environment Protection Act 1986* and the *Mining Act 1978*.

The area is prospective for hydrocarbons in the sedimentary rocks of the Northern Carnarvon Basin. The Cape Range and Rough Range anticlines are highly prospective.

2.1.3 FLORA AND FAUNA

2.1.3.1 FLORA

Despite its aridity, the Cape Range is very rich in flora with a range of habitat types found over the Peninsula. The Peninsula is situated in the Carnarvon Botanical District of the Eremacean Botanical Province, which extends from Shark Bay northwards to the Exmouth Gulf, and is dominated by arid, perennial shrub associations. The distribution of vegetation across the Peninsula generally varies with geology and geomorphology, and a number of unique minor vegetation complexes can be found in the areas that are confined to the Cape Range.

2.1.3.2 FAUNA

Terrestrial fauna is rich and diverse in the region, particularly the reptile species. There are fourteen species present which have been declared rare or are likely to become extinct.

Two types of subterranean fauna, troglobites (terrestrial) and stygofauna (aquatic) can be found in the area, inhabiting the extensive karst formations which have contributed to the possible identification of the region as a World Heritage Site. The stygofauna found in the Cape Range peninsula contains classes, orders, genera and species not otherwise found in the Southern Hemisphere. At least 55 species of troglobites also give the peninsula some of the most diverse karst fauna in the world.

Protection of the caves, karst formations and subterranean waterways of the Cape Range will be of critical importance in maintaining the biodiversity of fauna in the region.

2.1.4 HYDROLOGY

The groundwater of the Cape Range Peninsula occurs in confined and unconfined aquifers. The unconfined aquifer of porous limestone along the eastern slopes of Cape Range between Learmonth and Exmouth contains substantial potable groundwater resources. This aquifer supplies Exmouth's water supply and is replenished by direct infiltration of rainfall and runoff from storm events on the Range. The groundwater discharges into the Exmouth Gulf and, in addition to the effects of seasonal recharge, there is a natural variation in groundwater levels and the extent of saltwater intrusion due to tidal fluctuations in the Gulf.

The upper part of the aquifer is permeable karst, while the underlying limestone is less permeable. In general, a 20-30 m thick layer of fresh groundwater overlies a saltwater wedge, with the transition zone located about 5 km from the coast. The overlying fresh groundwater diffusion zone in the karstic aquifer is a major subterranean habitat (refer section 2.1.3.2).

The water supply for the Exmouth Townsite is drawn from the northern part of this aquifer. The Water Corporation has operated the borefield for an extended period of time and has not reported any evidence of reduced freshwater availability. In the northernmost sector of the borefield, there is evidence of increasing salinity in bores with high abstraction rates and in the vicinity of domestic bores.

The coastal dunes of the Cape Range retain runoff to capture ponded water behind the coastal dunes, providing a suitable environment in low lying areas for sparse vegetation species. The upper reaches of the catchments feature exposed, fractured limestone, allowing rainfall runoff to infiltrate directly into the groundwater aquifer, except in heavy rainfall events.

2.1.5 FLOODPLAINS

Exmouth Townsite and North West Cape generally are significantly impacted by the drainage catchments originating from the Cape Range. The Exmouth region generally is subject to cyclones, which cause strong winds and storms leading to inundation of the coastal zone. More frequently, flooding of the coastal plain occurs as a result of the combination of rain, high tides and low lying landform. Flooding associated with run-off from the Cape Range and storm/cyclone events is of particular concern, with the Exmouth Townsite having experienced two recent flood events that have dominated the records of major flood events for Exmouth. These events included severe Tropical Cyclone Vance in March 1999 and significant winter rain events that occurred in June 2002 and April 2014. Damage to property, roads and the boat harbour was notable during both flood events.

To date, development in the context of flood management within Exmouth, has been guided by recording evidence of past flooding events, hydraulic modelling undertaken to support the development of the Exmouth Marina Village and the hydrologic and hydraulic modelling undertaken by the Department of Water (DoW) to inform the recommendations of the *Exmouth Floodplain Management Study* (SKM, 2007). In 2014, Hyd2o with advice from the DoW, investigated the surface water catchments generally south of the Exmouth Townsite and east of the Cape Range and provided floodplain mapping of the 100year ARI event for four key catchments. A summary of the 2007 and 2014 report recommendations is outlined below.

EXMOUTH FLOODPLAIN MANAGEMENT STUDY (SKM, 2007)

The *Exmouth Floodplain Management Study* maps the 100 year ARI floodplain within the Exmouth Townsite area. Detailed hydrologic and hydraulic modelling delineates the high flood hazard area (floodway) and the low flood hazard area (flood fringe). The 'floodway' has no development potential; whilst the future landuse decisions/development potential within the 'flood fringe' is subject to DoW assessment to ensure there is no detrimental impact on the existing 100 year ARI flooding regime. A series of non-structural and structural flood mitigation measures are also outlined by the study, as shown **Table 3**, which have been or are to be implemented by the Shire of Exmouth such as the upgrading of the Market Street Bund and associated development setbacks and minimum finished floor levels.

TABLE 3 FLOODPLAIN MANAGEMENT STRATEGY RECOMMENDATIONS

Flood Mitigation Measure	Description	Recommendation
Structural	LIA Creek Improvements	The improvement of drainage structures where LIA Creek crosses Reid Street and the extension and upgrade of floodway levees to contain the 100 year ARI flow in bank for conveyance to the east of Murat Road.
	Replacement / Upgrading of Market Street Bund	Engineering assessment of the Market Street Bund for adequacy. Raising and extending the levee and potentially replacing/upgrading the existing structure to convey Market St Creek across Murat Road.
	Murat Road Causeways	<ul style="list-style-type: none">Initial work to upgrade the crossing of Mortiss Street Creek over Murat Road to allow for the increased flow due to the Market Street bund.The gradual replacement of floodways along Murat Road with culvert or bridge structures to increase accessibility along Murat Road to the town centre during flood events.

Flood Mitigation Measure	Description	Recommendation
Non-Structural	Land Use Planning	Identify 'floodway' (high hazard) and 'flood fringe' (low hazard) areas in the Shire's planning documentation (Townsite Structure Plan, Local Planning Strategy, Local Planning Scheme, Local Structure Plans) to promote appropriate planning and development controls for future development with due regard to 100 year Recurrence Interval (ARI) floodplain mapping.
	Building Development Controls	Setting of minimum floor levels for future developments to ensure adequate 100 year ARI flood protection.
	Flood Emergency Response Planning	Planning for flood emergencies by ensuring plans are in place for evacuating isolated communities and avoiding damage or isolation of critical Council and emergency services infrastructure.
	Streamflow / rainfall gauging, data collection and ongoing review	Installation of streamflow and rainfall gauging to provide ongoing data. This will enable the finding of this study to be monitored and reviewed.

(Source: SKM 2007)

EXMOUTH HYDROLOGICAL STUDY (HYD20, 2014)

The *Exmouth Hydrological Study* was undertaken by Hyd2o to inform the Local Planning Strategy recommendations for floodplains between the Exmouth Townsite and Learmonth RAAF Base. Water catchment mapping was undertaken by Hyd2o for watercourses identified in **Figure 2** flowing from Cape Range to the Gulf of Exmouth with catchment sizes ranging from 150ha to 16.6ha, catchment sizes significant larger than modelled by the SKM 2007 Study.

Hyd2o provided estimates of peak flows from four key catchments identified in **Figure 2** namely Unnamed Creek, Shothole Creek, Badjirrajirra Creek and Wapet Creek using available watercourse mapping datasets from the DoW and 5m elevation contours. The resulting Estimated 100 year ARI floodplain mapping is viewed as a guide to development setbacks with more detailed survey and hydrological investigations being required if development is proposed immediately abutting a defined floodplain. The floodplain mapping has been referenced onto the Strategy plans.

The recommendations of the study are set out in **Table 4** discussing the main conclusions and recommendations for the four key catchments as well as recommendations for future detailed planning or development.

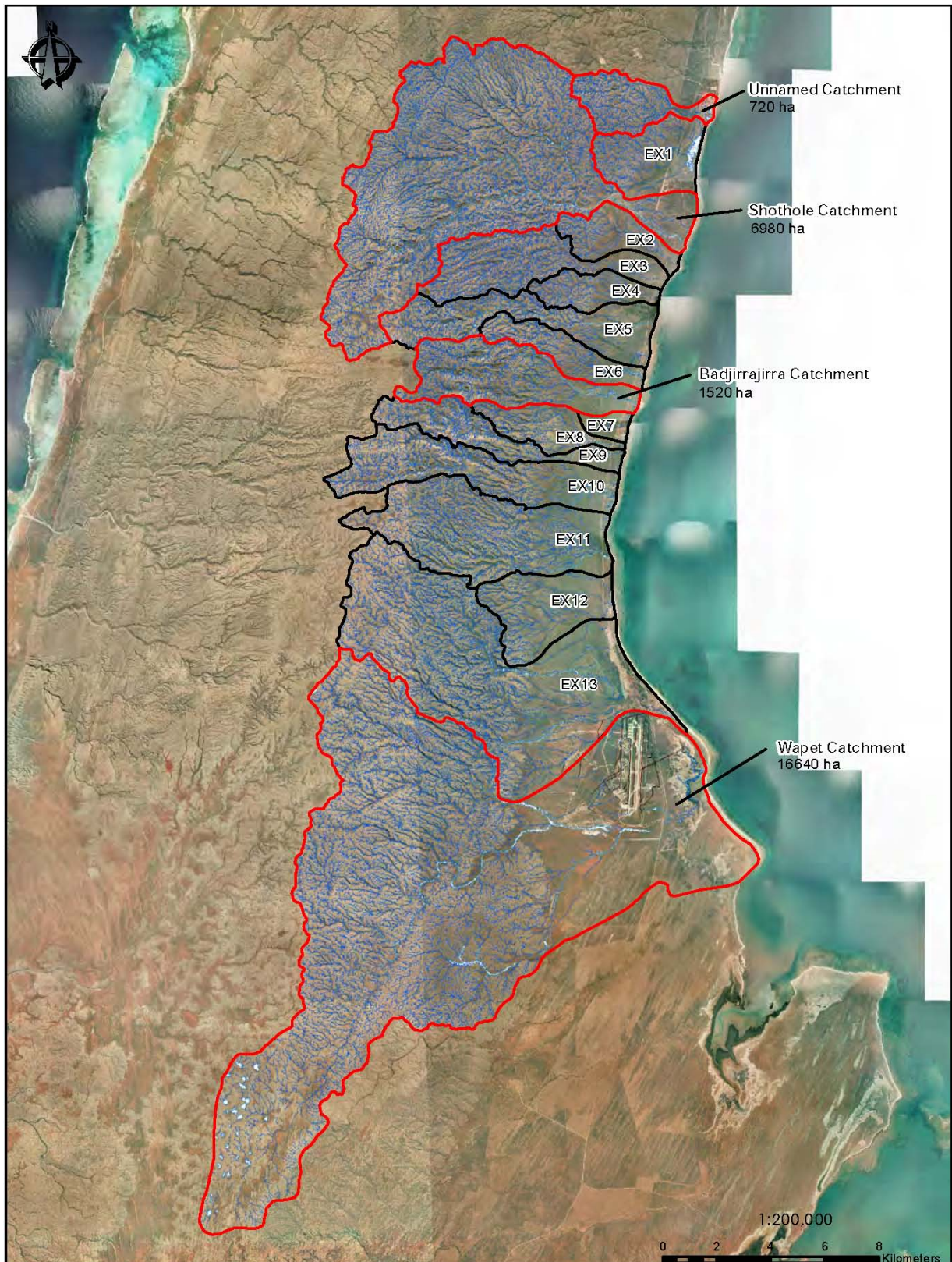


FIGURE 2 LOCATION OF HYDROLOGICAL STUDY FLOODPLAINS (SOURCE: HYD20 2014)

TABLE 4 HYDROLOGICAL STUDY CONCLUSIONS AND RECOMMENDATIONS

Study Area of Interest	Conclusions and Recommendations
Unnamed Creek	The area of inundation at downstream end was influenced by the modelled tidal condition. The floodplain width was narrowest (60m) near the coast where the channel banks are incised. Near the Minilya-Exmouth Rd the estimated flood width was 350 m, which resulted from a shallow right bank that allows for overtopping and inundation of a comparatively wide, low-lying area.
Shothole Creek	Shothole Creek is difficult to model due to the coarse topography and the use of a 1D model due to the geometry of the channel. This flow behaviour is best modelled using 2D flood modelling. Shothole Creek may cause some flooding to the existing Exmouth Aerodrome. Depending on the extent of proposed development in the Shothole Creek area it is recommended for more detailed 2-D modelling be undertaken to define the extent of the floodplain and establish suitable flood levels to inform development.
Badjirrajirra Creek	The modelled flood width for Badjirrajirra Creek downstream of the Minilya-Exmouth Rd is reasonably constant ranging from 90 to 110 m. Its widest section is upstream of the powerline corridor with an estimated flood width of 320 m. In this area there are a number of ephemeral stream tributaries, which would appear to receive floodwaters from the main channel during large events.
Wapet Creek	The Wapet Creek is a large catchment with only a single outlet to the coast which results in a large low lying area being inundated as shown in [Figure 7 of the Hyd2o Study]. This is similar to the Exmouth townsite where limited outlets exist and ponding of floodwater between Murat Rd and the Coastal dunes occurs. Modelling indicates that Minilya-Exmouth Rd would be inundated over a very wide area in this catchment.
100 year ARI floodplain mapping	The 100 year ARI floodplain mapping resulting from the Hyd2o Study is considered a best estimate given the coarse scale of currently available topographic data for the study area, and the application of the modelling techniques described in the report. All flood heights and widths should be considered indicative only, subject to more detailed local modelling as/if required to inform more detailed stages of planning. For any proposed development located in proximity to the areas defined in the Hyd2o Study, a detailed survey and hydrological investigations are undertaken to inform future planning and design.

(Source: Hyd2o 2014)

2.1.6 COASTAL ENVIRONMENT

2.1.6.1 COAST AND FORESHORE SOUTH OF TOWNSITE

The *Exmouth South Structure Plan* provides the following summary for the coast and foreshore:

“The coast and foreshore within the area is characterized by lengthy beaches separated intermittently by low and exposed limestone bedrock along the western gulf shoreline, and by low beaches and mangrove tidal flats in the southern portion. The beaches are typically backed by low vegetated sand dunes which are occasionally broken by creek mouths. Landward of the dunes contains some low-lying areas where the flood fringe spreads during high rainfall events or periods of inundation from storm surge events” (TME 2013, 18).

2.1.6.2 EXMOUTH TOWNSITE

A single linear dune parallel to the coastline and narrow beaches are evident along the coastline in this locality. Littoral drift occurs in two directions: from Exmouth north to Point Murat; and from Exmouth south towards Learmonth. This regime helps maintain the dune system, however this does not have much impact as little change in the shape of the coastline has occurred over the past 25 years (CoastWise 2001, 25). Dunes have heights up to 15 metres in vicinity to the Townsite, and become lower moving southwards to the Bay of Rest. These dunes serve as important barriers to high sea events and provide protection for the coastal plain (CoastWise 2001, 25).

Rainfall can cause overland flows within the creek system draining the coastal plain, and large quantities of sediment can be injected into the nearshore zone.

The beach is generally not impacted by normal wave conditions, however storm surge and waves associated with cyclones are of high energy and act by scouring sand from the beach face and dunes, leaving exposed rock platforms and creating sandbars (CoastWise 2001, 45). Severe cyclones can create sufficient storm surge and waves to wash over small dunes and destabilise larger dunes. The re-stabilisation processes following cyclones are slow for repairing eroded dunes and damaged vegetation.

The eastern coastline in proximity to the Exmouth Townsite is popular for swimming, fishing, boating and diving by virtue of the typical low energy wave climate of the Gulf (CoastWise 2001, 45). Vehicles are permitted to access the beach by way of informal tracks from roads.

Key nodes on the foreshore include the golf club house, the yacht club and adjacent town beach, and the Exmouth Boat Harbour. There is no footpath or boardwalk along the foreshore, and most foot traffic occurs informally along the beach.

2.1.6.3 COASTLINE NORTH

Vlamingh Head is the northerly point of the Cape Range and is characterised by a dominant ridgeline, with dramatic gradient changes to the coastline. The coastline is dominated by shore-parallel beach ridges often immediately adjacent to the shoreline and typically backed by parabolic dunes (WAPC, n.d.). Many beaches fringing the reef on the north and west coast, particularly within the Jurabi Coastal Park, are nesting sites for several species of marine turtles and seabird rookeries.

The Jurabi Coastal Park dune ridges are noted to be unstable and DPaW would continue to study the reasons for the instability.

Some Samphire flats are within Lyndon Location 44 and are subject to tidal influences. Samphire flats are of considerable significance to migratory birds. Vegetation is mostly a shrub steppe dominated by acacias, Spinifex and stunted eucalypts (CALM 1999).

The coastline north of Exmouth is under the care of the State and Commonwealth governments. DPaW manages the coastline contained in the Jurabi Coastal Park and Bundegi Park, and is interested in managing the coastal foreshore within Lyndon Location 44, which is 'Area A' of the Naval Communication Station Harold E. Holt.

2.1.6.4 WEST COAST

The west coast is fringed by the Ningaloo Reef, with small gaps in the reef only in the northern part. Wave energy is diminished at the coast because the reef terraces protect the coastline. Mangroves as a result are found in some locations.

Storm surge of many metres may develop during cyclone events. The storm surge can result in higher waves reaching the coast and creating ridges along the coastline formed out of coral, rock, sand and other fragment materials (Scheffers et al 2008).

Over geological time the North West Cape has been subject to water level rise and inundation of areas, as a result of tsunamis. Tsunamis may occur on the northern WA coast every 10 to 20 years due to earthquakes in the Indonesian region (TME 2013, 19).

2.1.7 NATURAL HERITAGE

The natural environment of the North West Cape has been recognised as being of significant importance as acknowledged by its part inclusion on the National Heritage List and as a World Heritage site. **Figure 3** illustrates the World Heritage Boundary which includes the Ningaloo Coast and the Cape Range National Park. Existing national, state and local laws, regulations and plans for the Ningaloo Coast will remain in place and continue to guide management and decision making in the area. The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides legal protection for World Heritage values. The EPBC Act requires referral of proposals if they will significantly impact World Heritage values, even if the proposal is located outside of the World Heritage Area.

From a regional perspective, the Cape Range itself is a significant natural feature providing a prominent backdrop to the coastal plain of the study area surface expression extending for approximately 80km, 10-20km wide and up to 300m in height. It comprises ancient weathered gorges dissected by creeks and drainage channels that flow through to the coastal plain. The Cape Range Peninsula and associated fringing Ningaloo Reef constitutes an extensive karst system of national and international significance. From a State Heritage perspective, other notable physical features within the study area include:

- Shothole Canyon and Charles Knife Canyon;
- Jurabi and Bundegi Coastal Park and Muiron Islands Park;
- Vlamingh Head and the Vlamingh Lighthouse;
- Yardie Creek; and
- Extensive mangrove areas along the Exmouth Gulf.

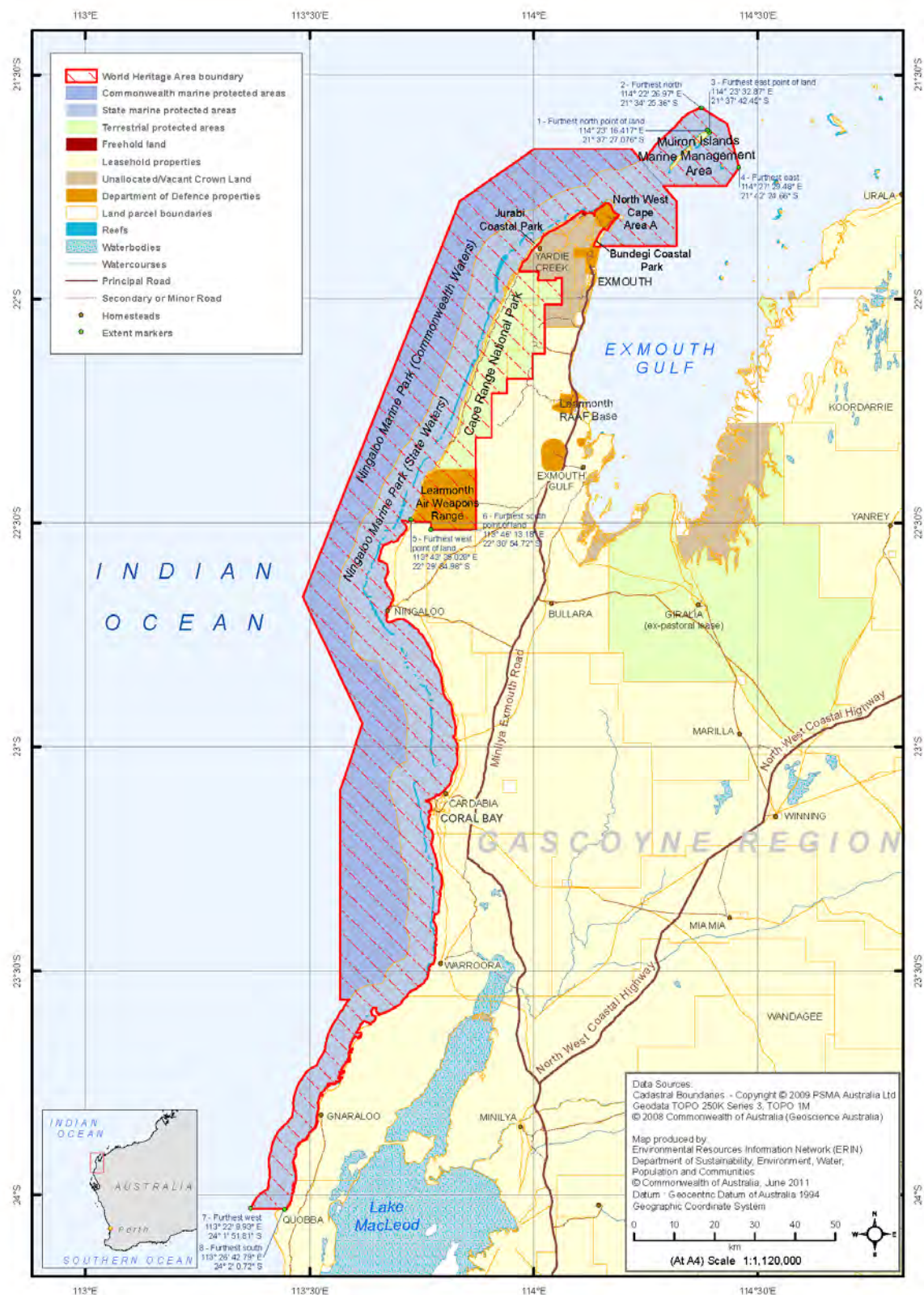


FIGURE 3 WORLD HERITAGE AREA BOUNDARY (SOURCE: GEOSCIENCE AUSTRALIA 2008)

2.1.8 ABORIGINAL HERITAGE

The Cape Range peninsula has significant archaeological heritage. It provides the earliest confirmed evidence of Pleistocene marine resource use in Australia, and it has an important role in the conservation of Indigenous culture. Aboriginal habitation of the North West Cape and Exmouth area is thought to have commenced at least 38,000 years before the present, and it continues to the present day. The North West Cape area is of ongoing cultural significance to Aboriginal people and to the Gnulli Native Title Claimants Group, recognised by the Aboriginal community as custodians of Aboriginal culture for the area. Archaeological surveys undertaken in the area, and the wealth of material uncovered, indicate that the peninsula is also important because it provides unique opportunities for increasing contemporary understanding of traditional Aboriginal life.

Terra Rosa CRM was commissioned to prepare a *Desktop Report of Known Aboriginal and European Heritage Places and Values within the Shire of Exmouth LPS Area* (2013). To inform the desktop analysis, consultation with the Yamatji Marlpa Aboriginal Corporation (YMAC) as the agents of the Gnulli Traditional Owner Group, was also undertaken. The report provides an overview of the extent and nature of any known heritage places and has considered the potential for a community engagement process for the development of heritage protocols (such as a Cultural Heritage Management Plan) or interpretation strategies within tourism developments.

A summary of recommendations of the Terra Rosa CRM (2013) desktop report is set out in **Table 5**.

TABLE 5 TERRA ROSA CRM DESKTOP REPORT RECOMMENDATIONS

Recommendation	Discussion
1. Any future planning should take into account the heritage places, sites and constraints identified within the Desktop report.	The Shire of Exmouth should ensure that the findings of the desktop reporting be forwarded as baseline data to any prospective developments, in order to inform the initial conceptual and planning stages of projects.
2. There is considered to be a high potential for any development on the Exmouth peninsula to have significant impact upon heritage places both known and unknown.	The desktop research identified there are numerous and varied heritage sites throughout the Shire of Exmouth. These sites include Indigenous, historic and maritime heritage sites, as well as the World Heritage Site. These sites represent an incomplete record as there has not been a systematic survey of the entirety of the shire, but are indicative that there is a rich cultural, historic and natural heritage within the area. The Aboriginal heritage sites in particular are widespread, complex and in many cases fragile; with the majority consisting of sites within coastal dunes and mangrove environments.
3. In area where development it proposed, the Shire of Exmouth should ensure a heritage survey to further “ground truth” areas of particularly high significance is undertaken to assist forward planning.	The mapping illustrating the cultural sensitivities within the areas detailed in the desktop report, should be used for planning purposes only. It represents the heritage information that is available to the author at this time, and has not been assessed in great detail in the field. A small survey / site verification could be conducted focusing on the highly significant sites in order to ascertain the likely impact.
4. Should development be proposed to utilise areas in which heritage places have been identified, it is advised the developer consult with the Gnulli Traditional Owners and arrange assessment of heritage places to a site identification standard prior to applying to disturb the areas under s18 of the Act.	At the planning stage proponents should first contact YMAC in order to establish an arrangement / agreement to conduct heritage surveys and formally assess the proposed development areas. Unless this is conducted under an existing heritage agreement, this process may need to be instigated. The method of survey will require a detailed level of recording of heritage sites within the area, and will enable the proponent to lodge permission to disturb these sites as needed. (It is an offence to disturb an Aboriginal heritage place without prior written permission to do so under s16 or s18 of the Act. Heavy financial penalties can be applied against individuals or corporations who disturb a heritage place, whether knowingly or unknowingly).
5. Should development be proposed that is likely to impact on any artefact or area	Refer requirements of the <i>Shipwrecks Act 1976</i> .

Recommendation	Discussion
protected under the <i>Shipwrecks Act 1976</i> , it is advised that approval from the Minister for Environment, Heritage and the Arts be obtained.	
6. Should development be proposed which may impact on any heritage place listed on the State Heritage Register, it is advised that the developer contact the State Heritage Office for further advice.	Refer requirements of the <i>State Heritage Act 1990</i> .
7. It is advised that any person who proposes to take an action which may impact on the World Heritage values of a UNESCO World Heritage site should consult the Environment Minister who will assess if the action requires approval under the EPBC Act.	Refer requirements of the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> .
8. It is advised that a comprehensive review of the Municipal Inventory be undertaken.	<p>During this review it is recommended that all non-Aboriginal heritage places and Aboriginal heritage places of state significance within the Shire of Exmouth are reviewed and assessed for inclusion. This should be conducted in accordance with the State Heritage Office publication <i>Basic Principles for Local Government Inventories</i> (2012a); State Planning Policy 3.5 (2007); the <i>Burra Charter</i> (2013) and the <i>State Heritage Act 1990</i>. Further, it is advised that the significance of these heritage places be graded based on the State Heritage Office publication <i>Criteria for the Assessment of Local Heritage Places and Areas</i> (2012a).</p> <p>Upon the completion review of the Municipal Inventory is completed, it is advised that it be updated annually and reviewed every four years in accordance with the <i>State Heritage Act 1990</i>.</p>

(Source: Terra Rosa CRM 2013)

2.1.8.1 ABORIGINAL HERITAGE RESEARCH RESULTS

The Aboriginal Heritage Inquiry System (AHIS) search identified 81 registered Aboriginal heritage places and 31 Other Heritage Places (OHP) within the study area. Of these sites, 20 registered sites and 17 OHPs are located in the eastern portion of the Exmouth Peninsula (area the focus of possible future development). The search also revealed that there are 28 registered reports relevant to the Shire of Exmouth. Following identification of the known Aboriginal and European heritage places, areas of cultural sensitivity were mapped with gradients of High, Medium and Low for the purposes of the Shire's risk assessment for future planning. In general terms the key overall conclusions from the research and the sensitivity mapping include:

- Largely the areas have a high potential for undiscovered sites to be present;
- Forward planning should consider the documented evidence of coastal dunes containing human burials;
- Several key sites of ethnographic importance have previously been identified; and
- The area represents a very rich history of occupation spanning 35,000 years, and any development should be designed where possible to conserve any heritage values identified.

Registered Aboriginal Heritage Places and OHPs have been mapped for inclusion on the Shire of Exmouth's Local Planning Strategy maps to guide future planning.

2.1.9 NON-ABORIGINAL HERITAGE

The North West Coast as an area has been referred to since 1618 when the first recorded landing by non-Aboriginals on the North West Cape was by the Dutch ship *Mauritius*. Two centuries later in 1801, French ships visited the area and named Cape Murat. In 1911 and 1912, two lighthouses were built on Point Cloates and Vlamingh Head coinciding with the establishment of the Point Cloates Whaling Station that operated intermittently until 1957. The Vlamingh Head lighthouse was de-commissioned in 1967. Pastoral lease were progressively acquired following WA being named a British Colony and covered the full extent of the North West Cape. In 1942 the US Navy established a submarine base in Exmouth and extensive facilities were built adjacent to where the Learmonth RAAF Base now operates. The facility was bombed by the Japanese in 1943 and finally closed in 1945 after extensive cyclone damage. Exmouth Townsite emerged as the principal settlement area on the North West Cape and in 1963 became a gazetted townsite to support the US Navy Harold E. Holt Naval Base and Communication Stations.

2.1.9.1 NON-ABORIGINAL HERITAGE RESEARCH RESULTS

The Register of Heritage Places is maintained by the State Heritage Office, which represents a statutory list of places of State cultural heritage significance. There are 40 places of local, state, national or international significance within the Shire of Exmouth which have been included on the State Heritage Register and fully recorded in the Terra Rosa CRM (2014) desktop report. Consultation with the WA Maritime Museum also confirmed 39 shipwrecks have been identified and registered along the Exmouth coastal area. In addition, the Museum highlighted the high potential for unrecorded shipwrecks and maritime heritage to be present on the eastern side of the Exmouth peninsula.

Built heritage within Exmouth is recorded in the Shire's Municipal Inventory produced in 1998. The State Heritage Act 1990 requires that a municipal inventory be updated annually and reviewed every four years. Whilst the inventory is in need of review, important heritage buildings and places have been listed (inclusive of state registered heritage) as follows:

- Point Cloates Lighthouse & Quarters (ruins)
- Tantabiddi Well
- Yardie Creek
- Cape Range National Park
- Residence, 72 Allen Street
- Bundegi-Cape Well
- Fairy Queen Shipwreck
- Naval Communications Station (Harold E. Holt)
- Vlamingh Head Radar
- Yardie Creek Homestead
- VLF Towers, Harold E. Holt Naval Communication Stn
- Staff House
- Cape Range No. 1 Oil Well
- Cape Range No. 2 Oil Well
- Transit House
- Exmouth War Memorial
- First Trees planted in Exmouth
- Shire Library
- Community Hall
- Exmouth Police Station, Lockup & Quarters
- Exmouth Fire Station
- Vlamingh Head Lighthouse Quarters
- F J Reddy's Grave
- Vlamingh Head Lighthouse Group
- Vlamingh Head Lighthouse
- Wapet Jetty (ruin)
- RAAF Base Learmonth
- Learmonth Air Weapons Range Facility
- Operation Potshot – Site
- Pier – Pt Murat
- Shothole Canyon and Road
- Giralia Station
- Charles Knife Road
- Ningaloo Marine Park
- Norwegian Bay Whaling Station
- Fin Shipwreck
- Perth Shipwreck
- Rough Range No. 1 Oil Well
- Zvir Shipwreck

2.1.10 PLANNING IMPLICATIONS

- The dry climatic conditions of Exmouth will mean the provision of a suitable water supply is likely to be limited to groundwater resources, requiring continued protection of this resource. In addition, the occurrence of tropical cyclones and major storm events will impact decisions regarding the location and design of buildings and infrastructure.
- The ongoing pressure for basic raw materials and petroleum exploration will have a bearing on the environmental attributes within the Shire, which have an aesthetic, landscape and tourism value which contributes to the lifestyle qualities of the town. It will be important for limestone mining and hydrocarbon exploration to be weighed against the economic value of the natural environment, which could be irreversibly damaged. The World Heritage Listing of the Ningaloo Coast and Cape Range provides a level of protection.
- The hydraulic and hydrological modelling undertaken for the Exmouth Townsite and south to Learmonth indicates that development will need to have regard to the flood regimes of the locality, together with undertaking detailed modelling where required to ensure development does not create downstream or upstream impacts on existing floodplains. The recommendations within the *Exmouth Floodplain Management Strategy* (SKM, 2007) and the *Exmouth Hydrological Study* (Hyd2o, 2014) should be considered in relation to any proposed use or development of land, including subdivision. The recommendation have been reflected by the Strategy mapping including the definition of:
 - a) High hazard (floodway) and low hazard (flood fringe) areas, assuming the implementation of structural flood mitigation measures within the townsite boundary, (refer **Table 3 section 2.1.5**), where future land use decisions/development potential is subject to hydraulic modelling and assessment by the Department of Water (DoW).
 - b) Estimated 100 Yr Floodplain of creeklines within four key catchments south of Exmouth Townsite (refer **Table 4 section 2.1.5**), where detailed survey and hydrological investigations will be required inform future planning and design.
- Future development along the coast will need to have regard to risk management and adaptation to mitigate coastal hazards, to define the level of acceptable risk, and be prepared in accordance and consistent with SPP2.6.
- Future planning and development should take into account the recommendations of the *Desktop Report of Known Aboriginal and European Heritage Places and Values within the Shire of Exmouth* (2013) to ensure the protection and management of known Aboriginal and European heritage places. Further archaeological and ethnological surveys will be required to accompany development applications give the high potential for heritages places (both known and unknown) to be impacted on the North West Cape.
- The Shire's Municipal Inventory of important heritage buildings and places was prepared in 1998, and consistent with legislative requirements is in need of review. This review will provide the opportunity to consider adding or removing places or locations, and to ensure that heritage protection is undertaken in accordance with best practice.

2.2 SOCIAL PROFILE

2.2.1 POPULATION CHARACTERISTICS

2.2.1.1 EXISTING POPULATION

The Gascoyne region is comprised of the Shires of Exmouth, Carnarvon, Upper Gascoyne and Shark Bay, and at the 2011 Census (usual place of residence) had a total population of 9,288. The Shire of Exmouth accounts for a quarter of the regional population, being 2,393 in 2011.

There is a significant seasonal population increase in Exmouth not represented in population forecasts, as a result of a visiting population such as tourists and seasonal workforces. The population of the Shire swells to an estimate 6,000 persons at the height of the tourist season and it is estimated that one-fifth of the visiting population is in Exmouth for work purposes. For example, of the 4,606 persons counted on Census Night 2011, 2,393 persons were enumerated as residents.

2.2.1.2 POPULATION GROWTH FORECASTS

WA Tomorrow (WAPC 2012) documents population projections for each of the LGAs in WA as a tool for forward planning. For the purposes of the Local Planning Strategy, *WA Tomorrow's* 'medium' population forecast range has been adopted (Band C) in extrapolating population figures for Exmouth, as per **Table 6** below. Band E (high) forecasts have been referenced for comparison purposes.

TABLE 6 SHIRE OF EXMOUTH POPULATION AND DWELLING FORECASTS FOR 2011-2025

2011 Population	Annual Average Growth Rate	2025 Population	2025 Households	No. of additional dwellings
2,393 (ABS)			2.4 average	-
Band C – Exmouth (WA Tomorrow 2012) - medium	0.7%	2,500	1,042	170
Band E – Exmouth (WA Tomorrow 2012) - high	1.8%	3,100	1,292	420
Aspirational 5,000 target	6.3%	5,050	2,105	1,233

(Source: ABS 2012, WAPC 2012)

Table 6 above shows that, adopting a 'medium' growth rate prediction of 0.7 percent (which would mean a population increase between 2011-2025 of 353 persons), approximately 170 new dwellings would be needed to achieve the percentage growth in population of 2,500 predicted. Assuming a 'high' rate of growth (Band E) the number of dwellings would increase to 420 with an associated population of 3,100 persons over the same time period.

2.2.1.3 POPULATION CHARACTERISTICS

In terms of age structure, the 2011 Census (refer **Table 7**) shows that the Shire of Exmouth has a marginally higher percentage of children aged 0-9 years compared with WA. The population for Exmouth is well represented between the 25-29 years to 45-49 year cohorts, with an average age of 38. Exmouth is under-represented in the 10-14 to 20-24 year cohorts and the 75-79 and 85+ age cohorts.

TABLE 7 EXMOUTH SHIRE POPULATION (2011 CENSUS USUAL PLACE OF RESIDENCE)

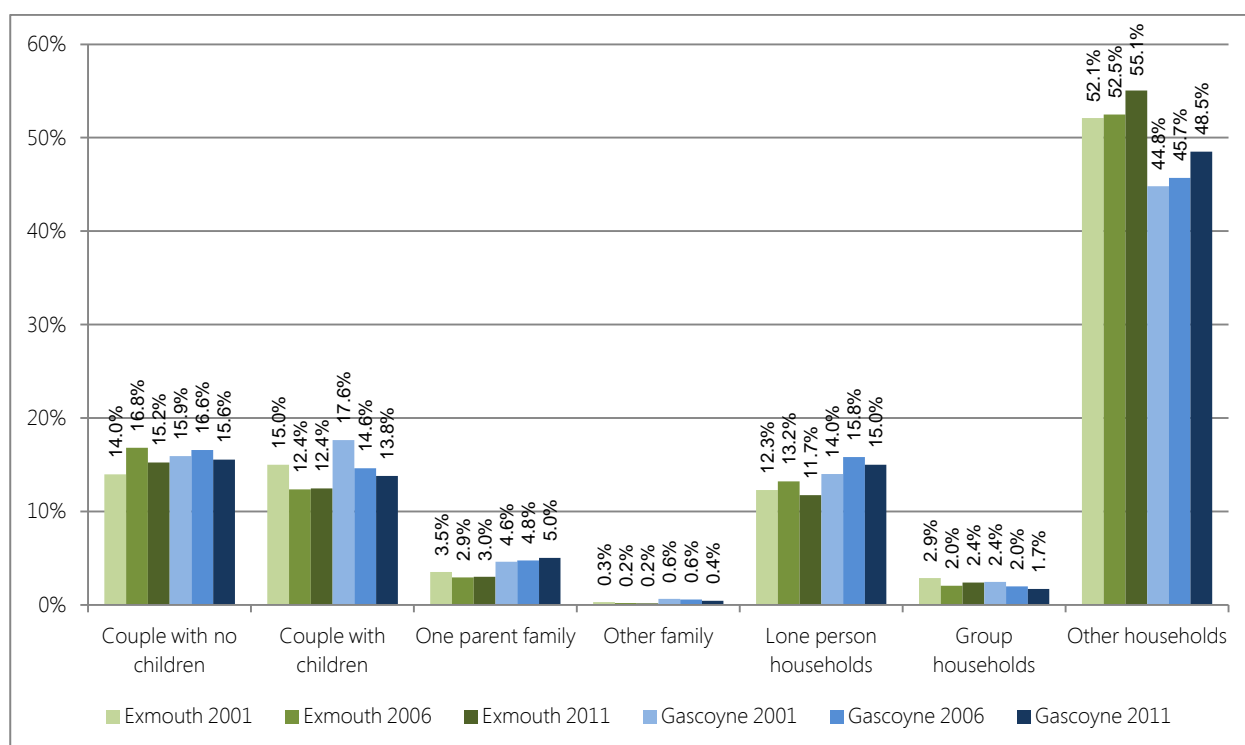
	Males (2011)	Females (2011)	Persons (2011)	Persons (2006)	Persons (2001)
TOTAL PERSONS	1,285	1,108	2,393	2,062	2,231
AGE GROUPS:					
0-4 years	84	85	169	136	168
5-14 years	160	141	301	275	186
15-19 years	49	38	87	82	351
20-24 years	51	58	109	104	114
25-34 years	198	198	396	317	377
35-44 years	238	194	432	392	436
45-54 years	186	165	351	315	322
55-64 years	175	137	312	245	179
65-74 years	98	68	166	137	118
75-84 years	39	21	60	55	45
85 years and over	7	3	10	4	3

(Source: ABS 2002, ABS 2007, ABS 2012)

Further, **Table 7** indicates the Exmouth population has recovered over the last decade. The decline in population was partly due to the closure of the US Navy Base operations.

Patterns in household composition as a percentage of the total number of households, reflects the trends of the Gascoyne Region (refer **Graph 1**). 'Other Households', for visitors and other non-classified households, are dominant, weighted by the number of tourists/visitors in the region counted on Census night. The remaining categories of household compositions fairly represent the characteristics of Exmouth's permanent resident population, including 'Couple with No Children', 'Couple with Children' and 'Lone Person households'. This statistic has a bearing on the housing product to be provided to cater for the diversity of households within the town.

Median Mortgage Repayments in Exmouth have increased from \$800 (2001 Census), \$1,235 (2006 Census) to \$2,167 (2011 Census), representing an overall increase of 271%. These are higher than increases for Carnarvon during the same census periods, which saw an overall increase of 233%. Rentals in Exmouth increased 126% during 2001-2006 and 186% during 2006-2011 with an overall increase of 235% (Carnarvon experienced 133% during 2001-2006, 137% during 2006-2011 and 185% overall).



GRAPH 1 SHIRE OF EXMOUTH AND GASCOYNE REGION HOUSEHOLD COMPOSITION CHANGES 2001-2011
(SOURCE: ABS 2012)

The following **Table 8** outlines a ‘snapshot’ of demographic characteristics for Exmouth. Approximately 58 per cent of the population is in the local labour force (ABS 2012), with an average income of \$737 per week (or \$3,204 per month). Pracsys in its reporting for the *Exmouth Town Centre and Foreshore Revitalisation Plan* indicates a sustainable labour force ratio of 42-45 percent might be reasonably expected as part of a long-term strategy for population growth.

TABLE 8 SELECTED SHIRE OF EXMOUTH DEMOGRAPHIC CHARACTERISTICS

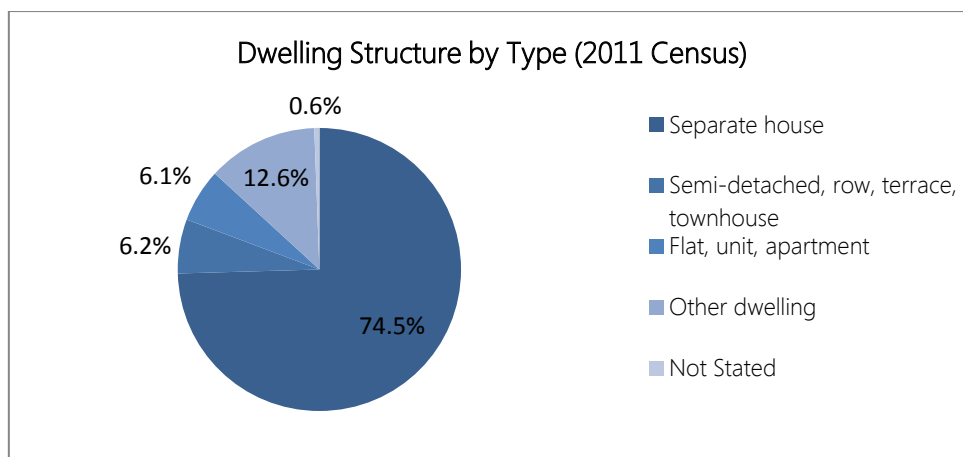
EXMOUTH DEMOGRAPHICS	
POPULATION	2,393
FAMILIES	1,624
LABOUR FORCE	1,312
AVERAGE AGE	38
AVERAGE INCOME	\$737 per week
TOTAL PROPERTIES	2,116
AVERAGE MORTGAGE	\$2,167 per month
AVERAGE HOUSEHOLD SIZE	2.4
AVERAGE HOUSE PRICE	\$543,000 (WA Average \$500,000)
AVERAGE RENTAL	\$480 per week (WA Average \$450 per week)

(Sources: ABS 2012, RealEstate.com.au 2014)

The average house prices and average rental prices within Exmouth are higher than the WA average (Realestate.com.au 2014). Average mortgage repayments are also commensurately high when considered against the average house price. To measure housing stress, the Australian Housing and Urban Research Institute (AHURI) identifies two methods– the 30:40 rule (where the bottom 40% of the income distribution levels who pay 30% or more of their income in housing costs as being in housing stress); and the Residual Income Method (which calculates how much is left over for housing, such as rent, mortgage or other housing costs, after paying for a standard budget of household goods and services). Simplistically using data from **Table 8**, with an average income of \$737 per week, this represents a ratio of approximately 65% spent on average rent (\$480 per week), or approximately 73% spent on an average mortgage (\$2,167 per month). Whilst more detailed analysis of data would be required, it can be extrapolated that housing stress would be evident within Exmouth.

2.2.2 DWELLING STRUCTURE AND TENURE

Based on the 872 occupied dwellings recorded in the 2011 Census, the dwelling structure types are outlined in **Graph 2**. The predominant dwelling type is detached housing (75 percent) and the most common form of tenure is rental (46 percent). Nearly one-quarter of dwellings are owned outright, with another quarter being owned with a mortgage (ABS 2012).



GRAPH 2 DWELLING STRUCTURE BY TYPE (SOURCE: ABS 2012)

These ratios are comparable to the Gascoyne Region however differ to the WA average as per **Table 9** below with regards to outright ownership, ownership with a mortgage and rentals.

TABLE 9 DWELLING TENURE COMPARISON SHIRE OF EXMOUTH, GASCOYNE REGION AND WESTERN AUSTRALIA

Dwelling Tenure	Shire of Exmouth			Gascoyne Region			Western Australia		
	2011	2006	2001*	2011	2006	2001	2011	2006	2001
Owned outright	24.9%	25.3%	45.5%	27.9%	26.5%	42.6%	29.5%	31.4%	35.9%
Owned with a mortgage	25.3%	24.6%	12.2%	21.8%	22.3%	12.1%	37.8%	37.6%	31.7%
Rented	45.6%	46.5%	27.7%	44.3%	45.7%	28.7%	29.2%	27.2%	24.9%
Other Tenure	1.3%	0.8%	7.8%	1.2%	1.3%	7.9%	1.1%	1.0%	3.1%
Tenure not stated	2.9%	2.8%	6.8%	4.8%	4.2%	8.7%	2.4%	2.8%	4.4%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

(Source: ABS 2012; ABS 2007; ABS 2002)

*Note: 2001 Census for Exmouth also counts households for visitors, which raises a discrepancy for comparison to the 2006 and 2011 Census.

For Exmouth, there is a trend for declining outright home ownership, a slight increase in ownership with a mortgage, yet high rates of renting. The seasonality of tourism and workers together with higher than State average house prices, may contribute to the higher than average rate of renting.

2.2.3 POPULATION CAPACITY

The *Exmouth Townsite Structure Plan* (2011) spatially assessed the extent of existing residential areas within the Exmouth Townsite adopting gross land areas, in addition to identifying land that had the potential to support residential development unconstrained by landform, floodways and/or the water protection reserve. It was concluded that the areas identified could support a potential population of approximately 5,500 people. When compared to the estimated maximum permanent population of 2,500 projected through to 2028 by the WAPC (2005) at the time, sufficient land for urban development was identified by the *Exmouth Townsite Structure Plan* (2011) to accommodate the town's growth well into the future.

With regard to Local Planning Strategy's commentary of population capacity, a review of the *Exmouth Townsite Structure Plan* analysis has been undertaken to provide updated context to the population capacity of the Townsite. **Table 10** below provides a summary of potential dwelling and population yields.

TABLE 10 POTENTIAL DWELLING AND POPULATION YIELDS: EXMOUTH TOWNSITE

Land Use	Gross Developable Area ⁵	Estimated Residential Density	Dwelling/Lot Yield	Total Population
TOTAL EXISTING RESIDENTIAL LOTS (developed and undeveloped)			1,260 ¹	3,024 ²
FUTURE RESIDENTIAL (Unconstrained)	140.5ha	10.3 lots per hectare ³	1,447	3,472
FUTURE RESIDENTIAL (Land constrained by Exmouth Power Station Buffer)	54ha	10.3 lots per hectare ³	556	1,334
FUTURE RESIDENTIAL (Long Term)	107ha	6 lots per hectare ⁴	642	1,541
ESTIMATED TOTAL LOT YIELD and POPULATION for FUTURE RESIDENTIAL (Unconstrained Land, Land Constrained by ExPS and Long Term Areas)			2,645	6,347
ESTIMATED TOWNSITE POPULATION CAPACITY (Existing Residential + Future Residential)				9,371

Notes:

1. Existing number of residential lots (including vacant lots) within Exmouth Townsite (2012).
2. A household size of 2.4 persons has been applied to calculate the total population capacity.
3. Dwelling/Lot Yield Ratio Assumed: 1ha GDA = 10.3 lots/du. The estimated dwelling density calculation has been extrapolated from the approved Nimitz Street ODP.
4. A residential density of 6 dwelling units per hectare has assumed for the Development Investigation Areas where environmental factors may constrain lot size.
5. The Gross Developable Area (GDA) excludes the high hazard floodplain.
6. A description of Future Residential Areas 1 to 7 is referenced in section 3.2.
7. A description of Future Residential (Long Term) Areas 1 to 4 is referenced in section 3.3.

Based on the calculations in **Table 10**, it is anticipated that of the areas identified as 'Future Residential' on the spatial plans, approximately 300 hectares (gross developable area) have been identified for residential development of which 107ha is identified as 'Long Term'. It is estimated that land unconstrained by the buffer of the Exmouth Power Station, could yield 1,447 lots and commensurate population of 3,472 persons, which, added to the potential population of 3,024 persons generated by existing lots (including vacant lots), results in a townsite population of 6,496 persons.

If the future residential land constrained by the Exmouth Power Station buffer becomes available for development, a further 556 lots yielding an additional population of 1,334 persons would apply, amounting to a potential townsite population of 7,830 persons.

Furthermore, **Table 10** confirms that if all Future Residential Areas (Long Term) were developed (assuming a lesser density due to landform), the yield increases to 2,645 dwellings and commensurate population of 6,347 persons. Adding this number to the existing lots potential population of 3,024 persons, results in a population capacity for the townsite of 9,371 persons.

The above assessment confirms that within the life of the LPS, there is sufficient unconstrained land available to provide for a population well in excess of the estimated permanent population projected through to 2025 (WAPC 2012) of 2,500, as well as the overall aspirational population target of 5,000 persons for the Exmouth Townsite. Spatially this assessment will guide the extent of land to be zoned for residential development by LPS 4.

2.2.3.1 AVAILABLE 'RESIDENTIAL DEVELOPMENT' ZONED LAND

The assessment below confirms the extent of land currently zoned 'Residential Development' in the existing Town Planning Scheme 3 (TPS 3) and available for development subject to areas of review identified by the LPS.

LEARMONTH STREET/KING PLACE

Land near Learmonth Street and King Place is identified by LandCorp for residential development. At Learmonth Street, a plan of subdivision has been approved by the WAPC for the portion of the site south of Town Creek comprising 23 lots. The land will be reflected in the LPS for future residential purposes.

NIMITZ STREET ODP

The Nimitz Street ODP is approved, with subdivision approvals in place, and has been identified to have the potential for 453 dwelling units (pers. comm. RPS, 5 November 2013) and a commensurate population of 1,087 at a rate of 2.4 persons per household. When compared to the medium and high growth scenarios for population growth (refer **section 2.2.1.2**), it is demonstrated that this ODP area could potentially supply the necessary dwelling stock without areas defined for future residential in the southern area of the townsite being contemplated for development, including land constrained by the Exmouth Power Station indicative buffer. The LPS will define this ODP area for existing and future residential purposes.

MURAT ROAD

This land was identified through the *Exmouth Learmonth Structure Plan 1998* (refer **section 1.2.1**) as part of the land supply for a potential population of 5,200 persons. The subject land was zoned 'Residential Development' in Town Planning Scheme No. 3 at that time comprising of approximately 110 hectares. The 'Residential Development' zoned land is bound by Murat Road, between the Market Street Bund to the south and Welch Street and Reid Street to the north (not including the Water Corporation or Broadcast Australia sites). Approximately 7 hectares of the 'Residential Development' zoned land is to be identified on the Exmouth Townsite Spatial Plan as 'Future Tourism'. Portion of the 'Residential Development' zoned land is also earmarked for 'future Light Industry' and high hazard floodplain. The extent of the existing 'Residential Development' zoned land in this locality therefore, will be adjusted by the LPS to exclude these areas.

2.2.4 LAND TENURE

Land tenure within the Shire of Exmouth is exhibited in **Figure 4**, **Figure 5** and **Figure 6**.

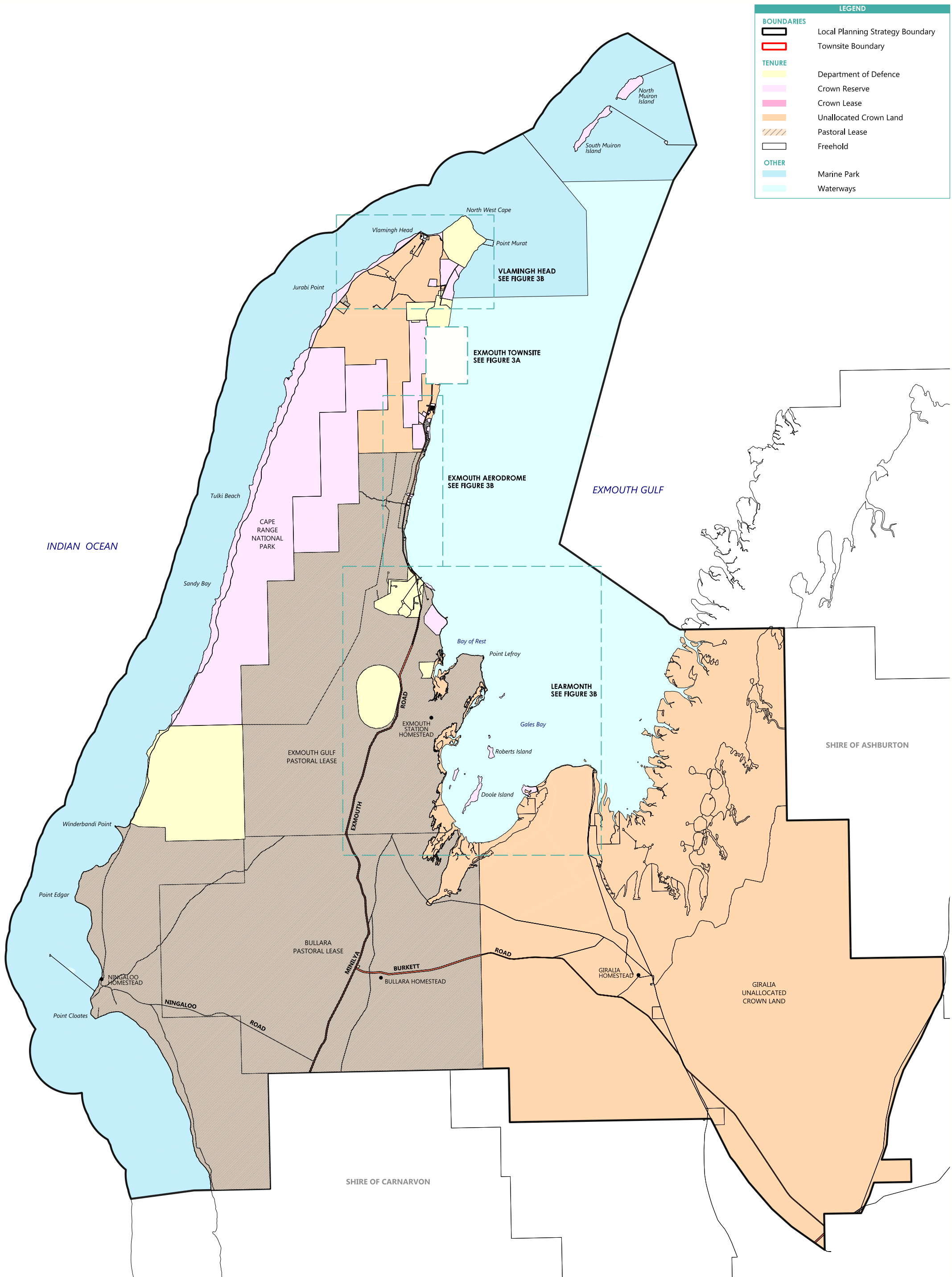
2.2.4.1 EXMOUTH TOWNSITE

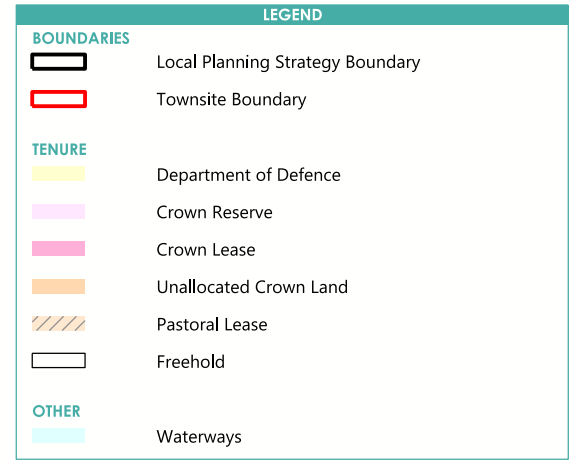
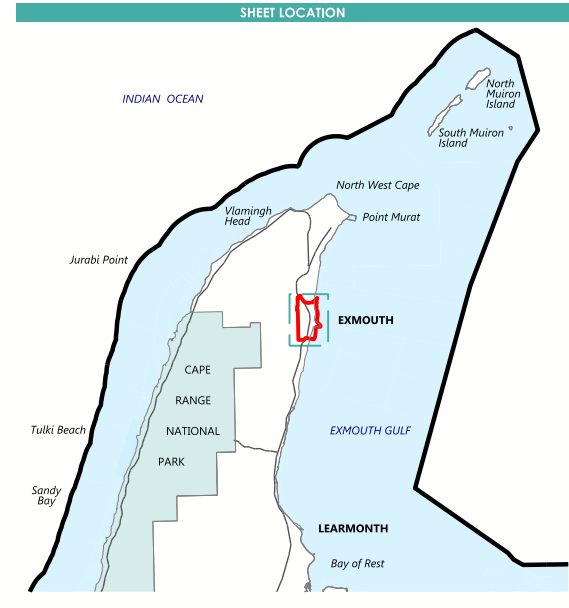
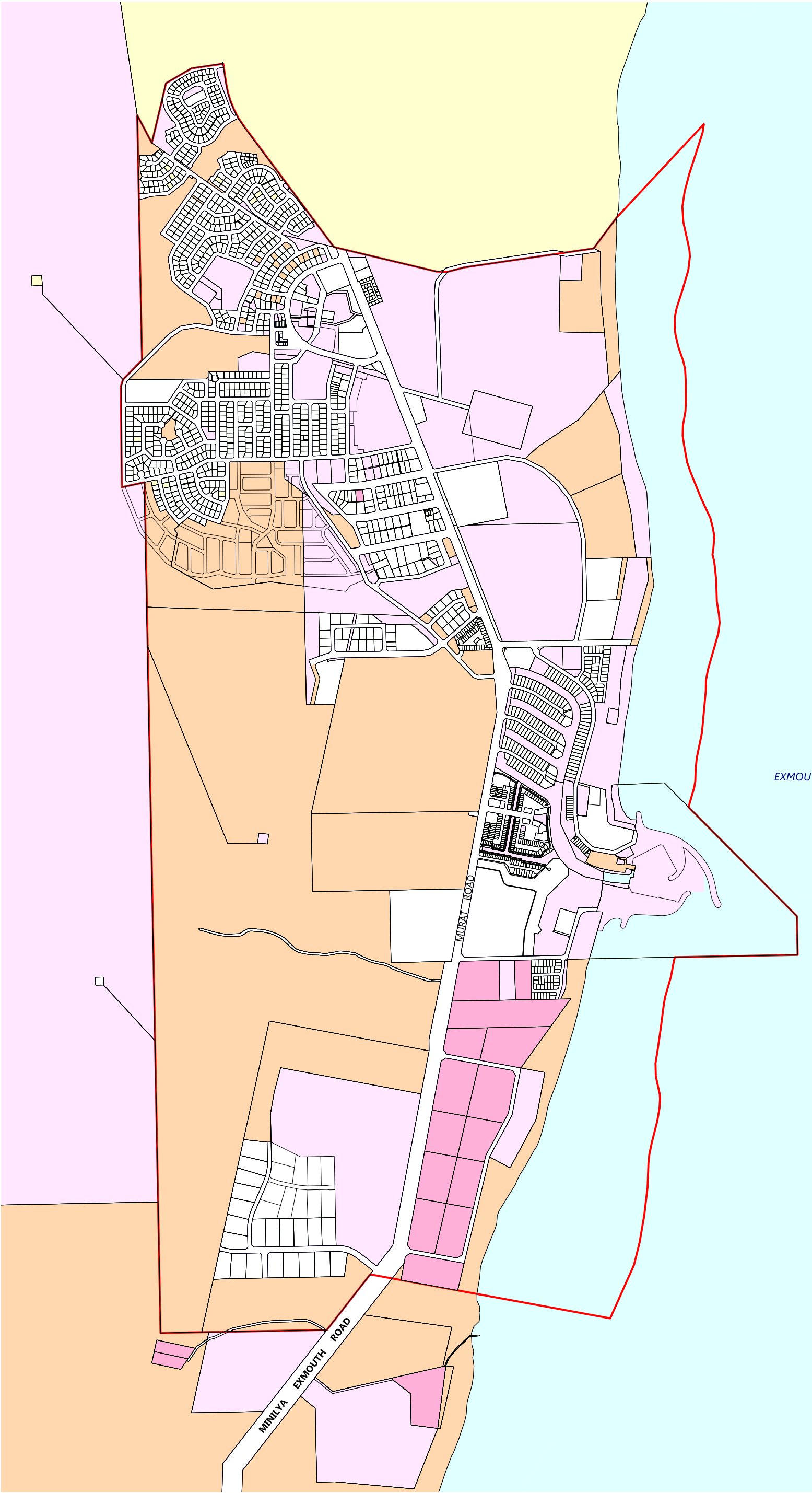
A percentage of residential lots within the townsite are owned by the Department of Defence, reflecting the historical origins of the town. 14 houses are built on properties identified as UCL corresponding to Department of Housing landholdings. The majority of properties are freehold.

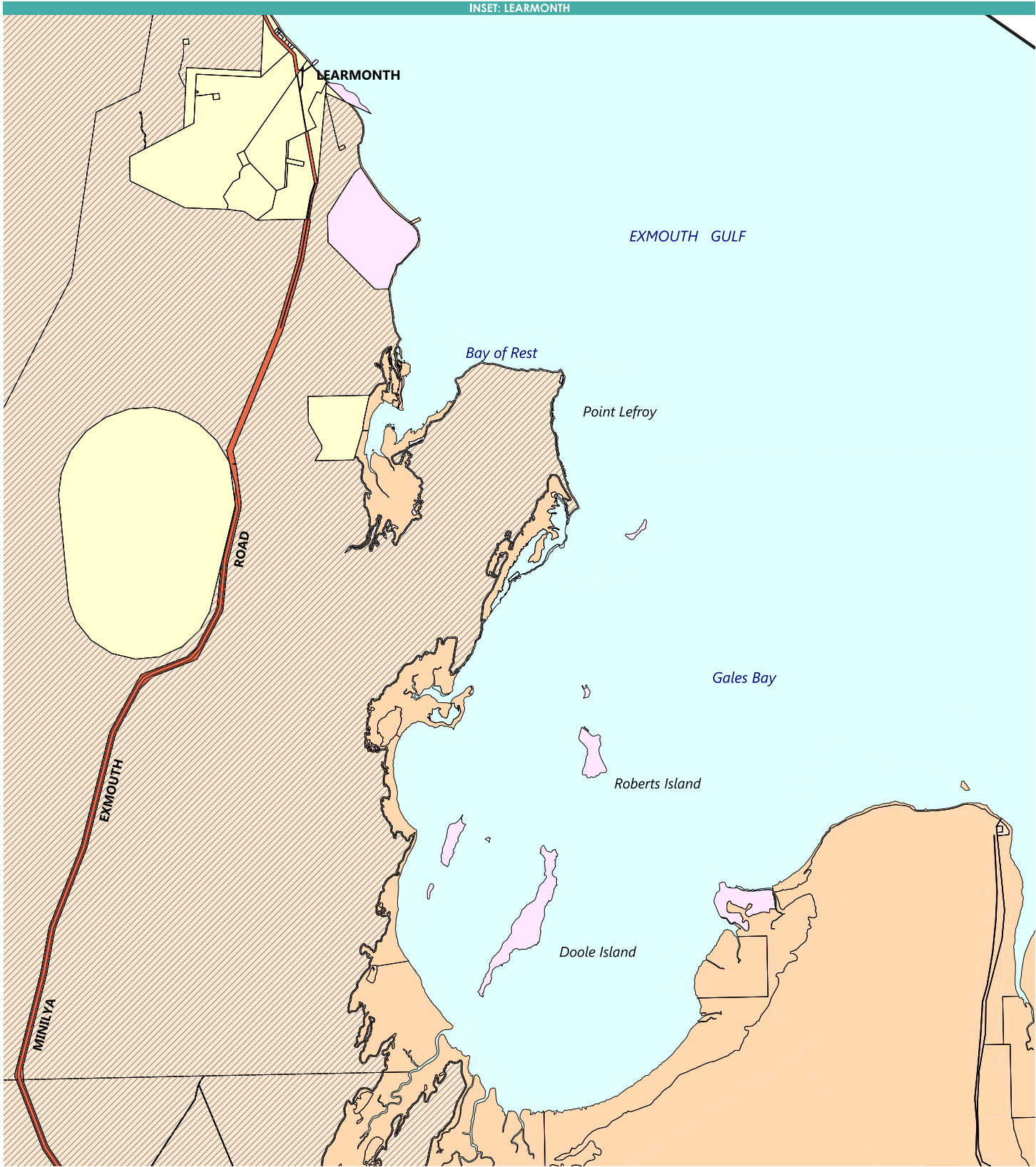
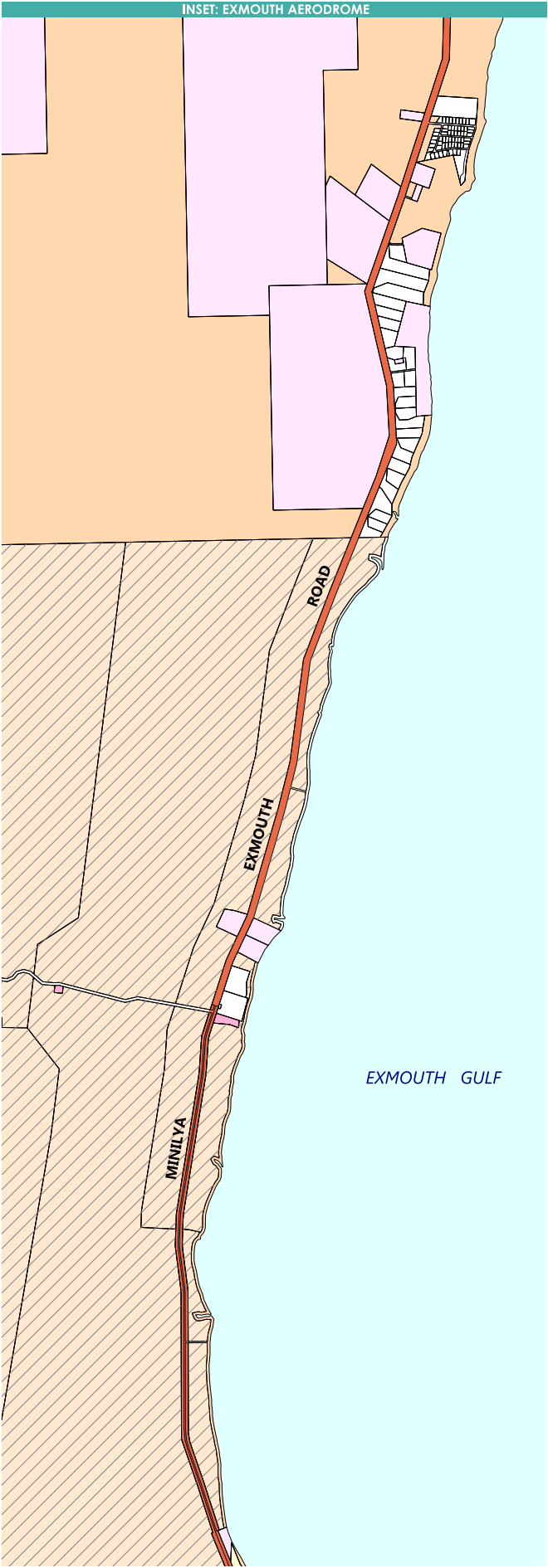
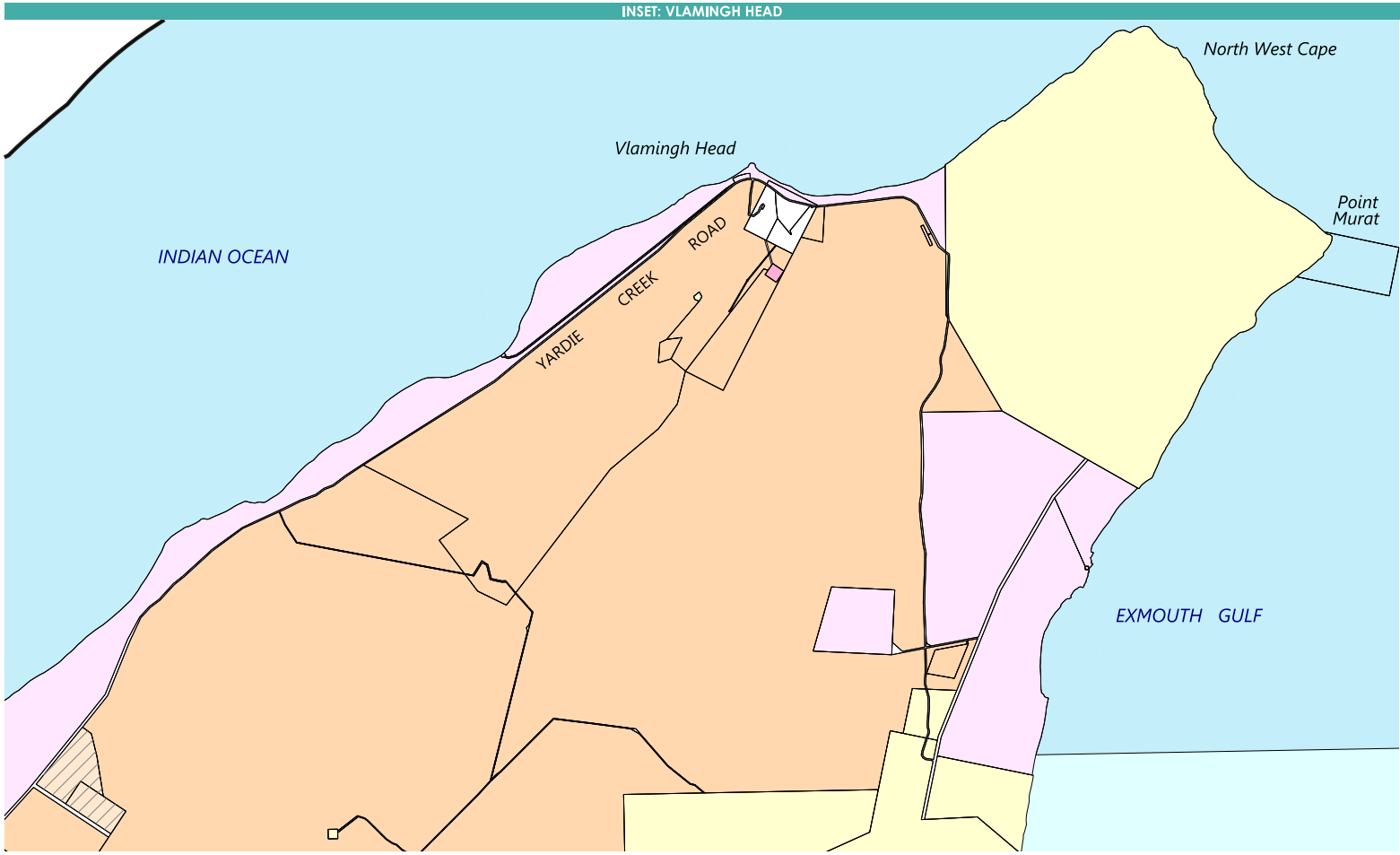
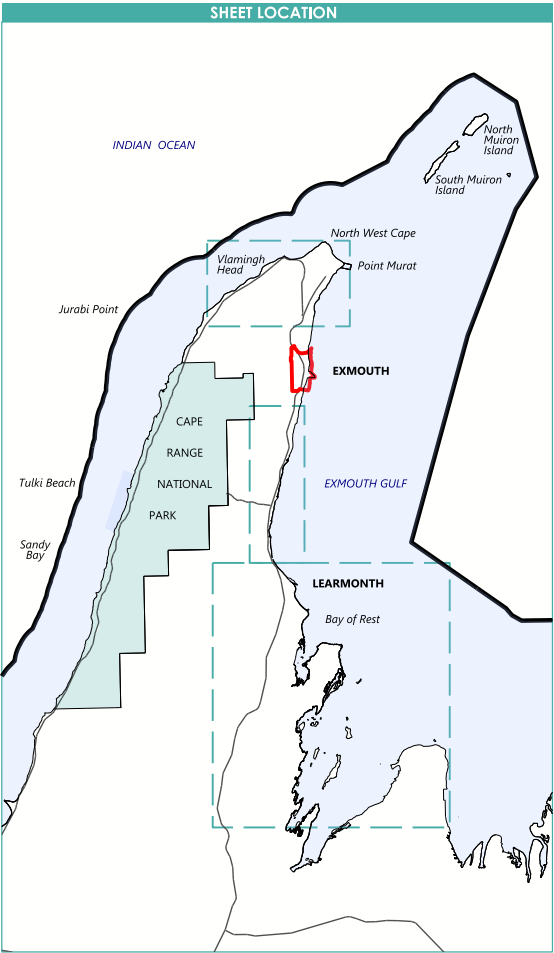
The 'horse grazing lots' (Lots 851, 853-857 Murat Road and Lots 852, 858-862 McLeod Street) and an aquaculture site (south of Exmouth Townsite boundary) are Crown Leases. These leasehold lots, comprising approximately 4 hectares, are currently used for grazing and rural activity. The **Exmouth Townsite Spatial Plan** recognises that this area is constrained by the floodplain of Mortiss Street Creek. No residential dwellings are permitted on these lots due to their location within the high and low hazard floodplain. The Shire and Department of Lands are seeking to subdivide the 'horse lots' into one hectare land parcels for grazing purposes.

Lot 851 Murat Road is leased and has a caretaker's dwelling. The Shire supports the free holding of this land subject to the residential portion being subdivided to form its own lot, with the balance of Lot 851 to be retained for grazing and horse riding purposes.

The majority of the undeveloped areas within the Exmouth Townsite are UCL. Native Title is in the process of being cleared from UCL within the Exmouth Townsite, coordinated by the Department of Lands.







LEGEND			
BOUNDARIES	TENURE	OTHER	
Local Planning Strategy Boundary	Department of Defence	Marine Park	
Townsite Boundary	Crown Reserve	Waterways	
	Crown Lease		
	Unallocated Crown Land		
	Pastoral Lease		
	Freehold		

2.2.4.2 LANDS OUTSIDE OF EXMOUTH TOWNSITE

Outside of the Exmouth Townsite the Lighthouse Caravan Park, Exmouth Limestone and Kailis properties, and properties located within the Ingram Street industrial area and the Wilderness Estate, are freehold. Yardie Homestead Caravan Park is Crown Land subject to a General Lease.

The Department of Defence owns and maintains various landholdings which together comprise of the Areas A-C of Naval Communications Station Harold E. Holt; Learmonth RAAF Base; Learmonth Air Weapons Range; and historical or disused Commonwealth landholdings.

Pastoral leases for Exmouth Gulf Station, Bullara Station and Ningaloo Station exist over UCL. Pastoral Leases do not extinguish Native Title over this land. The 2015 Pastoral Lease Exclusion Areas are being considered by the State for inclusion into the public conservation estate, with a preference by DPaW and the Conservation Commission for such land to be included into the Cape Range National Park. The Pastoral Lease for Giralia was surrendered and this land is managed by DPaW.

The remainder of the North West Cape is Crown Reserve (consisting of the Cape Range National Park and the Jurabi and Bundegi Coastal Parks and Muiron Islands), and UCL.

2.2.5 PLANNING IMPLICATIONS

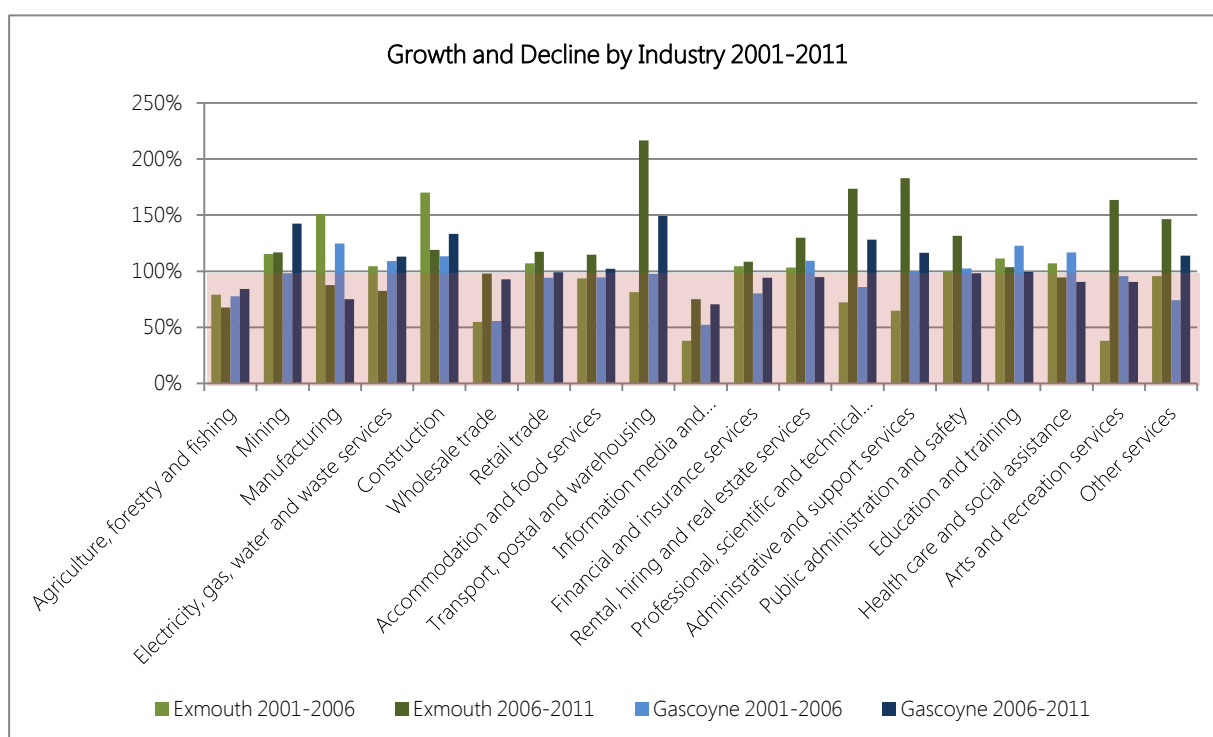
- The population of Exmouth has historically remained relatively stable; any growth or decline in population from each census period has not necessarily shown a significant population increase of the permanent residential population.
- The population forecasts (WAPC 2012) have been assessed such that, for a medium growth (0.7% per annum) scenario indications suggest future demand for 170 dwellings to accommodate a population of 2,500 by the year 2025; for a high growth (1.8% per annum) scenario suggest future demand for 420 dwellings to accommodate a population of 3,100 by the year 2025.
- The Nimitz Street ODP has a yield of 453 dwelling units. The future supply of lots in this locality, in addition to the development of vacant lots within the townsite, will be sufficient to achieve both the medium and high population growth scenarios.
- Housing affordability and land availability will be key factors in mitigating housing stress on the population of Exmouth. Population growth and associated demand for housing, needs to be balanced against land supply and the availability of a diversity of housing types.
- High levels of employment are anticipated to continue trending as the population grows, which will create an impetus for new business being created, growth of existing businesses, and strategic investment and economic development to support existing or new industry sectors.
- The calculation of the potential population capacity of the Exmouth Townsite demonstrates that the extent of available unconstrained land is sufficient to provide for either a population of 2,500 as projected through to 2025 by the WAPC (2012), or the Shire's overall aspirational population target of 5,000 persons for the Townsite. In this context, the Longer term Development Investigation Areas defined by the LPS do not need to be targeted as residential development areas, assuming the unconstrained land is developed in a manner consistent with the residential densities incorporated into the Nimitz Street ODP.

2.3 ECONOMIC PROFILE

2.3.1 OVERVIEW

The *Ningaloo Coast Regional Strategy* (WAPC 2004) identified Exmouth's economic drivers as tourism (fastest growing), fishing, aquaculture, pastoralism and mining. The industry sectors employing the local labour force can be analysed in **Graph 3**. This Graph identifies which industries are stable (i.e. 100%), declining (i.e. below 100%) or growing (i.e. above 100%). Exmouth is the second largest town in the Gascoyne and a significant service provider. The population is predominately urbanised, residing in the Exmouth Townsite.

The work undertaken by Pracsys for the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) supports the basis that population-driven job growth will occur without significant intervention. However, to support population growth above what has historically occurred, employment generation will be key. There is a need for intervention by the Shire, agencies and other organisations for creating quality jobs and a quantum of jobs that will support medium, high or aspirational population growth in Exmouth. The strategic intervention for job creation would likely need to be focused on attracting export-oriented industries and/or supporting the oil and gas industry development into the Shire.



GRAPH 3 EXMOUTH EMPLOYMENT GROWTH AND DECLINE BY INDUSTRY 2001-2011 (SOURCE: ABS 2012)

2.3.2 COMMERCE AND RETAIL

The *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) provides a structure for the long-term sustainable retail growth of the town that ensures town centre activity is consolidated within the town centre retail core area. The *Revitalisation Plan* identifies land the Shire can aim to protect for this long-term retail expansion, which is recommended to be supported by a Retail Activation Strategy. Growth in retail and consumer services is anticipated in the *Revitalisation Plan*, which considers 1,000 jobs in this sector with a commensurate townsite population of 4,000 people.

The work undertaken by Pracsys Economics for the *Exmouth Town Centre and Foreshore Revitalisation Plan* indicated that:

- Using the 2006 baseline population of 1,800, Pracsys put forward the proposition that the total floorspace (including convenience retail, comparison retail, and restaurant, bar and café floorspace) that could be sustained by the Exmouth population was estimated to be 9,950-11,210m² NLA;
- At a population of 3,500 the total floorspace demand estimate is between 13,490-15,150m² NLA (approximately 35% more than the 2006 baseline retail floorspace estimate); and
- At a population of 5,000 the total floorspace demand estimate is between 16,710-18,740m² NLA (approximately 67% more than the 2006 baseline retail floorspace estimate).

Pracsys notes that the largest increase will be in comparison retail, which would warrant a major increase in floorspace commensurate with attraction of a large floor-plate retailer such as a discount department store. Convenience retail demand with a population of 5,000 will start to create sales turnover required to attract a major retailer such as Coles or Woolworths, with some cannibalism of retail from IGA stores existing in Exmouth.

SPATIAL DISTRIBUTION OF SHOWROOM AND BULKY GOOD RETAIL

The provision of land for bulky goods retail, large format retail and showroom development is currently limited to the 'town centre', 'mixed use', light industrial and industrial zoned areas of TPS 3. A land use audit was conducted in July 2013 and broadly identified the types of land uses evident in each of Exmouth's existing industrial precincts (refer **section 5**).

The audit identified that there are few existing showrooms or bulky good retail within Exmouth. However, currently the land take requirement of this land use is unlikely to be met within the existing composite residential and service industrial area without assuming re-development or amalgamation of lots. Accordingly, the LPS explores other opportunities with suitable accessibility. It is recognised that the land immediately south of Welch Street, east of the Exmouth Power Station, whilst currently zoned residential development and identified for service industrial purposes within the *Exmouth Townsite Structure Plan* (2011), would be suitably placed to accommodate such land uses as driven by demand.

2.3.3 TOURISM

Tourism is a vital and growing industry for Exmouth and is the town's major economic contributor with eco-tourism experiencing significant growth in recent years. Hospitality, accommodation and retail activity associated with tourism represents a considerably portion of the Shire's economy and job market. The Exmouth region as a tourist destination benefits from its unique natural landscape and biodiversity, such as the Ningaloo Reef within the Ningaloo Marine Park and rugged gorges of the Cape Range National Park both with World Heritage status, fishing opportunities, and marine and wild/life tours.

The significance of tourism to Exmouth is illustrated in the seasonal nature of the resident population. The population of the Shire swells to 6,000 people at the height of the tourist season and it is estimated that one fifth of the visiting population is in Exmouth for work purposes.

Exmouth attracts a mix of intrastate, interstate and international visitors for holidays and leisure purposes, with a significant majority seeking outdoor, nature and adventurous pursuits attributable to the natural beauty of the region (refer **Table 11**).

TABLE 11 VISITOR REASONS FOR VISIT, BY SHARE OF TOTAL VISITATION, EXMOUTH LGA, YEAR ENDING DECEMBER 1990-2013

Average Share of total Visitation	Holiday/Leisure	Visiting Friends and Relatives	Business	Other
Year Ended Dec 1999-2005	77.1%	4.7%	7.3%	10.9%
Year Ended Dec 2006-2012	78.0%	6.5%	10.0%	5.4%
Year Ended Dec 1999-2012	77.6%	5.6%	8.6%	8.2%

(Source: Tourism Research Australia 2013)

Visitor numbers by type is summarised in **Table 12** below. There is evidence of a recent spike in visitor numbers in 2010 – 2012, however otherwise the trend in visitation over the last decade has been volatile and in slight decline, indicative of overall economic trends. With regard to caravan park visitation, there was a 45% increase in domestic overnight stays in 2011/2012 with this demand profile likely to continue into the future given Exmouth's strong characteristic of leisure travellers comprising older married couples with children under the age of 15. The greatest proportion of visitors comes from within Western Australia (77%), with 14% of the total visitors originating from Perth. Whilst the region is accessible by road and air all year round, domestic visitors have a bias towards road transport. International holiday/leisure visitors similarly favour road transport, whilst there has been an increase in international business visitors arriving by air of 66% over the last ten years (TRA, 2013).

TABLE 12 OVERNIGHT VISITOR NUMBERS AND AVERAGE LENGTH OF STAY 2002-2012

	Annual Average 2002-2004	%	Annual Average 2005-2007	%	Annual Average 2008-2010	%	Annual Average 2010-2012	%
NIGHTS								
Domestic	486,000	79%	643,000	86%	572,700	78%	-	-
Intrastate	435,000	71%	519,000	69%	-	-	1,008,000	68%
Interstate	51,000	8%	124,000	16%	-	-	172,000	12%
International	123,900	20%	108,800	14%	160,600	22%	298,500	20%
TOTAL	609,900	100%	751,800	100%	733,300	100%	1,478,900	100%
Average Length of Stay (Nights)								
Intrastate	7.4		10.6				8.5	
Interstate	2.8		5.6		8.4 (combined)		5.5	
International	4.2		4.2		5.4		7.1	
TOTAL	5.7		7.8		7.5		7.7	

(Source: Shire of Exmouth Local Government Area Fact Sheet; Tourism Western Australia 2012)

A wide range of tourist accommodation options are available within the Shire of Exmouth. These include Caravan Park and Camping Grounds (establishments comprising a diversity of caravan and camping sites, chalet/cabin and back packer accommodation); tourism resort, hotel and motel accommodation (including the Novotel Ningaloo Resort), and Other - (back packers accommodation, luxury eco-safari experiences and wilderness camping along the west coast within the Cape Range National Park and/or within Pastoral Station). **Table 13** outlines an audit of the accommodation categories available.

TABLE 13 ACCOMMODATION AUDIT, EXMOUTH LGA, JUNE 2013

Accommodation Supply by Type of Establishment	Establishments	Number of Rooms/Sites
Hotels/Resorts	7	208
B&Bs/Backpackers/Other	4	69
Caravan Parks	4	934
Total	15	1,211

Note: Total number of rooms/sites includes number of beds in backpackers/dorms for some establishments.

Source: AAA Tourism (2013), Exmouth Ningaloo Caravan & Holiday Resort (2006), Marina Beach Retreat (n.d.), Ningaloo Bed and Breakfast (2013), Ningaloo Lighthouse Caravan Park (n.d.), Ningaloo Reef Resort (2013), Sal Salis Ningaloo Reef Wild Bush Luxury (2013), Trip Advisor (2013), Wilderness Island Safari Holidays (2013), YHA Australia (2013)

Table 14 and **Table 15** summarise the total number of rooms available, occupancy rate and projected demand between 2005-2022 (ABS 2010 & 2013). The demand for accommodation is seasonal by nature with the occupancy rate for hotel/motel and serviced apartments ranging from 60% to 90% and 30% to 90% for caravan parks. This has implication in terms of sustainability and profitability of business operators and also the availability of permanent staffing.

TABLE 14 SUMMARY STATISTICS AND FORECASTS, HOTELS, MOTELS AND SERVICED APARTMENTS OF 15+ ROOMS, EXMOUTH LGA, YEAR ENDING DECEMBER 2005-2022

Year	Room Nights Occupied	Rooms	Room Occupancy Rate
2005	49,282	179	75.5%
2006	45,999	246	51.3%
2007	59,557	314	52.0%
2008	58,905	292	55.4%
2009	54,740	339	44.2%
2010	52,780	318	45.4%
2011	60,501	340	48.8%
2012	61,989	265	64.1%
2013	64,055	265	66.3%
2014	66,189	265	68.4%
2015	68,394	265	70.7%
2016	70,672	265	73.1%
2017	73,027	265	75.5%
2018	75,460	265	78.0%
2019	77,974	265	80.6%
2020	80,571	265	83.3%
2021	83,256	265	86.1%
2022	86,029	265	88.9%

Note: ABS information used as base of supply.

Source: ABS (2010 - Caravan Parks and 2013 –Hotels, Motels and Serviced Apartments) TRA(2013, AEC Group)

TABLE 15 SUMMARY STATISTICS & FORECASTS, CARAVAN PARKS, EXMOUTH LGA, YEAR ENDING DECEMBER 2005-2022

Year	Site Nights Occupied	Total Capacity	Site Occupancy Rate
2005	146,337	910	44.1%
2006	155,569	899	47.4%
2007	167,680	882	52.1%
2008	179,947	883	55.8%
2009	188,629	923	56.0%
2010	190,372	973	53.6%
2011	155,198	958	44.4%
2012	184,186	945	53.4%
2013	190,313	935	55.8%
2014	195,284	934	57.3%
2015	199,760	934	58.6%
2016	204,062	934	59.9%
2017	207,922	934	61.0%
2018	211,689	934	62.1%
2019	215,351	934	63.2%
2020	218,877	934	64.2%
2021	222,240	934	65.2%
2022	225,400	934	66.1%

Note: ABS ceased its survey of Caravan Parks in June 2010. TRA data has been 'forecasted'.

Source: AEC Group, ABS (2013), TRA (2013)

The projected demand highlights there is capacity in both caravan and hotel markets for future supply. Demand for both hotel/motels and serviced apartments and caravan parks have been growing at 4% and 4.7% respectively (TRA (2013)). If no other new supply is added by 2017, the annual occupancy rate for caravan parks is likely to exceed 60% and 75% for the hotel market. The planning implication of this forecast is that during peak time, Exmouth will have difficulty accommodating large number of additional visitors, highlighting the need for the LPS to address the future supply of tourism land.

Key tourism findings/issues identified by the Shire of Exmouth in conjunction with Tourism WA and TRA statistics for the tourism industry to address include:

- The proposed developments of a five star hotel, resort, apartment accommodation in Exmouth would increase the level of fly/drive visitors and package tour activity and could potentially stimulate more tourism product and services in Exmouth and the region;
- With a wider range of accommodation, more tourism product and increased marketing of packages and the destination it is expected that visitation during low and shoulder periods will continue to increase, extending the visitor season; and
- A distinct change in visitor profiles may occur with an increase in high-budget visitors as 'high order' accommodation is provided.
- Exmouth is one of eight active WA cruise ship destinations, noting the regional industry contributes \$21 million in direct expenditure to the State economy.
- Strata titling refurbishment policies and procedures should be written into management agreements to ensure that the tourism product reflects the design 'era' and promotes the image of Exmouth as a tourist destination.
- Pressure from developers for an increased percentage of permanent residential development in tourist developments to improve the viability of projects and likelihood of delivery.

2.3.4 MINING AND PETROLEUM RESOURCES

The Geological Survey of Western Australia (GSWA) advise that the Shire of Exmouth area is located within the Northern Carnarvon Basin and is underlain by sedimentary rocks. The bedrock, particularly land south of Exmouth Townsite, comprises mainly exposed Tulki Limestone. There is also minor Exmouth Sandstone in the central south of the Shire area. The Tulki Limestone contains sections of high-grade limestone. The sediments provide a source of additional basic raw materials such as aggregate, gravel, sand and clay.

The GSWA maintains a database of mines, minerals deposits, and prospects. This information has been used in preparing **Figure 7**, **Figure 8** and **Figure 9**.

It is expected that there will be future proposals for access to limestone resources within and beyond existing lease areas. Any future applications would need to take into account requirements under the *Environment Protection Act 1986* and the *Mining Act 1978*.

The area is also prospective for hydrocarbons in the sedimentary rocks of the Northern Carnarvon Basin. The Shire area includes parts of the Cape Range and Rough Range anticlines (elongated domes), which are highly prospective for hydrocarbons. The principal targets for drilling are Cretaceous sandstones (approximately 120 million years old) overlain by Cretaceous shales, at depths greater than about 1,000 metres. Targets have also been identified beneath the coastal plains surrounding the anticlinal ranges.

In addition to land based exploration, Exmouth has the potential to benefit from its proximity to the significant off shore oil and gas operations of the North West Shelf. Exmouth has the opportunity to be a logistical hub for the marine service industry, FIFO workers and residential lifestyle choice for resource sector workers and their families. Exmouth is geographically well placed to service the offshore industry, although upgrading of infrastructure will be required to receive larger vessel requiring fuelling and loading facilities either via increased capacity of the Exmouth Boat Harbour or the approved offshore loading facility further south at Ingram Street. There is an opportunity for mutual benefit economically to both Exmouth local business and the industry with careful management.

2.3.5 FISHING AND AQUACULTURE

The Department of Fisheries is responsible for the management and regulation of fishing, aquaculture and pearling in all State Waters under the *Fish Resources Management Act 1994* and the *Pearling Act 1990*. To fulfil this responsibility, the Department of Fisheries maintain a District Office in Exmouth.

Exmouth has a historical and highly respected reputation in fishing and aquaculture with active involvement in fish farming and trawling activities since the 1960's. Commercial fishing activities are controlled within the Exmouth Gulf and are also limited to the 'general use zone' within the Ningaloo Marine Park (State Waters). Stock levels and spawning stock levels are monitored by Department of Fisheries to ensure a sustainable fishery and industry is maintained. In 2008, the Exmouth prawn fishery caught 1170 tonnes, worth an estimated \$12 million.

Small-scale aquaculture operations occur in Exmouth Gulf for pearl production and finfish hatcheries in Exmouth supply spat to pearl farms in the north-west and several hatcheries supply juveniles of the black-lip pearl oyster to developing black pearl farms in the region. Pearl production is carried out on a small scale in Exmouth Gulf. Two sites are zoned for Aquaculture purposes within the Shire with various proposals in the past having been assessed by the EPA. The Department of Fisheries and Gascoyne Development Commission recognise opportunities for diversifying and expanding aquaculture pursuits in the region given that Exmouth encompasses outstanding water and land environments to facilitate aquaculture developments. Exmouth is poised to be a leader in new investment in large, sustainable aquaculture industries.

LEGEND

Local Planning Strategy Boundary

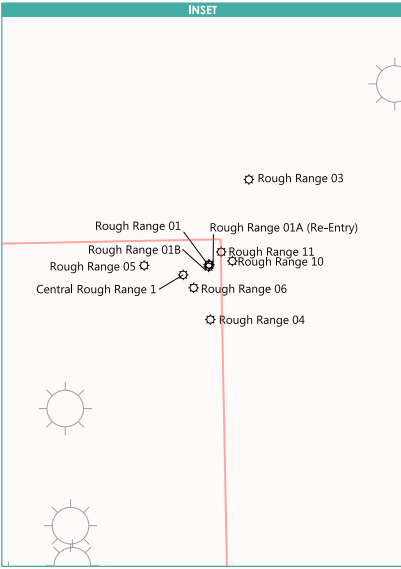
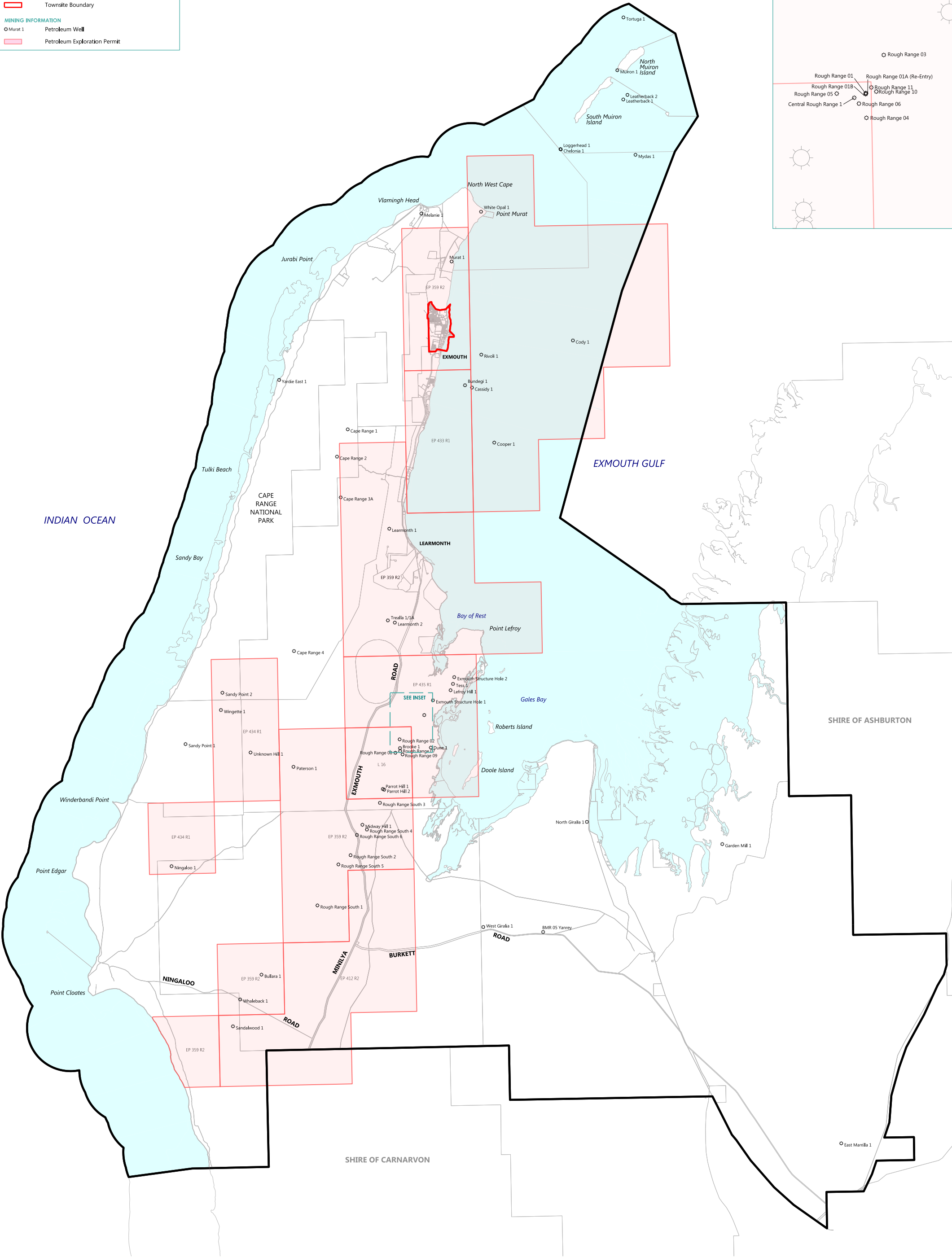
Townsite Boundary

MINING INFORMATION

Murat 1

Petroleum Well

Petroleum Exploration Permit



LEGEND

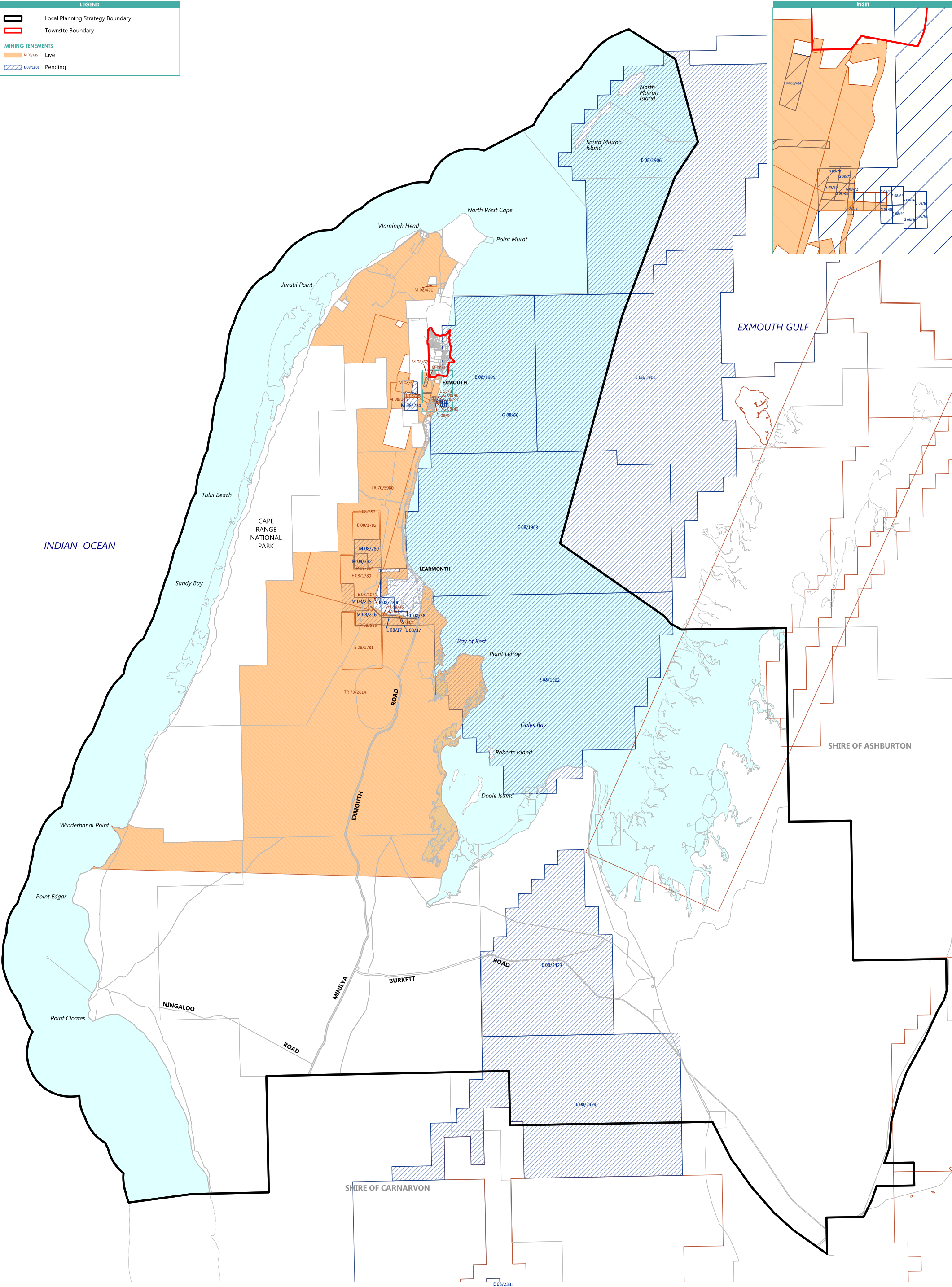
Local Planning Strategy Boundary

Townsite Boundary

MINING TENEMENTS

M 08/145Live

E 08/1906Pending





2.3.6 PASTORAL ACTIVITIES

The Gascoyne pastoral industry was established on wool, and over time as the reserve price scheme was abolished and the wool market experienced a downturn, pastoralists have diversified with tourism, cattle, meat sheep, goats, horticulture and wool becoming typical products (Gascoyne Development Commission, 2010). Industry indications consider the greatest economic development potential is in beef, sheep meat and livestock export industries.

Pastoralists have become knowledgeable and skilled over time in the management of land. Drought is a normal occurrence and pastoralists have attempted to drought proof their farms, however there are costs and other limitations in this approach (GDC 2010). Livestock tends to be raised largely on natural pasture and are watered through a variety of sources including artesian bores, permanent water holes, windmills and dams.

All Western Australian pastoral leases expire in 2015. The pastoral lease system is being reviewed with an objective to improve conditions for diversification and further business investment on pastoral land. Diversification has begun to occur with wilderness style camping experiences emerging as a tourism activity on pastoral stations, such as the facilities existing at Bullara and Ningaloo Stations. New tourism activities not directly associated with pastoral activities are likely to be identified as separate parcels subject to diversification permits under the *Land Administration Act 1997*.

Within the Shire, pastoral leases apply to the Exmouth Gulf, Bullara and Ningaloo stations. The pastoral lease for Giralia was surrendered by the previous lessees, and the land, as UCL, is managed in the interim by DPaW.

2.3.7 PLANNING IMPLICATIONS

- Key industries within the Shire of Exmouth include tourism, fishing, pastoral activities, aquaculture, oil, gas and limestone mining, economics and planning, industrial activities, light engineering and government agency business. Continual investment and strategic economic development will be of importance for growth in industry sectors to support future employment.
- As an initiative of the GDC, a report on the *Economic Development Opportunities for the Gascoyne Region Associated with Resource Sector Investment and Expansion* (SGS 2012) identified further opportunities that can be explored to maximise the economic and social benefits for Exmouth, arising from existing and proposed mining and resource investment in the Gascoyne, Pilbara and Mid West regions:
 - Exmouth Boat Harbour Expansion;
 - Market / promote Exmouth as a Logistics Hub;
 - Development of Exmouth Gulf Marine Supply Base;
 - Exmouth Fly In – Fly Out / Drive In – Drive Out Initiatives; and
 - Exmouth Tourism Initiatives.
- Seasonal variation in expenditure and sales will lead to adaptability in the retail sector to ensure there is not an undersupply in peak season nor oversupply in the low season. Temporary floorspace and adaptable premises are seen as being adaptable to demand. However with a larger permanent population, the seasonal variations will over time be less pronounced for overall expenditure.
- The rapid spike in population, attributed largely to the tourism industry, is significant when considering full capacity requirements of services within the townsite and the demand for land and infrastructure. Continued promotion and growth within the tourism industry will further accentuate this trend in coming years. Ongoing collection of tourism data will assist the Shire to plan for the impact of tourism growth and associated land requirements for tourism sites.
- The floorspace estimates of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) will guide the spatial definition of the retail core area of the Town Centre assuming a population of 5,000 will be required to

attract a larger floor-plate retailer to Exmouth.

- Mining and basic raw material industries are attracted to the Shire of Exmouth by virtue of its prospects and known material wealth. New application for resource extraction within or beyond existing mining leases and petroleum exploration licences will require appropriate levels of environmental assessment prior to being supported by approval authorities.
- Investment in oil and gas is linked to the potential for suitable land being available for a marine supply base and industrial land supporting the marine supply base. A marine supply base would be best considered as a nodal facility that supports other industry and facilities located within the Pilbara.
- Recreational and commercial fishing activities contribute to the local economy. Recreational fishing has social value and can form part of the tourism experience when visitors stay in Exmouth. Commercial fishing is a low-volume, high value industry and careful ongoing management of stocks is seen as a priority. It is noted, however, that the prawn fishery in Exmouth is a recognised ecological sustainable industry.
- Aquaculture has the potential to form part of a strategic food bowl plan supported by government with Exmouth offering attractive water and land environments to facilitate investment in the industry.
- Pastoral leases expire in 2015, with the Department of Lands and DPaW indicating that the Exmouth Gulf pastoral lease will be reduced in land area commensurate with the proposed additions to the public conservation estate.
- The Department of Lands indicates that the extent of the Ningaloo Station pastoral lease may be subject to re-negotiation beyond 2015. The future management of the land within Ningaloo Station is yet to be confirmed, in terms of the extent of private leaseholders operating under general leases, verses land under the care and control of DPaW.
- Rangeland and other diversification leases for pastoral land are seen as opportunities for improving the economic diversification of pastoral land. The Shire will need to contemplate land use and development provisions within LPS 4 that support, as opposed to hinder, the ongoing viability of pastoral stations and their diversification of activities.

2.4 EMPLOYMENT PROFILE

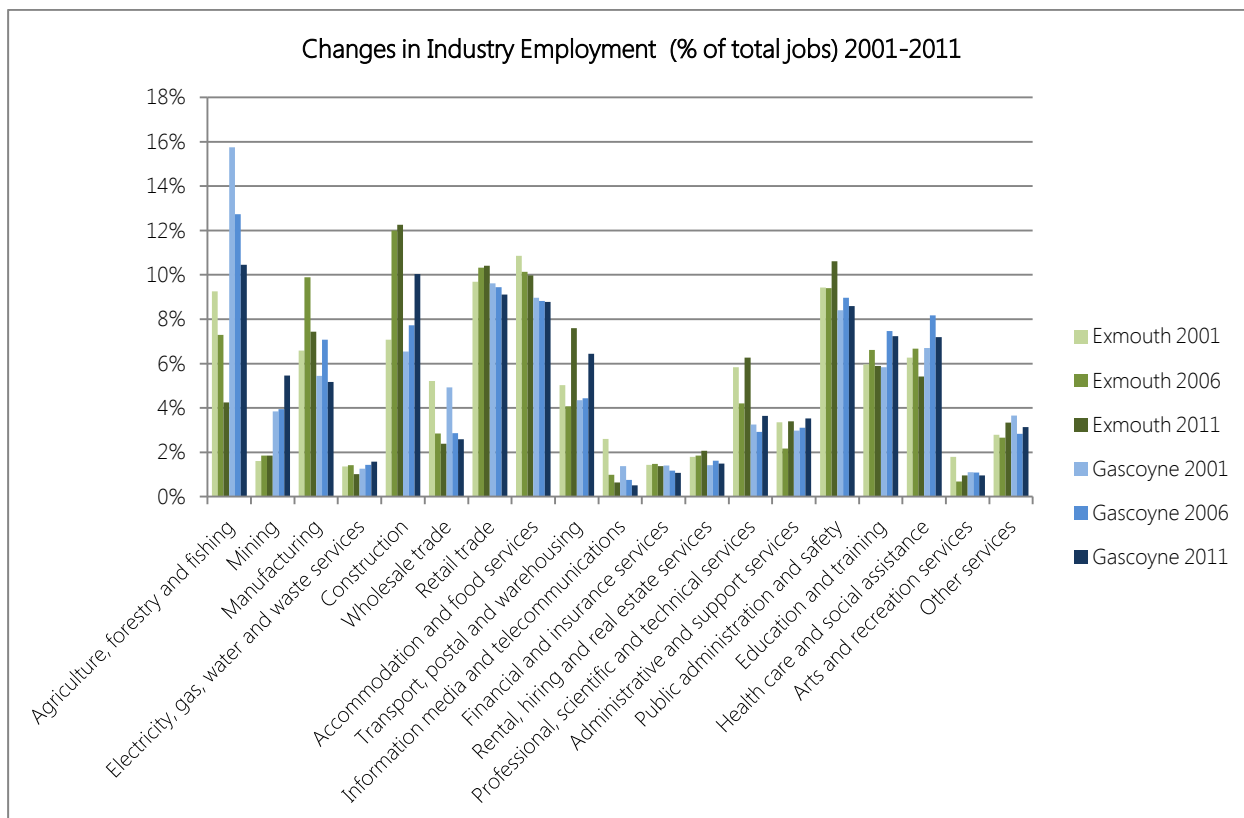
2.4.1 EMPLOYMENT

As referred to in **section 2.2.1**, 58 per cent of the population is in the local labour force. Further to **section 2.3.1**, population growth is incumbent on the strategic creation of quality jobs as well as the organic growth in population-driven jobs.

Based on the 2011 Census data (refer **Table 16** and **Graph 4**), Construction; Transport; Postal and Warehousing; Other Service; Mining; Rental; Hiring and Real Estate Services; Manufacturing; and Public Administration and Safety are growth sectors for employment. This Table identifies which industries are stable (i.e. 100%), growing (i.e. above 100%) or declining (i.e. below 100%).

TABLE 16 EMPLOYMENT GROWTH RATE OF CHANGE 2001-2011 (SOURCE: ABS 2013)

Growing Employment rate by Industry (2001-2011)	Percent	Contracting Employment rate by Industry (2001-2011)	Percent
Construction	202.63%	Health care and social assistance	100.99%
Transport, postal and warehousing	176.54%	Electricity, gas, water and waste services	86.36%
Other services	140.00%	Arts and recreation services	62.07%
Mining	134.62%	Agriculture, forestry and fishing	53.69%
Rental, hiring and real estate services	134.48%	Wholesale trade	53.57%
Manufacturing	132.08%	Information media and telecommunications	28.57%
Public administration and safety	131.58%		
Retail trade	125.64%		
Professional, scientific and technical services	125.53%		
Administrative and support services	118.52%		
Education and training	115.63%		
Financial and insurance services	113.04%		
Accommodation and food services	107.43%		



GRAPH 4 CHANGES IN INDUSTRY EMPLOYMENT (PERCENTAGE OF TOTAL JOBS 2001-2011)
(SOURCE: ABS 2012)

Retail Trade, Professional, scientific and technical services, Administrative and support services, Education and training, Financial and insurance services, and Accommodation and food services have also been growth areas for employment, but to a lesser extent.

Health care and social assistance has remained steady over the ten year period. In contrast, Electricity, Gas, Water and Waste Services, Arts and Recreation Services, Agriculture, Forestry and Fishing, Wholesale Trade and Information Media and Telecommunications have been shedding the number of persons employed within these industry sectors.

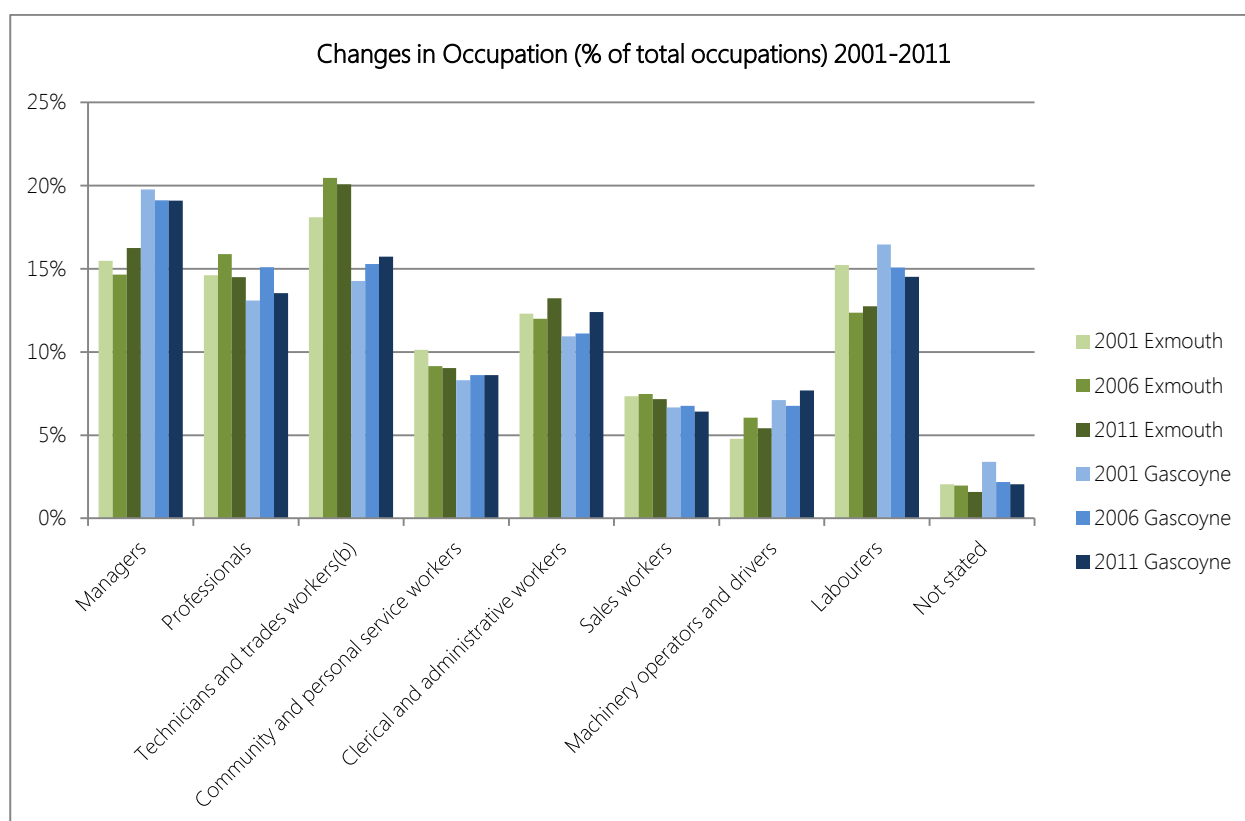
Exmouth isn't necessarily acknowledged as a mining town, compared to Newman, Karratha, Port Hedland and Onslow. It does have relationships to Mining through fly-in fly-out workers using Learmonth RAAF Base and Exmouth Aerodrome for flights between Perth and connecting helicopter transfers to offshore platforms.

2.4.2 INDUSTRY BY EMPLOYMENT SECTORS

Graph 5 outlines the changes in occupations over a ten year period from 2001 to 2011. Compared to the Gascoyne region, Exmouth has comparable numbers of persons in professional, community and personal service, clerical and administrative, and sales. Exmouth is below the Gascoyne average for managers, machinery operators and drivers, and labourers. It also has higher than average technicians and trade workers.

Exmouth follows similar patterns in changes in occupation that reflect the experiences across the Gascoyne region.

It is likely that if strategic or interventionist policies are introduced into bringing in high quality jobs to drive population growth, the changes in occupations are likely to move towards more managerial, professional, technical and trade occupations, supported with growth in other sectors.



GRAPH 5 CHANGES IN OCCUPATION (PERCENT CHANGE OF TOTAL OCCUPATIONS 2001-2011)
(SOURCE: ABS 2012)

2.4.3 PLANNING IMPLICATIONS

- Utilising the population growth forecasts and job numbers discussed in section 2.2.1, some assumptions can be made in relation to forecasted number of businesses that could generate employment growth for the town. WA Tomorrow's Bands C, and E population forecasts, (refer section 2.2.1) together with the Shire's aspirational population target of 5,000 people by 2025 have been used to extrapolate business number forecasts.
- Table 17** below demonstrates the extent of the economic development task required to generate employment (at the current rate of 0.8524 jobs per person) for a population of 5,000. The ratio of jobs is likely to be lower as the permanent population grows in relation to the tourism population, taking into account a larger ratio of permanent residents as employees versus seasonal or non-resident employees. However for extrapolation purposes the current ratio has been utilised. The small business creation task is significant, yet would not be unrealistic, if sufficient support and education is provided for the potential for home-based and micro businesses associated with diversified economic development in Exmouth. Of greater significance is the implication for larger employers (20+ to 200+) which may only be achievable if a marine support facility and associated industry was introduced into the Shire, or there is a substantial industry or business that wishes to move into the Shire.

TABLE 17 FORECAST OF BUSINESS NUMBERS (BUSINESS AS USUAL AND ASPIRATIONAL)

Staff Size	Number of Businesses (2011)	Ratio	Band C 2025	Band E 2025	Aspirational 2025
Non employing	218	55.19%	254	280	513
1-4	85	21.52%	99	109	200
5-19	70	17.72%	82	90	165
20-199	22	5.57%	26	28	52
200+	0	0.00%	0	0	0
Total	395	100.00%	460	507	929
Workforce <i>*assumption</i>	1,830		2,131*	2,349*	4,304*
Growth Assumption	100%		16.45%	28.35%	135.19%

(Source: WAPC 2012, ABS 2012)

- Trends in occupations in the Shire of Exmouth are reflective of Gascoyne averages. Strategic intervention into creation of high quality jobs, if such intervention occurs, would likely see increases in occupations such as managers, professionals, technical and trade workers as it is likely these jobs would be higher paying than other sectors.

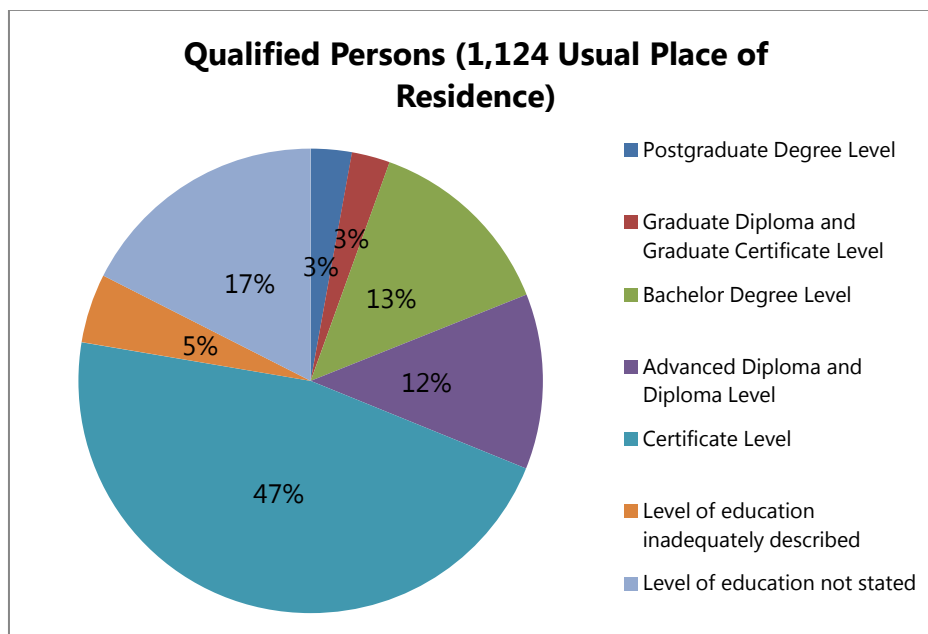
2.5 COMMUNITY SERVICES

2.5.1 EDUCATION

Education serves an economic, social and cultural role in society. Education facilities and services are of importance for supporting a growing population, to ensure that residents have access to schools, tertiary education and lifelong learning. Educational facilities and services within Exmouth include:

- Exmouth District High School – at July 2013 the school had 413 students enrolled between kindergarten and year 12 with demographic data indicating a consistent level of enrolments of school aged student in the foreseeable future. The Department of Education does not have proposals to further upgrade facilities, noting significant on-site infrastructure improvements have recently occurred. The school is currently not at its accommodation capacity and hence there is no requirement to relocate the current district high school site. The Department of Education has advised that an additional primary school site would be required in the event that an additional 1,500 lots are developed within the townsite.
- Durack Institute of Technology – the Exmouth campus offers training in Art, Marine, Business Administration, Retail, Horticulture, Teacher's Assistant, Hospitality, Tourism and Information Technology. In addition, the campus operates a Video Conferencing Facility offering two-way video and audio communication to other locations. Facilities include a student amenities area, computer classroom, and classrooms for delivery of marine and art courses.
- Childcare – child care services in Exmouth include Exmouth Play Group and Bernice McLeod Childcare Centre. A toy library is provided for hiring of new and used toys.
- Ningaloo Centre – the proposed multi-purpose community facility is designed for scientific research and a central location for education and community engagement.

In regard to the census data, that takes into account only persons aged over 15 years and that have a qualification (refer **Graph 6**), approximately 45 percent of the population (1,124 persons counted in the Census) has a tertiary qualification.



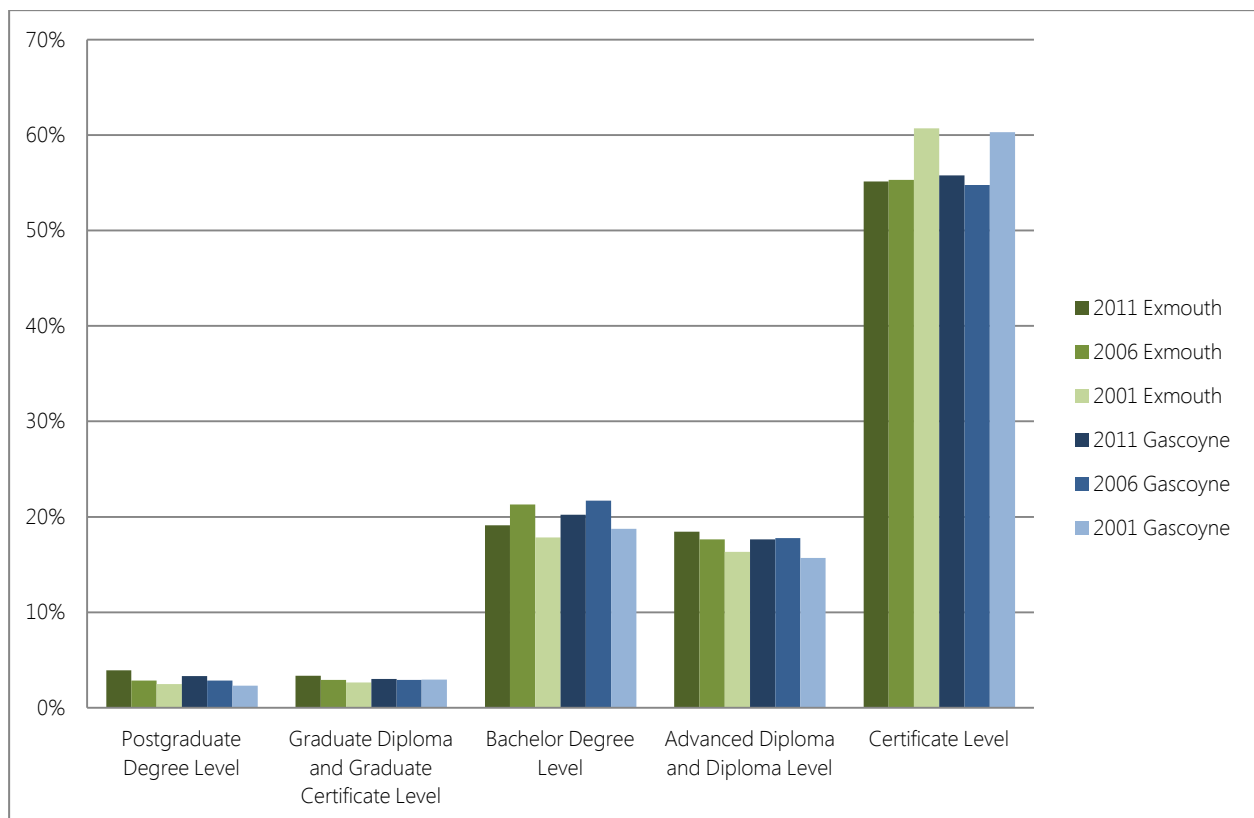
GRAPH 6 NUMBER OF QUALIFIED PERSONS (AGED OVER 15 YEARS WITH A QUALIFICATION)
(SOURCE: ABS 2012)

TABLE 18 TRENDS IN CHANGES OF QUALIFICATIONS (2001-2011 CENSUS)

Qualification	2011 Census	% Change	2006 Census	% Change	2001 Census
Postgraduate Degree Level	3.9%	1.0%	2.9%	0.4%	2.5%
Graduate Diploma and Graduate Certificate Level	3.4%	0.5%	2.9%	0.3%	2.6%
Bachelor Degree Level	19.1%	-2.2%	21.3%	3.4%	17.9%
Advanced Diploma and Diploma Level	18.4%	0.8%	17.6%	1.3%	16.3%
Certificate Level	55.1%	-0.2%	55.3%	-5.4%	60.7%
	100%		100%		100%

(Source: ABS 2012)

The nature of employment within Exmouth has a relationship with the types of qualifications obtained by people, with Certificates and Diplomas being the predominant form of qualification amongst persons in the workforce. The census data also indicates that tertiary qualifications are comparable between Exmouth and the Gascoyne Region (refer **Graph 7** below). Minimal change in the ratios of qualifications being obtained (refer **Table 18** and **Graph 7**), noting a slight drop between 2001 and 2006 in Certificate level qualifications.



GRAPH 7 TERTIARY QUALIFICATIONS 2001-2011 (SOURCE: ABS 2012)

This growth in qualifications in the community may either be due to migration of qualified people into Exmouth, or the acquiring of tertiary qualifications by the permanent population. It is evident that jobs in the predominant employment sectors represented in Exmouth would only require or benefit from such qualifications.

2.5.2 HEALTH

The Department of Health indicates that there are two facilities providing services within the Shire of Exmouth:

- Exmouth Multipurpose Service (District Hospital), Lyons Street – dental, emergency, home and community care, medical, general, nursing, outpatients, pathology, radiology, triage, wound management.
- Exmouth Community Health Service, Payne Street – child development, child health, community health, community nursing, diabetes management and education, health promotion, nursing education, positive parenting program, primary health, school health, women’s health.

A pharmacist, physiotherapist, chiropractor, and a variety of massage and beauty therapists are available within the Exmouth townsite. When required, the Royal Flying Doctor Service can access the Shire area for transporting patients to Perth.

The District Hospital is located on a land parcel of 3.9495 hectares bounded by Lyon and Fyfe Streets adjacent to the town centre. This land area is considered adequate for future expansion of the facility over time. The community health centre currently located on Payne Street will be relocated to the district hospital once current upgrades are completed.

2.5.3 RECREATION AND COMMUNITY FACILITIES

From a lifestyle perspective, Exmouth presents a diverse range of recreational opportunities for residents and visitors. The landscape is conducive towards camping, hiking and related activities, which generally are focussed within the Cape Range National Park. Camping as a tourism component is discussed further within **sections 2.3.3** and **section 6**.

Water-based recreation is also popular with swimming, snorkelling, fishing and boating as common activities. The popularity of recreational boating is reflected in the number of people on a waiting list for registrations of interest for boat pens in the Exmouth Boat Harbour.

Within the Exmouth Townsite, facilities for indoor and outdoor passive and active recreation are provided for amenity and enjoyment. The **Public Domain Strategic Plan** illustrates the extent of recreational land and community facilities that are available, predominately within the Exmouth Townsite. The Townsite incorporates the majority of recreation and community facilities as listed below:

- | | |
|--|--|
| • Federation Park | • Rifle Range |
| • Barbecue areas – Town Beach and Federation Park | • Squash Courts |
| • Boat Ramps – Exmouth Boat Harbour, Bundegi Beach, Tantabiddi Boat Ramp | • Tennis Courts |
| • Cricket Nets | • Yacht Club |
| • Undercover Hard Court facility | • Talanjee, Koobooroo and Niblett Ovals |
| • Bowling greens | • Recreation Centre |
| • Community Club rooms | • Shire Hall |
| • Exmouth Game Fishing Club facility | • Paltridge Memorial Swimming Pool (50m) with separate toddlers pool |
| • Go Kart Track | • Skate Park |
| • 18-hole Exmouth Golf Club | • Parks with playgrounds throughout the town |
| • Motorcross Track | • Walk and bike trails that circumnavigate the town |

Based on feedback from the Community Workshops and the Shire, there is also the intention to investigate opportunities for a horse racing facility to be located at Reserve 29066 (currently reserved for the purposes of drainage and recreation). Investigations are ongoing.



The Shire of Exmouth has secured funding through Royalties for Regions to deliver a premier community, tourism and research facility - *the Ningaloo Centre*. The multi-purpose facility will emerge as an iconic entry statement to the town adjacent to Niblett Oval on the corner of Murat Road and Truscott Crescent. The site comprises approximately 2.7 hectares with a building area of approximately 4,700m². The Ningaloo Centre is to comprise four core components – community, visitors, research/education and galleries/exhibitions space for education, research, art galleries and exhibitions. The centre will provide ongoing training and employment opportunities for Exmouth and the Gascoyne region, and state-of-the-art interpretative displays for local, domestic and international visitors.

The Shire of Exmouth has also developed a programme for the relocation, rationalisation and subsequent redevelopment of community and government services within the Exmouth Townsite, as illustrated in **Figure 10**. Whilst this programme will take a period of time to effectively budget for works, there is support for the logical progression of community facilities to be vacated, upgraded as required and/or relocated. The relocation of town centre land uses such as the WA Police, St John's Ambulance and Department of Fire and Emergency Services will enable the re-distribution of land uses to occur in line with plans to revitalise the town centre (refer Hassell 2012)

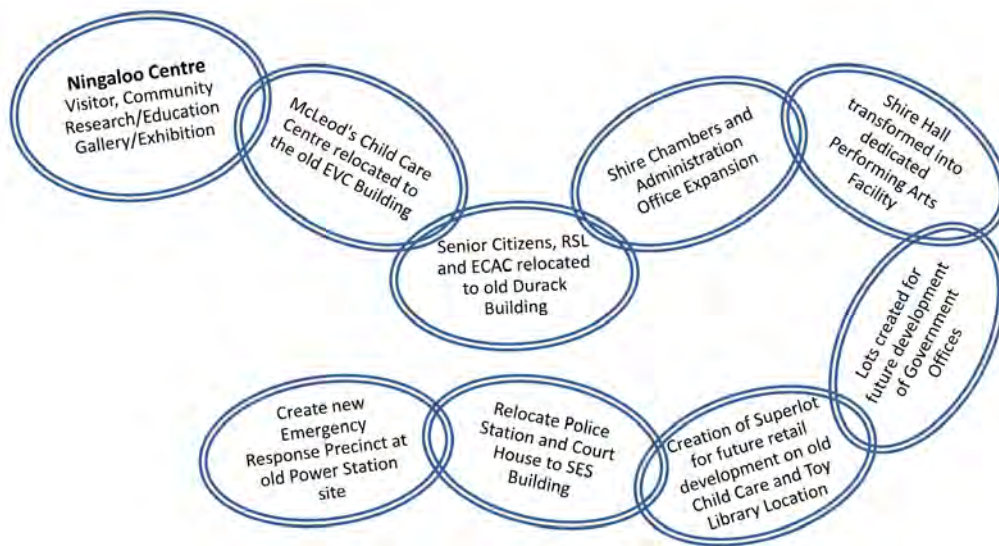


FIGURE 10 PROPOSED RATIONALISATION OF COMMUNITY AND SHIRE FACILITIES
(SOURCE: SHIRE OF EXMOUTH 2013)

The site of the previous power station on Nimitz Street has been identified as a potential Emergency Response Precinct facilitating the relocation of emergency services from the town centre. In turn, the potential relocation of the Police Station and Court House to the existing SES site would facilitate the freeing up additional landholdings for future retail, community and government offices.

2.5.3.1 PUBLIC OPEN SPACE

An audit of existing public open space has been undertaken for the existing reserves within the Exmouth Townsite to support the LPS land use recommendations.

The audit indicates that, currently, in excess of the WAPC's 10% public open space requirement is set aside for public open space. In addition, the coastal foreshore along the Exmouth Gulf serves a recreation function specifically Town Beach, walking trails within the dunes and Surf Club and Sailing Club activities.

In accordance with DC Policy 2.3 *Public Open Space in Residential Areas*, the audit has excluded foreshore reserves in calculating the 10 percent gross subdivisible area to be contributed as POS. The inclusion of 'activated' foreshore reserves may be supported by the Western Australian Planning Commission in calculating POS, where because of inconsistencies in *Liveable Neighbourhoods* and DC Policy 2.3. Section 154 of the *Planning and Development Act 2005*, however, provides scope for the Minister regarding cash-in-lieu expenditure on "recreation grounds or open spaces generally of any land in that locality".

2.5.3.2 PLACES OF WORSHIP

A number of places of worship are located within the Exmouth Townsite, including:

- Exmouth Christian Fellowship Church – 30 Payne Street;
- St John's Catholic Church – 15 Kennedy Street; and
- Exmouth Anglican Community Church – 8 Pelias Street; and
- Uniting Church of Australia Exmouth Congregation – corner Maidstone Crescent and Learmonth Street.

A place of worship is a defined land use, which will be permitted subject to planning approval within various zones within the scheme including the Residential zone.

2.5.3.3 CEMETERY

The Exmouth cemetery is located at 40 Warne Street, south-east of the town centre adjacent to the Exmouth Marina Village. The cemetery is 1.0854 hectares in area and is assessed to be adequate for the time period of the LPS.

2.5.3.4 EMERGENCY SERVICES

Emergency service providers within the Shire include:

- Exmouth Police Station – Maidstone Crescent;
- St John Ambulance Sub Centre – Maidstone Crescent;
- State Emergency Services – Payne Street;
- Exmouth Volunteer Marine Rescue Group; and
- Exmouth Volunteer Bushfire Brigade – Maidstone Crescent.

As per **section 2.5.3** and **Figure 10** the emergency services within the Exmouth town centre have been identified by the Shire for ultimate relocation consistent with rationalisation of community and Shire facilities. The size of the previous power station on Nimitz Street has been recognised as an appropriate location to enable a more efficient facility to operate on what will be a purpose-built site.

2.5.4 PLANNING IMPLICATIONS

- The demographic data available indicates a consistent level in enrolments of school aged students in the foreseeable future. The Department of Education indicate the provision of education facilities within the Townsite are considered to be adequate.
- Future population growth in particular could warrant one (or more) additional schools, with Department of Education advising that one primary school caters for a catchment of an additional 1,500 lots.
- The Durack Institute of Technology Campus in Exmouth is proposed to be relocated from Maidstone Crescent premises to the Ningaloo Centre, with future growth of education and research facilities expected to be in within this locality.
- Given the remote nature of Exmouth, increased accessibility to education lies in both the delivery of educational facilities as well as digital accessibility to education resources. Online learning is emerging with services already available through Durack Institute of Technology and the advent delivery of the National Broadband Network.
- Health services are provided within the District Hospital, Community Health Service at Payne Street, and private practitioners within the townsite. Accommodation for workers in health services may need to be investigated as population growth in Exmouth requires an increase in health worker numbers.
- Future expansion of facilities on the existing hospital site may need to accommodate a nursing home, hospice and related aged care facilities.
- Places of worship within Exmouth will be considered as land uses within relevant zoning in the Scheme.
- The Shire's planning for the provision of community facilities includes the rationalisation of existing facilities and assets, following the development of the Ningaloo Centre.
- As new residential development unfolds, additional public open space reserves will be ceded to the Crown for management by the Shire of Exmouth. The cost of managing these new spaces rests with the Shire and will need to be factored into operational budgets.
- As development occurs, public open space will be ceded in accordance with current legislation and State policy. In turn, the Shire has the opportunity for spending cash-in-lieu contributions on upgrading recreational areas in the immediate locality. The Shire will accept cash-in-lieu contributions for shortfalls in open space, as open space provision within the townsite is in excess of the 10% WAPC requirement.

2.6 INFRASTRUCTURE AND BUFFERS

2.6.1 WATER SUPPLY

Water availability is one of the key considerations influencing the extent of appropriate land use activity within the region. Exmouth's water supply comes from the Cape Range Group superficial aquifer. Recharge is by direct infiltration of rainfall events, and indirectly through the beds of ephemeral streams that also come about through rainfall events. All developments outside the main townsite have their own bore water supplies and the quality of the town water supply varies.

The Shire of Exmouth's ground water supply is secured through a Priority 1 Water Protection Reserve (proclaimed in 2002 under the *Country Areas Water Supply Act 1947*) and Borehead Protection zones (500m) around the borefield. The Water Protection Reserve consists of 34 bores and is located immediately west of the Exmouth Townsite. It is approximately 10km wide and extends approximately 15km to the south of the Townsite. Water is provided by bores with the volume extracted from each bore configured to maintain water balance between the freshwater and saline water lenses. Strict limitations on land use apply in areas defined and managed as P1 Water Protection Reserves to ensure there is no degradation of the quality of the drinking water source, using the principle of risk avoidance. Land development is generally not permitted.

The Department of Water is responsible for the allocation of water licenses and the Water Corporation is the largest licensee of groundwater allocated from the superficial aquifers in the Cape Range. The Department of Water reviewed the *Exmouth Water Reserve Water Source Protection Plan* in 2011. No changes were made to the water reserve boundary as part of the review. The review found that the existing reserve adequately reflected the recharged area and management objectives for drinking water source protection. It also identified specific land uses that have the potential to contaminate drinking water sources (i.e. livestock grazing, limestone mining, unauthorised use of unsealed tracks and activities associated with exploration/production connected with geothermal/petroleum leases).

Licensing of all wells in the Cape Range is required. In terms of water availability, the Exmouth West sub area is set at the current level of use and no further licenses should be issued. Exmouth Town and North are over-allocated and similarly, no further licences should be issued. Exmouth Central and South have groundwater available for allocation, with new applications to be considered on local availability.

2.6.2 POWER SUPPLY

Power is generated within the Shire of Exmouth via the operation of a gas-fired power station situated on Lot 1467 Welch Street, centrally located within the Exmouth Townsite. The generation of power for distribution by Horizon Power is subject to a power purchase agreement executed in November 2005 between Exmouth Power Station Pty Ltd (ExPS) and Western Power (now Horizon Power). The agreement expires in November 2024.

Since the power station became operational in 2007, there have been ongoing discussions between the Shire and ExPS overtime and corresponding noise assessment undertaken to ensure the noise footprint of the power station is minimised and compliant with the *Environmental Protection (Noise) Regulations 1997* and *Draft SPP 4.1 – State Industrial Buffer (Amended)*. Six noise assessments have been undertaken over a ten year period with the latest assessment being conducted in December 2012. The requirement to undertake noise assessments was a condition of the original development approval and has been necessary given the close proximity of a number of existing approved sensitive land uses, in addition to the land to the north and south-east being zoned under the provisions of the Shire of Exmouth Town Planning Scheme No 3 for residential development since the gazettal of the Scheme in 1999.

ExPS currently has approval for the operation of 8 engines. The latest noise assessment (2012) was undertaken by Lloyd George Acoustics for ExPS following noise attenuation measures being implemented by the ExPS to achieve a reduction in noise levels as far as practical (installation of 8 exhaust mufflers). This assessment identified a reduction in the noise footprint in comparison to previous assessments, and provided an updated compliance contour for the existing operating conditions of the power station (Day time – 8 engines; Night time – 4 engines) with a peak load of just below 6,500kW occurring for short durations in the late afternoon. The 2012 noise assessment also mapped a compliance contour assuming a full operating capacity of 13,000kW (Day time – 15 engines; Night time – 6 engines). Horizon Power, however, has since provided advice to the Shire that based on current power generation forecasts, the power station is unlikely to operate at a load of 13,000kW before the expiry of the power station agreement, with a full capacity operating load of 10,000kW being a more accurate figure upon which to define a land-use buffer.

To date, a noise assessment has not been undertaken to reflect the impact of the power station operating at 10,000kW. Adopting *Draft SPP 4.1 (section 5.3)* as guidance, in the absence of modelling and technical analysis to identify the impact of the power station operating at full capacity, the ability for the Local Planning Strategy to accurately map a land use buffer representative of an accurate worst case scenario is limited. In the interim, proposals will be individually assessed, and the LPS will identify a land use buffer based on the existing operating conditions permitted by the existing approval i.e. 8 engines (Refer **Exmouth Townsite Spatial Plan – Sheet 3**). The planning process and requirements for technical analysis to support land use proposals adjacent to the power station are further discussed in **section 13.1**.

2.6.3 WASTE WATER TREATMENT PLANT

The Exmouth Waste Water Treatment Plant (WWTP) is located within Crown Lot 368 Willersdorf Road and is currently reserved for public purposes in the Shire of Exmouth Town Planning Scheme No. 3. The Exmouth WWTP has been previously identified within the Exmouth Townsite Structure Plan as requiring a 500m odour buffer, measured from the outer boundary of the facility. There are existing and proposed sensitive land uses located within the 500m buffer and it is understood that under certain weather/climatic conditions odour issues are experienced and occasionally during the use of recycled water on the town's irrigated ovals. The following **Table 19** and **Figure 11** identify the properties within the 500m buffer.

TABLE 19 PROPERTIES IDENTIFIED WITHIN 500M WWTP BUFFER

Property Address	Land Use	Property Address	Land Use
Lot 368 Willersdorf Road	Exmouth Waste Water Treatment Plant (to be decommissioned) Future Pump Station	Various Nimitz Pelias, Pellew and Maley Streets (Mixed Use Zone)	Service Industry /Residential Composite Development Government Office,
Lot 1431 Willersdorf Road Reserve 50807	Exmouth Golf Club (fairways and greens) Future Ningaloo Centre	Lot 8 Murat Road	Vacant
Lot 1432 Willersdorf Road	Exmouth Visitor Centre	Lot 77 Murat Road	Service Station
Lot 1419 Willersdorf Road Reserve 50807	Recreation Playing Fields and Vacant	Lot 829 Murat Road	Tavern
Lot 1407 Willersdorf Road	Vacant	Lot 30 Pelias Street	Place of Worship
Lot 1112 Nimitz Street	Ningaloo Caravan & Holiday Resort	Lot 37 Pelias Street	Private Recreation
Lot 1 Truscott Crescent	Exmouth Cape Holiday Park	Lot 36 Murat Road	Private Recreation
Lot 1455 Truscott Crescent Reserve 29066	Future recreation (potentially racecourse)	Lot 33 Pellew Street	Commercial
Lot 1404 and Lot 1403, Truscott Crescent	Future tourism (proposed caravan park)	Lot 832 Nimitz Street	Vacant

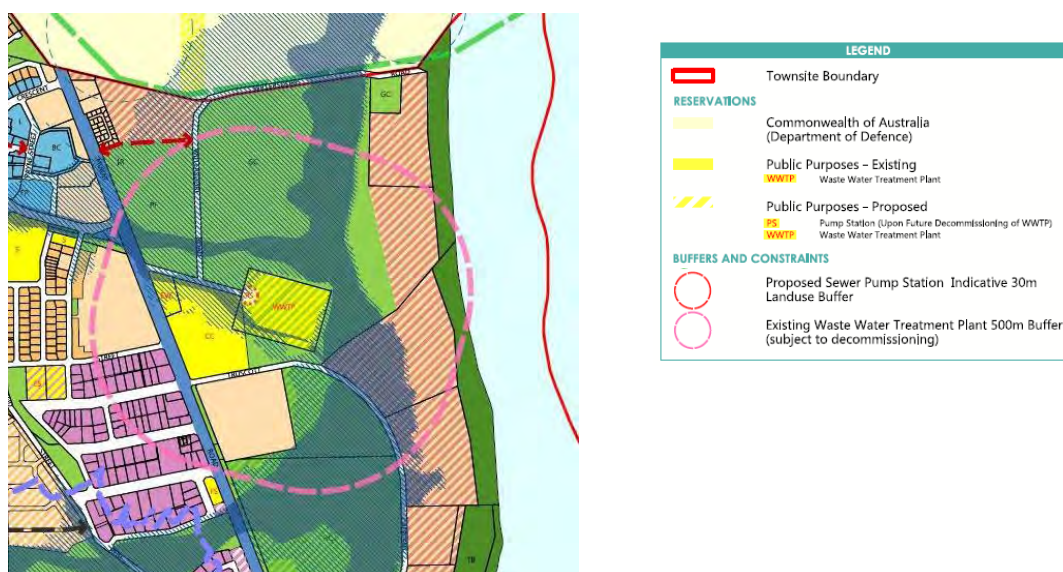


FIGURE 11 EXISTING WASTE WATER TREATMENT PLANT 500M BUFFER (SUBJECT TO DECOMMISSIONING)

The Water Corporation has previously advised that the existing WWTP has short-medium term capacity for population growth, subject to the Shire of Exmouth's re-use system being operated at a high level of performance. However, with consideration to improving the amenity of surrounding land uses, negotiations are currently taking place with the Department of Defence to enable the facility to be relocated on Commonwealth Land immediately to the north of the Townsite. The proposed relocation of the waste water treatment plant was first recommended by the *Exmouth Structure Plan* (2004) with a preferred site being reinforced by the *Exmouth Townsite Structure Plan* (2011). Water Corporation has proceeded to undertake detailed site assessment to confirm the suitability of a 40.8ha site located within 'Area B' of the Naval Communications Station Harold E Holt, including archaeological and ethnological reporting, geotechnical assessment and odour modelling. The modelled buffer impacts upon 'Area B' and a small portion of the Exmouth Gulf foredune but otherwise does not impact on landholdings within the Exmouth Townsite. The preferred site supported by site analysis has formed the basis on continuing negotiations with the Department of Defence in advance of funds being committed for the infrastructure design phase. The Water Corporation's current budgetary programme makes provision for the relocation of infrastructure before the year 2016-18.

It is understood that, notwithstanding the relocation of the WWTP, a pump station will be established within portion of the existing reserve. Water Corporation proposes to commission a Pump Station at Lot 368 Willersdorf Road, which indicatively will pump 180 litres per second to the relocated WWTP. Water Corporation has confirmed a Pump Station with a rate of 180 litres per second would require a 30 metre buffer, measured from the centreline of the facility, which in this instance could be contained within the Pump Station's proposed lot dimensions. The Pump Station site is subject to detailed design by Water Corporation and its ultimate location will be confirmed.

It is necessary for the Department of Defence and Water Corporation to finalise negotiations regarding the relocation of the Exmouth WWTP, in order to proceed with its ultimate construction of new WWTP infrastructure and decommissioning of existing WWTP infrastructure.

The licensing of the new infrastructure will require the Water Corporation to ensure disposal of waste water takes place in a sustainable manner with it being feasible that a high proportion of treated output from the facility will have the potential to be recycled by the Shire of Exmouth in line with current practice.

2.6.4 WASTE LANDFILL SITE

The existing landfill site is located at Lot 219 Minilya-Exmouth Road on Crown Reserve 43252 north of the Exmouth Aerodrome and south-west of the Ingram Street industrial area. The *Exmouth South Structure Plan* (2013) identified that the site had potential land use issues including the risks of aircraft bird strikes given that the facility is generally within the flight path of the aerodrome, visual impacts evident by the air when arriving to Exmouth as a tourist town, and potential environmental impacts on subterranean waterways that underlay the site. Whilst the landfill site is not at capacity and meets the rubbish disposal needs of the Exmouth Townsite within the life of the LPS, the facility may need to be relocated in the longer term.

2.6.5 TELECOMMUNICATIONS

Broadcast Australia owns and operates the critical communications infrastructure at the sites known as North West Cape (6021) & Exmouth MF (6022). The sites provide the greater Exmouth area with radio and television services.

Broadcast Australia maintain and upgrade the sites to ensure the greater Exmouth area benefits from the latest technology and are likely to be operational over a long term timeframe.

For site Exmouth MF (6022) within the Exmouth Townsite located on Lot 869 Murat Road, Broadcast Australia imposes a buffer of 150m from the mast for any additional structures greater than 25m in height as this can affect the radiation pattern of the services. For site North West Cape (6021) the existing site boundary/fence is sufficient. If there are any developments adjacent to the fence boundary, the height of the developments would need to be further investigated with regard to potential coverage impacts.

The LPS identifies a possible longer term conflict with the location of the Broadcast Australia site on Murat Road given future proposals for future residential development and the desire for an improved land use interface with Murat Road.

It is recognised that there is incomplete telecommunications coverage along the West Coast. This has been identified as an issue that has implications for tourism and the community. It is anticipated that over time, additional telecommunications infrastructure would be required to provide more continuous coverage. Given the high value placed on the physical landscape, careful consideration of sites for telecommunications infrastructure will be important in order to minimise disruption of view-sheds and amenity for tourists.

2.6.6 PLANNING IMPLICATIONS

- Consultation with the Department of Water and Water Corporation will be necessary to ensure an adequate water supply is provided that anticipates population growth. Monitoring of the population growth of Exmouth will be important to predict and provide sufficient water availability for industry, domestic and civil use.
- The modelled buffer of the existing power station, for the interim, places constraints and limitations on the otherwise logical, southerly progression of development of the Townsite. In the absence of revised noise assessment reporting that accurately models the power station operating at full capacity (10,000kW), subdivision and development within close proximity to the power station will need to be assessed on a case by case basis.
- Best practice for management of the Power Station may lead to a reduced buffer, however the costs of ongoing improvements to the Power Station may be prohibitive towards providing an affordable supply of power to the townsite.

- The *Exmouth South Structure Plan* (2013) and the LPS supports the relocation of the existing power station upon the expiration of its lease. The *Exmouth South Structure Plan* identified a site north of the Exmouth Landfill Site as a possible relocation site, however further economic and environmental investigations are required. Appropriate amenity and safety buffers would need to be maintained in considering any location for the new power station as well as essential service infrastructure. It is understood that Exmouth Power Station Pty Ltd does not have intentions to relocate. The Shire does not intend to grant planning approvals for further works at the site.
- It is also understood that Broadcast Australia does not intend to relocate its telecommunications infrastructure from 183 Murat Road, however the longer term relocation of the Broadcast Australia site should be investigated. The site currently occupies a significant portion of Murat Road frontage on land strategically earmarked for future residential development. The Shire does not intend to grant planning approvals for non-low impact telecommunications infrastructure works at the site.
- Further investigate opportunities for improvements to telecommunications coverage along the West Coast.
- The strategic relocation of the Exmouth WWTP will ensure that the proposed Ningaloo Centre, existing and proposed tourism sites within proximity to the town centre are unimpeded by odour buffers, noting that agreements to facilitate the planned relocation between the Department of Defence and Water Corporation are yet to be finalised. The LPS and zoning under LPS 4 will not provide any procedural impediment to the future relocation of the facility.
- The landfill facility is considered to be adequate for the duration of this Local Planning Strategy; however, in the longer term it may need to be relocated.

2.7 MOVEMENT NETWORK

2.7.1 ROADS

MINILYA-EXMOUTH ROAD

Minilya-Exmouth Road is the responsibility of Main Roads WA, and is identified as part of the State Freight Network. Concerns surround the road width and the limited overtaking opportunities particularly given the 110km/h speed limit and shared use by passenger and freight traffic. In addition the road is susceptible to be closed or made temporarily impassable during flood events. Main Roads WA has identified opportunities to improve the Minilya-Exmouth Road with additional overtaking lanes.

BURKETT ROAD

Burkett Road is the responsibility of Main Roads WA. Burkett Road is not as significant for freight or passenger vehicle traffic as Minilya-Exmouth Road. However, it provides an east-west connection between the North West Coastal Highway (MRWA road) and Minilya-Exmouth Road. Bullara Station, Giralia Station, associated tourism locations and an Aquaculture site are accessible from Burkett Road.

MURAT ROAD

Murat Road is the responsibility of the Shire of Exmouth. Murat Road currently is the only north-south road within the Exmouth Townsite, and by virtue of the road network is most prone to traffic as the population grows and exacerbated during the tourism season. Murat Road is identified for enhancement, particularly at intersections to Maidstone Crescent and Truscott Avenue, with T-intersection treatments complemented with signage, landscape and street tree planting.

North of the Townsite, in two discrete sections, Murat Road is constructed on freehold lots (43 and 44, Areas A and B of Naval Communications Station Harold E. Holt) with no other tenure or legal description. Notwithstanding that the road is constructed on freehold land (Lots 43 and 44), is maintained by the Shire of Exmouth and acts as a public thoroughfare, the Commonwealth Government is legally responsible for the road.

During heavy rain events, water collects to the east of Murat Road and within the Townsite in particular, the coastal dunes prevent water from draining into the ocean. Improvements to bunds and creeklines have been investigated to mitigate flooding affecting road accessibility to the Townsite.

YARDIE CREEK ROAD

Yardie Creek Road is gazetted from the western boundary of Site A of Naval Communications Station Harold E. Holt, around Vlamingh Head to the western coast and in a south south-westerly direction to Yardie Creek. The road is constructed to the mouth of Yardie Creek and the Indian Ocean. Further south the road is unsealed to Ningaloo Station.

Yardie Creek Road continues from the western boundary, eastwards through Site A of Naval Communications Station Harold E. Holt, which potentially creates a public risk due to the electromagnetic radiation emitted by the towers which could interfere with hearing aids, pacemakers and radios. The Yardie Creek Road continues through to the Cape Range National Park. Yardie Creek Road is managed by the Shire in the National Park. The strategy recommends that the portion of Yardie Creek road located in the National park be the responsibility of DPaW. Over a longer period of time, a route avoiding encroachment into Commonwealth land may be more appropriate from a public safety perspective as well as minimising potential land use conflict with Defence operations. To address the issue of Yardie Creek road being part located in Defence land the strategy recommends that the Shire work on obtaining the road which could be achieved via a land exchange.

Yardie Creek Road is affected by limited and inconsistent telecommunications coverage along the west coast. Measures to improve telecommunications are required for increasing convenience and public safety.

2.7.2 AIR TRAVEL

LEARMONTH RAAF BASE AND AIRPORT

Learmonth RAAF Base is located approximately 40km south of Exmouth townsite on Commonwealth land and is the first point of arrival for many visitors to the Shire of Exmouth. Aviation is a significant economic driver for the Shire from the perspective of tourism and business sectors, in addition to servicing the local community for medical, leisure and other purposes. During 2002-2012 the number of flights has grown on average 9.3 percent with passenger numbers growing 19 percent for the same time period. The number of passenger movements in 2012 was 92,404 and in 2013 was 91,743 (BITRE 2013), with similar passenger movements being predicted for 2014. The Learmonth Domestic Airport and Heliport Facility is currently a significant transfer hub for FIFO workers to the oil and gas fields with an estimated 30,000 transfers occurring at the Heliport annually.

Learmonth is strategically important to the RAAF and Australian Government from a defence perspective and can become fully operational within 24 hours. The Shire has lease arrangements through to 2033 for the civilian terminal; however the airport can be declared a 'Military In-Use' area, leading to periods where civilian flights may be limited or restricted. Potentially the airport can also be declared a 'Military Active' airport with civil aircraft being completely excluded for periods of time. The *Exmouth South Structure Plan* (ESSP, 2013) identifies the need for the Exmouth Aerodrome to be suitably equipped for increased civil aircraft operations.

A Masterplan (Forte Airport Management 2014) has been adopted for the Learmonth RAAF Base which covers the Shire's civil lease area. The Masterplan identifies the proposed development within the 23.8 ha lease area, including a future lease expansion of 5.15 ha to the south of the existing lease boundary. The Masterplan documents proposed development including future apron development, hangars, long term car park, public car park and airport storage north of existing buildings. Proposed development including an expansion to the helicopter apron reserve, hangar reserve, new road and airport storage is proposed south of the existing buildings.

Building and structure height limits apply under the *Defence [Areas Control] Regulations 1989*. The ESSP identifies an indicative aircraft noise buffer for the Learmonth Airport, noting that existing Australian Noise Exposure Forecasts (ANEF) mapped for Learmonth are outdated. The buffer Identified by the ESSP will be adopted by the LPS and is viewed as an interim measure to avoid the encroachment of noise sensitive uses pending the preparation of ANEF mapping. The LPS has adopted the indicative noise buffer to guide future land use planning and will be identified as a Special Control Area.

EXMOUTH AERODROME

The Exmouth Aerodrome is located 15km south of Exmouth Townsite on Crown Lot 73 vested in the Shire of Exmouth for aerodrome purposes. The aerodrome is operated by the Shire with leases in place enabling the operation of five light aircraft/helicopter operators for pleasure and the transfer of FIFO workers to the oil and gas fields. To ensure the demand of general aviation activity within the Shire is catered for in the future, the Shire is undertaking the preparation of the Exmouth Aerodrome Master Plan. The Master Plan will provide strategic direction for the future allocation of lease areas to charters and other operators and will inform the upgrading of the runway catering for night operations. Such strategic planning is vital particularly given the constraints imposed by the Department of Defence on the ongoing operation of general aviation from Learmonth Airport. The relocation of all civil aviation activities from Learmonth RAAF Base to Exmouth Aerodrome is not envisaged, provided the Shire's lease is continued beyond the lease term of 2033.

The *Exmouth South Structure Plan* (2013) identifies an indicative aircraft noise buffer for the aerodrome. The buffer is viewed as an interim measure to avoid the encroachment of noise sensitive uses pending the preparation of ANEF mapping and more detailed planning of run-way extensions. The LPS has adopted the indicative noise buffer to guide future land use planning and will be identified as a Special Control Area.

A Masterplan and Design Guidelines have been prepared for the Exmouth Aerodrome by the Shire of Exmouth. The masterplan aims to ensure the Aerodrome is developed for operation of private, recreational and commercial aircraft or helicopter activities, and associated functions. The Aerodrome is separated into four precincts: general aviation, helicopter, large commercial and future aviation. The ongoing development and use within the Aerodrome will be subject to special use provisions for inclusion in LPS 4.

2.7.3 PEDESTRIAN AND CYCLING

Movement within Exmouth Townsite is dominated by the car as there is no public transport and a majority of residents choose to drive rather than walk or cycle due the climate. In the cooler months however, walking and cycling is a realistic option. The Shire of Exmouth has supported, through the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012), to develop the existing pedestrian and cycle network to fully connect the town centre with the foreshore with the introduction of signage, wayfinding elements, low impact efficient night lighting, shade trees and shelter at key nodes along the movement system and general pathway maintenance. Within the town centre secure bike parking , new public toilets with shower and changeroom facilities, and bike hire facilities are planned to be introduced.

2.7.4 MARITIME

Exmouth Boat Harbour opened in September 1997 and is managed by the Department of Transport. The harbour is currently at capacity. According to the Department of Transport the Exmouth Boat Harbour contains 42 boat pens, eight moorings, jetties, two boat ramps, fish cleaning facilities and a service wharf. Facilities for the public include a fishing platform, toilets, showers and car park. There is demand for additional commercial and recreational berths, and Exmouth also has cruise ships infrequently visit which require tenders from ships to use wharfs within the Exmouth Boat Harbour. There is potential demand for oil and gas offshore support.

Upgrades to the Exmouth Boat Harbour have resulted in the release of new pens and an upgraded Wharf, with Stage 2 expansion and upgrades in a planning phase. The Department of Transport may in future determine whether future upgrades to the Exmouth Boat Harbour will be contemplated. The Gascoyne Development Commission (GDC), Regional Development Council, Department of Transport, Shire of Exmouth, Exmouth Chamber of Commerce and Industry and local operators work closely to develop an expansion plan to cater for current demands and anticipated growth. The GDC anticipates 130 jobs can be created through expansions to the Exmouth Boat Harbour. The Department of Transport has been working with various parties to draft a master plan for the future development of the boating facilities in Exmouth.

There are currently no guidance for use and development within the boat harbour. The Shire and Department of Transport are working towards preparing detailed design guidelines to assist in the assessment of future activity.

Tantabiddi Boat Ramp is contained within the Jurabi Coastal Park, which is jointly managed by the Shire of Exmouth and the Department of Parks and Wildlife for recreation and coastal management.

Bundegi Boat Ramp is contained within Site A of the Naval Communications Station Harold E. Holt. The land is owned by the Commonwealth Government. The Shire of Exmouth and Department of Parks and Wildlife manage the boat ramp.

2.7.5 PLANNING IMPLICATIONS

- It is important to retain road linkages and accessibility between Learmonth and Exmouth, during all climate conditions, to ensure suitable emergency access throughout the Shire is maintained.
- The anomalies regarding the status of Murat Road and Yardie Creek Road, where they are built on freehold land owned by the Commonwealth, should be further discussed and investigated with the Department of Lands to determine future tenure and gazettal of the roads.
- The gazetted road reserve for Yardie Creek Road should be investigated for re-survey in order to follow the physically constructed road.
- The Exmouth Aerodrome has capacity and land availability for an additional runway. Masterplanning is being undertaken by the Shire to improve the efficient use of land of the Aerodrome. Work is underway to upgrade the Aerodrome with relevant infrastructure for its registration under CASA.
- Learmonth RAAF Base is a military air force also used for civil aviation. During 'Military In-Use' and 'Military Active' periods, civilian flights to Learmonth RAAF Base can be restricted or excluded. Exmouth Aerodrome may potentially need to be upgraded to be a suitable substitute, should civil aviation continue to the limited/restricted or should the Shire's lease not be continued beyond the year 2033.
- Whilst the semi-arid climate can deter walking and cycling, such infrastructure will be essential to ensure residents and visitors can safely and easily move around the Townsite without relying on a motor vehicle. Pathway networks, way-finding and end of trip facilities can help to encourage walking and cycling, which can be relatively attractive during the cooler parts of the year.

- Upgrades to the Exmouth Boat Harbour are desirable as the boating facilities are at capacity. Improved facilities could improve tourism opportunities for the Exmouth Boat Harbour, as well as recreational and commercial vessel moorings. Harbour expansion is being investigated to potentially accommodate oil and gas vessels and recreational fishing vessels. However, this is dependent upon government funding and further planning, and from the community's perspective, whether economic outcomes can be balanced against conservation objectives.



PART 3

PLANNING ANALYSIS

Planning Analysis provides a framework for the evaluation of planning issues and opportunities that have informed the LPS Spatial Plans Sheets 1 – 6 and the supporting Objectives, Strategies and Action Statements set out in Part 1 of the LPS. Complementing the LPS Spatial Plans, Strategic Plans have been referenced in this section to support the discussion of the land use activity within the Study Area namely: Residential, Rural-Residential, Industrial, Tourism, Town Centre, Community & POS, Conservation, Pastoral, Restricted Rural, Movement and Land Use Buffers.

3 RESIDENTIAL

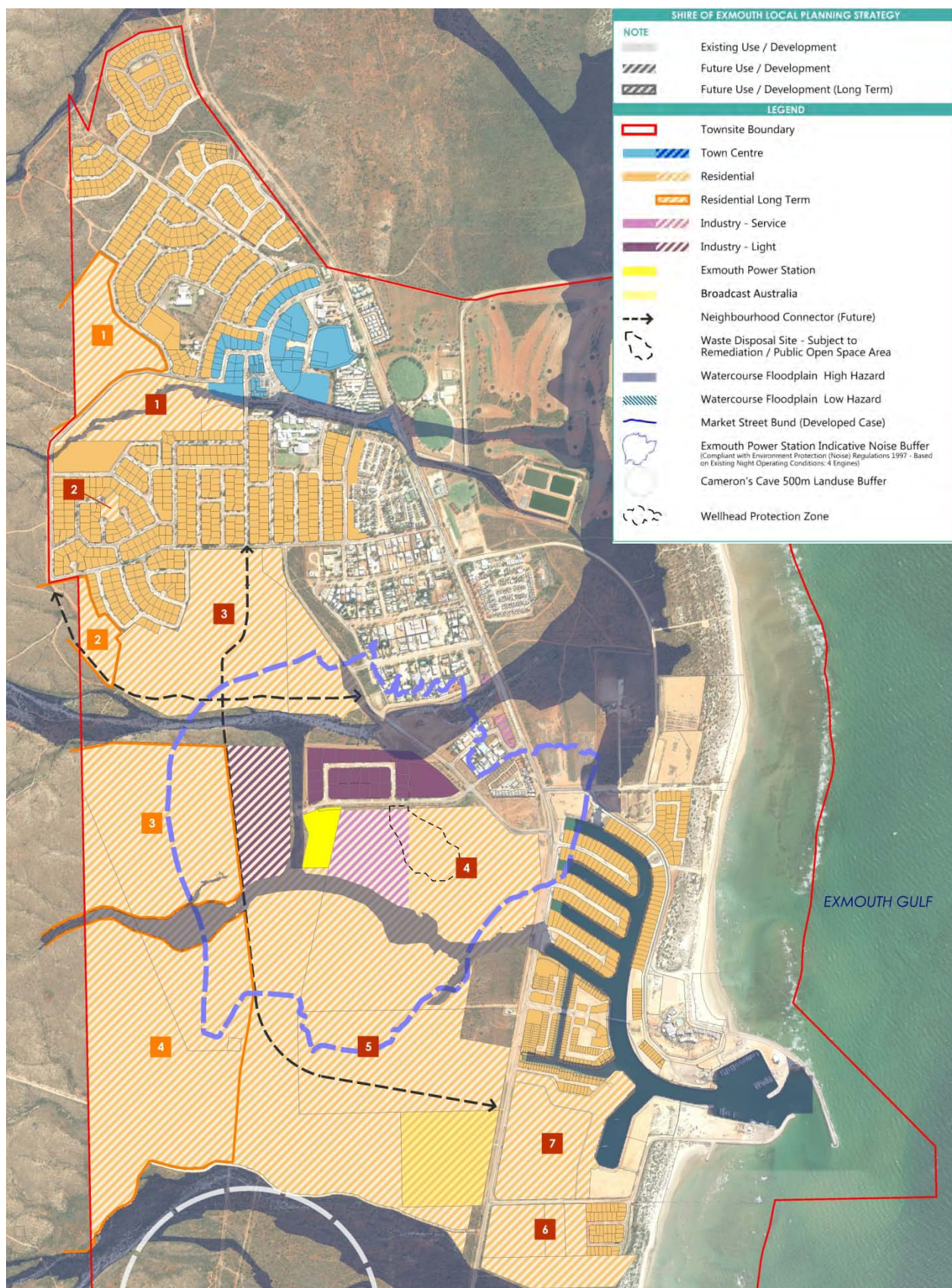


FIGURE 12 RESIDENTIAL STRATEGIC PLAN

The **Residential Strategic Plan (Figure 12)** identifies three categories of residential land within the Exmouth Townsite as follows.

EXISTING RESIDENTIAL

'Existing Residential' land comprise 'titled' lots that are zoned Residential, Residential Development or Marina Zone under the provisions of the existing TPS 3.

Within the 'Existing Residential' classification, the townsite has been divided into three discrete areas:

- Land north-west of the Town Centre;
- Land south-west of the Town Centre; and
- Exmouth Marina.

A more detailed description of 'Existing Residential' areas and the planning considerations and action statements that apply is provided in **section 3.1** and **Figure 13** to follow.

FUTURE RESIDENTIAL



'Future Residential' areas comprise land that is either zoned or has the potential to be zoned for residential purposes, but not as yet developed. Six (6) Future Residential Areas have been identified as residential growth areas by the Strategy and a detailed description of each 'Future Residential' area and the planning considerations and action statements that apply is provided in **section 3.2** to follow.

FUTURE RESIDENTIAL (LONG TERM)



'Future Residential (Long Term)' areas comprising land that has the potential to be zoned in the longer term subject to development investigation, upon less constrained and more viable land within the townsite being fully developed. The Strategy identifies four (4) Future Residential Areas (Long Term). A detailed description of each 'Future Residential' area and the planning considerations and action statements that apply is provided in **section 3.3** to follow.

3.1 EXISTING RESIDENTIAL

The three (3) areas identified as 'Existing Residential' within the townsite (North-West, South-West and Exmouth Marina) represent land currently zoned under the provisions of TPS 3 to accommodate various forms of residential development. There are 1,264 developed and undeveloped lots within this category, including 440 lots within the Exmouth Marina. The residential fabric principally comprises conventional single residential development coded R17.5 representing 797 lots or 63% of the total housing stock. As at February 2012, approximately 45% of the lots classified as 'Existing Residential' were undeveloped, with 89% of these undeveloped lots located within the Exmouth Marina. A more detailed description of each 'Existing Residential' area and the planning issues and action statements that apply is provided in **section 3.1.1** to follow.

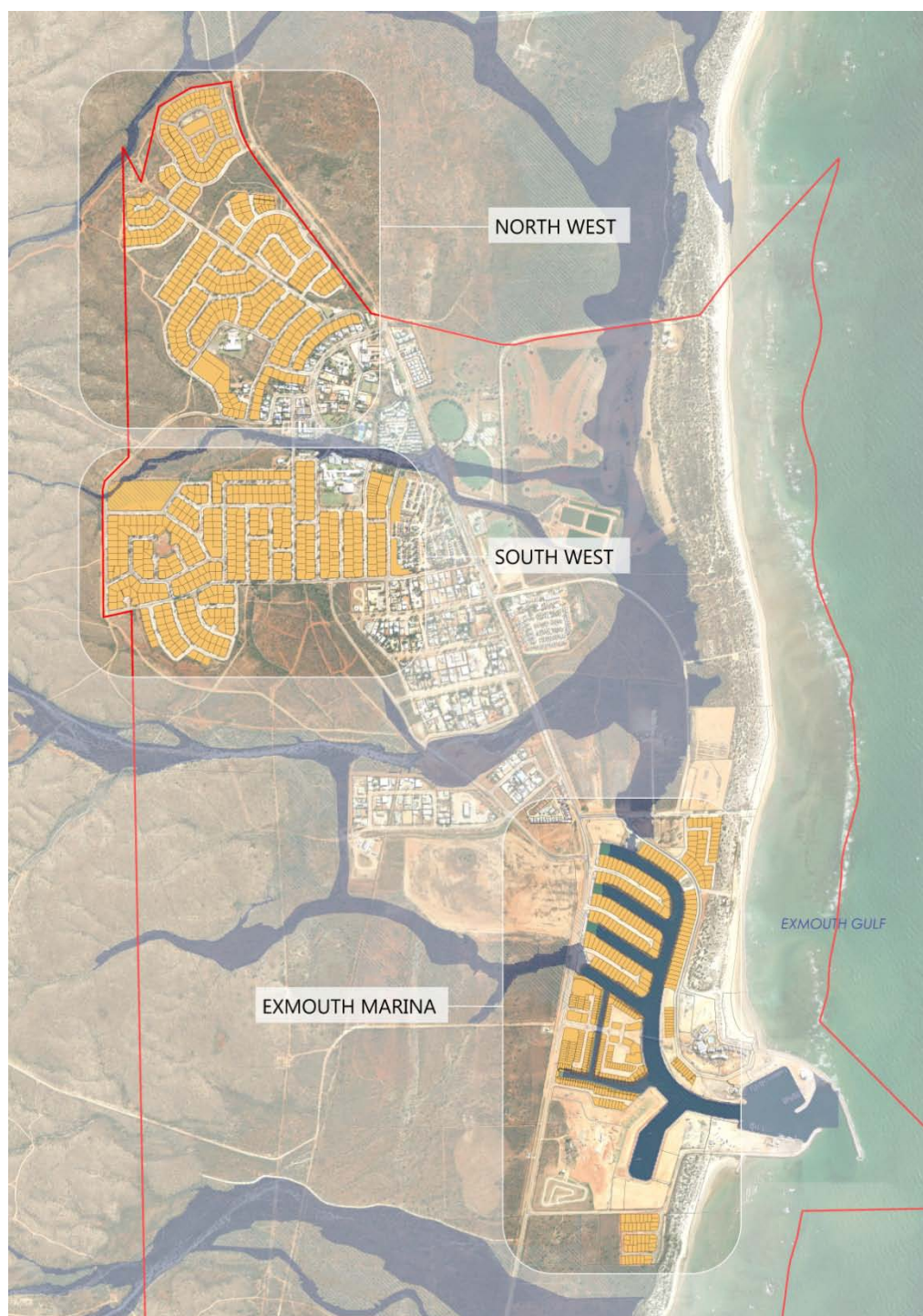


FIGURE 13 EXISTING RESIDENTIAL AREAS

3.1.1 DESCRIPTION

Location	<p>With reference to Figure 13, the townsite has been divided into three discrete areas:</p> <ul style="list-style-type: none"> • Land north-west of the Town Centre; • Land south-west of the Town Centre; and • Exmouth Marina – Residential.
Site Description	<p>North-West</p> <p>The residential precinct to the north-west of the Town Centre principally comprises conventional single residential development coded R17.5, representing 406 lots or 95% of the housing stock within the locality. An average lot size range of 770m² to 1,110m² applies. Diversity in existing housing stock is limited to three developed medium density sites: R30 coded lots on Sargot Court (14du's) and Rimau Way (15du's); and a R20 coded lot adjacent to the Exmouth Hospital site on Stoke-Hughes Street (37du's).</p> <p>South-West</p> <p>The locality south-west of the Town Centre comprises conventional single residential development coded R17.5 representing 391 lots or +95% of the total housing stock. An average lot size range of 770m² to 1,110m² applies. The diversity in existing housing stock is limited to two developed medium density sites – one R20 coded lot at the intersection of Learmonth and Ingleton Street (32du's) and a R30 coded lots on Lefroy Street supporting 16du's.</p> <p>Exmouth Marina - Residential</p> <p>Residential 'titled' lots within the Exmouth Marina are classified as 'Existing Residential' and have the potential to deliver greater housing product diversity than the established residential areas referenced above. This is due to the flexibility of the predominant R40 and R60 coding in this locality and the composition of dry, canal lots and mixed use lots permissible under the 'Marina' Zoning of TPS 3. Residential development within the Exmouth Marina is guided by the <i>Exmouth Marina Village ODP</i> (2003) specifically Precincts A, B and C and associated detailed design guidelines.</p> <ul style="list-style-type: none"> • Precinct A – Residential R20 Dry Lots north-west of Madafarri Drive and canal residential lots fronting three artificial waterways and a main canal between Murat and Madaffari Drive. Lots have 'frontage' to a two tier retaining wall constructed along the canal edge (77 dry lots and 60 canal lots). • Precinct B – dry residential, canal residential and mixed use lots fronting artificial waterways of varying width (84 dry lots and 111 canal lots). • Precinct C – canal residential lots adjacent to the Novotel Ningaloo Resort east of Madafarri Drive. The lots overlook the canal waterway, although are separated from the canal by POS (20 lots). <p>The character and built form typologies within each precinct vary according to the stated objectives within the ODP. Of the 440 lots created 366 remain undeveloped (as at 2012).</p>
Existing Zoning	<ul style="list-style-type: none"> • Land north-west of the Town Centre – Residential Zone coded R17.5 and R30 • Land south-west of the Town Centre – Residential Zone coded R17.5, R20 and R30. • Exmouth Marina – 'Marina' zone coded R20, R40 and R60. The 'Marina' zone is further guided by the provisions of the Approved Exmouth Marina ODP (2003) Broad and Detailed Development Guidelines.

3.1.2 PLANNING ISSUES

Housing design, building setbacks, garages, fencing, landscaping, storage areas and use of the street verge collectively impact the quality of streetscapes within the residential areas of Exmouth. Guidance through planning policy and supporting statutory provisions where applicable, can encourage development within the residential precincts to be more site responsive and adopt creative design solutions to prevent the mass, bulk and scale of development from impacting on adjoining properties (specifically private open space) and streetscape amenity.

The assessment of streetscape amenity within the existing residential precincts of Exmouth, including Exmouth Marina has highlighted the need for a number of planning issues to be addressed – issues that are in some instances unique to Exmouth given its regional location and climatic conditions.

The issues summarised below are examples where land use activity and visually prominent structures potentially impact the openness and desired pattern of development. The implementation of new Scheme provisions within LPS 4 will assist to address these elements and allow a more consistent approach to the assessment of development applications.

GENERAL – STREETSCAPE AND AMENITY

1. **Storage Areas (Outbuildings/Sea Containers)** – The ‘industrial’ appearance and bulk of sea containers used for storage within residential areas, raises concerns about the impact they may have on visual residential amenity. Currently the location of sea containers are meant to be controlled under Local Planning Policy 6.9 *Use of Sea Containers* where the use is to be confined to industrial or rural areas provided certain criteria are met such as being of an acceptable condition; used in conjunction with an approved use; screened from the street or neighbouring property. Whilst a LPP is operational, enforcement is challenging and better dealt with under the statutory provisions of LPS 4.
2. **Verandah Size** – The size of verandahs defined as open space is currently restricted within the R-Codes to 40m². This limitation restricts the ability for housing in Exmouth to provide increased protection from the extreme climatic conditions. Consideration should be given to incorporating a specific provision in LPS 4 to vary this R-Code requirement.
3. **Screening of External Fixtures** – The inappropriate siting and location of plant and equipment can impact on visual streetscape amenity. Provisions should be included within LPS 4 to require the siting of external plant and equipment such as air-conditioning units, large water supply tanks etc. to be screened from public view, particularly if constructed of reflective material. Currently TPS 3 does not contain these provisions.
4. **Bulk of Carports and Shade Structures** – Whilst the need for shelter for boats, caravans, trailers etc. is acknowledged given the harsh climatic conditions, the inconsistency of construction type and inappropriate bulk and location of purpose built carports and shade structures raises issues in terms of streetscape amenity. Consideration should be given to formalising an approval process for the parking of boats and caravans (in addition to a carport permitted under the R-Codes) that requires structures to be located on one side of the dwelling, behind the front setback line and accessed through a carport or garage.
5. **Verge Parking / Parking of Commercial Vehicles** – Long term / permanent parking within the road verge has become prevalent in residential areas where verge parking has been formalised as hardstand areas without approval. Furthermore, the uncontrolled number and siting of commercial vehicles within the residential area also has the potential to affect visual and residential amenity. Consideration should be given to formalising an approval process that limits the length of verge and road side parking, including the location and method of screening commercial vehicles.
6. **Dwelling Form** – Inappropriate development applications comprising shed/barn style dwelling construction are conflicting with the achievement of high amenity residential streetscape in some areas of Exmouth, notwithstanding compliance with R-Codes. Built form design guidelines appropriate to the climatic conditions of Exmouth, would assist to establish an ‘Exmouth vernacular’ to guide lodgement and assessment of future development applications.
7. **Home Occupations** – Home Occupations are currently controlled via Local Planning Policy 6.1 which outlines an approval process and criteria to be met. The issue of concern is the balance between the regulation of home occupation activity so as not to compromise the commercial viability of town centre uses.

EXMOUTH MARINA – RESIDENTIAL

8. **Exmouth Marina Village Outline Development Plan (2003)** – As discussed in section 1.3.5, development within the Exmouth Marina is guided by the approved ODP. The marina is divided into five precincts as follows:

- Precinct A (North) – Canal based and dry lot residential incorporating a landmark development site (tourist complex, holiday accommodation etc) entrance site.
- Precinct B – (Central) canal based and dry lot residential, commercial/mixed used (café/restaurant/tourism), short stay accommodation and landmark development site.
- Precinct C (East of Madaffari Drive) – Tourism Resort site incorporating a permanent residential component (R30 strata development).
- Precinct D (South) – Canal based and dry lot residential, caravan park, recreation, mixed use residential/low key marine based uses.
- Precinct E (South-East) – Marine based light industrial.

Specifically Precincts A, B and C support existing residential development having regard to the Broad and Detailed Development Guidelines that are contained within the ODP.



ODP - PRECINCT PLAN

9. **Application of Broad Design Guidelines** – The adopted Exmouth Marina ODP established Broad Design Guidelines for each Precinct. It is noted that discrepancies arise when detailed design guidelines are prepared for specific precincts, highlighting that the role of the broad design guidelines will need to be reviewed and potentially an ODP amendment prepared to remove the higher level application of these guidelines.
10. **Application of Detailed Design Guidelines** – Within Marina Precincts A, B, and C residential development is currently guided by detailed design guidelines adopted by Council as separate Local Planning Policies. As a planning policy, where appropriate

justification is provided, the development standards can be varied at the discretion of the local government. The Shire is faced with frequent requests to vary the design guidelines which can result in development standards not being uniformly applied across the zone. The Shire has a preference for the existing design guidelines to be refined and strengthened through incorporation of provisions for each precinct within the Scheme to address this issue.

11. **Jetty Style and Design** – Specifically within Precinct A residential canal lots, there is minimal guidance of the design and siting of jetties with setback provisions currently only controlled via Local Planning Policy. In addition, the siting and height of cyclonic mooring piles within the Shire managed canal waterway requires guidance with the potential for sharing of infrastructure to be considered. Currently the height of mooring piles is variable.

12. **Holiday Accommodation within the Marina Zone** – The LPS recognises that there are residences registered for Holiday Accommodation within the existing residential areas and within the Exmouth marina, with this element being an important aspect in the overall mix of accommodation available within the townscape. The Shire's Local Planning Policy 6.12 *Holiday Accommodation* effectively addresses the planning requirements for this activity and the approach adopted is consistent with other tourism towns within Western Australia where local planning policies under the *Planning and Development (Local Planning Schemes) Regulations 2014* and Local Laws under the *Local Government Act 1995* have been enforced. However, given the nature of this use, land use conflicts inevitably occur and will continue to require regulation within the parameters of available legislation. Noting the prevalence of short stay accommodation holiday makers to have a perceived lower concern with long term community relationships, appropriate property management plans and tenant behaviour expectations should continue to be enforced via the Shire's Local Planning Policy and the Scheme.

13. **Development within Conditional Development Area (CDA): Precinct A** – Variation to built form and basic development standards can create interesting and attractive urban areas, however when located within sensitive development areas such as within a waterfront or coastal setting the effects of poor design are exaggerated and can lower subsequent community expectations. In regard the CDA – Precinct A, development outcomes could better address the following:

- *View Corridors and Screening* – visual obstruction of the waterways by private boundary fencing and visual privacy screening along decking and outdoor areas is evident and necessitates provisions to control maximum screening/balustrade heights. A 1m height

limit would be sufficient in order to maintain view corridors, and where provided should be visually permeable and un-obstructive.

- **Consistent Building Setback** – the application and enforcement of consistent building setbacks on the waterway edge is deemed required to create a sense of “openness”. Development envelopes established at time of subdivision stipulating a minimum setback distances to the waterway should be mandated rather than recommended.
- **Retaining Walls** – Highly visible from the waters edge, the propensity to create level building platforms, raise viewing areas and maximise net developable areas has often resulted in inconsistency between the developable area of adjoining lots and limitations on accessing the waterfront. Lots are created with the intention of an equal street/waterfront interface, however the overuse or unsuitable placement of retaining walls has resulted in dominant bulk and development platforms incompatible with the sensitive waterfront conditions.
- **Elevation Discrepancies** – The underneath of dwellings on the waterway is often exposed, which if treated poorly or left unscreened/unfinished, can result in unintended visuals for the balance of the precinct. Screening and the enforcement of this via Scheme provisions is necessary to ensure the high quality visual outcome is achieved, particularly given the high public access and community/developer expectations of the marina.

14. **Building Design – Precinct A** – Utilising the R-Codes as the predominant control of built form is unlikely to result in the delivery of the design outcomes envisaged for Precinct A. Hence, more stringent application and implementation of the Built Form Design Guidelines, already prepared, need consistent application in order to be successful and furthermore enforced through Scheme provisions where applicable. The following considerations warrant specific comment:

- Ensuring provisions address such issues as carport/garage street relationships, outbuilding sizes, materials and locations to ensure the street edge is not neglected in favour of the waterway edge.
- Making clear decisions with regards to building form and Building Code of Australia compliance requirements. Conversion of buildings, or temporary

accommodation opportunities should be excluded where these have the potential to deviate away from the emerging dominant residential character.

- Dry lot development – a building hierarchy should be established, ensuring the most preferred land uses are established as a matter of priority (dwellings), with secondary consideration given to external structures such as outbuildings and later building additions/ancillary uses.

15. **Madaffari Drive Marina Lots/POS Frontage** – In response to a Council Resolution (November 2013), the opportunity for portion of Reserve 47803 (POS) to be amalgamated with existing marina residential Lots 6 to 24 Madaffari Drive is subject to investigation. The rationalisation of the existing public open space (Reserve 47803) will require the willingness of landowners to purchase and also the support of the Department of Lands to the de-vesting the existing POS. The subject land will be subject to the rezoning under LPS 4 subject to the outcome of the above negotiations, following which an application for amalgamation will need to be approved by the Western Australian Planning Commission.

The LPS also identifies that these lots are not located within either Precincts A, B or C and are therefore not specifically subject to either the Broad or Detailed Design Guidelines of the ODP. There is potentially a development control issue that will need to be addressed by the LPS 4.

16. **Dust Issue** – Where lots are created at the subdivision stage and development does not immediately follow, existing residential areas are often not sufficiently stabilised to ensure the control of dust over extended periods. Whilst this is an issue for individual development sites, it is particularly applicable to Precincts B and C where the interface of existing residential lots is exposed to land parcels that have yet to be developed. Whilst difficult to deal with in a statutory manner, encouraging a time limit for development being referenced in the contract of sale would assist to address this issue.

3.1.3 ACTION STATEMENTS

- Include provisions within LPS 4 to:
 - control the siting and size of residential outbuildings/sea containers
 - vary the R-Codes to enable an increase area of coverage by eaves, overhangs, verandahs or patios.
 - control the location and screening of plant and equipment.
 - control the size and location of carports and shade structures.
 - control verge parking and commercial vehicle parking.
 - control maximum screening/balustrade heights, location and design of retaining walls, screening of under-croft areas within Precincts A, B and C within the Special Use - Marina Zone.
- Review existing policies in relation to Outbuildings, Verge Parking, Shed/barn style dwelling construction and include as scheme text provisions where applicable.
- Transfer the development requirements outlined in the broad and detailed design guidelines (where applicable) of the Exmouth Marina Village ODP for Precincts A, B and C into the Special Use - Marina Zone within LPS 4 and refer to precincts as ‘Area A’, ‘Area B’ and ‘Area C’.
- The local government to amend the Exmouth Marina Village ODP and associated Broad Design Guidelines.

3.2 FUTURE RESIDENTIAL

The **Residential Strategic Plan (Figure 12)** identifies *Areas 1 to 7* as future residential growth areas and accounts for a gross development area of approximately 195ha of land. The Strategy supports all future residential development being confined to the Exmouth Townsite. As discussed in **section 2.2.3**, land identified as future residential (excluding land currently constrained by the buffer of the Exmouth Power Station and Future Residential Areas – Long Term) yields approximately 1,445 lots. This translates into a potential additional population of approximately 3,470 persons assuming an estimated residential lot yield extrapolated from the Approved Nimitz Street ODP. A further 556 lots (yielding a population of 1,334 persons) become available assuming improvements in operating conditions, or the relocation, of the Exmouth Power Station. Whilst this population exceeds the current population projections under *WA Tomorrow* (WAPC 2012), the Strategy provides guidance for the future staged rezoning of residential land within the townsite to safeguard residential growth options above other land uses. This is of particular importance to Exmouth given that townsite expansion is significantly constrained by the Exmouth Water Reserve to the west, Commonwealth Land (Defence) to the north and Conservation and Pastoral Landholdings to the south.

For land identified as Future Residential, the following staging criteria are to apply:

Short to medium term development can occur where:

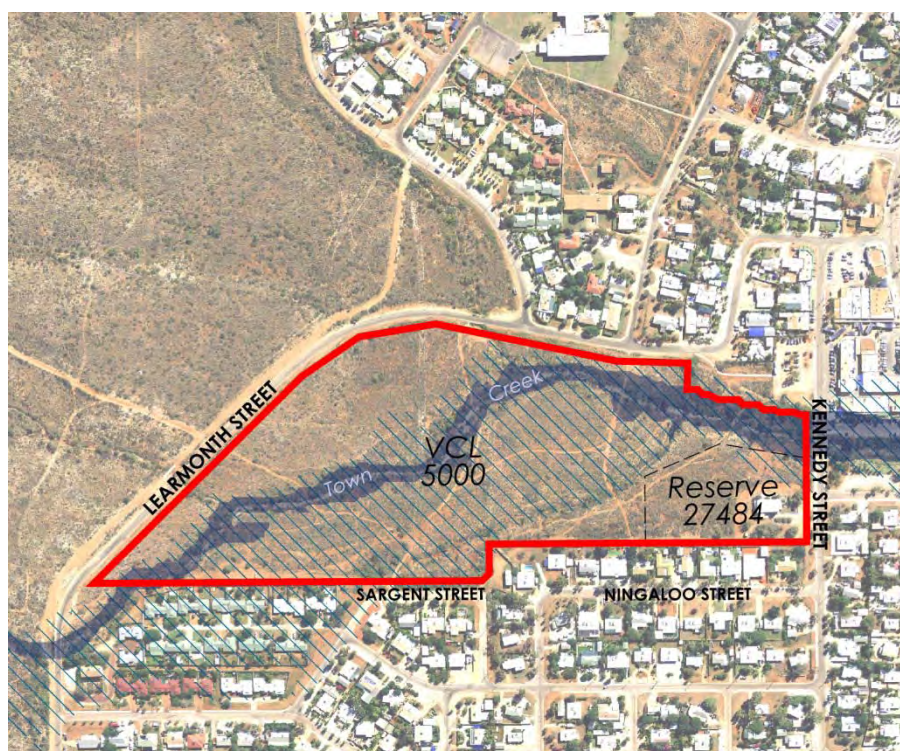
- Environmental requirements can be satisfactorily addressed;
- Development represents an extension to an adjacent existing residential area with economies in servicing provision;
- The cost of construction does not impact housing affordability; and
- The development area does not encroach within the P1 Water Protection Area (excludes delivery of the Learmonth Street extension west of the Nimitz Street ODP area).

Future Residential Areas 1 to 7 have been described in terms of location, site description and existing zoning following which detailed planning considerations have been outlined to guide the assessment of rezoning, subdivision and development applications. Action Statements summarise the manner in which the planning considerations are to be implemented under proposed LPS 4.

3.2.1 FUTURE RESIDENTIAL AREA 1

3.2.1.1 DESCRIPTION

Location	Area 1 comprises Lot 5000 (UCL) Learmonth Street and Reserve 27484 (Church Site) Kennedy Street and is located immediately south west of the Exmouth Town Centre.
Site Description	<p>Lot 5000 and Reserve 27484 have a combined area of 12.8ha. The site is currently vacant, with the exception of the Church located on Reserve 27484 (1.4ha) obtaining vehicular access from Kennedy Street.</p> <p>Area 1 is traversed by Town Creek with the central portion of the site impacted by the creek's low and high hazard floodplain. The portion of Lot 5000 north of Town Creek is relatively unconstrained by the flood plain however has an elongated land configuration constraining design options. Land to the south of Town Creek is impacted by the low hazard floodplain including small portion of Reserve 27484.</p> <p>Portion of Lot 5000 south of the creek is the subject of a WAPC Approved Subdivision layout (conditional) comprising 23 lots. The design provides for future internal road extensions to the west and to the east facilitating the potential for further development.</p>
Existing Zoning	'Residential' zone coded R20, 'Recreation and Open Space' reserve, and 'Public Purposes' reserve.



SITE PLAN - FUTURE RESIDENTIAL AREA 1

3.2.1.2 FUTURE RESIDENTIAL AREA 1 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development (R20) and public open space purposes. Future subdivision is to have regard to:
 - a) the extent of floodplain constraints;
 - b) the need for an appropriate interface with Learmonth Street (north of Town Creek);
 - c) the existing abutting single residential and R20 grouped development on Ningaloo and Sargent Streets respectively; and
 - d) the existing development of Reserve 27484.
- 2) Area 1 is partially zoned Residential R20 correlating with an approved subdivision layout obtaining access from Sargent Street. No further structure planning will be required over this portion, unless the current subdivision approval expires.
- 3) In assessing a structure plan to support the future subdivision of the balance of Lot 5000 and/or Reserve 27484, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The approved District Water Management Strategy (as amended).
- 4) The definition of Town Creek as a Recreation and Public Open Space Reserve, with the extent of the development area being informed by hydraulic modelling associated with the local hazard floodplain of Town Creek to ensure that:



- a) Proposed development has adequate protection from a 100 year ARI flood; and
 - b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- 5) The interface and access arrangements where development abuts Learmonth Street. In the longer term, the function of Learmonth Street will change from a local access street to a neighbourhood connector requiring control of access.
 - 6) The approved plan of subdivision north of Sargent Street, and the need to maintain internal road connectivity to the east and west as facilitated by the approved plan.
 - 7) Interface treatment of the common boundary between Lot 5000 and the existing Church site.
 - 8) Limiting road access from Kennedy Street to one point of entry with acceptable staggering of intersections.

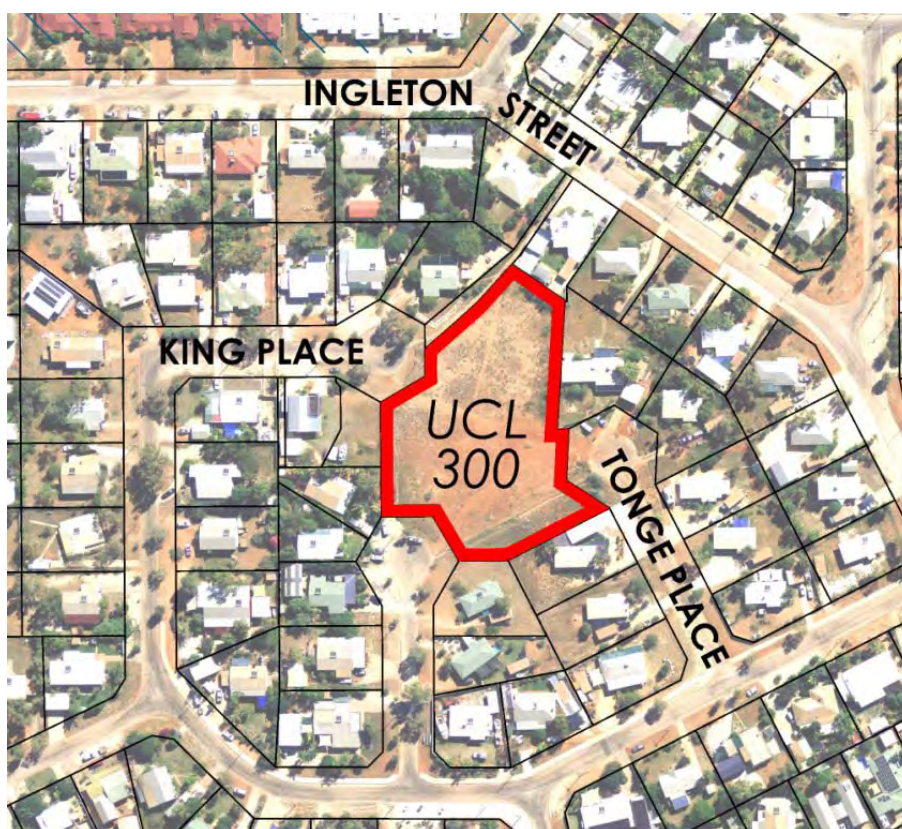
3.2.1.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential' with local public open space reserves to be defined by future structure planning.
- b) Include that portion of UCL Lot 5000, subject to an approved subdivision, within the 'Residential' zone coded R20 in LPS 4 consistent with the current zoning of the land under TPS 3.
- c) Include the balance of Lot 5000 within the 'Urban Development' zone under LPS 4 currently reserved 'Recreation and Open Space' under TPS 3.
- d) Include Reserve 27484 (Place of Worship) 'Urban Development' zone under LPS 4 currently reserved 'Public Purposes' in TPS 3.
- e) Amend the scheme text to ensure Place of Worship is listed as an 'A' Use within the 'Residential' zone of LPS 4 recognising the opportunity for future residential use of Reserve 27484.
- f) Require future structure plans to address the planning considerations detailed above.

3.2.2 FUTURE RESIDENTIAL AREA 2

3.2.2.1 DESCRIPTION

Location	Area 2 is located south-west of the Town Centre and comprises Lot 300 King Place surrounded by an existing built up residential precinct.
Site Description	<p>The site is currently vacant unallocated crown land (UCL) and is located at the junction of King, Jones and Tonge Places. It comprises 0.6307 ha.</p> <p>Excavation constraints are anticipated due to landform.</p>
Existing Zoning	'Residential' zone coded R20.



SITE PLAN - FUTURE RESIDENTIAL AREA 2

3.2.2.2 FUTURE RESIDENTIAL AREA 2 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for urban infill supporting single or grouped residential development. It has a potential to yield approximately 14 dwelling units assuming a density coding of R20.
- 2) In assessing a subdivision or development application within Area 2, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The interface with the existing abutting residential development with the need for development to be oriented to the street frontages of King Place, Jones Place and Tonge Place.
 - c) Maintaining pedestrian connectivity between Area 2 and Ingleton Street.



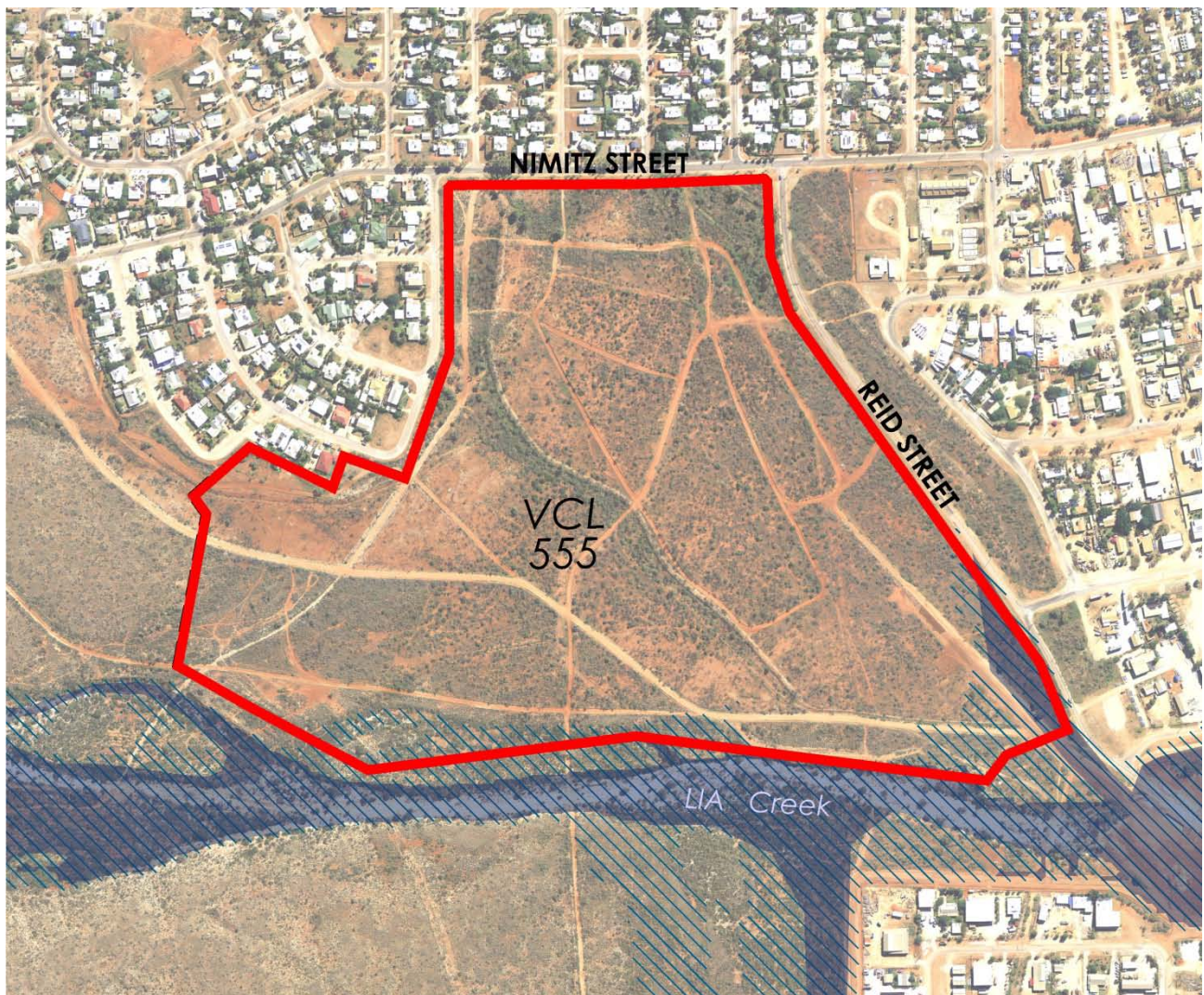
3.2.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential' and public open space.
- b) Include the land within the 'Residential' zone coded R20 in LPS 4 consistent with the current zoning of the land under TPS 3.
- c) Investigate the feasibility of developing Lot 300 as a group housing site to promote housing diversity and possible 'key worker' accommodation in support of the tourism industry.

3.2.3 FUTURE RESIDENTIAL AREA 3

3.2.3.1 DESCRIPTION

Location	Area 3 comprises land generally bound by Reid Street to the east, Nimitz Street to the north, Cameron Street to the west and LIA Creek Recreation and Open Space Reserve to the south. The site is situated approximately 500m directly south of the Town Centre via Kennedy Street.
Site Description	Area 3 comprises portion of VCL Lot 555 (44ha). The site is currently vacant and represents the logical rounding-off of an existing residential precinct. LIA Creek, and its associated low and high hazard floodplain, flows west to east along the southern boundary of the subject land. The western boundary abuts a drainage and open space buffer separating the site from the existing 'mixed use' area to the east.
Existing Zoning and Approvals	'Residential Development' zone and 'Recreation and Open Space' reserve. Lot 555 (44ha) is subject to an approved Outline Development Plan (ODP) adopted by Council and endorsed by the WAPC. The WAPC has subsequently granted conditional subdivisional approval to Stages 1, 2 and 3.



SITE PLAN - FUTURE RESIDENTIAL AREA 3

3.2.3.2 FUTURE RESIDENTIAL AREA 3 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development and public open space consistent with the approved Nimitz Street ODP.
- 2) The Proponent (LandCorp) proposes to progressively release land within Area 3 for residential purposes as a means of addressing land supply requirements within Exmouth to meet prospective demand. The approved ODP area has an anticipated dwelling yield of 453du comprising lots coded R17.5, R20 and R30. A Plan of Subdivision for the first three stages (115 lots) has been approved by the WAPC.
- 3) Area 3 upon full development will account for an additional population of 1,087 persons (assuming 2.4 persons per dwelling unit). As discussed in **section 2.2.3**, this demonstrates that the staged release of land within Area 3 alone will cater for the growth requirements of Exmouth through to the year 2025 under both medium and high growth scenarios (*WA Tomorrow*, WAPC).
- 4) In assessing future subdivision applications or ODP variations, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme, where applicable to an ODP variation.
 - b) The approved Urban Water Management Plan (as amended).
 - c) The principles of the approved ODP, with future subdivision applications/structure plan variations being required to maintain the current provision for a north-south neighbourhood connector road system. This is viewed as an essential link between Kennedy Street / Learmonth Street and Murat Road providing connectivity between future local neighbourhood areas to the south; also functioning as an important secondary link for emergency services during major flood events.



- d) The need for future subdivision applications/ structure plan variations to consider the requirement to provide for road connectivity between Reid Street and Learmonth Street (refer **Exmouth Townsite Spatial Plan - Sheet 3**), noting that infrastructure upgrades would be required to cross the existing north-south POS/drainage reservation.
- e) The staged provision, funding and implementation of the north-south and east-west neighbourhood connector road infrastructure (in consultation with the proponent) in the event that the road network is required to be implemented ahead of Area 3 development.
- f) The extent to which future subdivision applications need to satisfy the requirements of SPP 4.1 *State Industrial Buffer* (Amended) given the southern portion of the structure plan is located within the buffer of the Exmouth Power Station (refer discussion in **section 2.6.2** and **section 13.1**).

3.2.3.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential'.
- b) Include the land within the 'Urban Development' zone in LPS 4 consistent with the current zoning of the land under TPS 3.
- c) Require future subdivision applications or structure plan variations to address the planning considerations detailed above.

3.2.4 FUTURE RESIDENTIAL AREA 4

3.2.4.1 DESCRIPTION

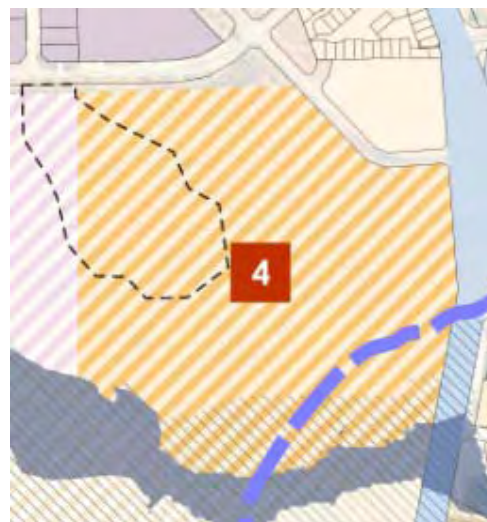
Location	Area 4 (UCL Lot 1391) is bounded by Murat Road, Welch and Reid Streets and is located immediately to the east of the Exmouth Power Station and west of the Exmouth Marina.
Site Description	<p>Area 4 comprises approximately 23ha and is currently vacant unallocated Crown Land. The site's southern boundary is defined by the floodplain of Marina Creek. Site levels over the full extent of the area have been raised due to the import of excess fill during the construction phase of Exmouth Marina, with exception of land within the low flood hazard floodplain of the Marina Creek. The western portion of the site has been previously used for waste disposal activity and may be subject to site contamination.</p> <p>The site has been subject to Native Title Agreement.</p>
Existing Zoning	'Residential Development' zone and 'Recreation and Open Space' reserve.



SITE PLAN - FUTURE RESIDENTIAL AREA 4

3.2.4.2 FUTURE RESIDENTIAL AREA 4 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development and public open space consistent with the existing zoning of the site under TPS 3 and the recommendations of the *Exmouth Townsite Structure Plan* (2011).
- 2) Area 4, upon full development has the potential to yield approximately 236 lots assuming an estimated residential density extrapolated from the Nimitz Street ODP area. The estimated yield is reduced to 25 lots if the constraints of the Exmouth Power Station buffer remain.
- 3) Land contained within the 'Urban Development' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision and development.
- 4) In assessing a structure plan to support the future subdivision of Lot 1391, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed Scheme.
 - b) The approved District Water Management Strategy (as amended).
 - c) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). Development of Area 4 for residential purposes is significantly constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. 20ha of the overall 23ha site is constrained.
 - d) The future configuration of land uses in this precinct is dependent upon improvements to the operating conditions of the Power Station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer to discussion in **section 2.6.2** and **section 13.1**).
 - e) The medium term consideration to the future relocation of the Exmouth Power Station to realise ultimate residential development potential of the area.
 - f) The extent of the low and high hazard floodplain of Marina Creek and the associated definition of Marina Creek as a Public Open Space reserve. The southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and



- ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- g) The development interface between future residential and future service industrial land uses on the western boundary of Area 4. The interface shall be designed as a north-south public open space buffer, predominantly informed by the extent of the existing waste disposal area.
- h) The need for the waste disposal site to be subject to remediation prior to residential or open space development taking place.
- i) The development interface between future residential use and the existing Welch Street light industrial land. The interface treatment is to adopt a landscaped edge to enhance the existing mature trees along Welch Street.
- j) The treatment of Murat Road frontage recognising its importance as a townscape entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.
- k) The development interface between future residential uses and future tourism to the north shall deliver frontage development to complement the proposed tourism frontage north of Reid Street consistent with the requirements of the Murat Road Development Guidelines.

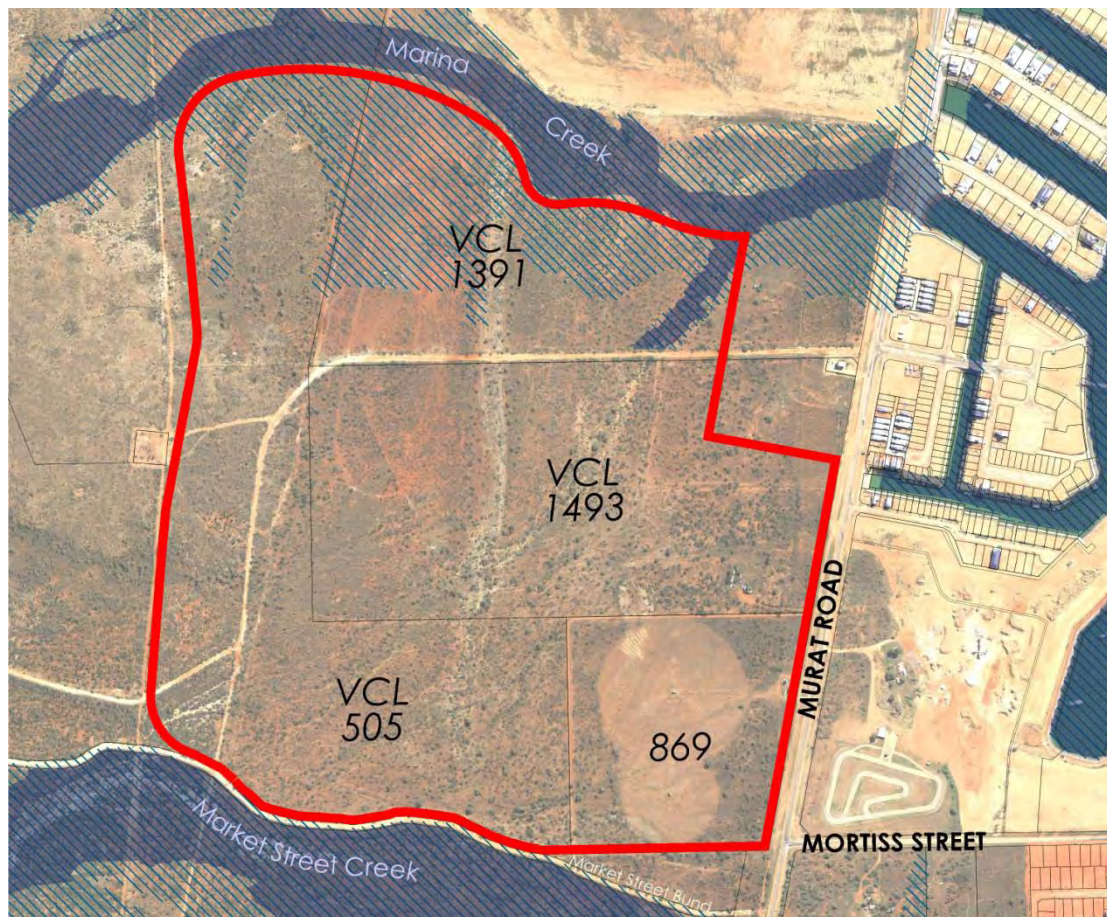
3.2.4.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential' and public open space.
- b) Include the land as 'Urban Development' zone in LPS 4 consistent with the current zoning of the land under TPS 3, with the exception of the proposed rezoning of the 'Parks and Recreation' reserve running parallel to Welch Street. This landscape buffer is to be addressed as part of future structure planning.
- c) Insert provisions into the 'Urban Development' zone to require the preparation of a structure plan.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Support the development of Area 4 as a Priority 2 area for residential development dependent upon the removal of the Exmouth Power Station buffer as a development constraint, and Native Title clearance.
- f) Investigate the longer term relocation of the existing Exmouth Power Station.

3.2.5 FUTURE RESIDENTIAL AREA 5

3.2.5.1 DESCRIPTION

Location	Area 5 is bounded by Marina Creek to the north, Murat Road to the east and the Market Street Bund to the south. The western boundary is generally defined by the existing north-south access track.
Site Description	<p>A majority of the site is vacant UCL (Portion Lot 1391, Lot 1493 and 505), with the exception of Broadcast Australia (phone and television service infrastructure) on Lot 869 Murat Road. The combined area of UCL and Lot 869 amounts to approximately 103 ha of which 33ha is within the buffer of the Exmouth Power Station (existing conditions). The Broadcast Australia site (12.5ha) accommodates its own buffer requirements. Marina Creek and the associated low and high hazard floodplain, impacts the northern portion of this area.</p> <p>The UCL is subject to Native Title Clearance and sale of interest of the Department of Lands.</p>
Existing Zoning	'Residential Development' zone, 'Recreation and Open Space' reserve and 'Public Purposes' reserve.



SITE PLAN - FUTURE RESIDENTIAL AREA 5

3.2.5.2 FUTURE RESIDENTIAL AREA 5 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development.
- 2) Area 5, upon full development has the potential to yield approximately 1,285 lots assuming an estimated residential density extrapolated from the Nimitz Street ODP area. The estimated yield is reduced to 740 lots if the constraints of the Exmouth Power Station buffer remain.
- 3) Land contained within the 'Urban Development' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision and development.
- 4) In assessing a structure plan to support the future subdivision of Area 5, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - g) The approved District Water Management Strategy (as amended).
 - h) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). The development of the northern portion of the site for residential purposes is currently constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. 33.6ha of the overall 103ha site is constrained. The future configuration of land uses in this precinct is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer to discussion in **section 2.6.2** and **section 13.1**).
 - i) The medium term consideration to the future relocation of the Exmouth Power Station to realise ultimate residential development potential of the area.
 - j) The future consideration of the relocation of the Broadcast Australia infrastructure to realise ultimate residential development potential of the site (Lot 869).
 - k) Murat Road frontage recognising its importance as a townsite entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.



- l) Provision of a future 4ha primary school site in consultation with the Department of Education and Council.
- m) The extent of the low and high hazard floodplain of Marina Creek and the associated definition of Marina Creek as a Recreation and Public Open Space Reserve. The northern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- n) The definition of flood relief areas and development setbacks associated with the upgrade of the Market Street bund. In this regard, consultation with the Department of Water will be required to determine the southern extent of development adjacent to the Market Street bund.
- o) Provision of a north-south neighbourhood connector road between Nimitz Street and Murat Road. This road will also function as an important secondary link for emergency services during a major flood event.
- p) The staged provision, funding and implementation of the north-south neighbourhood connector road infrastructure in consultation with the proponent.

3.2.5.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential' and public open space.
- b) Include the land within the 'Urban Development' zone in LPS 4 consistent with the current zoning of the land under TPS 3, with the exception that:
 - i) the western boundary of the zone has been adjusted to reflect a more regular survey alignment; and
 - ii) the Broadcast Australia site is to be rezoned from 'Public Purposes' reserve under TPS 3 to 'Urban Development' zone in LPS 4. The land use will continue to operate under the non-conforming use rights of the LPS 4.
- c) Insert provisions into the 'Urban Development' zone to require the preparation of a structure plan.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Investigate future funding arrangements available for the longer term implementation of the Neighbourhood Connector Road.
- f) Investigate funding arrangements available for the upgrade of the Market Street bund.
- g) Investigate the longer term relocation of the Exmouth Power Station and Broadcast Australia infrastructure.
- h) Support the development of Area 5 as a Priority 3 area for residential development dependent upon the removal of the Exmouth Power Station buffer as a development constraint, and Native Title clearance.

3.2.6 FUTURE RESIDENTIAL AREA 6

3.2.6.1 DESCRIPTION

Location	Area 6 is located immediately south of the Exmouth Marina (Precinct D) bounded by Mortiss Street to the north, Murat Road to the west and the extension of the Market Street bund to the south. The site is located to the west of the Seaside residential precinct (46 lots).
Site Description	The land is currently vacant and comprises Crown Lease landholdings Lot 946, 870 and portion of Lot 857 and Crown Reserve Lot 614. The area comprises a combined area of approximately 14ha portion of which is affected by the low hazard floodplain of the Mortiss Street creek. Lot 857 has frontage to the Exmouth Gulf foreshore area and contains portion of the primary dune system.
Existing Zoning	'Residential Development' zone.



SITE PLAN - FUTURE RESIDENTIAL AREA 6

3.2.6.2 FUTURE RESIDENTIAL AREA 6 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for residential development consistent with the existing zoning under TPS 3 and as reinforced by the *Exmouth Townsite Structure Plan* (2011).
- 2) Area 6, upon full development has the potential to yield approximately 144 lots assuming similar development assumptions to the Nimitz Street structure plan area.
- 3) Land contained within the 'Urban Development' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision and development.
- 4) In assessing a structure plan, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The approved District Water Management Strategy (as amended).
 - c) The extent of the low hazard floodplain of Mortiss Street Creek. The definition of the southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood;
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area;
 - iii) Flood relief areas and development setbacks associated with the upgrade of the Market Street bund are determined in consultation with the Department of Water.



- d) Murat Road frontage recognising its importance as a townsite entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.
- e) Preparation and implementation of a foreshore management plan and including the confirmation of an acceptable Foreshore Reserve, having regard to coastal processes and environmental protection requirements.
- f) Ensuring integration with the existing Seaside Estate ODP to the east including the extension of Crevalle Way, provision of internal road connectivity and consistency in approach to the definition and management of the foreshore reserve.
- g) The residential interface along Mortiss Street. Development addressing Mortiss Street is to be limited to residential development only, acknowledging the proposed residential interface within the Exmouth Marina Precinct D abutting Area 6 to the north.

3.2.6.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Residential'.
- b) Include the land within the 'Urban Development' zone in LPS 4, consistent with the existing zoning under TPS 3.
- c) Insert provisions into the 'Urban Development' zone to require the preparation of a structure plan.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Review Murat Street Design Guidelines to include development requirements for the 'Urban Development' zone.
- f) Investigate funding arrangements available for the upgrade of the Market Street bund.

3.2.7 FUTURE RESIDENTIAL AREA 7 – MARINA PRECINCT D

3.2.7.1 DESCRIPTION

Location	Area 7 is located within the southern portion of the Exmouth Marina Village ODP area, bounded by Murat Road to the west, Mortiss Street to south, canal waterway and portion of Precinct E (marine based light industry) to the east and the southern boundary of Precinct B (residential/mixed use) to the north.
Site Description	The land is currently vacant and comprises Lot 9510. The area comprises approximately 17.8ha. Area 7 is currently subject to the Exmouth Village Outline Development Plan and Broad Design Guidelines for Precinct D. The Broad Development Guidelines of the Marina Village ODP identify Precinct D as having an evolving precinct character supporting “public recreation, short stay residential, caravan park, dry lot subdivision, semi-industrial live-work waterfront lots (where abutting Precinct E) through to residential waterfront lots (abutting Precinct A)”. This design vision is to be reviewed.
Existing Zoning	‘Marina’ zone.



SITE PLAN - FUTURE RESIDENTIAL AREA 7

3.2.7.2 FUTURE RESIDENTIAL AREA 7 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as 'Marina' consistent with the zoning under TPS 3.
- 2) The land use intent for Area 7 is for predominantly residential purposes comprising dry lot and waterfront lots incorporating public spaces between waterfront lots in select locations; and live-work mixed use development where lots overlook Precinct E.
- 3) The LPS supports a design review of the development vision for Area 7 (Precinct D). Specifically the existing structure plan references a caravan park land use and nominates a large public open space area adjacent to Murat Road. Given the Shire's *Tourism Strategy* does not support a caravan park in this location and the LPS identifies an excess provision of public open space, the local government does not support the inclusion of these land uses in future structure planning.
- 4) Land contained within Area 7 will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision and development.
- 5) In assessing a structure plan, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed Scheme.
 - b) The revised design vision for Area 7 (Precinct D) with reference to Planning Consideration 3) above.
 - c) The approved District Water Management Strategy (as amended).
 - d) The interface with local open space areas. Development is to address the public spaces and/or the canal to create an 'urban edge' and passive surveillance.
 - e) The need to maintain public access along the canal edge.



- f) The Murat Road frontage recognising its importance as a townsite entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.
- g) The residential interface with Precinct B. Development addressing Cobia Close or backing onto lots fronting Cobia Close will be limited to residential development only, with provision made for the extension of Cobia Close either as a vehicular or pedestrian accessway.
- h) The residential interface with Mortiss Street. Development addressing Mortiss Street will be limited to residential development only, acknowledging the proposed residential interface with Area 6 to the south, and the need for the Mortiss Street interface to deliver a high quality landscaped edge to the main entry road to the Boat Harbour.
- i) Establishing a live-work mixed use interface with Precinct E. The interface is to be in the form of a tree lined landscaped edge to provide screening of the land use activity within Precinct E.

3.2.7.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Special Use - Marina' consistent with the existing 'Marina' zoning under TPS 3.
- b) Classify the land as 'Special Use - Marina' zone – Area D within LPS 4.
- c) Insert provisions into the 'Special Use - Marina' zone – Area D to require the amendment of the existing structure plan as a prerequisite to subdivision and development.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Review Murat Street Design Guidelines to include development requirements for the 'Special Use - Marina' zone.

3.3 FUTURE RESIDENTIAL (LONG TERM)

The **Residential Strategic Plan (Figure 12)** identifies *Areas 1 to 4* as Future Residential Areas (Long Term). These areas represent a longer term development scenario that identifies larger lot residential nodes west of the proposed local neighbourhood connector on land constrained by landform. Areas 1 to 4 are to be considered once less constrained more viable land is fully developed noting that detailed planning and environmental investigation will be required to confirm development potential. Future Residential (Long Term) land comprises approximately 107ha and when considered in conjunction with Future Residential Areas 1 to 7 discussed in **section 3.2**, reflects the overall population capacity of the Townsite.

For land identified as Future Residential (Long Term), the following staging criteria are to apply:

Medium to long term development can occur where:

- The pressure on the existing land supply within the 'Urban Development' zone is in decline.
- Environmental requirements can be satisfactorily addressed;
- Department of Water support an adjustment of the boundary of the P1 Water Protection Area; and
- The cost of construction does not impact housing affordability.

A description of each 'Future Residential (Long Term)' area and the planning considerations and action statements that apply are provided in **sections 3.3.1-3.3.4** to follow.

3.3.1 FUTURE RESIDENTIAL (LONG TERM) AREA 1

3.3.1.1 DESCRIPTION

Location	Land on the western boundary of Exmouth Townsite abutting the Exmouth Water Reserve.
Site Description	Unallocated Crown Land north of Town Creek (10.8ha).
Existing Zoning	'Recreation and Open Space' reserve.

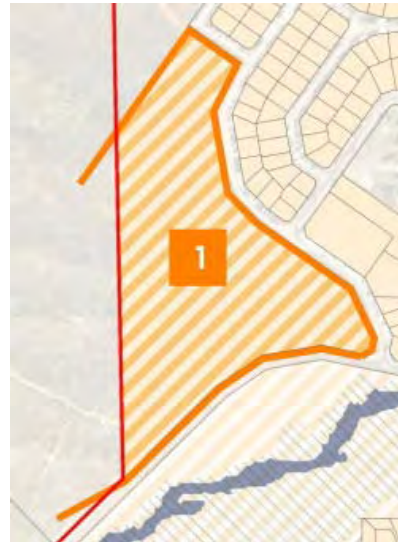


SITE PLAN - FUTURE RESIDENTIAL (LONG TERM) AREA 1

3.3.1.2 FUTURE RESIDENTIAL (LONG TERM) AREA 1 PLANNING CONSIDERATIONS

In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to:

- 1) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
- 2) The specific assessment of land capability to inform appropriate lots sizes and form of construction, (limiting factors of foundation soundness, ease of excavation), flora and fauna studies (including subterranean fauna), and ground and surface water hydrology.
- 3) The approved District Water Management Strategy (as amended).
- 4) The advice of the Department of Water noting proximity to the P1 Water Protection area and the Wellhead Protection Zones given the extent of the townsite boundary may need to be adjusted at the detailed design stage.
- 5) The definition of the public open space edge abutting the northern boundary of Area 1 and the corresponding adjustment to the extent of the 'Public Open Space' reserve under LPS 4.



- 6) The residential interface and access arrangements for development abutting Learmonth Street. In the longer term, the function of Learmonth Street will change from a local access street to a neighbourhood connector requiring control of access.

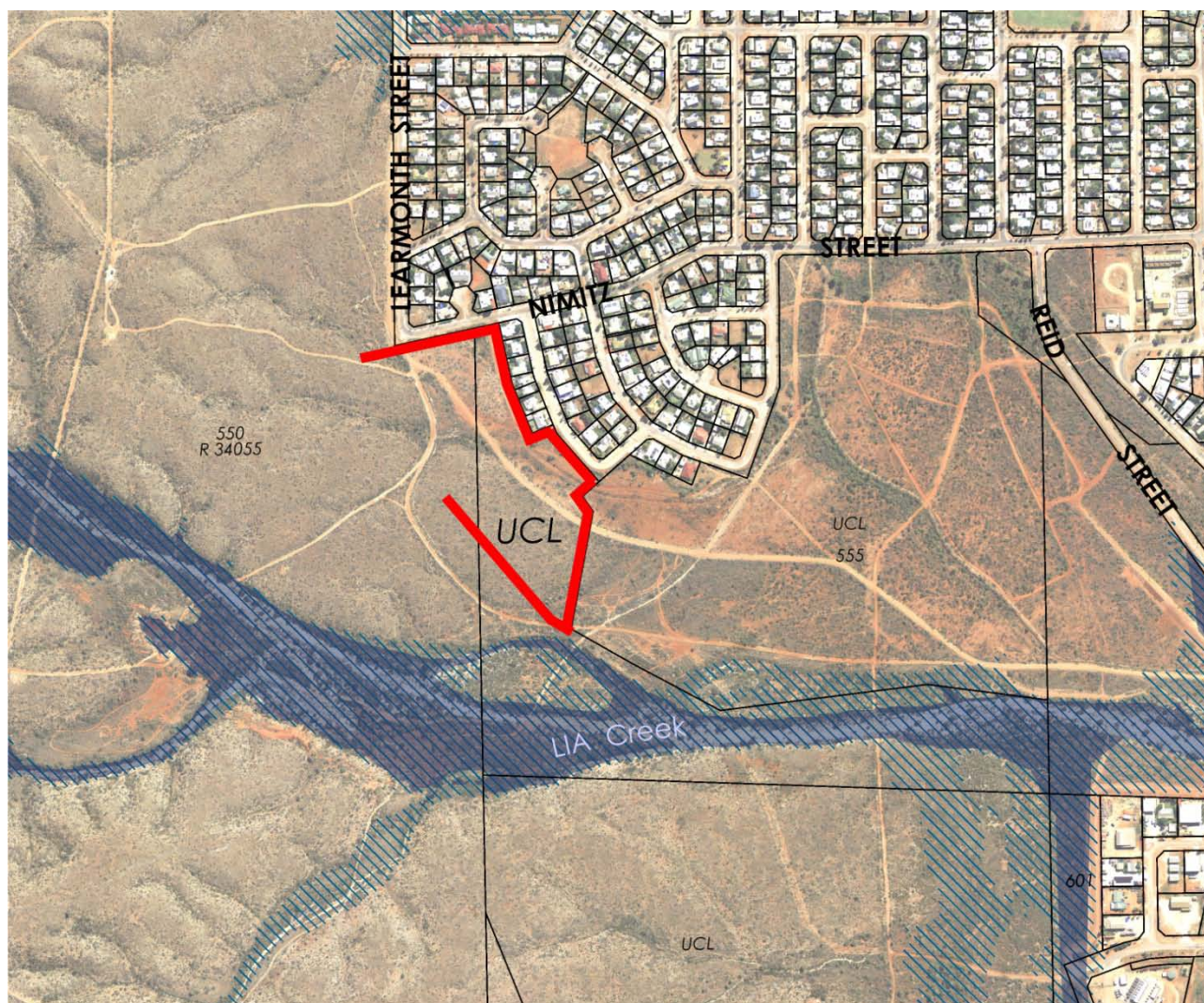
3.3.1.3 ACTION STATEMENTS

- a) The LPS identifies the land as a 'Future Residential – Long Term'.
- b) Include land currently reserved 'Recreation and Open Space' reserve under TPS 3 within the 'Urban Development' zone under LPS 4.
- c) Future rezoning proposals are to be accompanied by a Structure Plan that address the staging criteria and planning considerations detailed above.
- d) In the longer term, consideration of an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Waters need to maintain a high level of protection of the P1 Source Protection Area.

3.3.2 FUTURE RESIDENTIAL (LONG TERM) AREA 2

3.3.2.1 DESCRIPTION

Location	Land west of Nimitz Street ODP Area abutting the Exmouth Water Reserve.
Site Description	Unallocated Crown Land west of Nimitz Street ODP area (5.9ha).
Existing Zoning	'Recreation and Open Space' reserve.



SITE PLAN - FUTURE RESIDENTIAL (LONG TERM) AREA 2

3.3.2.2 FUTURE RESIDENTIAL (LONG TERM) AREA 2 PLANNING CONSIDERATIONS

In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to:

- 1) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
- 2) The specific assessment of land capability to inform appropriate lots sizes and form of construction, (limiting factors of foundation soundness, ease of excavation), flora and fauna studies (including subterranean fauna), and ground and surface water hydrology.
- 3) The advice of the Department of Water given the proximity of Area 2 to the P1 Water Protection area and the Wellhead Protection Zones. The advice will need to confirm whether:
 - a) The rounding off of development can occur within the wellhead protection zone, consistent with the treatment of existing residential lots to the north which are already developed within the 500m buffer of the eastern-most bore; and
 - b) Road infrastructure, in the form of the proposed neighbourhood connector between Learmonth Street and Reid Street can be implemented to facilitate road connectivity within required development timeframes.
- 4) The definition and northerly extension of the public open space edge abutting the southern boundary of Area 2 and the corresponding adjustment to the extent of the 'Public Open Space' reserve under LPS 4.
- 5) The residential interface with existing residential lots to the north and east to ensure frontage development to the existing road network is delivered.



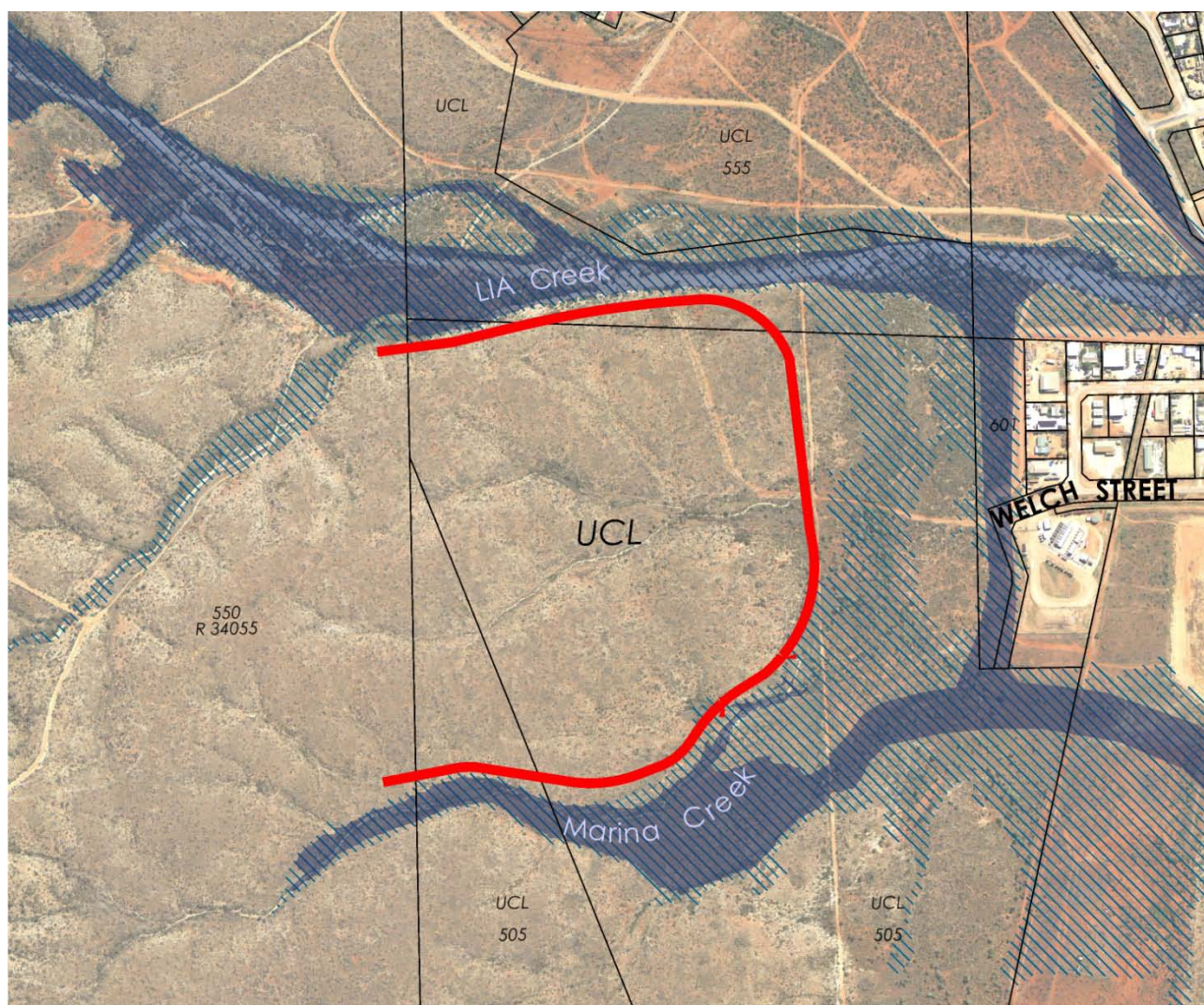
3.3.2.3 ACTION STATEMENTS

- a) The LPS identifies the land as a 'Future Residential – Long Term'.
- b) Include land currently reserved 'Recreation and Open Space' under TPS 3 within the 'Urban Development' zone under LPS 4.
- c) Future rezoning proposals are to be accompanied by a structure plan that address the staging criteria and planning considerations detailed above.
- d) In the longer term, consideration of an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Waters need to maintain a high level of protection of the P1 Source Protection Area.

3.3.3 FUTURE RESIDENTIAL (LONG TERM) AREA 3

3.3.3.1 DESCRIPTION

Location	Land west of the power station abutting the Exmouth Water Reserve.
Site Description	Unallocated Crown Land west of Exmouth Power Station (33.3ha).
Existing Zoning	'Recreation and Open Space' reserve.



SITE PLAN – FUTURE RESIDENTIAL (LONG TERM) AREA 3

3.3.3.2 FUTURE RESIDENTIAL (LONG TERM) AREA 3 PLANNING CONSIDERATIONS

In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to:

- 1) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
- 2) The specific assessment of land capability to inform appropriate lots sizes and form of construction, (limiting factors of foundation soundness, ease of excavation), flora and fauna studies (including subterranean fauna), and ground and surface water hydrology.
- 3) The advice of the Department of Water given the proximity of Area 2 to the P1 Water Protection area and the Wellhead Protection Zones.
- 4) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). The development of land for residential purposes west of the power station and west of Area 5 is partially constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. The future configuration of land uses in this precinct is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/longer term relocation of the infrastructure (refer to **sections 2.6.2 and 13.1**).
- 5) Consideration of future relocation of the Exmouth Power station to realise the potential for residential development in the area.



- 6) The extent of the low and high hazard floodplain of Marina Creek and the associated definition of an adjusted 'Public Open Space' reserve to the north and the definition of the boundary of a new 'Public Open Space' reserve. The northern and southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - a) Proposed development has adequate protection from a 100 year ARI flood; and
 - b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- 7) Delivery of the north-south neighbourhood connector between Murat Road and Nimitz Street.

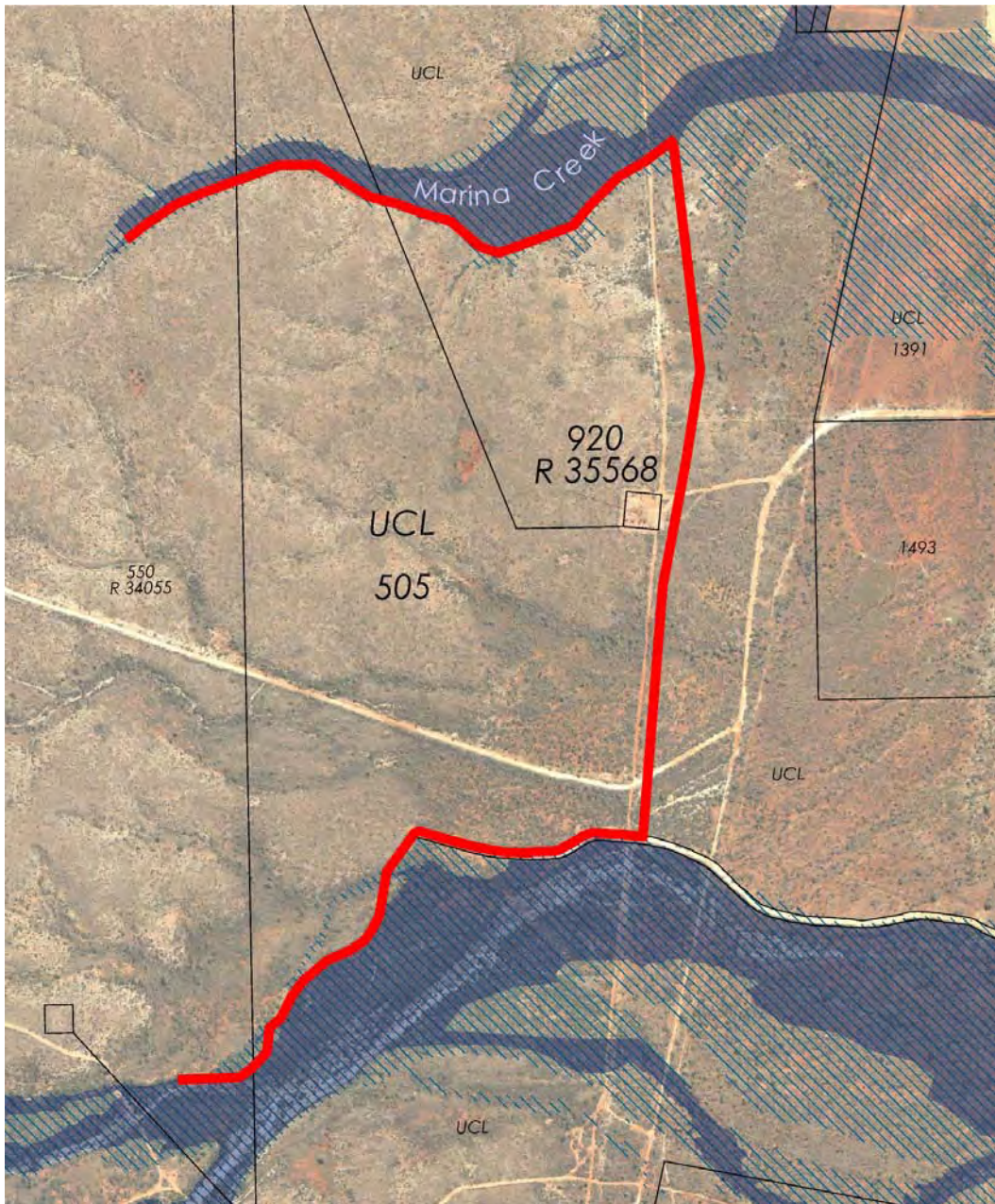
3.3.3.3 ACTION STATEMENTS

- a) The LPS identifies the land as a 'Future Residential – Long Term'.
- b) Include land currently reserved 'Recreation and Open Space' under TPS 3 within the 'Rural' zone under LPS 4.
- c) Future rezoning proposals are to be accompanied by a structure plan that address the staging criteria and planning considerations detailed above.
- d) In the longer term, consideration of an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Water needs to maintain a high level of protection of the P1 Source Protection Area.
- e) Investigate the longer term relocation of the existing Exmouth Power Station infrastructure to remove the impediment for development of land within the power station buffer.

3.3.4 FUTURE RESIDENTIAL (LONG TERM) AREA 4

3.3.4.1 DESCRIPTION

Location	Land west of Area 5 abutting the Exmouth Water Reserve.
Site Description	Unallocated Crown Land west of Area 5 (57.3ha) including Reserve 35568 (disused tank site).
Existing Zoning	'Recreation and Open Space' reserve and 'Public Purposes' reserve.

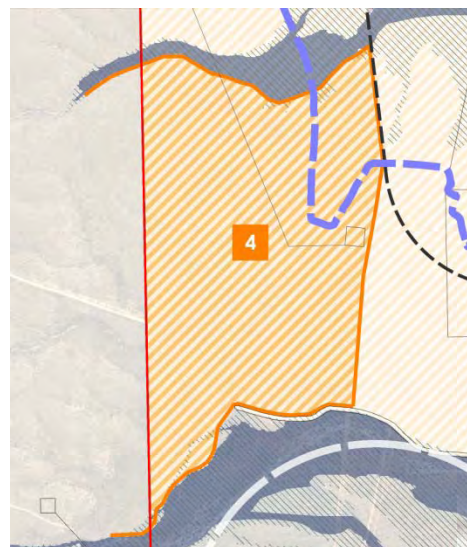


SITE PLAN - FUTURE RESIDENTIAL (LONG TERM) AREA 4

3.3.4.2 FUTURE RESIDENTIAL (LONG TERM) AREA 4 PLANNING CONSIDERATIONS

In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to:

- 1) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
- 2) The specific assessment of land capability to inform appropriate lots sizes and form of construction, (limiting factors of foundation soundness, ease of excavation), flora and fauna studies (including subterranean fauna), and ground and surface water hydrology.
- 3) The advice of the Department of Water given the proximity of Area 4 to the P1 Water Protection area and the Wellhead Protection Zones.
- 4) The advice of the Water Corporation to confirm the status of Water Corporation Reserve 34055 and setback requirements, if infrastructure overtime is still operational.
- 5) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). The development of land for residential purposes west of the power station is partially constrained by existing buffer requirements to the Exmouth Power Station as depicted on the Exmouth Townsite Spatial Plan – Sheet 3. The future configuration of land uses in this precinct is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/longer term relocation of the infrastructure (refer to **sections 2.6.2 and 13.1**).
- 6) Consideration of future relocation of the Exmouth Power station to realise the potential for residential development in the area.
- 7) The extent of the low and high hazard floodplain of:
 - a) LIA Creek and the associated definition and ceding of an adjusted LIA Creek ‘Public Open Space’ reserve



- along portion of the northern boundary of Area 3; and
- b) Marina Creek along the southern boundary of Area 3 and the associated definition of the Marina Creek as a ‘Public Open Space’ reserve.
- c) In defining the low and high hazard floodplain, the northern and southern extent of development within Area 3 will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- 8) The definition of flood relief areas and development setbacks associated with the upgrade of the Market Street bund. In this regard, consultation with the Department of Water will be required to determine the southern extent of the development adjacent to the Market Street bund.
- 9) Delivery of the north-south neighbourhood connector between Murat Road and Nimitz Street.

3.3.4.3 ACTION STATEMENTS

- a) The LPS identifies the land as a ‘Future Residential – Long Term’.
- b) Include land currently reserved ‘Recreation and Open Space’ under TPS 3 within the ‘Rural’ zone under LPS 4.
- c) Future rezoning proposals are to be accompanied by a structure plan that address the staging criteria and planning considerations detailed above.
- d) In the longer term, consideration of an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Water needs to maintain a high level of protection of the P1 Water Protection Area.
- e) Investigate the longer term relocation of the existing Exmouth Power Station infrastructure to remove the impediment for development of land within the power station buffer.

4 RURAL RESIDENTIAL

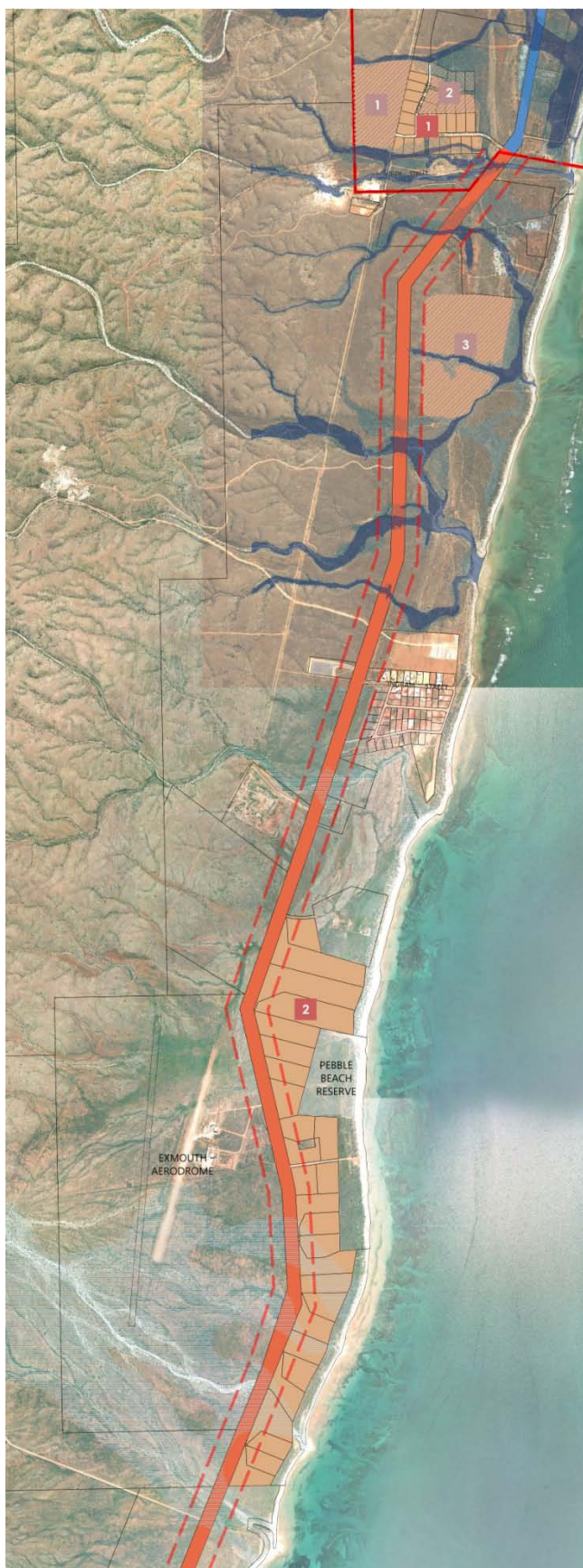


FIGURE 14 RURAL RESIDENTIAL STRATEGIC PLAN

The **Rural Residential Strategic Plan (Figure 14)** acknowledges rural residential development as fulfilling the demand for a more spacious lifestyle than that offered by a standard residential lot within the townsite, and is recognised by the Strategy as a legitimate land use alternative.

The Strategy identifies two categories of Rural Residential land within the Shire:

1. EXISTING RURAL RESIDENTIAL

1

'Existing Rural Residential' comprise 'titled' lots supporting existing rural residential development that are either zoned 'Special Rural' (Preston Street) or 'Special Use' zone (Cape Wilderness Estate) under the provisions of the existing TPS 3.

A description of each 'Existing Rural Residential' area and the planning considerations and action statements that apply is provided in **section 4.2** to follow.

2. FUTURE RURAL RESIDENTIAL

1

'Future Rural Residential' comprises land that has the potential to be zoned for rural residential purposes subject to further investigation. Three (3) Future Rural Residential Areas have been identified by the Strategy. Two areas represent an extension to the existing Preston Street rural residential area and a third is located south of the townsite. A detailed description of each 'Future Rural Residential' area and the planning considerations and action statements that apply is provided in **section 4.3** to follow.

SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY	
NOTE	
	Existing Use / Development
	Future Use / Development
	Future Use / Development (Long Term)
LEGEND	
	Townsite Boundary
	Rural Residential
	Watercourse Floodplain High Hazard
	Watercourse Floodplain Low Hazard
	Estimated 100 year Floodplain
	100m Development Setback

4.1 PLANNING ISSUES

Planning opportunities and issues influencing the development of rural residential land uses within the overall Shire have been assessed below having regard to the manner in which development has taken place within the existing rural residential areas at Preston Street and the Wilderness Estate.

The implementation of new Scheme provisions within LPS 4 will assist to address these issues and allow a more consistent approach to the assessment of development applications.

1. **Land Use and Development** – The list of permitted uses within the Existing Cape Wilderness Estate is controlled via the Special Use provisions under TPS 3. Currently the range of permitted uses is restricted to a limited number of uses, such that other legitimate uses compatible with a rural residential zoning cannot be approved. Consideration should be given to introducing a broader Rural Residential Zone and corresponding objectives statements to ensure greater flexibility in the assessment of permitted uses. Consideration should be given to provisions for keeping stock and animals on a lot. Transportable dwellings are also to be considered.
2. **Building Envelopes** – At the time of lodging a planning application, building envelopes are required to be defined on lots within the Cape Wilderness Estate. Development/ Redevelopment upon lots within the Preston Street rural residential area are not required to comply with a building envelope area. Greater statutory clarity is required within the Scheme to ensure that all new development occurs within an approved building envelope, including a dwelling and ancillary accommodation.
3. **Outbuildings** – The inappropriate siting and location of outbuildings in rural residential areas currently have an impact on visual amenity, particularly where view corridor through the Exmouth Gulf are required to be protected. Provisions should be included within LPS 4 to control the siting, screening and size of outbuildings. Currently TPS 3 does not contain these provisions.
4. **Building Height** – The need to limit building heights in rural residential areas arises where rural living amenity of an area is impacted by the bulk and scale of adjoining development, particularly where view corridors of Exmouth Gulf are potentially affected. Currently there is no guidance on maximum building heights for residential development within TPS 3.
5. **Visual Impact of Building Design** – A variety of dwelling styles are evident within the existing rural residential areas. Guidance on dwelling design appropriate to the climatic conditions of Exmouth would assist to establish an 'Exmouth vernacular' to guide the lodgement and assessment of future development within rural residential areas.
6. **Fencing Design** – The specification for fencing standards are applied within the Cape Wilderness Estate however there is no statutory provision to control fencing style within the Preston Street area. Consideration should be given to introducing uniform fencing provisions that are applicable to all rural residential estate.
7. **Flood Management** – Currently a proportion of lots within both the existing Preston Street subdivision area and Cape Wilderness subdivision are partially impacted by the floodplain of Preston Street Creek and floodplain of Shothole Catchment adjacent to the Exmouth Aerodrome respectively. Minimum floor levels and corresponding requirement for fill is not addressed by the current Scheme.
8. **Bushfire Management** – Where rural residential land is identified as bushfire-prone the requirements of draft SPP 3.7 *Planning for Bushfire Risk Management* and draft *Bushfire Risk Management Guidelines* (May 2014) apply and a bushfire hazard level assessment and Bushfire Management Plan may need to be prepared prior to development.
9. **Protection of Cameron's Cave** – Whilst subdivision/ development has not occurred within the 500m environmental buffer of Cameron's Cave, the extent of the existing zoning boundary of the Preston Street 'special rural' zone (SR1) under TPS 3 encroaches within the buffer area. A new zoning boundary will need to be defined under LPS 4 to ensure that rural residential development is limited to land that is fully outside of the buffer.

4.1.1 ACTION STATEMENTS

- a) Introduce 'Rural Residential' zone within LPS 4 to replace the existing 'Special Rural' and 'Special Use 3' zones and review the range of permitted uses listed in the Table 1 – Zoning Table.
- b) Include 'Rural Residential' zone provisions within LPS 4 to:
 - i) limit the location of new development, including outbuildings, to a defined building envelope.
 - ii) control the size and location of outbuildings.
 - iii) guide the appearance of rural residential built form.
 - iv) control the height of development.
 - v) specify minimum fencing standards.
 - vi) control minimum floor levels in flood prone areas.
 - vii) address fire management.
- c) Rezone Cameron's Cave and 500m buffer from 'Special Rural' zone, 'Residential Development' zone and 'Recreation and Open Space' reserve under TPS 3 to 'Environmental Conservation' reserve under LPS 4.
- d) Support the classification of Cameron's Cave and buffer as an 'A' Class Reserve under the *Land Administration Act 1997*.

4.2 EXISTING RURAL RESIDENTIAL

There are two localities within the Shire that support existing rural residential development:

- Preston Street subdivision area within the Exmouth townsite; and
- Cape Wilderness Estate located 15 kilometres south of the townsite.

A more detailed description of ‘Existing Rural Residential’ Areas 1 and 2 and the planning considerations and action statements that apply, are provided in **sections 4.2.1-4.2.2** to follow.

4.2.1 EXISTING RURAL RESIDENTIAL AREA 1 – PRESTON STREET

4.2.1.1 DESCRIPTION

Location	The Preston Street Rural Residential area is located within the Exmouth Townsite on the southern boundary, west of Minilya-Exmouth Road.
Site Description	The area comprises 21 lots fronting Preston Street and Herron Way, with a minimum lot size of 1 hectare. The lots are connected to reticulated water and power supply with on-site effluent disposal. With the exception of two lots that are subject to site preparation, the existing rural residential area is fully developed. Lots south of Preston Street (Lots 1378-1385) are impacted by the low and high hazard floodplain of Preston Street Creek. Lot 1365 Herron Way is partially affected by the low hazard floodplain.
Existing Zoning	‘Special Rural’ zone and ‘Recreation and Open Space’ reserve.



SITE PLAN – EXISTING RURAL RESIDENTIAL AREA 1

4.2.1.2 EXISTING RURAL RESIDENTIAL AREA 1 PLANNING CONSIDERATIONS

- 1) This LPS identifies Area 1 as being suitable for Rural Residential development consistent with the approved Plan of Subdivision.
- 2) Area 1 is currently zoned 'Special Rural-SR1' under TPS 3 with corresponding development requirements. Within LPS 4, the zoning will be rationalised to include Area 1 within a 'Rural Residential' zone with corresponding land use controls to apply to all new development.
- 3) No further subdivision of lots within Area 1 is supported given the minimum 1ha lot size requirement of a 'Rural Residential' zone classification.
- 4) In assessing a new development application within Area 1 for Lots 1378-1385 Preston Street and Lot 1365 Herron Way, the local government will have regard to the extent of the low and hazard floodplain of Preston Street Creek to ensure that proposed development:
 - a) has adequate protection from a 100 year ARI flood; and
 - b) does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.



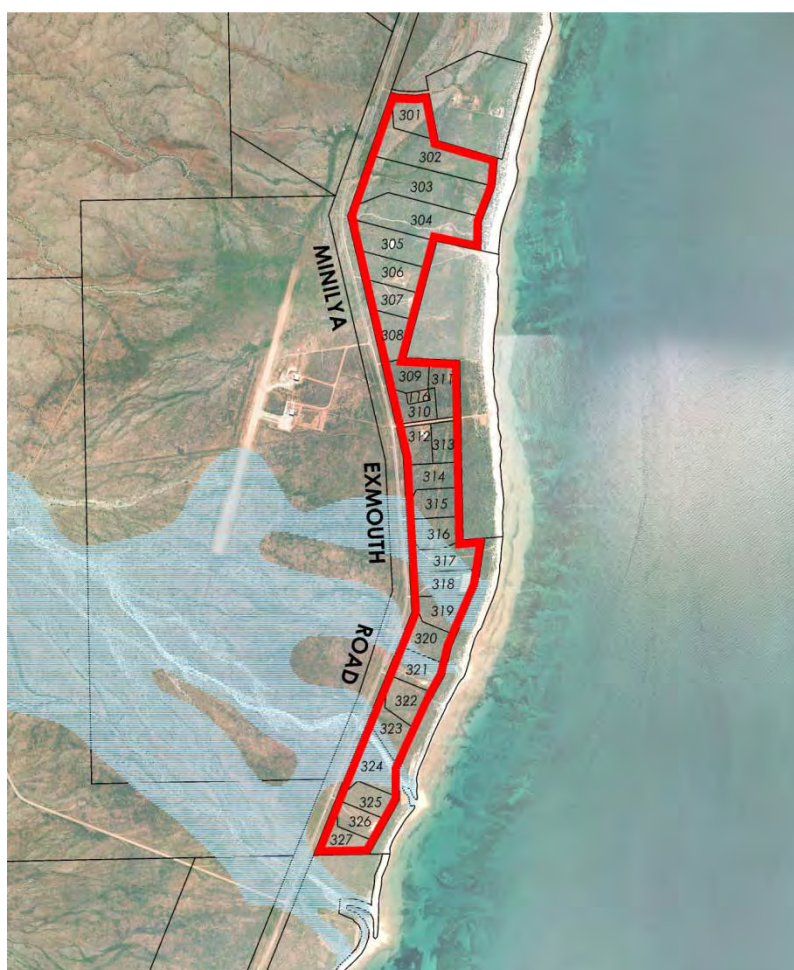
4.2.1.3 ACTION STATEMENTS

- a) The LPS identifies the land as being suitable for rural residential development.
- b) Include 'Rural Residential' zone within LPS 4 to replace the existing 'Special Rural Zone' within LPS 3 and refer to the Preston Street Rural Residential Area as 'Area A' with associated provisions.
- c) Review and consolidate existing Scheme provisions to facilitate a minimum lot size of 1.0ha in the Rural Residential Zone Area A given the availability of reticulated water.
- d) Formally close Childs Street and zone as 'Rural Residential' within LPS 4, and amalgamate the land where possible into adjoining lots.

4.2.2 EXISTING RURAL RESIDENTIAL AREA 2 – CAPE WILDERNESS ESTATE

4.2.2.1 DESCRIPTION

Location	The Cape Wilderness Estate is located 15km south of Exmouth Townsite on an elongated land area between Minilya-Exmouth Road and Exmouth Gulf. The site is immediately east of The Exmouth Aerodrome and adjacent to Pebble Beach.
Site Description	<p>Area 2 comprises 27 lots ranging in size from 3.5ha to 13.8 hectares. Planning and environmental controls are in place under the provisions of TPS 3 to protect vegetation cover, setbacks from Minilya-Exmouth Road, design, placement and height of dwellings, fencing styles and prohibition of stock. The lots are connected to reticulated water and power supply with on-site effluent disposal.</p> <p>50% of the lots are vacant. Dwellings and outbuildings have been developed on 15 lots with development being visually prominent given the relatively flat terrain and low coastal vegetation. The estimated 100yr floodplain of Shothole Catchment impacts 7 lots in the southern portion of Area 2.</p>
Existing Zoning	'Special Use' zone.



SITE PLAN – EXISTING RURAL RESIDENTIAL AREA 2

4.2.2.2 EXISTING RURAL RESIDENTIAL AREA 2 PLANNING CONSIDERATIONS

- 1) This LPS identifies Area 2 as being suitable for Rural Residential development consistent with the approved Subdivision Guide Plan.
- 2) The Wilderness Estate is zoned 'Special Use' under TPS 3. Within LPS 4, the zoning will be rationalised to include Area 2 within a single 'Rural Residential' zone.
- 3) No further subdivision within or extension of the rural residential area is supported due to:
 - a) potential landscape impacts;
 - b) the close proximity of the Exmouth Aerodrome and potential incompatibility with aircraft noise and safety buffers;
 - c) the need to maintain public access to the Gulf; and
 - d) Economies of servicing extension.
- 4) The existing and future development of existing lots within Area 2 will be subject to the requirements of the approved subdivision guide plan and scheme provisions (TPS 3 – Special Use Zone No. 5) and these will be carried forward for inclusion within LPS 4.



4.2.2.3 ACTION STATEMENTS

- a) The LPS identifies the land as being suitable for rural residential development in accordance with the approved Subdivision Guide Plan. No further extension of rural residential use within this precinct will be permitted.
- b) Include within the 'Rural Residential' zone within LPS 4 to replace the existing Special Rural Zone within LPS 3 and refer to the Cape Wilderness Estate as 'Area B' with associated provisions.
- c) Rezone Area 2 from 'Special Use' zone under TPS 3 to 'Rural Residential' zone under LPS 4.
- d) Review and consolidate existing scheme provisions noting that no future subdivision will be supported in the 'Rural Residential' Zone Area B given the conservation objectives of the estate; and
- e) Development within Area 2 will be subject to the requirements of the approved subdivision guide plan and scheme provisions (TPS 3 – Special Use Zone No. 3) and these will be carried forward for inclusion within LPS 4.

4.3 FUTURE RURAL RESIDENTIAL

The Strategy recognises the potential for limited expansion of the existing Preston Street area to the north-east and to the west. In addition, the LPS nominates a future rural residential development area one kilometre south of the Exmouth Townsite, with the extent and form of development to be determined following detailed site analysis, in particular the assessment of visual impact from Minilya-Exmouth Road. This recommendation is generally consistent with the *Exmouth South Structure Plan* (2013), noting that the extent of the area has been refined to acknowledge the development constraints of the floodplain.

A more detailed description of 'Future Rural Residential' Areas 1 to 3 and the planning considerations and action statements that apply are provided in **sections 4.3.1-4.3.2** to follow.

4.3.1 FUTURE RURAL RESIDENTIAL AREAS 1 & 2

4.3.1.1 DESCRIPTION

Location	Area 1 (UCL 505) Preston Street and Area 2 (Lot 300) Herron Way are located within the existing Preston Street rural residential area on the southern boundary of Exmouth Townsite.
Site Description	<p>Areas 1 and 2 represent an extension of the existing Preston Street rural residential area where a minimum 1ha lot size applies. Lot 1365 to 1385 Preston and Herron Way are fully developed for rural residential purposes within the exception of 2 lots subject to site preparation.</p> <p>Area 1 is vacant UCL comprising 24.5 ha. The site is traversed by power infrastructure and excavation and environmental constraints may be anticipated due to karst landform.</p> <p>Lot 300 within Area 2 is vacant UCL comprising 11.7ha however is subject to a Crown Lot subdivision application with the potential for 11 additional rural residential lots to be created. Portion of the site is within a low hazard floodplain.</p> <p>Areas 1 and 2 have the potential to be connected to water and power with on-site effluent disposal.</p> <p>The northern boundary of Areas 1 and 2 abuts the 500m buffer of Cameron's Cave limiting the northern extension of this precinct.</p>
Existing Zoning	'Special Rural' zone and 'Recreation and Open Space' reserve.



SITE PLAN - FUTURE RURAL RESIDENTIAL AREAS 1 & 2

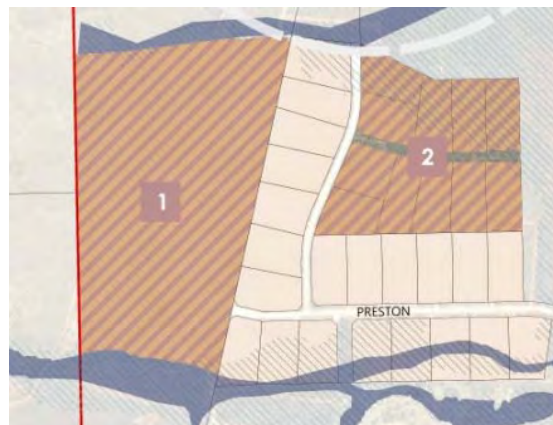
4.3.1.2 FUTURE RURAL RESIDENTIAL AREAS 1 & 2 PLANNING CONSIDERATIONS

The LPS identifies Areas 1 and 2 as being suitable for future rural residential development and represents a logical extension of the existing rural residential area, noting the high quality of development on existing lots, access to reticulated water and power, and proximity to the Townsite facilities.

The adjoining existing Preston Street subdivision is zoned 'Special Rural' under TPS 3. Within LPS 4, the zoning will be rationalised to include Areas 1 and 2 within a single 'Rural Residential' zone.

Area 1

- 1) In assessing a rezoning/structure plan proposals for Area 1, the local government will have regard to:
 - a) Environmental – assessment of land capability (geotechnical), landform (specifically limiting factors of foundation soundness, ease of excavation and water pollution), flora and fauna (including subterranean fauna), and ground and surface water hydrology.
 - b) The advice of the Department of Water noting proximity to the P1 Water Protection area and the Wellhead Protection Zones.
 - c) The extent of the low hazard floodplain of Preston Street Creek. The definition of the southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
 - d) The *Bushfire Risk Management Guidelines* and SPP 3.7 *Planning for Bushfire Risk Management* (as adopted/amended).



- e) Options for road connectivity between Preston Street and Herron Way.

Area 2

- 1) Area 2 is the subject of a Crown Subdivision application and has the potential to yield 11 lots assuming a minimum lot size of 1ha. In assessing an application, the local government will have regard to:
 - a) The definition of the northern and eastern extent of development which may need to be informed by hydraulic modelling associated with the high hazard floodplain and ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
 - b) The *Bushfire Risk Management Guidelines* and SPP 3.7 *Planning for Bushfire Risk Management* (as adopted/amended).
 - c) The 500m setback requirement to Cameron's Cave.
 - d) Interface with existing development.

4.3.1.3 ACTION STATEMENTS

- a) The LPS identifies the land as being suitable for rural residential development as an extension to the existing subdivision area.
- b) Include 'Rural Residential' zone within LPS 4 to replace the existing Special Rural Zone within LPS 3 and refer to the Preston Street Rural Residential Area as 'Area A' with associated provisions.
- c) Review and consolidate existing Scheme provisions to facilitate a minimum lot size of 1.0ha in the Rural Residential Zone Area A given the availability of reticulated water.

Area 1

- d) Rezone Area 1 from 'Recreation and Open Space' reserve under TPS 3 to 'Rural Residential' zone under LPS 4.
- e) Future rezoning proposals are to be accompanied by a Structure Plan that address the planning considerations detailed above.

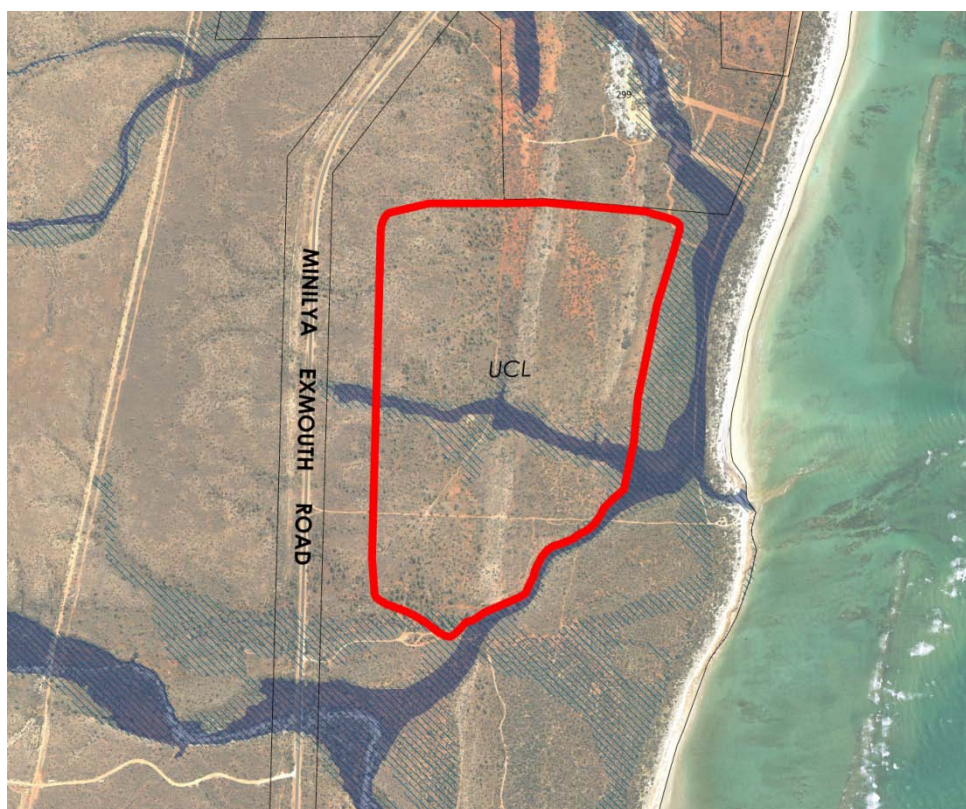
Area 2

- f) Including land zoned 'Special Rural' zone under TPS 3 within the 'Rural Residential Area A' zone under LPS 4.

4.3.2 FUTURE RURAL RESIDENTIAL AREA 3

4.3.2.1 DESCRIPTION

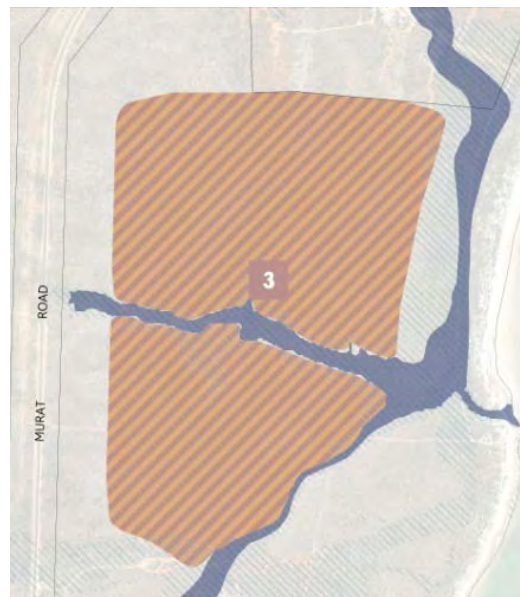
Location	Area 3 is located south of Exmouth Townsite and north of Mowbowra Creek between Minilya-Exmouth Road and Exmouth Gulf.
Site Description	<p>The site is vacant UCL comprising approximately 51 ha. The landscape is relatively flat and vegetated comprising interdunal depressions and intermittent tracks. Portion of the site is affected by the high and low hazard floodplain. A greater portion of the site has uninterrupted views through to Exmouth Gulf.</p> <p>The site has access to servicing infrastructure (scheme water, power and telecommunications).</p> <p>This area is located 1 kilometre south of the Exmouth townsite between Minilya-Exmouth Road and Exmouth Gulf. The area comprises 51 hectares, with the extent and form of development to be determined following detailed site investigations, in particular the assessment of visual impact from Minilya-Exmouth Road.</p>
Existing Zoning	'Recreation and Open Space' reserve.



SITE PLAN - FUTURE RURAL RESIDENTIAL AREA 3

4.3.2.2 FUTURE RURAL RESIDENTIAL AREA 3 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 3 as a future low impact rural residential eco-estate consistent with the recommendations of the *Exmouth South Structure Plan* (2013), noting the extent of the area has been reduced to recognise the constraints of the low and high hazard floodplain of the tributaries of Mowbowra Creek.
- 2) The development of Area 3 is only supported where it can be demonstrated that the view corridors to Exmouth Gulf from the Minilya-Exmouth Road are protected.
- 3) In assessing a rezoning/structure plan proposals for Area 3 the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The extent of the floodplain of tributaries of Mowbowra Creek. The extent of developable area will need to be informed by hydrological modelling to ensure that proposed development has adequate flood protection from a 100 year ARI flood.
 - c) Landscape and View Shed Analysis to inform a design response where development is to be confined to the interdunal depressions of the landform.
 - d) The sensitive positioning of building envelopes with regard to outcomes of the Landscape and View Shed Analysis.



- e) The adoption of design guidelines to address building form, colours and materials, including sustainable servicing initiatives.
- f) 100m setback requirement to the Minilya-Exmouth Road.
- g) The *Bushfire Risk Management Guidelines* and SPP 3.7 *Planning for Bushfire Risk Management* (as adopted/amended).
- h) Definition of the foreshore reserve having regard to coastal processes and environmental protection requirements.

4.3.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Rural Residential'.
- b) Defining the extent of the rural zoning of Area 3 by:
 - i) Including that portion of Area 3 currently reserved Parks and Recreation under TPS 3 within the 'Rural' zone under LPS 4; and
 - ii) Including land currently reserved 'Recreation and Open Space' under TPS 3 within the 'Environmental Conservation' reserve under LPS 4.
- c) Require future rezoning proposals are to be accompanied by a structure plan that address the planning considerations detailed above.

5 INDUSTRIAL

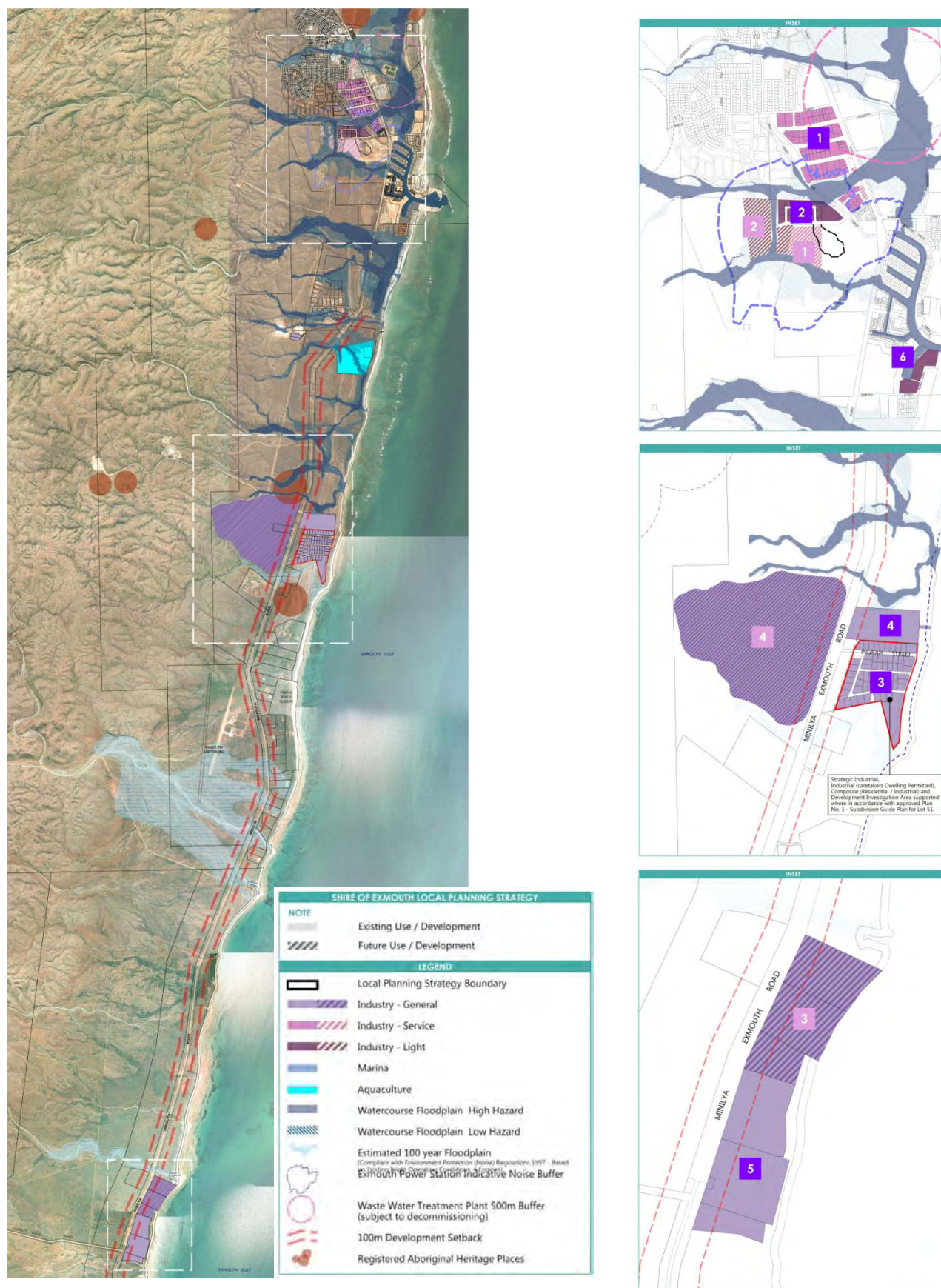


FIGURE 15 INDUSTRIAL STRATEGIC PLAN

The **Industry Strategic Plan (Figure 15)** confirms the proposed spatial location of service, light, general industrial land use activity within the Shire recognising the importance of these industrial nodes as an employment base for the population. The Strategy reinforces the consolidation of service and light industrial land uses within the Townsite, encouraging general industrial land uses to relocate to zoned industrial land south of the Townsite. Two (2) categories of industrial land are identified within and outside of the Townsite as follows:

1. EXISTING INDUSTRY

2

'Existing Industry' land comprises land zoned Mixed Use, Light Industrial, Industrial or Marina under the provision of TPS 3. There are six (6) existing industry areas cross-referenced as Areas 1 to 6 on the **Industry Strategic Plan** as follows:

- Industry - Service - Area 1 (Mixed Use);
- Industry - Light - Area 2 (Welch Street LIA);
- Industry - General - Area 3 (Lot 51 Ingram Street), Area 4 (Lot 50 Ingram Street) and Area 5 (Kailis Site); and
- Industry - Light (marine based) - Area 6 (Exmouth Marina).

A detailed description of each 'Existing Industrial' area and Planning Considerations and Action Statements that apply are provided in **section 5.2** to follow.

2. FUTURE INDUSTRY

4

'Future Industry' represents the future opportunities to release industrial land within and outside of the Townsite. Four (4) categories of future industrial land have been identified cross-referenced on the **Industry Strategic Plan** as Areas 1 to 4 as follows:

- Industry - Service - Area 1 (South of Welch Street);
- Industry - Light - Area 2 (West of Welch Street LIA);
- Industry - General - Areas 3 (North of Kailis Site) and;
- Area 4 (West of Ingram Street).

A detailed description of each 'Future Industrial' area and Planning Considerations and Action Statements that apply are provided in **section 5.1** to follow.

5.1 PLANNING ISSUES

Planning issues influencing the development of industrial land uses within the overall Shire have been outlined below having regard to the manner in which development has taken place within the existing mixed use area south of Nimitz Street, and the industrial areas at Welch Street and Ingram Street.

The implementation of new Scheme provisions within LPS 4 will assist to address these issues and allow a more consistent approach to the assessment of development applications.

1. **Non Conforming Uses** – Land within the boundaries of the townsite (currently zoned either mixed use or light Industrial under TPS 3) comprise a number of lots supporting general industrial development. These premises are considered incompatible with the objectives of the zones in which they are located and therefore will continue to operate under the non-conforming use provisions of the Scheme. These premises should be encouraged to relocate noting that the land use transition overtime will be dependent upon the availability of land within the existing or future industrial areas south of the townsite.
2. **Location and Setback between Residential/Industrial Land Use on Composite Lots** – Within the existing mixed use area, there is currently limited consistency in the location of, and separation distance between, the residential and industrial component on each composite lot. Dwellings have been inappropriately constructed immediately abutting industrial development (common wall); and arbitrarily located both at the rear of a lot behind the industrial use or on the street frontage. Consideration should be given to formalising an approval process whereby a dwelling is to be located behind the non-residential use with an acceptable separation distance provided.
3. **Staged Development within Mixed Use Area** – Currently the approval of a dwelling on a composite lot within the Mixed Use Area is permitted where the use is incidental to the predominant service or light industrial use. Whilst contrary to the Scheme, there are instances where dwellings are being occupied prior to establishment of the predominant industrial use. The inclusion of a scheme provision which does not permit a dwelling to be occupied until the predominant non-

residential use has been commenced, should be considered to overcome this compliance issue.

4. **Proximity of Exmouth Power Station** – The location of the Exmouth Power Station is a constraining factor to the establishment of caretaker's dwellings within the existing Welch Street Industrial area and to a lesser extent, the approval of composite development within portion of the existing Mixed Used Area. The development of sensitive land uses on industrial zoned land will be dependent upon compliance with *Environmental Protection Noise Regulation 1997* or the future relocation of the Exmouth Power Station infrastructure.
5. **Residential and Caretaker's Dwellings (Lot 51)** – Given the current 'Special Use (SU5)' Zoning of the Ingram Street Industrial Area (Parent Lot 51) and associated EMP (2007), a unique planning situation has arisen where a composite industrial/residential area has emerged within a quasi-general industrial area. Because of the residential component, without stringent enforcement of the management provisions of the SU5, potential limitations are placed on the future industrial development of land immediately to the north and west of Lot 51, noting that an applicant is required to submit an acoustic report which assesses the noise impact associated with current and potential industrial uses and recommends appropriate noise attenuation measures to the dwelling to address any such impact. The onus on future purchasers of lots within the composite precinct will need to be clearly expressed in LPS 4 to ensure future industrial development in this locality is not unduly constrained.
6. **Development Investigation Area – Ingram Street** – Schedule 3 – Special Use Zones nominates the south eastern portion of the Ingram industrial area for 'tourist related activities which may include a caravan park and associated uses'. The *Tourism Strategy* does not identify this site as being suitable for caravan park and camping use, given its remote location from townsite facilities and its proximity to an established industrial precinct and associated encumbrances. In addition, tourist accommodation is a sensitive land use as defined under *EPA Guidance Statement No 3 – Separation between Industrial Uses and Sensitive Land Uses*, and as reinforced by TPS 3, any proposal will need to be subject to a noise impact assessment with recommendations made for appropriate noise attenuation measures where applicable. TPS 3 also currently requires a scheme amendment to be initiated prior to the use and development of the site. Future development of this site should be cognisant of its location within an industrial precinct and the requirement for the Scheme to be amended prior to development.
7. **Marine Support Facility** – The potential opportunity to broaden Exmouth's employment base is recognised and supported through the establishment of a marine support facility to service the resource sector. The local government through the *Exmouth South Structure Plan* (2013) assessed various options for the siting of a facility, noting that the existing approval for marine based infrastructure at Lot 50 Minilya-Exmouth Road and/or Exmouth Boat Harbour (subject to expansion), is prioritised by the local government ahead of other sites to limit the potential impact on the Gulf's marine environment.

5.1.1 ACTION STATEMENTS

- a) Introduce a new 'Service Commercial' zone within LPS 4 including objectives, site and development requirements to replace the 'Mixed Use' zone under TPS 3.
- b) Introduce a new 'Light Industry' zone within LPS 4 including objectives, site and development requirements to replace the 'Light Industrial' zone under TPS 3.
- c) Introduce a new 'General Industry' zone within LPS 4 including objectives, site and development requirements to replace the 'Industrial' zone under TPS 3.
- d) Include provisions within the 'Service Commercial' zone for the continuation of the composite residential/industrial use within LPS 4, to:
 - i) control the siting of a dwelling to ensure it is located behind the industrial use.
 - ii) control the separation distance between a dwelling and industrial use.
 - iii) require the occupation of dwelling to coincide with, or follow the establishment of the predominant industrial use.
- e) Negotiate the longer term relocation of the existing Exmouth Power Station infrastructure to remove the impediment for dwellings within the 'Light Industry' zone.
- f) Existing general industrial land uses where not permitted within the industrial zone, in which they operate, are to continue under the non-conforming use provisions of LPS 4.
- g) Encourage the relocation of non-conforming uses within the 'Service Commercial' and 'Light Industry' zones to industrial areas outside of the townsite.
- h) Transfer the provisions of the 'Special Use' zoning of the Ingram Street Industrial Zone (Lot 51) into LPS 4, excluding the strategic industrial precinct which can be appropriately accommodated in the 'General Industry' zone in LPS4 and include the Development Investigation Areas within the 'Special Use – Caravan Parks and Camping Grounds' zone.
- i) Recognise the existing approval for marine based infrastructure at Lot 50 Minilya-Exmouth Road and endorse the locality as being suitable for a marine support facility.

5.2 EXISTING INDUSTRY

This section identifies four (4) separate categories of existing industrial development divided into Areas 1 to 6 as follows:

Mixed Use

The area designated as 'Existing Mixed Use' comprises land currently zoned Mixed Use and Light Industrial under TPS 3, extending from Nimitz through to Welch Street, described as *Area 1*. The service industrial classification of Area 1 will enable a continuation of existing composite land use (residential/industrial) consistent with the existing land use characteristics of the area.

Light Industry

The area designated as 'Existing Industry - Light' comprises land currently zoned industrial under TPS 3 and referred to as the Welch Industrial Area, described as *Area 2*. There is currently a mix of general, service and light industrial use inclusive of caretaker dwellings.

General Industry

The areas designated as 'Existing Industry - General' comprise land currently zoned Special Use and Industrial under TPS 3. There are two general industrial precincts identified as follows:

- *The Ingram Street Industrial Area, comprising Lot 51 and Lot 50, described as Areas 3 & 4.*

Over time, the Ingram Street Industrial Area has transitioned from an industrial zoned area to a special use zone primarily accommodating composite industrial/residential use and catering for the relocation of industrial uses from the townsite which would otherwise generate nuisance or require a larger land area.

Historically an industrial park on Lot 50 and 51 Minilya-Exmouth Road was proposed to specifically support the establishment of large scale strategic industries outside of the townsite (gas-fired power station, fish processing and handling and limestone related industry). In 2000, the proposal was subject to formal environmental assessment following which Environmental Protection Authority (EPA) approval was granted subject to environmental conditions set out in Ministerial Statement No 545. The Ministerial Statement required the preparation of an Environmental Management Programme (EMP) incorporating a Stormwater Drainage Management Plan, Vegetation Management Plan and Karst Management Plan, and set out the mechanisms for ongoing management and compliance auditing.

In 2005, TPS 3 Amendment No 12 was gazetted rezoning Lot 51 from 'Industrial' to 'Special Use' to provide for a more flexible approach to the mix of land uses permitted within the industrial area. In 2007, the original EMP was amended to reflect a change in demand for specific land uses (namely the re-siting of the gas fired power station to the townsite, the establishment of marine related industry in the Exmouth Marina and the processing of limestone at the mine site). Amendment No 12 and the EMP (2007) resulted in the Shire of Exmouth being responsible for implementing a Subdivision Guide Plan and specific land use controls, including referral of any development applications to the EPA that may have a significant impact upon the environment.

Lot 50 retained its industrial zoning and was also classified as a strategic Industrial lot to cater for the establishment and/or relocation of industrial uses from the townsite which would otherwise generate nuisance or require a larger land area.

- *Lots 1, 101, 112 & 220 Minilya-Exmouth Road, described as Area 5.*

Area 5 is referred to as the Kailis Site and is located adjacent to the intersection of Minilya-Exmouth Road and Charles Knife Road. Following a Ministerial decision under section 76(1) of the *Planning and Development Act 2005*, TPS 3 Amendment No 27 was approved in November 2013 rezoning the landholdings from 'Special Use' to 'Industrial' zone. This followed a change in land use intent for the locality to potentially support additional land based industrial infrastructure associated with a marine support facility servicing the oil and gas industry.

Marina – Precinct E

The area designated as Marina-Precinct E is located within the Exmouth Marina and has been identified as a marine based light industrial area by the approved Exmouth Marina Village ODP, described as *Area 6*.

A more detailed description of the 'Existing Industrial' areas and the Planning Considerations and Action Statements that apply to guide decision making is provided in **sections 5.2.1-5.2.6** to follow.

5.2.1 EXISTING INDUSTRY AREA 1 – MIXED USE

5.2.1.1 DESCRIPTION

Location	Existing mixed use area bounded by Murat Road, Nimitz, Reid and Patterson Way, and the existing light industrial area fronting Griffiths Way and north of Welch Street.
Site Description	<p>This area historically functioned as the town's first light industrial area characterised by wide road reserves and supporting a mix of service, light and general industrial land use. 'Mixed Use' and Light Industrial zoning under the existing TPS 3 has resulted in the area evolving predominantly as a composite service industrial area with 50% of these lots also supporting residential/caretaker uses as permitted by the Scheme. A 25-75m drainage and open space reserve runs parallel to Reid Street adequately buffering Area 1 from the proposed future residential development to the west.</p> <p>Seven lots within Area 1 are listed on the Department of Parks and Wildlife (DPaW) database as known Contaminated Sites requiring remediation (Lots 23 and 29 Pelias Street; Lot 24 Nimitz Street, Lots 4,6 and 8 Huston Street; and 8 Murat Road).</p> <p>The land use characteristics of the area include:</p> <ul style="list-style-type: none"> • 39 out of a total of 114 lots are developed as a combination of industrial use and residences; • 43 out of a total of 114 lots within Area 1, support service industrial land uses, of which 50% have a residence/caretaker developed on the lot; • 3 Lots are classified as heavy industry (Concrete Batching Plant); • 22 lots are classified general /light industry of which 7 support residences; • 12 lots are classified as service commercial of which 6 comprise a residential component; • Government offices (4 lots); • Retail related activity (3 lots); • 7 lots – Other; and • 8 lots - Vacant.
Existing Zoning	'Mixed Use', 'Light Industrial' and 'Tourist' zones and 'Public Purposes' reserve.



SITE PLAN - EXISTING INDUSTRY AREA 1

5.2.1.2 EXISTING INDUSTRY AREA 1 PLANNING CONSIDERATIONS

- 1) The LPS identifies the area as being suitable for:
 - a) Service industrial development (south of Nimitz Street and north of Maley Street) to reflect the existing zoning and land use of the locality; and
 - b) Service industrial development (between Maley and Welch Street, east of Reid Street) to provide for additional lots supporting residential/industrial composite uses in response to demand. This is consistent with the recommendations of the *Exmouth Townsite Structure Plan* (2011), where spatially the service industrial area extends from Nimitz Street south to Welch Street.
- 2) Future subdivision and development is to provide for the continuation of the discretionary composite industrial/residential use of land to enable business ventures to more easily establish without the added land cost of constructing a residence in another area of town.
- 3) The removal of existing public purposes reservations and their inclusion in the 'Service Commercial' zone is supported to provide greater flexibility for future land use.
- 4) The removal of the light industry zone bounded by Maley Street and Welch Street is supported to more accurately reflect the current land use configuration and the recommendation of the *Exmouth South Structure Plan* (2011).
- 5) The development of heavy, general or noxious industry land uses within Area 1 is not supported due to the composite residential development potential of the locality.
- 6) Land with subdivision potential within Area 1 will be exempt from the requirement to prepare a Structure Plan given the established subdivision pattern.
- 7) In assessing subdivision and/or development applications, the local government will have regard to:
 - a) The proximity of the land to the existing Exmouth Power Station and associated buffer. The approval of dwellings and residences within the buffer is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).
 - b) The Murat Road Guidelines which require high quality built form fronting Murat Road.
 - c) Sites identified as being contaminated where remediation is required. Where applicable, a site



management plan should be implemented prior to the land being deemed suitable for development.

- d) The proximity of land to the existing Waste Water Treatment Plant and associated buffer. The approval of residential land uses within the buffer is dependent upon the longer term relocation of the infrastructure.
- 8) Existing land uses where inconsistent with the proposed 'Service Commercial' zoning will continue to operate as non-conforming uses, as follows:
 - a) Lot 28 Pellew Street (Concrete Batching Plant); and
 - b) Lot 954 Welch Street and Lot 956 Griffiths Way.
- 9) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change, as follows:
 - a) Office and Transport Depot – 'D' discretionary use within the 'Service Commercial' zone for Lots 1499 and 1500 Nimitz Street (Water Corporation government offices and storage yard/depot);
 - b) 'Bulky Goods Showroom' – 'D' discretionary use for industrial related bulky retail business premises; and
 - c) 'Dwelling' and 'Caretaker's Dwelling' as 'D/X1' discretionary uses to facilitate composite development.
- 10) Support the establishment of an Emergency Response Precinct on Lots 145 and 849 Pelias Street (Disused Power Station) to facilitate the planned relocation of SES service from the Town Centre.
- 11) Accommodate the establishment of the Exmouth Fire Station on Lot 550 (UCL) Murat Road with access from Patterson Way and encourage high quality built form outcomes, consistent with the requirements of the Murat Road Design Guidelines.

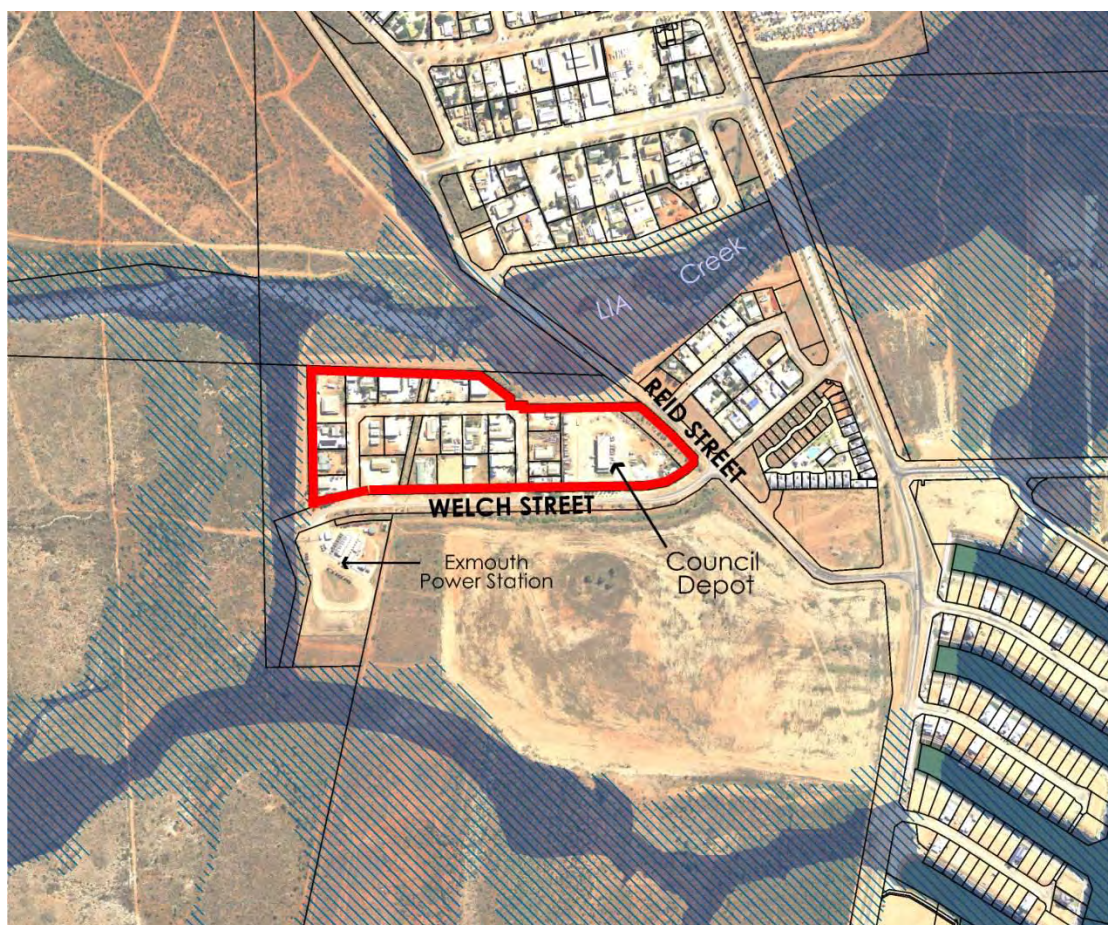
5.2.1.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Service Commercial' and 'Public Open Space'.
- b) Rezoning the land from 'Mixed Use', 'Light Industry' and 'Tourist' zones and 'Public Purposes' reserve under TPS 3 to 'Service Commercial' zone and 'Public Open Space' reserve in LPS No 4.
- c) Finalise the relocation of the existing WWTP infrastructure to remove any impediment to the approval of residential use within portion of Area 1.
- d) Investigate the longer term relocation of the existing Exmouth Power Station to remove the impediment for the approval of residential use within portion of Area 1.
- e) Review Murat Street Design Guidelines to include development requirements for the 'Service Commercial' zone.
- f) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change.
- g) Existing approved land uses, inconsistent with the proposed zoning change to continue to operate as non-conforming uses.

5.2.2 EXISTING INDUSTRY AREA 2 – LIGHT INDUSTRY

5.2.2.1 DESCRIPTION

Location	Existing Welch Street light industrial area immediately south of LIA Creek and west of Reid Street.
Site Description	<p>Area 2 functions as a general/light industrial area. The area is physically separated from the proposed service industrial area to the north by LIA Creek, though has good accessibility from Murat Road via Welch Street and Reid Street. Lot sizes range from 1,150m² to 5,150m² with the exception of the lot accommodating the larger land take requirements of the Shire Depot.</p> <p>The land use characteristics of the area include:</p> <ul style="list-style-type: none"> • The area comprises 25 lots of which only 1 lots are vacant; • 8 lots support service industrial land uses; • 9 lots are classified general /light industry; • 9 out of a total of 25 industrial lots support a caretaker's dwelling; • 4 lots are used for storage of which 3 support a caretaker's dwelling; • 1 lots are classified as service commercial; and • 3 lots – vacant or other.
Existing Zoning	'Industrial' zone and 'Public Purposes' reserve.



SITE PLAN - EXISTING INDUSTRY AREA 2

5.2.2.2 EXISTING INDUSTRY AREA 2 PLANNING CONSIDERATIONS

- 1) This LPS identifies the area as being suitable for light industrial development with associated caretaker's dwellings (west of Reid Street) to reflect the existing zoning and land use of the locality.
- 2) The removal of existing the 'Public Purposes' reserve (Shire Depot) and its inclusion in the 'Light Industry' zone is supported to provide greater flexibility for future land use.
- 3) The existing 'Public Open Space' reserves within Area 2 abutting Reid Street to be retained.
- 4) The development of heavy, general or noxious industry land uses within Area 2 is not supported due to the potential for caretaker's dwellings to be approved in the locality.
- 5) Land with subdivision potential within Area 2 will be exempt from the requirement to prepare a Structure Plan given the established subdivision pattern.
- 6) In assessing subdivision and/or development applications, the local government will have regard to:
 - a) Site contamination where remediation is required. Site investigations should be referred to the EPA for assessment and if required a site management plan implemented prior to the land being deemed suitable for development.
 - b) The proximity of the land to the existing Exmouth Power Station and associated buffer. The approval of caretaker's dwellings within the buffer is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).



- c) Existing land uses where inconsistent with the proposed 'Light Industry' zoning will continue to operate as non-conforming uses, as follows:
 - i) Lots 1, 2, 1138, 1142, 1146, 1149, 1129 and 1157 Koolinda Way (General Industry); and
 - ii) Lots 1143 and 1148 Welch Street (General Industry).
- d) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change, as follows:
 - i) Caretaker's Dwelling as a 'D' discretionary use within the 'Light Industry' zone; and
 - ii) Transport Depot – 'D' discretionary use within the 'Light Industry' zone for Lots 1499 Welch Street (Shire Depot).

5.2.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Industry - Light' and 'Public Open Space'.
- b) Rezoning the land from 'Industrial' zone and 'Public Purpose' reserve under TPS 3 to 'Light Industry' zone and 'Public Open Space' reserve in LPS 4.
- c) Consider the longer term relocation of the existing Exmouth Power Station Infrastructure to remove the impediment for caretaker's dwellings within Area 2.
- d) Consider caretaker's dwellings only where compliance with EPA Guidance Statement No 3 can be demonstrated.
- e) Ensure the Zoning Table appropriately acknowledges the continuation of existing land uses where consistent with the proposed zoning change.
- f) Existing land uses inconsistent with the proposed zoning change to continue to operate under the non-conforming use rights of LPS 4.
- g) Introduce scheme provision into LPS 4 to ensure caretaker's dwellings are used only for their intended purpose and do not prejudice the primary industrial purpose of the 'Light Industry' zone.

5.2.3 EXISTING INDUSTRY AREA 3 – LOT 51

5.2.3.1 DESCRIPTION

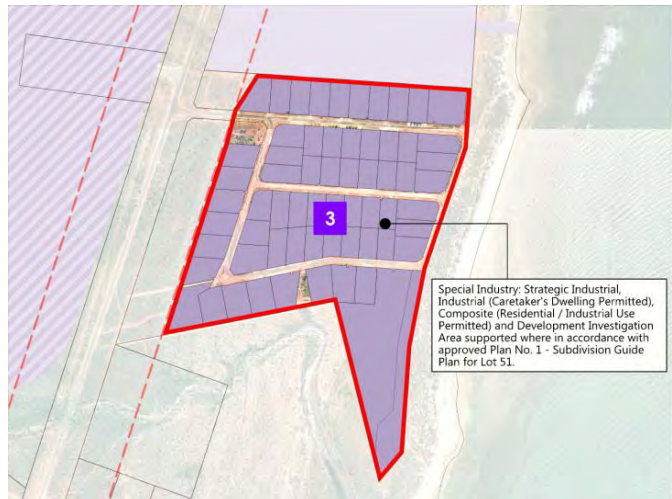
Location	Area 3 (parent Lot 51 Ingram Street) is located 8 kilometres south of the Exmouth townsite.
Site Description	<p>Area 3 comprises the existing Ingram Street industrial area consisting of 62 industrial lots, ranging in size from 3,058m² to 8,740m², excluding larger land take requirement of Lot 149 - tourist use (6.2ha).</p> <p>Historically an industrial park on Lot 50 Ingram Street was proposed to specifically support the establishment of large scale strategic industries outside of the townsite (gas-fired power station, fish processing and handling and limestone related industry) and was subject to formal environmental assessment (Ministerial Statement No 545).</p> <p>In 2005, a more flexible approach to the mix of land uses permitted within the industrial area was contemplated and subsequently TPS 3 Amendment No 12 was gazetted rezoning Lot 51 from 'Industrial' to 'Special Use' with a corresponding amendment to the EMP for the locality implemented in 2007.</p> <p>The land use assessment of Area 3 confirms that:</p> <ul style="list-style-type: none"> • 44% of the lots are currently undeveloped (27 out of a total of 62 lots); • 27 lots support activity classified general /light industry; • 11 lots support composite residential/industrial development ; • 6 lots are used for storage; and • 2 lots other. <p>The estimated 100yr floodplain of Unnamed Creek abuts the southern portion of the existing subdivision.</p>
Existing Zoning	<p>Area 3 is zoned 'Special Use' (SU5) and is subject to an approved subdivision guide plan, land use management conditions in accordance with Schedule 3 of TPS 3. An Environmental Management Programme for Lot 51 (2007) has been implemented as a condition of Ministerial Statement No 545 (2000).</p> <p>The 'Special Use' Zoning provisions and the Subdivision Guide Plan facilitates Strategic Industrial lots (Lots 101-110 Ingram Street – 10 Lots: caretaker's dwelling not permitted); Industrial lots (Lot 111 & Lots 113-119 – 8 Lots: caretaker's dwellings permitted); Composite industrial/residential use (Lot 112, Lots 120-148, Lots 150-163 – 44 lots: balance); and Development Investigation Area (Lot 149 – tourist related activity).</p>



SITE PLAN - EXISTING INDUSTRY AREA 3

5.2.3.2 EXISTING INDUSTRY AREA 3 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 3 as being suitable for industrial development in accordance with the existing scheme provisions applicable to the Strategic Industrial Precinct, Industrial Precinct, Composite Precinct and Development Investigation Area specified by Schedule 3 of the TPS 3 read in conjunction with Plan 1 – Subdivision Guide Plan on Plan 1 – Subdivision Guide Plan for Lot 51.
- 2) The land use intent for this area reinforces the permitted landuse for each precinct identified on Plan 1 – Subdivision Guide Plan generally including:
 - a) Strategic Industrial – General Industry (Light Industry, Service Industry, Caretaker’s Dwelling - Not Permitted);
 - b) Industrial – General Industry (Fuel Depot, Noxious Industry, Service Station – Not Permitted; Caretaker’s Dwelling – permitted);
 - c) Composite – (Fuel Depot, Noxious Industry, Service Station – Not Permitted; Composite General, Light and Service Industry / Residential – Permitted where compliant with nominated building envelopes); and
 - d) Development Investigation – Tourism Activity.
- 3) Land with subdivision potential within Area 3 will be exempt from the requirement to prepare a Structure Plan given the established subdivision pattern and approved Subdivision Guide Plan.
- 4) In assessing subdivision and/or development applications within Area 3, the local government will have regard to:
 - a) The requirements of the approved subdivision guide plan and existing scheme provisions (Schedule 3 of TPS 3 – Special Use Zone No. 5).



- b) The ongoing management requirements of the *Environmental Management Programme for Lot 51* (Rev1 April 2007) where applicable including stormwater management measures; vegetation protection outside building envelope and within buffer areas; storage, handling and disposal of waste and environmentally sensitive materials; management of dust, noise, odour and gaseous emissions; onsite effluent disposal; licencing of groundwater bores.
- c) The need to impose special conditions relating to the continuing environmental management of land and where necessary, consult with the EPA for advice on the terms of such conditions.
- d) The Emergency Management Plan for Lot 51.
- e) The proximity of the estimated 100yr floodplain of Unnamed Creek (Hyd2o 2013) and impact on minimum site levels.

5.2.3.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Industry – General' with notation recognising the approved Plan 1 – Subdivision Guide Plan for Lot 51.
- b) Include the land within the 'Special Use' zone under LPS 4 consistent with the current zoning under TPS 3, excluding the strategic industrial land to be rezoned 'General Industry' and the 'Development Investigation Area' to be rezoned 'Special Use – Caravan Park and Camping'.
- c) Include SU5 approved subdivision guide plan and associated provisions within LPS 4.
- d) Enforce the requirements of the Environmental Management Programme for Lot 51 where applicable in accordance with Ministerial Statement No 545.

5.2.4 EXISTING INDUSTRY AREA 4 – GENERAL INDUSTRY (LOT 50)

5.2.4.1 DESCRIPTION

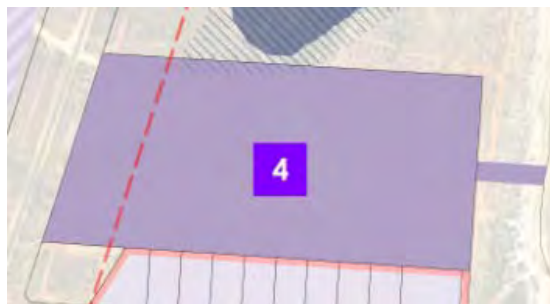
Location	Area 4 (Lot 50 Minilya-Exmouth Road) is located 8 kilometres south of the Exmouth Townsite immediately abutting Lot 51 (Area 3).
Site Description	Area 4 comprises 18ha and is predominantly vacant with a portion of the site used for the stockpiling of limestone. Area 4 is subject to a mining tenement and has environmental approvals in place for the stockpiling of limestone and associated barge loading facility. Area 4 has direct access to the mine site via a haulage road to the west of the site. The area has frontage to Minilya-Exmouth Road.
Existing Zoning	Area 4 is zoned 'Industrial' with additional strategic industrial conditions.



SITE PLAN - EXISTING INDUSTRY AREA 4

5.2.4.2 EXISTING INDUSTRY AREA 4 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 4 as being suitable for General Industrial Development.
- 2) The land use intent for this area is to provide the opportunity for a marine support facility, lay-down and general industrial area servicing the resource sector as well as accommodating the relocation of existing industrial activity from the townsite which generate nuisance and/or have a larger land take requirement.
- 3) In assessing a structure plan, subdivision and/or development application within Area 4, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) Preparation and implementation of a foreshore management plan. This should include confirmation of the Foreshore Reserve having regard to coastal processes, environmental protection requirements and the land take and buffer requirements of existing approvals (refer d) to follow).



- c) The provision of a 100m public open space buffer along Minilya-Exmouth Road which considers the opportunities to address visual impact of the development.
- d) The existing environmental approval for the development of a breakwater and barge loading facility.
- e) Safe access point(s) to Minilya-Exmouth Road, noting the existing access to Ingram Street and the MRWA Road train assembly area, immediately south.
- f) Emergency access requirements to Minilya-Exmouth Road which may also include the requirement to provide for a secondary road connection between Area 3 and the 12m Thresher Street road reserve (unconstructed).

5.2.4.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Industry - General'.
- b) Include the land currently zoned 'Industrial' under TPS 3 within the 'General Industry' zone under LPS 4.
- c) Introduce 'Marine Support Facility' as an 'A' use – subject to advertising within the 'General Industry' zone within LPS 4.
- d) Include a definition for 'Marine Support Facility' within Schedule 1 – Dictionary of Defined Words and Expressions.
- e) Include the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect view corridors of the Exmouth Gulf and address visual impact of development.

5.2.5 EXISTING INDUSTRY AREA 5 – GENERAL INDUSTRY

5.2.5.1 DESCRIPTION

Location	Area 5 (Lots 1, 101, 112 & 220) Minilya-Exmouth Road is located 22 kilometres south of the Exmouth townsite at the intersection of Charles Knife Road and immediately south of Badjirrajirra Creek.
Site Description	<p>Area 5 comprises a combined area of 27.8ha and supports buildings and infrastructure previously associated with the MG Kailis seafood processing operation and caravan park. With the exception of Lot 112 (Leasehold Crown Lot), Area 5 is privately owned.</p> <p>Following a Ministerial decision under section 76(1) of the <i>Planning and Development Act 2005</i>, TPS No 3 Amendment No 27 was approved in November 2013 rezoning the landholdings from 'Special Use' to 'Industrial' zone. This reflected a change in the land use intent for the locality to support industrial use and land based infrastructure associated with a potential marine support facility.</p>
Existing Zoning	Area 5 is zoned 'Industrial' with additional strategic industrial provisions.



SITE PLAN - EXISTING INDUSTRY AREA 5

5.2.5.2 EXISTING INDUSTRY AREA 5 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 5 as General Industry consistent with existing industrial zoning under LPS 3.
- 2) The land use intent for this area is to provide the opportunity for land based general industrial activity servicing the resource sector as well as to accommodate the relocation of existing industrial activity from the townsite which generate nuisance and/or have a larger land take requirement.
- 3) Caretaker's Dwellings are permitted within existing dwellings within Area 5 only, where approved by the local government as a discretionary decision within the 'General Industry' zone.
- 4) In assessing a structure plan, subdivision and/or development application within Area 5, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) Preparation and implementation of a foreshore management plan. This should include confirmation of the Foreshore Reserve, having regard to coastal processes and environmental protection requirements.



- c) The provision of a 100m public open space buffer along Minilya-Exmouth Road which considers opportunities to address visual impact of the development.
- d) 40m foreshore setback from Exmouth Gulf.
- e) Management of stormwater drainage, noting the natural drainage line traversing Lot 220.
- f) Safe access point(s) to Minilya-Exmouth Road.
- g) Emergency access requirements to Minilya-Exmouth Road.

5.2.5.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Industry - General' development.
- b) Insert provisions into the 'General Industry' zone to require the preparation of a structure plan as a pre-requisite to subdivision.
- c) Require future structure plans to address the planning considerations detailed above.
- d) Include the land currently zoned 'Industrial' under TPS 3 within the 'General Industry' zone under LPS 4.
- e) Include the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect visual impact of development and view corridors through to Exmouth Gulf.

5.2.6 EXISTING INDUSTRY AREA 6 – MARINE BASED LIGHT INDUSTRY (PRECINCT E)

5.2.6.1 DESCRIPTION

Location	Area 6 (Reserve 47981 and Lot 1481 Neale Cove) is located within the Exmouth Marina - Precinct E, immediately adjacent the Exmouth Boat Harbour.
Site Description	<p>Area 6 comprises a combined area of 8.1 ha.</p> <p>Reserve 47981 forms part of the Exmouth Boat Harbour Reserve proclaimed in October 2010 for 'Harbour Purposes' and vested in the Minister for Transport.</p> <p>Lot 1481 is a freehold lot.</p> <p>The area has canal frontage and is identified for marine based light industrial development currently supporting limited site improvements.</p>
Existing Zoning	Area 6 is zoned 'Marina' and is included within Precinct E of the Exmouth Marina Village Outline Development Plan (ODP).



SITE PLAN - EXISTING INDUSTRY AREA 6

5.2.6.2 EXISTING INDUSTRY AREA 6 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as Boat Harbour consistent with the land's relationship with the Exmouth Boat Harbour.
- 2) The land use intent for Area 6 is to support the opportunity for marine based light industrial development including jetties, loading and unloading of vessels, refuelling and vessel maintenance facilities.
- 3) Acknowledge the location of portion of Area E within the proclaimed Exmouth Boat Harbour Reserve (Reserve 47981) and the corresponding role of the Department of Transport in the administration of development within that reserve.
- 4) Work collaboratively with the Department of Transport to achieve a high standard of development within Area 6.
- 5) In assessing structure plan, subdivision and/or development applications, the local government will have regard to:
 - a) SPP 4.1 *State Industrial Buffer (Amended)* and EPA Guidance Statement No 3 *Separation Distance between Industrial and Sensitive Land Uses* when determining acceptable land uses within Area 6 and conditions of development. Where necessary, the local government will consult with the EPA for advice on the terms of such conditions having regard to the impact on existing and future residential and tourism uses within the marina.
 - b) The need for the design and construction of industrial buildings to meet the expectations for quality development within the overall marina area, including roof form.
 - c) The requirement for landscaping within the front setback area.
 - d) Compliance with maximum fence heights and the use of visually permeable materials.
 - e) The timing of the construction of a jetty, with approval to coincide with the completion of the primary building on the site.



- f) The need for the development interface between the Area 6 and the existing residential/mixed use area abutting Mortiss Street to the south, to deliver a high quality landscaped edge along the main entry road to the Boat Harbour.
- g) Provision of safe driveway access point(s) to Mortiss Street and Neale Cove.
- h) Preparation and implementation of a Management Plan. This plan is to address:
 - i) the level and control of emissions generated from the site having regard to the adjoining Precinct B and C and residential land uses south of Mortiss Street;
 - ii) the method of waste disposal;
 - iii) local drainage, storm water and flood management;
 - iv) visual amenity and landscaping;
 - v) hours of operation;
 - vi) emergency measures in event of fire or cyclone; and
 - vii) land use buffer requirements.

5.2.6.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Boat Harbour'.
- b) Include the land within a Strategic Infrastructure type classification in LPS 4.
- c) Work collaboratively with the Department of Transport to achieve a high standard of development for the land based component of the Exmouth Boat Harbour.
- d) Require the preparation and implementation of a management plan as a condition of development approval.
- e) The local government to amend the Exmouth Marina Village ODP and associated Broad Design Guidelines.

5.3 FUTURE INDUSTRY

This section identifies three (3) separate categories of future industrial development divided into Areas 1 to 4 as follows:

Service Industry

The area designated as 'Future Industry - Service' has been identified to provide additional capacity within the townsite for composite industrial land use, described as *Area 1*.

Light Industry

The area designated as 'Future Industry - Light', described as *Area 2*, has been identified consistent with the undeveloped industrial zoned land under TPS 3 west of the Exmouth Power Station.

General Industry

There are two future general industrial precincts identified comprising:

- The 'Future Industry - General' area on Minilya-Exmouth Road, described as *Area 3*, located immediately to the north of the existing industrial area (Lots 1, 101, 112 & 220 - Kailis Site). This provides a logical extension of the existing industrial node introduced by TPS 3 Amendment No 27.
- *Area 4* has been identified as 'Future Industry – General' to provide for the expansion of the Ingram Street Industrial area west of Minilya-Exmouth Road. Area 4 is intended to provide flexibility for a range of industrial uses to be accommodated, including lay-down facilities to support the resource sector and the possible relocation of the Exmouth Power Station.

A detailed description of each 'Future Industrial' areas and the Planning Consideration and Action Statements that apply is provided in **sections 5.3.1-5.3.4** to follow.

5.3.1 FUTURE INDUSTRY AREA 1 – SERVICE INDUSTRY

5.3.1.1 DESCRIPTION

Location	Located immediately south of the existing Welch Street Light Industrial area and east of the existing Exmouth Power Station.
Site Description	<p>The land is currently vacant unallocated Crown Land and comprises 9.45ha. The southern boundary of the site abuts the floodplain of Marina Creek with the eastern extent defined on the aerial below. Site levels over portion of the site have been raised due to the import of excess fill during the construction phase of Exmouth Marina. In addition, portion of the site has been previously used for waste disposal activity and may be subject to site contamination.</p> <p>The UCL has been cleared of Native Title and is subject to sale of interest by the Department of Lands.</p>
Existing Zoning	‘Residential Development’ zone and ‘Recreation and Open Space’ reserve.



SITE PLAN - FUTURE INDUSTRY AREA 1

5.3.1.2 FUTURE INDUSTRY AREA 1 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for additional service industrial lots supporting residential/industrial composite uses to cater for future demand.
- 2) Area 1, upon full development has the potential to yield approximately 35 service commercial lots.
- 3) The development of heavy, general or noxious industry land uses within Area 1 is not supported due to the potential for residential dwellings within the area.
- 4) Land contained within the 'Service Commercial' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision.
- 5) In assessing structure plan, subdivision and/or development applications, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The proximity of the land to the existing Exmouth Power Station and associated buffer. The approval of residential dwellings within the buffer are dependent upon improvements to the operating conditions of the power station, outcome of revised modelling and/or the longer term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).
 - c) The definition of the southern extent of development will need to be informed by hydraulic modelling associated with the low hazard floodplain of Marina Creek and ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and



- ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- 6) The interface between Area 1 and future residential use. The development interface between future service commercial land and the future residential use to the east shall be in the form of public open space, informed by the extent of the existing waste disposal area. In this instance, composite residential/industrial uses shall be located in front of the non-residential use (street frontage) to ensure a residential interface with the public open space is provided.
- 7) The need for the waste disposal site to be remediated prior to service industrial or open space development taking place.
- 8) The interface between Area 1 and existing industrial use. The development interface between the future service commercial land and the existing Welch Street light industry area to the north shall have regard to and enhance the existing mature trees contained within Welch Street.

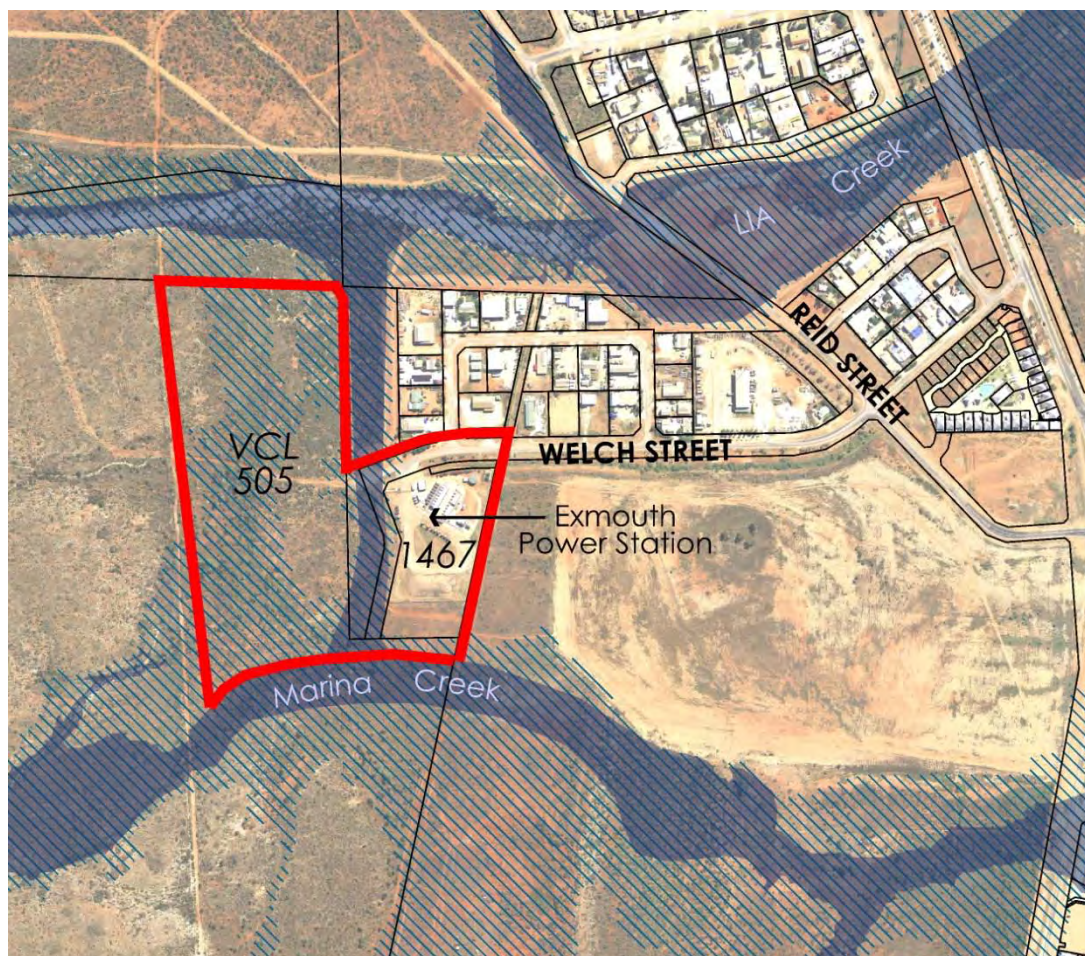
5.3.1.3 ACTION STATEMENTS

- a) The LPS identifies the land for future 'Industry – Service'.
- b) Rezoning the land from 'Residential Development' zone and 'Recreation and Open Space' reserve under TPS 3 to 'Service Commercial' zone in LPS 4. This will include the removal of the existing 'Recreation and Open Space' reserve within Area 1, which will be re-defined as part of future structure planning.
- c) Insert provisions into the 'Service Commercial' zone to require the preparation of a structure plan as a prerequisite to subdivision.
- d) Require future structure plans to address the planning considerations detailed above.
- e) Facilitate the longer term relocation of the existing Exmouth Power Station Infrastructure to remove the impediment for caretaker's dwellings within the 'Service Commercial' zone.
- f) Introduce 'Bulky Goods Showroom' as a 'D' discretionary use within the 'Service Commercial' zone to facilitate future development of industrial related bulky retail business premises.

5.3.2 FUTURE INDUSTRY AREA 2 – LIGHT INDUSTRY

5.3.2.1 DESCRIPTION

Location	Area 2 is located immediately west of the existing Welch Street Light Industrial area and includes the existing Exmouth Power Station site.
Site Description	Area 2 comprises UCL Lot 505 (12.7ha) and the Exmouth Power Station (Lot 1467). The area is dissected by a north-south floodplain linking LIA and Marina Creeks and the southern boundary of the site is defined by the floodplain of Marina Creek. Area 2 is within the buffer of the Exmouth Power Station.
Existing Zoning	'Industrial' zone and 'Recreation and Open Space' reserve.



SITE PLAN - FUTURE INDUSTRY AREA 2

5.3.2.2 FUTURE INDUSTRY AREA 2 PLANNING CONSIDERATIONS

- 1) The LPS identifies the land as being suitable for light industrial development given the proximity of the existing Welch Street industrial area.
- 2) Adjustment of the existing boundary of the 'Industrial' zone under TPS 3 is required to acknowledge the proposed alignment of the local neighbourhood connector and the high hazard floodplain of Marina Creek. This results in a marginal increase to the extent of land zoned for light industry.
- 3) The development of heavy, general or noxious industry land uses within Area 2 is not supported due to the potential for caretaker dwellings within the Area.
- 4) Area 2, upon full development has the potential to yield approximately 25-30 light industry lots, noting the site is constrained by the low hazard flood plain of Marina Creek and the high hazard floodplain which runs perpendicular to Marina Creek.
- 5) The full development of Area 2 assumes the future relocation of the Exmouth Power Station site (Lot 1467).
- 6) Land contained within the 'Light Industry' zone will be subject to the preparation and approval of a structure plan as a prerequisite to subdivision.
- 7) In assessing structure plan, subdivision and/or development applications, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The proximity of the land to the existing Exmouth Power Station and associated buffer (prior to relocation). The approval of a caretaker's dwelling within the buffer is dependent upon improvements to the operating conditions of the power station, the outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).
 - c) Site remediation of Lot 1467 in the event the Exmouth Power Station is relocated. The LPS identifies the power station site as being suitable for light industrial purposes, subject to site remediation where contamination is confirmed. Site contamination investigations should be referred to EPA for assessment and if required a site management plan implemented prior to the land being deemed suitable for development.
 - d) The extent of developable area within Area 2, defined by the high hazard floodplain of Marina Creek and the



north-south high hazard floodplain between Marina Creek and LIA Creek. This area will need to be identified as public open space and designed to accommodate the full extent of the high hazard floodplain based on advice of the Department of Water.

- e) The definition of the developable area within Area 2 will need to be informed by hydraulic modelling associated with the low and high hazard floodplain of Marina Creek to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- f) The development interface between the light industry land and the 'Future Residential (Long Term)' – Area 3 to the west shall be established as public open space of sufficient size to create a suitable visual buffer between industrial and residential land uses.
- g) The requirement to provide for road connectivity between Welch Street and the 'Future Residential (Long Term)' – Area 3 by:
 - i) the westerly extension of Welch Street between the existing light industry area and the proposed north-south Neighbourhood Connector; and
 - ii) The extension of the north-south neighbourhood connector between Nimitz Street and Murat Road.
- h) The structure plan should address the staged provision, funding and implementation of the road infrastructure referred to in g) above in consultation with the Shire.

5.3.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for future 'Industry - Light' and public open space purposes.
- b) Rezoning the land currently zoned 'Industrial' zone and 'Recreation and Open Space' reserve under TPS 3 to 'Light Industry' zone in LPS 4. This will include the adjustment and rationalisation of the existing 'Recreation and Open Space' reserve which will be redefined as part of future structure planning.
- c) Retain Lot 1467 Welch Street (Exmouth Power Station) as a 'Public Purposes' reserve under LPS 4 consistent with the existing reservation under TPS 3. This will include the removal of the existing 'Recreation and Open Space' reserve within Area 1, which will be redefined as part of future structure planning.
- d) Insert provisions within the 'Light Industry' zone to require the preparation of a structure plan as a pre-requisite to subdivision.
- e) Require future structure plans to address the planning considerations detailed above.

- f) Investigate the longer term relocation of the existing Exmouth Power Station infrastructure to remove the impediment for caretaker's dwellings. Include the Lot 1467 Welch Street within the 'Light Industry' zone under LPS 4 upon the relocation of the Exmouth Power Station.
- g) Retain Caretaker's Dwelling as a 'I' discretionary use within the 'Light Industry' zone.
- h) Introduce 'Bulky Goods Showroom' as a 'D' discretionary use within the 'Light Industry' zone to facilitate future development of industrial related bulky retail business premises.
- i) Introduce scheme provisions into LPS 4 to ensure a caretaker's dwelling is used only for their intended purpose and do not prejudice the primary industrial purpose of the 'Light Industry' zone.

5.3.3 FUTURE INDUSTRY AREA 3 – GENERAL INDUSTRY

5.3.3.1 DESCRIPTION

Location	Area 3 (Portion of Reserve 38865 - Lots 127 and 128; and portion UCL Lot 985) is located 22 kilometres south of the Exmouth townsite at the intersection of Charles Knife Road and immediately south of Badjirrajirra Creek.
Site Description	Area 3 comprises Reserve 38865 (lots 127 & 128 - 20.1ha) and portion of UCL Lot 985 (5.1ha) which comprises a larger parcel of land extending southwards along the foreshore of Exmouth Gulf. LandCorp has a management order over Reserve 38865 with authority to lease for marine support facilities or industrial purposes.
Existing Zoning	'Recreation and Open Space' reserve.



SITE PLAN - FUTURE INDUSTRY AREA 3

5.3.3.2 FUTURE INDUSTRY AREA 3 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 3 as being suitable for future General Industry consistent with the recommendations of the *Exmouth South Structure Plan* (2013) and given the synergy with the existing industrial zoned land to the south.
- 2) The land use intent for this area is to provide the opportunity for land based general industrial activity servicing the resource sector as well as to accommodate the relocation of existing industrial activity from the townsite which generate nuisance and/or have a larger land take requirement. The use of the land is to complement the industrial activity proposed for Area 5 - General Industry (Kailis Site).
- 3) Land contained within the Area 3 will be subject to the preparation and approval of a structure plan as a prerequisite to rezoning.
- 4) In assessing a rezoning, structure plan, subdivision and/or development within Area 3, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) Preparation and implementation of a foreshore management plan. This should include confirmation of the 'Environmental Conservation' foreshore reserve, having regard to coastal processes and environmental protection requirements.



- c) The provision of a 100m public open space buffer along Minilya-Exmouth Road which considers the opportunities to address visual impact of the development.
- d) 40m foreshore setback from Exmouth Gulf.
- e) The need for vehicular connectivity with General Industrial - Area 5 to the south.
- f) Safe access point(s) to Minilya-Exmouth Road.
- g) Emergency access requirements to Minilya – Exmouth Road.
- h) The proximity of the estimated 100yr floodplain of Badjirrajirra Creek to the north and impact of site levels.

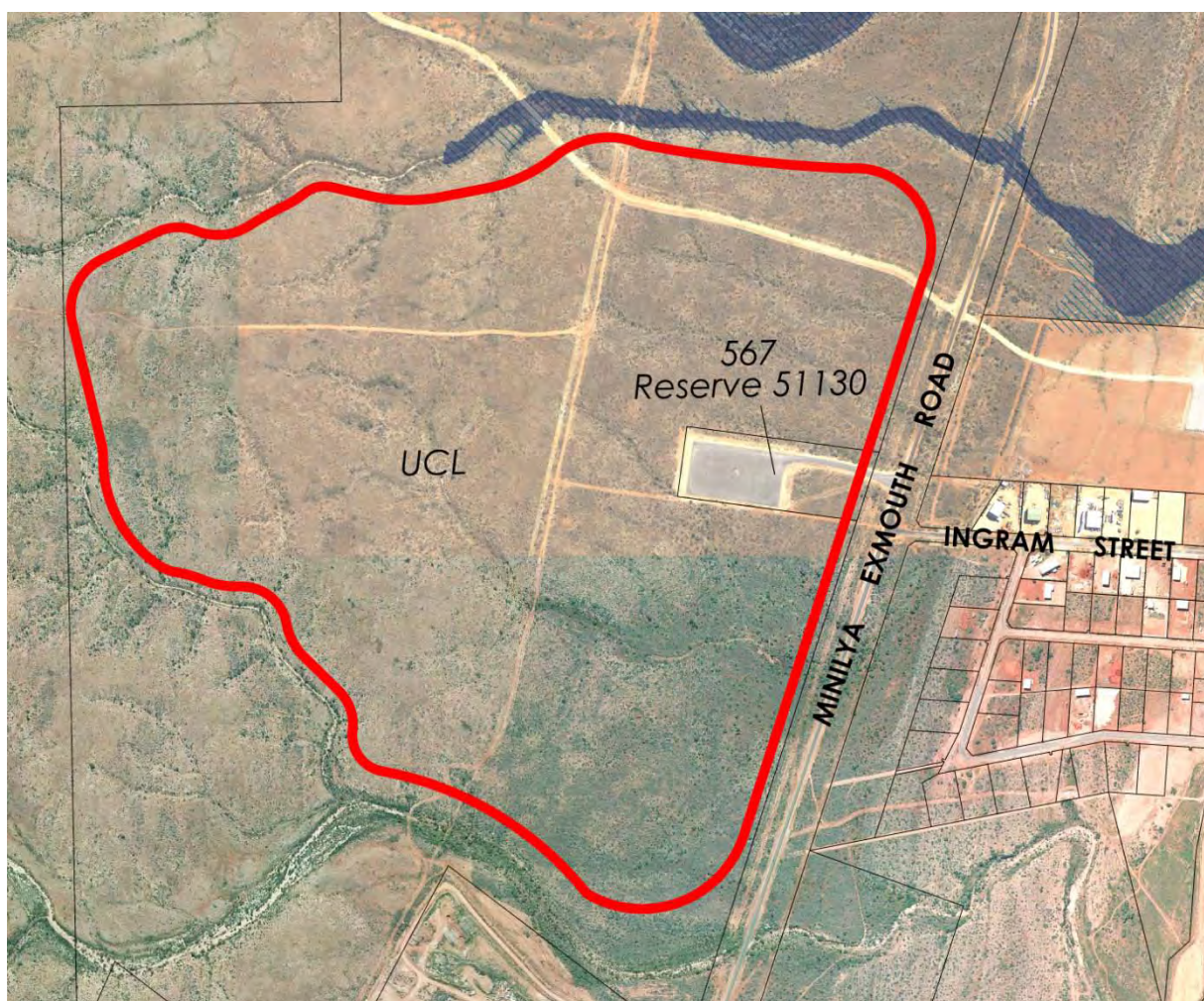
5.3.3.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Industry - General'.
- b) Include the land currently reserved 'Recreation and Open Space' reserve under TPS 3 within the 'Rural' zone and the 'Environmental Conservation' reserve under LPS 4.
- c) Insert provisions into the 'General Industry' zone to require the preparation of a structure plan as a pre-requisite to subdivision.
- d) Future rezoning proposals are to be accompanied by a structure plan that addresses the planning considerations detailed above.
- e) Require future structure plans to address the planning considerations detailed above.
- f) Include the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect view corridors of the Cape Range and Exmouth Gulf.

5.3.4 FUTURE INDUSTRY AREA 4 – GENERAL INDUSTRY

5.3.4.1 DESCRIPTION

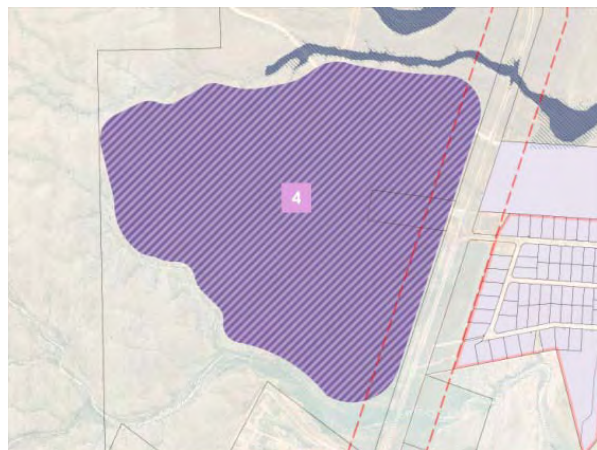
Location	Area 4 (UCL and Reserve 51130 - Lot 567) is located immediately west of the Ingram Street Industrial area on Minilya-Exmouth Road and 8 kilometres south of the Exmouth townsite.
Site Description	Area 4 comprises 135ha of vacant UCL including the MRWA road train assembly area (Reserve 51130 - 4.18ha). The extent of Area 4 is generally defined by the boundaries of the prominent drainage channels west of Minilya-Exmouth Road. The site is traversed by power infrastructure and an active mining tenement.
Existing Zoning	'Recreation and Open Space' reserve.



SITE PLAN - FUTURE INDUSTRY AREA 4

5.3.4.2 FUTURE INDUSTRY AREA 4 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 4 as an Industrial Investigation Area consistent with the recommendations of the *Exmouth South Structure Plan* (2013).
- 2) The land use intent for this area is to provide the opportunity for land supporting a marine support facility, as well as land as a lay-down and general industrial area servicing the resource sector, as well as accommodating the relocation of existing industrial activity from the townsite which generate nuisance and/or have a larger land-take requirement.
- 3) Land contained within the Area 4 will be subject to the preparation and approval of a structure plan as a prerequisite to rezoning.
- 4) In assessing a rezoning request, structure plan, subdivision and/or development to support the future subdivision of Area 4, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.
 - b) The extent of the floodplain defining the northern boundary of Area 4. The extent of development will need to be informed by hydraulic modelling to ensure that proposed development has adequate flood protection for a 100 year ARI flood.



- c) 100m setback to the Minilya-Exmouth Road.
- d) The provision of a public open space buffer along Minilya-Exmouth Road which considers the opportunities to address visual impact of the development.
- e) Safe access point(s) to Minilya-Exmouth Road.
- f) Emergency access requirements to Minilya-Exmouth Road.
- g) The active mining tenement.
- h) The existing MRWA Road train assembly area.
- i) Possible identification of the future Exmouth Power Station site within Area 4.

5.3.4.3 ACTION STATEMENTS

- a) The LPS identifies the land 'Future Industry – General'.
- b) Rezone the land currently zoned 'Recreation and Open Space' reserve under TPS 3 within the 'Industrial Development' zone under LPS 4.
- c) Insert provisions into the 'General Industry' zone to require the preparation of a structure plan as a pre-requisite to subdivision.
- d) Require future rezoning proposals are to be accompanied by a structure plan that address the planning considerations detailed above.
- e) Consider whether Area 4 is the optimal location of the MRWA Road train assembly area as part of future structure planning.
- f) Investigate the longer term relocation of the Exmouth Power Station to ensure the preferred location is safeguarded as part of the future planning framework. This investigation should occur so as not to delay structure planning within Area 4.
- g) Include the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect view corridors of the Cape Range and Exmouth Gulf.

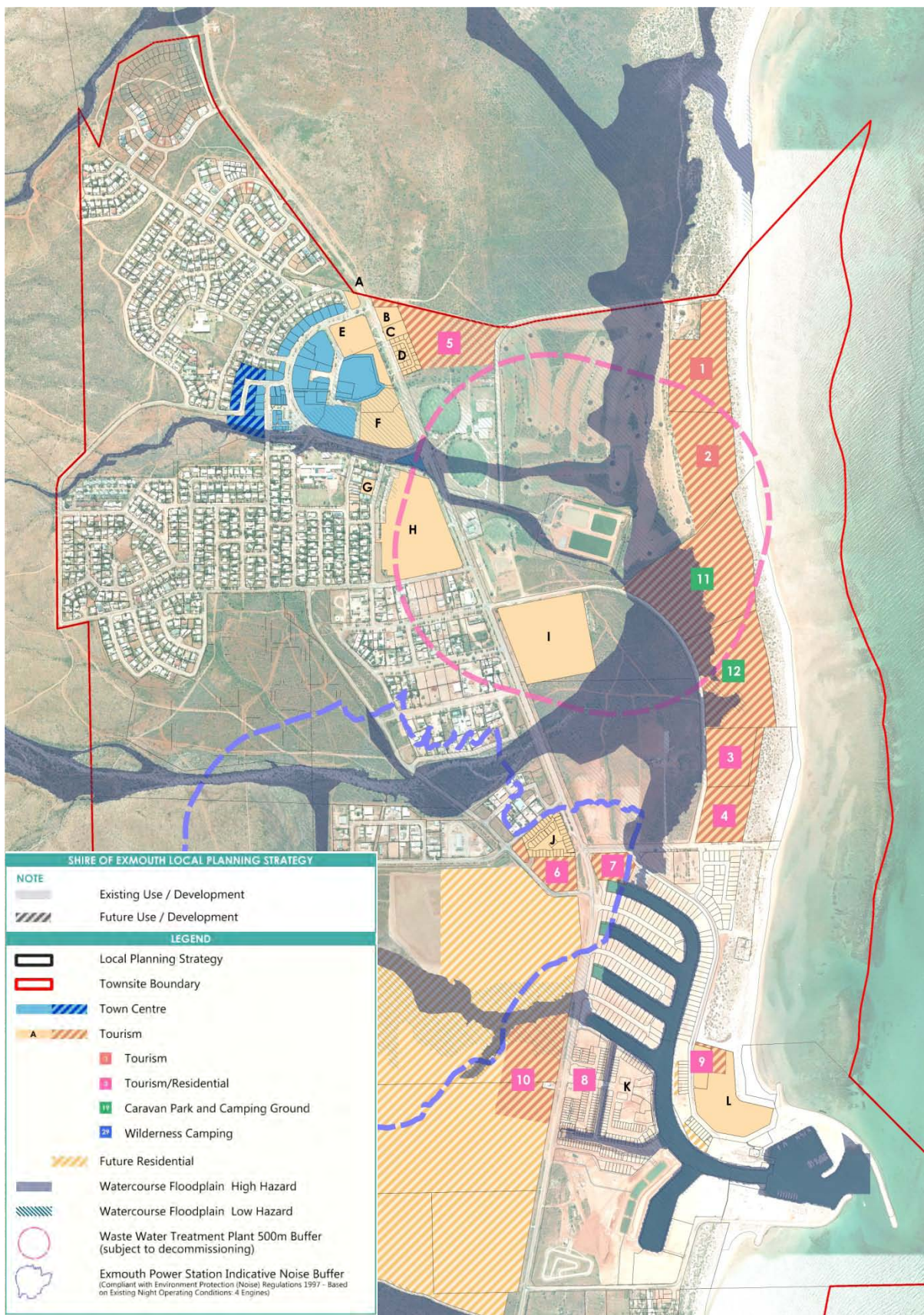


FIGURE 16 TOURISM STRATEGIC PLAN

The **Tourism Strategic Plan (Figure 16)** identifies the location of Existing and Future tourism development within the Shire given the prospect of future growth in visitor numbers and accommodation requirement by type, and the corresponding need for the allocation of land for tourism purposes.

As discussed in **section 2.3.3**, there is a need for the LPS to address the future provision of available tourism sites given the increase in visitor numbers during 2010-2012 (TRA 2013) and a projected demand that highlights capacity in both the caravan park, hotel and eco-safari markets for future supply. In regard to caravan park sites and hotels/motels short stay accommodation, by 2017 the annual occupancy rate is predicted to exceed 60% and 75% respectively. The resulting implication is that in peak times, Exmouth will have difficulty servicing the increased visitation. Further, if Exmouth's visitor profile were to accommodate an increasing number of high budget visitors, there would be a parallel demand for additional hotel/resort/apartment style tourist accommodation. Together with this adjustment, land release for additional caravan and camping accommodation will be required, noting Exmouth remains a predominantly self-drive destination with visitors having the propensity to pay for activities rather than accommodation. The demand for budget accommodation, therefore, is likely to remain. The Shire's caravan park and camping overflow facility within the Townsite (accessed via Willersdorf Road) is consistently operational during peak periods and overflow areas are intermittently approved at the Yardie Creek and Vlamingh Head Caravan Parks. Outside of the townsite, there is also demand for additional wilderness camping/eco-tourist activities in remote areas which is presently catered for within the Cape Range National Park, and within Ningaloo, Bullara and Giralia Pastoral Stations.

In the above context, the LPS supports the townsite being retained as the gateway to the Ningaloo Coast attracting higher-impact tourism development (Tourism, Tourism/Residential and Caravan and Camping Grounds), with low impact eco tourism facilities (Nature-Based camping/eco-tourism facilities) confined within designated nodes along the Ningaloo Coast and Exmouth Gulf and on pastoral stations.

EXISTING TOURISM

'Existing Tourism' comprises land zoned 'Tourist' under the existing TPS 3 and developed for tourism purposes at the time of preparation of the Strategy.

A site description of each 'Existing Tourism' area and the planning issues that apply is provided in **section 6.1** to follow.

FUTURE TOURISM

'Future Tourism' comprises undeveloped land that is either zoned or has the potential to be zoned for tourism purposes, but not as yet developed. Land classified as 'Future Tourism' by the Strategy has been divided into four (4) categories as follows:

Tourism

1

Sites upon which the local government will only consider short stay tourism development. Residential use will not be supported to protect the high tourism value of particular sites.

Tourism/Residential

3

Sites upon which the local government may consider up to 40% of the site being developed for residential purposes where specific criteria has been met such as overall size of the site, extent to which the area of highest tourism value is protected, maximisation of tourism value through site design having regard to minimising conflict with residential amenity, and the manner in which development is to be staged to retain the primacy of tourism uses.

Caravan Park and Camping

12

Sites upon which the local government may only consider caravan park and camping activity. No residential use will be permitted to protect the intended function of these future sites.

Wilderness Camping Investigation Areas

15

Investigation Area in which nature based camping and/or eco-tourism facilities may be permitted. The use will be considered as a discretionary use in managed locations outside of the Exmouth Townsite subject to further investigation.

A detailed description of each 'Future Tourism' area and the planning considerations and action statements that apply is provided in **section 6.2** to follow.

6.1 EXISTING TOURISM

Within the 'existing' tourism classification, three categories of tourist development can be identified within the current framework of tourism land uses within Exmouth - *Short Stay Accommodation* (Tourism Resort, Hotel and Motel), *Caravan Park and Camping* - (Caravan and camping sites, Chalet/cabins and Back-packer accommodation) and *Other* - including Nature Based Camping/Eco-tourism sites. Currently TPS 3 does not make a zoning distinction between the three categories with all forms of tourist accommodation zoned 'Tourist'.

An audit of the existing tourism establishments is summarised in **section 6.1.1 - Table 20** and referenced on the Tourism Strategic Plan (Figure 16) **Sites A to L** where located within the townsite.

6.1.1 AREA DESCRIPTIONS

TABLE 20 EXISTING TOURISM ACCOMMODATION – SHIRE OF EXMOUTH

	TOURIST USE/OPERATOR	SITE AREA (HA)	DESCRIPTION
SHORT STAY ACCOMMODATION			
A.	Ningaloo Apartments	0.2346	Lot 313 at the intersection of Maidstone Crescent and Murat Road adjacent to Exmouth Town Centre
B.	Ningaloo Breeze Holiday Villas	0.5143	Lot 1444 Murat Road, located east of the Exmouth Town Centre
C.	Argosy Court	0.4047	Lot 620 Murat Road, located east of the Exmouth Town Centre
D.	Osprey Village	Various	Lot 570 Murat Road, located east of the Exmouth Town Centre
E.	Potshot Hotel Resort	1.6226	Lot 310 within Exmouth Town Centre fronting Murat Road
F.	Exmouth Villas	2.2927	Lot 2 at the intersection of Maidstone Crescent and Murat Road located within the Exmouth Town Centre
G.	Ningaloo Lodge	0.2519	Lot 1 Lefroy Street, located 350m south of the Exmouth Town Centre
J.	Exmouth Escape Resort	2.1492	Lot 900 Welch Street, located 1.8km south of the Exmouth Town Centre and adjacent the Exmouth Marina Village
K.	Exmouth Marina Village Short Stay Accommodation	Various	Various lots fronting Murat Road, located within Precinct B of the Exmouth Marina Village, 2.8 kms south of the Exmouth Town Centre
L.	Novotel Ningaloo Resort	4.7214	Lot 900 Madaffari Drive, located within the Exmouth Marina Village adjacent to the Exmouth Boat Harbour overlooking Exmouth Gulf.
	Best Western Sea Breeze Resort	N/A	Harold E Holt Naval Base, 5km north Exmouth Townsite
	Bullara Station – Lodge Accommodation		Bullara Pastoral Station Burkett Road, located 87km south Exmouth Townsite
CARAVAN PARK AND CAMPING			
I.	Exmouth Cape Tourist Village	8.3446	Lot 1 Truscott Crescent, located 1.1kms south east of the Exmouth Town Centre
H.	Ningaloo Caravan and Holiday Resort	9.5344	Lot 1112 Nimitz Street, located 400m south east of the Exmouth Town Centre
	Lighthouse Caravan Park		Yardie Creek Road, Vlamingh Head located 10km north-west of Exmouth Townsite

	TOURIST USE/OPERATOR	SITE AREA (HA)	DESCRIPTION
	Yardie Creek Caravan Park		Pace Retreat via Yardie Creek Road, located 26km west of Exmouth Townsite
WILDERNESS CAMPING			
	Ningaloo Station	various	Ningaloo Pastoral Station - Various camping nodes along the Ningaloo Coast 160 km south-west of Exmouth Townsite
	Bullara Station	various	Bullara Pastoral Station, Burkett Road, located 87km south of Exmouth Townsite
	Giralia Station	various	Giralia Station, Burkett Road located 125kms south of Exmouth Townsite
	Cape Range National Park	Various	Various camping nodes along the Ningaloo Coast via Yardie Creek Road west of Exmouth Townsite on sites identified by the Cape Range National Park Management Plan

6.1.2 PLANNING ISSUES

Specific issues have been summarised below which the LPS identifies as management issues requiring further consideration. The implementation of new scheme provisions within LPS 4 will assist to address these issues and allow a more consistent approach in the assessment of development applications for a range of tourism uses and in doing so, providing a clearer planning approvals framework.

- 1) **Residential Use within Caravan Park Sites** – Permanent residential development occurring on existing caravan park sites raises concerns in regard to the impact on the ‘accommodation pool’ available for ‘overnight stay’ where demand for this form of accommodation within Exmouth remains high. The permanency of structures associated with on-site caravans (outbuildings, car ports, patios) is also a land use issue that is not able to be regulated under the *Caravan Park and Camping Ground Regulations (1997)*. TPS 3 does not currently address this specific issue other than for residential buildings and dwellings as an ‘X’ use in the Tourist Zone.
- 2) **Proportion of Permanent Residential Development permitted on Tourist Sites** – There is increasing pressure for a residential component to be incorporated within tourism proposals to assist project viability. This raises concerns in regard to guaranteeing the adequate provision of tourism accommodation to meet the market expectations for Exmouth as a tourist destination against the need to support investment in the industry. This issue is not unique to Exmouth and the need for a more flexible approach to tourism planning and the incorporation of mixed use/residential within tourist sites has been recognised in the review of *WAPC Planning Bulletin 83/2013*. Adopting the PB 83/2013 as guidance, the local government may set a percentage limit on the extent of the permanent residential component within new tourist sites, restrict residential use on tourist sites of high tourism value, and control the extent of conversion of existing tourism developments dependent on the scale of refurbishment and the resultant tourism outcome.
- 3) **Mixed Use/Commercial Activities within Tourist Developments** – The extent of commercial activity taking place on tourist sites (restaurants, function centres, retail uses etc) has the potential to become the predominant use if not regulated. Whilst commercial uses ancillary to the tourist component is appropriate, the manner in which they are incorporated into the design and scale of development should be regulated to ensure legitimate town centre commercial uses are not compromised.
- 4) **Holiday Accommodation within Residential Areas** – The LPS recognises that there are currently a number of residences registered for Holiday Accommodation within the existing residential areas of Exmouth with this element being an important aspect in the overall mix of accommodation available within Exmouth. The Shire’s LPP 6.12 *Holiday Accommodation* effectively addresses the planning requirements for this activity and the approach adopted is consistent with other tourism towns within Western Australia where local planning policies under the *Town Planning Regulations 1967* and Local Laws under the *Local Government Act 1995* have been enforced. However, given the nature of this use, land use conflicts inevitably occur and will continue to require regulation within the parameters of available legislation.

- 5) **Vlamingh Head Master Plan** – The Vlamingh Head Master Plan area comprises the tourist node at Vlamingh Head – Lot 2 (existing Lighthouse Caravan park) and Lot 309/Part Lot 6 (undeveloped), Yardie Creek Road. The Master Plan aims to retain the semi-remote experience of Vlamingh Head by establishing the framework for a land exchange, specifying a building envelope and limiting the type and scale of development, specifically 1020 beds, with 720 beds already operational on Lot 2. In 2010, TPS 3 Amendment 25 introduced the statutory framework for the Master Plan by zoning the ‘footprint’ of development and requiring detailed site planning to be in accordance with the Master Plan. No further expansion of the site has taken place.

Section 2.9 of the Master Plan requires the Plan to be reviewed not later than five years after its adoption in June, 2008. The LPS supports a review being undertaken given that time has elapsed since its preparation; tourism infrastructure is well established within the townsite; landowner objectives may have changed; and supply and demand scenarios have altered; acknowledging that the sustainability principles of the Master Plan should not be compromised. The LPS will identify the site as ‘Existing Tourism – Caravan Park and Camping’ noting that this classification precludes residential use.

- 6) **Management of Nature Based Camping areas** – The management of existing nature based camping areas along the Ningaloo Coast and nominated investigation areas adjacent to Exmouth Gulf require ongoing management to ensure that areas of high conservation value are protected. The LPS recognises the existing nature based camping areas and the requirement for management plans, however identifies that there are concerns from agencies that uncontrolled activities adversely impact the environment along the west coast, which, if continued, will diminish the very landscape qualities and attributes that attract the tourism activity in the first instance.

The expiry of Pastoral Leases in 2015 will provide the opportunity for the existing nature based camping nodes along the west coast to be reviewed. During the renewal process of eligible leases under the *Land Administration Act 1997*, the development envelopes can be reassessed, and as a minimum, the 40 m setback landward of the high water mark adhered to consistent with the Ningaloo Marine Park and proposed reservations under LPS 4.

- 7) **Jurabi Coastal Park** – Camping within Jurabi Coastal Park is currently limited to designated areas and is subject to time restriction and annual review by DPaW. The LPS Community Workshop identified the desire of the local community to have greater access to additional camping sites outside the Cape Range National Park, with the areas within Jurabi Coastal Park and along Exmouth Gulf warranting further investigation.
- 8) **Shortcomings of Single ‘Tourist’ Zoning** – Currently TPS 3 does not make a zoning distinction between the categories of tourist development with all forms of development generically zoned ‘Tourist’. Furthermore, the range of uses operating within the Shire is not defined by the Scheme and where residential use is envisaged, an appropriate Residential Density Code is not applied. This places limitations on development control where a wide range of land uses may be permitted limiting the ability to deliver higher quality tourist accommodation.

6.1.3 ACTION STATEMENTS

- a) The LPS identifies existing tourism sites for the purposes of either 'Tourism', 'Caravan Park and Camping' or 'Wilderness Camping'.
- b) Rezone land zoned 'Tourist' within TPS 3 to 'Tourism' zone under LPS 4.
- c) Rezone land zoned 'Tourist' within TPS 3 to 'Special Use - Caravan Park and Camping' zone under LPS 4.
- d) Include and update interpretations for tourism uses within Schedule 1 - Dictionary of Defined Words and Expressions.
- e) Include provisions with LPS 4 to:
 - i) Limit the proportion of permanent residential permitted within new tourist developments (or substantial refurbishment to existing tourism developments) to no greater than 40% of the site; Apply a density coding of R40 to residential use within the 'Tourism' zone where applicable.
 - ii) Exclude permanent residential use within the 'Special Use - Caravan Park and Camping' zone, by introducing Residential Land Uses within the Zoning Table as 'X' uses, not permitted within the zone.
 - iii) Reinforce the tourism component as the predominant use within the Tourism Zone in assessing the extent of commercial activities within the 'Tourism' zone and 'Special Use - Caravan Park and Camping' zone.
 - iv) Require Management Plans and Nature-Based Park Site Plans to be prepared in support of development applications for Nature-Based Parks.
- f) Recognise Holiday Accommodation as a legitimate use within specified zones within the Scheme as follows: 'A' – use subject to advertising within the 'Residential' zone, 'Urban Development' zone, 'Special Use - Marina' zone and 'Rural Residential' zone and a 'D' - discretionary use within the 'Tourism' zone and 'Rural' zone; the local government to further control use in accordance with the adopted LPP 6.12 *Holiday Accommodation*.
- g) Support a review of the Vlamingh Head Master Plan to re-assess the limitations on the scale of development permitted in the context of overall sustainability objectives and the changing supply and demand characteristics of the tourism market.
- h) Investigate the designation of additional informal camping areas within Jurabi Coastal Park in consultation with management authorities and review the time of the year in which designated camping areas can be accessed.
- i) Rezone land along the coastal strip of the Ningaloo Pastoral Lease from 'Pastoral' zone under TPS 3 to 'Foreshore' reserve under LPS 4 to reflect the 40m setback landward of the high water mark, consistent with the boundaries of the Ningaloo Marine Park.
- j) Reclassify land along the coastal strip of Exmouth Gulf (Exmouth, Bullara and Giralia Pastoral Leases) from 'Pastoral' zone under TPS 3 to 'Environmental Conservation' reserve under LPS 4 to reflect a 40m setback landward of the high water mark.



6.2 FUTURE TOURISM

With reference to the **Tourism Strategic Plan (Figure 16)** and the analysis of planning considerations to follow, *Areas 1 to 15* are identified as future tourism sites within the Shire. Dependent upon the qualities and attributes of each site, the future tourism areas are categorised as Tourism, Tourism/Residential, Caravan Park and Camping or Wilderness Camping Investigation Area.

Areas 1 and 2 have been specifically identified for *Tourism* purposes in which residential use is not supported given the high tourism value of the sites. These areas have been identified to facilitate the longer term protection of a beachside locality for short stay accommodation purposes. The land use and development parameters required to ensure development can take place when economic conditions are appropriate have been defined.

Areas 3 to 10 have been identified for *Tourism/Residential* in which the local government may consider up to 40% of the site being developed for residential purposes where specified criteria has been met such as overall size of the site, extent to which the area of highest tourism value is protected, maximisation of tourism value through site design having regard to minimising conflict with residential amenity, and the manner in which development is to be staged to retain the primacy of tourism uses.

Areas 11 and 12 have been identified for *Caravan Park and Camping* in which no residential use will be permitted, to protect the intended function of these future sites.

Areas 13 to 15 focus on future tourism activity on the Pastoral Stations of Bullara and Exmouth Gulf. These areas have been identified as *Nature Based Camping Investigation Areas*. The use will be considered as a discretionary use in managed locations outside of the Exmouth Townsite subject to further investigation in accordance with the planning considerations identified.

6.2.1 FUTURE TOURISM AREAS 1 & 2 – TOURISM

6.2.1.1 DESCRIPTION

Location	Areas 1 and 2 are located east of the Town Centre immediately abutting Exmouth Golf Course and Exmouth Gulf foreshore.
Site Description	<p>Area 1 is currently vacant comprising UCL Lot 1407, Willersdorf Road. The area is vegetated, elevated land overlooking Exmouth Gulf and comprises 6.9 ha.</p> <p>Area 2 is currently vacant comprising the eastern portion of Reserve 50867 (Golf Course) having an area of approximately 7.2ha. There is currently no constructed access to this portion of the site.</p> <p>An existing foreshore trail traverses within and adjacent to the eastern boundary of both Areas 1 and 2.</p>
Existing Zoning	‘Recreation and Open Space’ reserve.



SITE PLAN - FUTURE TOURISM AREAS 1 & 2

6.2.1.2 FUTURE TOURISM AREAS 1 & 2 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 1 and 2 as being suitable for tourism development only consistent with the tourism investigation area recommended by the *Exmouth Townsite Structure Plan* (2011).
- 2) Residential development within Areas 1 and 2 is not supported due to the limited number of high value tourism only sites available in beachside locations, the close proximity to townsite facilities, the elevated landform and availability of direct access to the Exmouth Gulf.
- 3) Access to Area 1 will be obtained via Willersdorf Road.
- 4) The LPS requires access to Area 2 to be obtained from Truscott Crescent. The access should be determined at the land assembly stage for Reserve 50867 and VCL Lot 1404 – Area 11 (as a prerequisite to development) with concurrent agreement between the Shire, Exmouth Golf Course and the Department of Lands. In this regard, access to Area 2 may be in the form of a public road or access easement via either:
 - a) Area 11 (VCL 1404), in consultation with the Department of Lands and Shire having regard to the future planning requirements of this area including access to Gulf Beach; or
 - b) Reserve 50867, in the event that a redesign of the Exmouth Golf Course takes place that can accommodate access to Area 2 without compromising the overall layout of the course.
- 5) In determining the location and form of access to Area 2 from Truscott Crescent, appropriate setbacks and buffers to the existing golf course will need to be accommodated within the new land assembled for Area 2, having regard to the need to maximise the development potential of Area 11.
- 6) In assessing rezoning proposals and development applications for Areas 1 and 2, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to satisfy the provisions of the proposed Scheme.
 - b) Maximising the development potential of the sites without adversely impacting the environmental or landscape qualities of the locality.
 - c) Preparation and implementation of a foreshore management plan in accordance with the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012). This should include confirmation of the Foreshore

Reserve, protection and upgrade of the existing foreshore trail, and new gulf beach access having regard to coastal processes and environmental protection requirements. Where the existing foreshore trail is retained within private property, a public access easement will be required.

- d) The decision of the Shire in relation to the agreed location of access to Area 2 and Gulf Beach (refer Planning Considerations 4 & 5).
- e) Ensuring the design is cognisant of the environmental and landscape setting of the locality, including building height controls and visual impacts on the Gulf.
- f) Preparation and implementation of a Landscape Plan that complements the natural setting and beachside character of the site and augments the retention of native vegetation where possible.
- g) The proximity of Areas 1 and 2 to the Waste Water Treatment Plant and associated buffer. The definition of the extent of development possible will require consultation with the EPA, Shire and Water Corporation. The approval of short stay accommodation (sensitive land use) within the buffer is dependent upon the longer term relocation of the infrastructure.
- h) The development interface between tourism uses and the existing Exmouth Golf Course abutting the western boundary of Areas 1 and 2. To address safety and visual amenity issues, the interface shall incorporate appropriate landscape buffers and restricted pedestrian access defined in consultation with the Exmouth Golf Course.
- i) In the event that a redesign of the Exmouth Golf Course takes place prior to the development of Areas 1 and 2, the ability to accommodate buffers and setback within the revised course layout should be investigated to address safety and amenity issues.



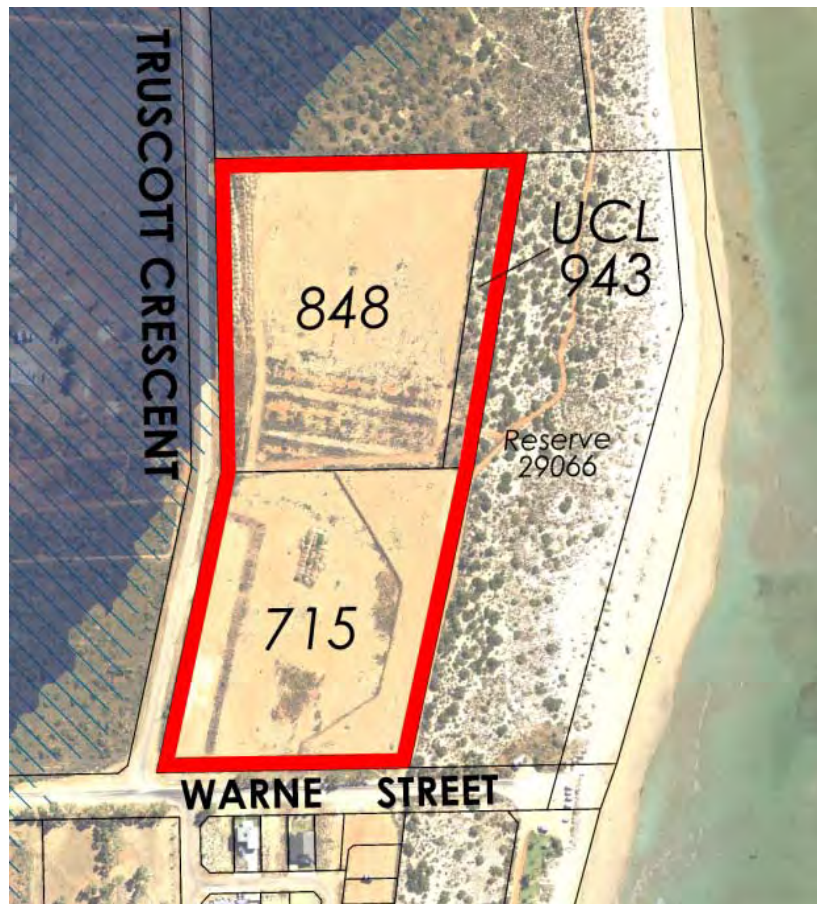
6.2.1.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism'.
- b) Rezone Areas 1 and 2 from 'Recreation and Open Space' reserve under TPS 3 to 'Rural' zone under LPS 4.
- c) Prior to the commencement of any development within Area 2, access arrangements to Area 2 and location of new access to Gulf Beach contained within Area 11 are to be confirmed.
- d) Consider the negotiation of a single access point to Area 2 and Gulf Beach either via VCL Lot 1404 or Reserve 50867.
- e) Investigate future funding arrangements for the shared implementation of access to Area 2 and Gulf Beach.
- f) Finalise the relocation of the existing WWTP infrastructure to remove any impediment for the approval of 'sensitive land uses' within Areas 1 and 2.

6.2.2 FUTURE TOURISM AREAS 3 & 4 – TOURISM/RESIDENTIAL

6.2.2.1 DESCRIPTION

Location & Description	<p>Area 3 comprises Lot 848 (3.54ha) and UCL Lot 943 (0.4886ha), Truscott Crescent located 2km south-east of the Town Centre and 230m north of the Exmouth Marina Village. The site is currently vacant with site vegetation removed to accommodate a previous approval for bulk earthworks achieving a minimum site level of 5.25AHD.</p> <p>The site is separated from Exmouth Gulf by the foreshore Reserve 29066 and overlooks land reserved for recreation currently used by the Exmouth Pony Club.</p> <p>Area 4 comprises Lot 715 (3.43ha) located immediately south of Area 3 abutting the Exmouth Gulf foreshore and adjacent to the Exmouth Marina. Lot 715 has also been subject to earthworks as part of a previous development approval (now expired).</p>
Existing Zoning	‘Tourist’ zone with additional Residential use on portion Lot 715.



SITE PLAN - FUTURE TOURISM AREAS 3 & 4

6.2.2.2 FUTURE TOURISM AREAS 3 & 4 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 3 & 4 as 'Tourism/ Residential'.
- 2) The LPS supports the approval of a combination of tourist accommodation and permanent residential use within Areas 3 & 4 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) In assessing a development application, the local government will have regard to the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourism development or a substantial refurbishment of an existing tourism development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.

Areas 3 & 4

- 4) In assessing development applications for Areas 3 and 4, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to satisfy the provisions of the proposed Scheme.
 - b) Preparation and implementation of a foreshore management plan in accordance with the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)*. This should include confirmation of the foreshore reserve, protection and upgrade of the existing foreshore trail, having regard to coastal

processes and environmental protection requirements.



- c) Confirm adequate flood protection (minimum floor heights) has been achieved for the development sites.
- d) Ensuring level changes, resulting from the need to provide adequate protection from flooding, are retained to the satisfaction of the Shire. In this regard, in addition to the structural requirements, the local government will have regard to the visual impact, retaining wall height, and the need, if any, for public access and landscaping.

Area 4

- 9) For Area 4, the development interface between future tourism and existing residential uses within Precinct A – Marina Village shall deliver frontage development to complement the existing residential frontage south of Warne Street.

6.2.2.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism Residential'.
- b) Rezone Areas 3 & 4 from 'Tourist' zone under TPS 3 to 'Tourism' zone under LPS 4.

6.2.3 FUTURE TOURISM AREA 5 – TOURISM/RESIDENTIAL

6.2.3.1 DESCRIPTION

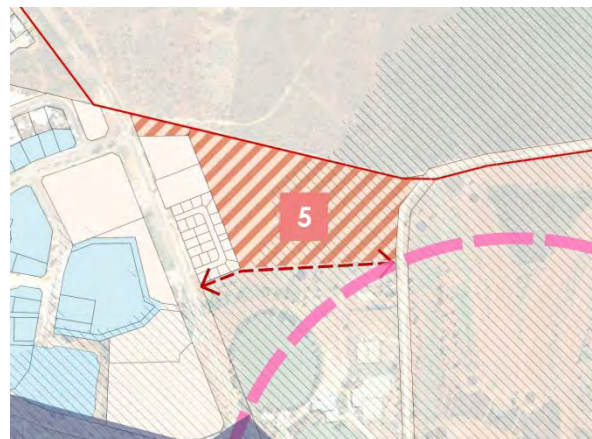
Location & Description	Area 5 comprises portion of Reserve 50807 (Recreation), Willersdorf Street and Reserve 45539 (Lot 1423 – 0.2336ha) Murat Road having a combined area of 7.28ha. The site is located 500m east of the Town Centre and immediately abuts the town's main recreational precinct and an existing tourist development fronting Murat Road. Area 5 represents a rounding off of an existing tourism precinct. A portion of the site is affected by the low hazard floodplain of Town Creek.
Existing Zoning	'Tourist' zone.



SITE PLAN - FUTURE TOURISM AREA 5

6.2.3.2 FUTURE TOURISM AREA 5 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 5 as 'Tourism/Residential'.
- 2) The LPS supports the approval of a combination of tourist accommodation and permanent residential use within Area 5 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) In assessing a development application, the local government will have regard to the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourist development or a substantial refurbishment of an existing tourist development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.
- 4) In assessing development applications for Area 5, the local government will have regard to:
 - a) The extent of the low hazard flood plain of Town Creek. The southern extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and



- ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- b) The process of land assembly to excise Area 5 from Reserve 50807 and the concurrent dedication of a public road between Murat Road and Willersdorf Road.
- c) The development interface between future tourism residential uses and the existing Murat Road Recreation Precinct. The built form is to address (front) the proposed future road link between Murat Road and Willersdorf Road abutting the Recreation Precinct.
- d) The proximity of Area 5 to the Waste Water Treatment Plant and associated buffer. The approval of short stay accommodation (sensitive land use) within the buffer is dependent upon the longer term relocation of the infrastructure.
- e) Ensuring access to Lot 1423 is obtained from Murat Road.
- f) The landscape and built form treatment of the Murat Road frontage recognising its importance as a townscape entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.

6.2.3.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism/Residential'.
- b) Rezone Area 5 from 'Tourist' zone under TPS 3 to 'Tourism' zone under LPS 4.
- c) Finalise the relocation of the existing WWTP infrastructure to remove any impediment for the approval of 'sensitive land uses' within Area 5.
- d) Investigate the funding arrangement for a new road reserve proposed between Murat Road and Willersdorf Road servicing Area 5.

6.2.4 FUTURE TOURISM AREA 6 – TOURISM/RESIDENTIAL

6.2.4.1 DESCRIPTION

Location & Description	Area 6 comprises UCL Lot 1112 (1.70ha) and UCL Lot 918 (0.3ha) and is located 1.8 km south-east of the Town Centre at the Intersection of Murat Road and Reid Street diagonally opposite the Exmouth Marina Village Precinct. Both sites are vacant and immediately about a partially developed tourism development (Exmouth Escape Resort – Lot 900). UCL Lot 918 is currently set aside as a public open space buffer.
Existing Zoning	‘Tourist’ zone and ‘Recreation and Open Space’ reserve.



SITE PLAN - FUTURE TOURISM AREA 6

6.2.4.2 FUTURE TOURISM AREA 6 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 6 as 'Tourism/Residential'.
- 2) The LPS supports the approval of a combination of tourist accommodation and permanent residential use within Area 6 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) In assessing a development application, the local government will have regard to the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourist development or a substantial refurbishment of an existing tourist development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.
- 4) In assessing development applications for Area 6, the local government will have regard to:
 - a) The treatment of Murat Road frontage recognising its importance as a townscape entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.
 - b) The need for safe vehicular ingress and egress to Area 6 given the proximity of the Murat Road and



Reid Street; and Reid Street and Welch Street intersections.

- c) The need for site planning to incorporate adequate building setbacks to maintain visibility at the intersection of Reid Street and Welch Street.
- d) The requirement UCL 918 to be amalgamated with either adjoining UCL 1112 or the existing tourist operation on Lot 900 as part of the land assembly process.
- e) Confirmation of the residual stormwater drainage function of UCL 918 if applicable.
- f) The proximity of the land to the Exmouth Power Station (and associated buffer requirements). Development of Area 6 for tourism/residential purposes is constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. Tourism/Residential development within Area 6 is dependent upon improvements to the operating conditions of the power station, outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).

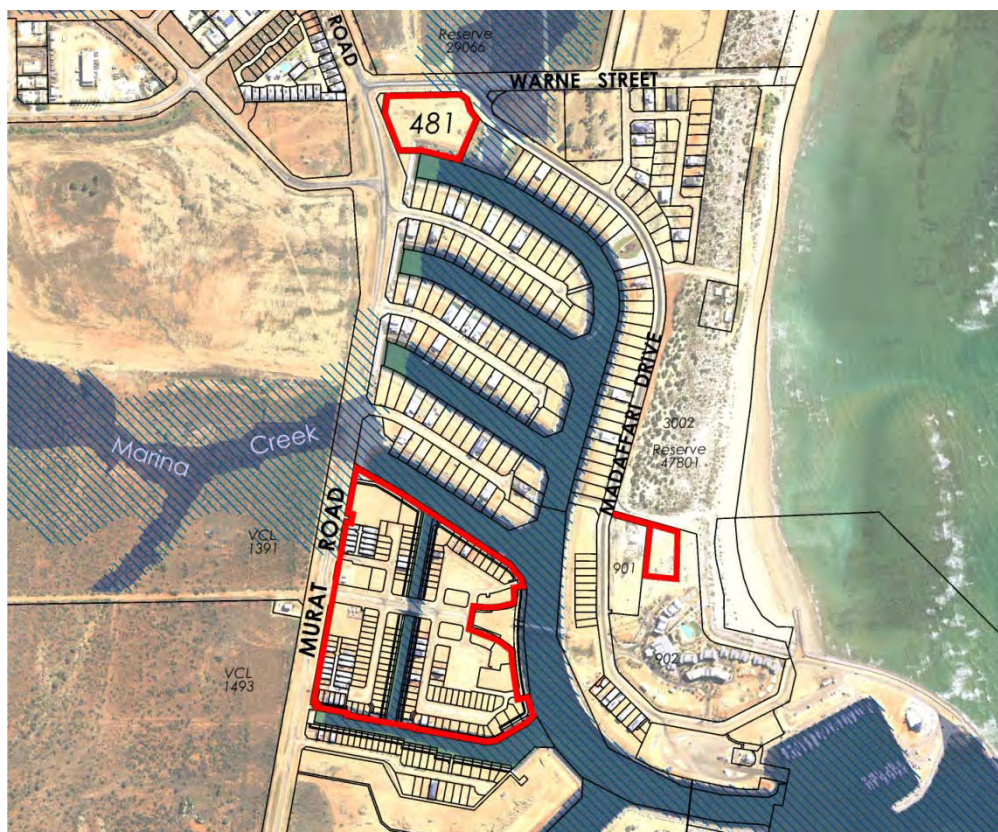
6.2.4.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism/Residential'.
- b) Rezone Area 6 from 'Tourist' zone and 'Recreation and Open Space' reserve under TPS 3 to 'Tourism' zone under LPS 4.
- c) Support the development of Area 6 for Tourism/Residential development dependent upon the outcome of revised noise modelling, improvement of operating conditions of the Exmouth Power Station and/or future relocation of the infrastructure.
- d) Investigate the longer term relocation of the Exmouth Power Station infrastructure.
- e) Review the Murat Street Design Guidelines to accommodate the recommendations of the LPS for future tourism development.

6.2.5 FUTURE TOURISM AREAS 7, 8 & 9 – MARINA TOURISM/RESIDENTIAL

6.2.5.1 DESCRIPTION

Location & Description	<p>Area 7 comprises Lot 481 (1.42ha) located at the intersection of Murat Road and Madaffari Drive. Area 7 and is identified as a Landmark Site within the Exmouth Marina Village ODP – Precinct A in which a range of uses are permitted including grouped dwelling, short stay accommodation, tourist complex and ancillary uses. The site is currently vacant with an ODP amendment approval for the creation of 2 lots.</p> <p>Area 8 (various) – represents super lots within the Exmouth Marina Village where short stay accommodation is permitted abutting the Murat Road frontage as guided by the requirements of the Exmouth Marina Village Outline Development Plan – Precinct B. The locality is 2.8km from the Exmouth Town Centre. The built form on the lots ‘present’ to Murat Road with rear access via an internal public road. The sites are partially developed and provide a high quality architectural entry statement to the Exmouth Townsite.</p> <p>Area 9 comprises portion of Lot 902, Madaffari Drive – Ningaloo Resort Site. Area 9 comprises 0.5603ha with development of the site guided by the Exmouth Marina Village Outline Development Plan – Precinct C. The site has been identified as a proposed built strata permanent residential component of the Ningaloo tourism resort site. The site is presently undeveloped; however has the potential to support 18 units. No further permanent residential use will be supported.</p>
Existing Zoning	<p>Area 7: ‘Marina’ zone (Precinct A). Area 8: ‘Marina’ zone (Precinct B). Area 9: ‘Marina’ zone (Precinct C).</p> <p>Development is guided by the Exmouth Marina Village Outline Development Plan (ODP) and Broad and Detailed Design Guidelines (as amended).</p>



SITE PLAN - FUTURE TOURISM AREAS 7, 8 & 9

6.2.5.2 FUTURE TOURISM AREAS 7, 8 & 9 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 7, 8 & 9 as 'Tourism/Residential'.
- 2) The LPS supports the approval of a combination of tourism accommodation and permanent residential use within Areas 7, 8 & 9 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) The land use intent for each area is as follows:
 - a) Area 7 - Area A. The land use intent for Area 7 is canal based landmark development site incorporating residential or tourist complex, short stay accommodation) but not both.
 - b) Area 8 - Area B. The land use intent for Area 8 is short stay accommodation and tourist landmark development and ancillary uses on lots fronting Murat Road only.
 - c) Area 9 - Area C. The land use intent for Area 9 is R30 coded permanent residential to the north of the Novotel Resort in accordance with the agreed Resort Concept Plan. No further permanent residential use within Area C will be supported.
- 4) In assessing a development application, the local government will have regard the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourist development or a substantial refurbishment of an existing tourist development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.
- 5) In assessing development applications for Areas 7, 8 & 9, the local government will have regard to:



- a) The proximity of Area 7 to the Exmouth Power Station (and associated buffer requirements). Development of Area 7 for tourism/residential purposes is constrained by existing buffer requirements to the Exmouth Power Station as depicted on the **Exmouth Townsite Spatial Plan – Sheet 3**. Tourism/Residential development within Area 7 is dependent upon improvements to the operating conditions of the power station, outcome of revised modelling and/or longer-term relocation of the infrastructure (refer discussion in **sections 2.6.2 and 13.1**).
- b) The development requirements of the Marina Zone as informed by the *Exmouth Marina Village ODP Broad and Detailed Design Guidelines*.

6.2.5.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism/Residential'.
- b) Insert provisions of the approved Exmouth Marina Village ODP Broad and Detailed Design Guidelines for Precincts A, B & C within the 'Special Use - Marina' zone in LPS 4 and refer to the precincts as 'Area A', 'Area B' and 'Area C' respectively.
- c) Support the development of Areas 7 for Tourism/Residential development dependent upon the outcome of revised noise modelling, improvement of operating conditions of the Exmouth Power Station and/or future relocation of the infrastructure.
- d) Investigate the longer term relocation of the Exmouth Power Station infrastructure.
- e) Review the Murat Street Design Guidelines to accommodate the recommendations of the LPS for future Tourism development.
- f) The local government to amend the Exmouth Marina Village ODP and associated Broad Design Guidelines.

6.2.6 FUTURE TOURISM AREA 10 – TOURISM/RESIDENTIAL

6.2.6.1 DESCRIPTION

Location & Description	Area 10 comprises portion of VCL 1391 and portion of VCL 1493 Murat Road located 1.8km south of the Town Centre. Area 10 has a combined area of approximately 7.2ha; of which 2.2ha is affected by the low hazard flood plain of Marina Creek. A pump station site (0.1136ha) visually constrains a small portion of the frontage of Area 10 abutting Murat Road.
Existing Zoning	Area 10: 'Residential Development' Zone.



SITE PLAN - FUTURE TOURISM AREA 10

6.2.6.2 FUTURE TOURISM AREA 10 PLANNING CONSIDERATIONS

- 1) The LPS identifies Area 10 as 'Tourism/Residential'.
- 2) The LPS supports the approval of a combination of tourist accommodation and permanent residential use within Area 10 subject to criteria being met in compliance with the requirements of the Scheme.
- 3) In assessing a structure plan or development application, the local government will have regard to the proportion of residential permitted. In relation to Planning Consideration 2) above, the following criteria shall apply:
 - a) Short stay accommodation is to remain the predominant use of the site (with the residential component occupying no greater than 40% of the gross floor area, excluding communal areas).
 - b) The residential component is proposed as part of a new tourist development or a substantial refurbishment of an existing tourist development.
 - c) The tourism component is located on the areas of highest tourism amenity.
 - d) An acceptable management structure for the permanent residential and tourism component is provided.
 - e) Design considerations are met to ensure any conflict between tourism uses and residential amenity is minimised.
 - f) Permanent residential component is developed concurrently with, or after the tourism component and is not to exceed the permissible ratio at any stage of the development.
- 4) In assessing rezoning proposals, structure plan and development applications for Area 10, the local government will have regard to:



- a) The extent of the low and high hazard flood plain of Marina Creek. The northern and western extent of development will need to be informed by hydraulic modelling to ensure that:
 - i) Proposed development has adequate protection from a 100 year ARI flood; and
 - ii) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.
- b) The landscape and built form treatment of Murat Road frontage recognising its importance as a townscape entry statement. Development fronting Murat Road shall be subject to the Murat Road Design Guidelines.
- c) Any operational buffer requirements of the existing pump station infrastructure located on Murat Road.

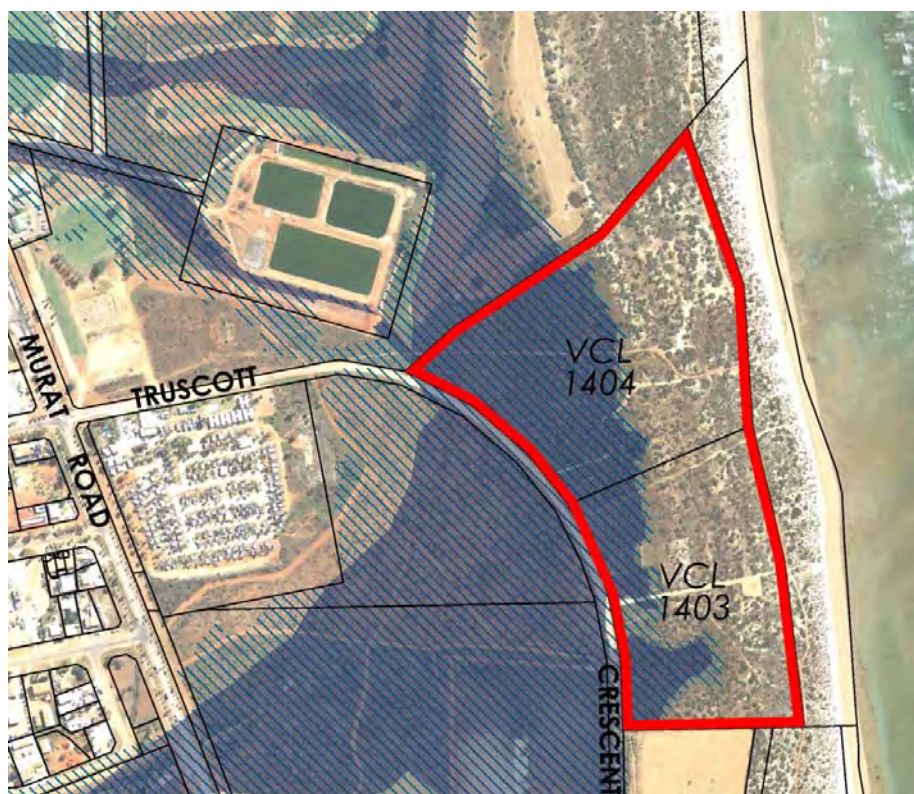
6.2.6.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Tourism Residential'.
- b) Rezone Area 10 from 'Tourist' Zone under TPS 3 to 'Urban Development' zone under LPS 4.
- c) Review the Murat Street Design Guidelines to accommodate the recommendations of the LPS for future Tourism development.

6.2.7 FUTURE TOURISM AREAS 11 & 12 – CARAVAN PARK AND CAMPING

6.2.7.1 DESCRIPTION

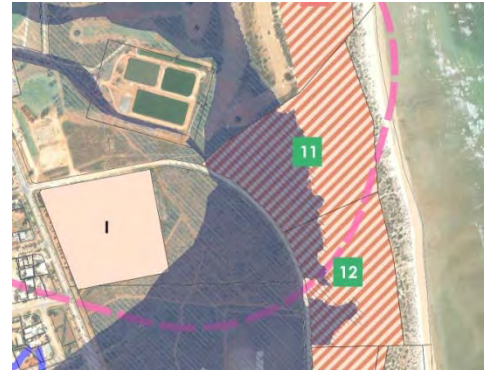
Location	Areas 11 and 12 are located between Truscott Crescent and Exmouth Gulf, south east of the Exmouth Town Centre.
Site Description	<p>Area 11 is vacant UCL Lot 1404 comprising 13.3 hectares.</p> <p>Area 12 is vacant UCL Lot 1403 comprising 9.7 hectares.</p> <p>Areas 11 and 12 comprise the vegetated primary dune fronting the Exmouth Gulf. The areas are partially affected by the high hazard floodplain of Town Creek given that the dune system acts a natural storage bund during major flood events. An existing foreshore trail traverses within and adjacent to the eastern boundary of Areas 11 and 12. Both UCL 1404 and 1403 are subject to Native Title clearance. Portion of Areas 11 and 12 are located within the 500m odour buffer of the Exmouth Waste Water Treatment Plant.</p> <p>Area 11 is dissected by an informal access track currently identified within the <i>Exmouth Town Centre and Foreshore Revitalisation Plan</i> (2012) for retention and upgrade to include a new Gulf Beach access (and associated car parking), which in its present location, will constrain the future development potential of this area.</p> <p>Area 12 is similarly dissected by an informal access track to Gulf Beach. In-principle support has been given to a Tourism WA / Shire proposal to develop a Caravan Park and Camping Ground on this site and a Concept Plan has been formulated.</p>
Existing Zoning	'Tourist' zone.



SITE PLAN - FUTURE TOURISM AREAS 11 & 12

6.2.7.2 FUTURE TOURISM AREAS 11 & 12 PLANNING CONSIDERATIONS

- 1) The LPS identifies Areas 11 and 12 as being suitable for Caravan Park and Camping.
- 2) Residential development within Areas 11 and 12 is not supported.
- 3) The LPS requires access to Area 2 to be obtained from Truscott Crescent. The access should be determined at the land assembly stage for Reserve 50867 and VCL Lot 1404 – Area 11 (as a prerequisite to development) with concurrent agreement between the Shire, Exmouth Golf Course and the Department of Lands. In this regard, access to Area 2 may be in the form of a public road or access easement via either:
 - a) Area 11 (VCL 1404), in consultation with the Department of Lands and Shire having regard to the future planning requirements of this area; or
 - b) Reserve 50867, in the event that a redesign of the Exmouth Golf Course takes place that can accommodate access to Area 2 without compromising the overall layout of the course.
- 4) In determining the location and form of access to Area 2 from Truscott Crescent, appropriate setbacks and buffers to the existing golf course will need to be accommodated within the new land assembled for Area 2, with a corresponding reduction in the developable area of Area 11.
- 5) The LPS notes that the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) for pedestrian and vehicular access to a new Gulf Beach present a number of significant development constraints for Area 11. Prior to development, further investigation is required, with respect to minimising the impact on the development potential of Area 11, having regard to the following options:
 - a) Option 1 – comply with the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) by providing vehicular and pedestrian access through the centre of Area 11 to the new Gulf Beach foreshore park, and as a result of this severance, creating two tourist development sites. Under Option 1, the final location of Gulf Beach access (and associated parking) should be reviewed (within or immediately adjacent to the existing foreshore reserve) to confirm that the impact on the development potential of Area 11 is minimised.
 - b) Option 2 – generally comply with the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) by providing pedestrian access only through the centre of Area 11 to the new Gulf Beach foreshore park, in the form of a public access easement incorporated into the design of a single tourist development site. Under Option 2, the final location of the new Gulf Beach Access should be reviewed (within or immediately adjacent to the existing foreshore reserve) to minimise the impact on the development potential of Area 11, with vehicular access to Gulf Beach foreshore park being relocated to the southern boundary of Area 11.
 - c) Option 3 – If the development area of the resulting two tourist development sites under Option 1 are considered



insufficient to support a viable tourism development, review the location of the new Gulf Beach Access and relocate to the northern boundary of Area 11 such that vehicular and pedestrian access can be combined with the location of the access to Area 2 referred to in Planning Consideration 3. above.

Areas 11 and 12

- 10) In assessing a development application for Areas 11 and 12, the local government will have regard to:
 - a) The planning and environmental investigations and reporting necessary to satisfy the provisions of the proposed Scheme.
 - b) The requirement for consultation to take place with the Department of Water to confirm flood relief areas, land use permissibility and development setbacks associated with the high hazard flood plain. Only camping is permitted within the high flood hazard area of Areas 11 and 12.
 - c) The proximity of the land to the Waste Water Treatment Plant and associated buffer. The approval of short stay accommodation (sensitive land use) within the buffer is dependent upon the longer term relocation of the infrastructure.
 - d) Preparation and implementation of a foreshore management plan in accordance with the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012). This should include confirmation of the Foreshore Reserve, protection and upgrade of the existing foreshore trail, and new Gulf Beach access, having regard to coastal processes and environmental protection requirements. Where the existing foreshore trail is retained within private property, a public access easement will be required.
 - e) Ensuring the site design is cognisant of the environmental and landscape setting of the locality.
 - f) Preparation and implementation of a Landscape Plan that complements the natural setting and beachside character of the site and augments the retention of native vegetation where possible.

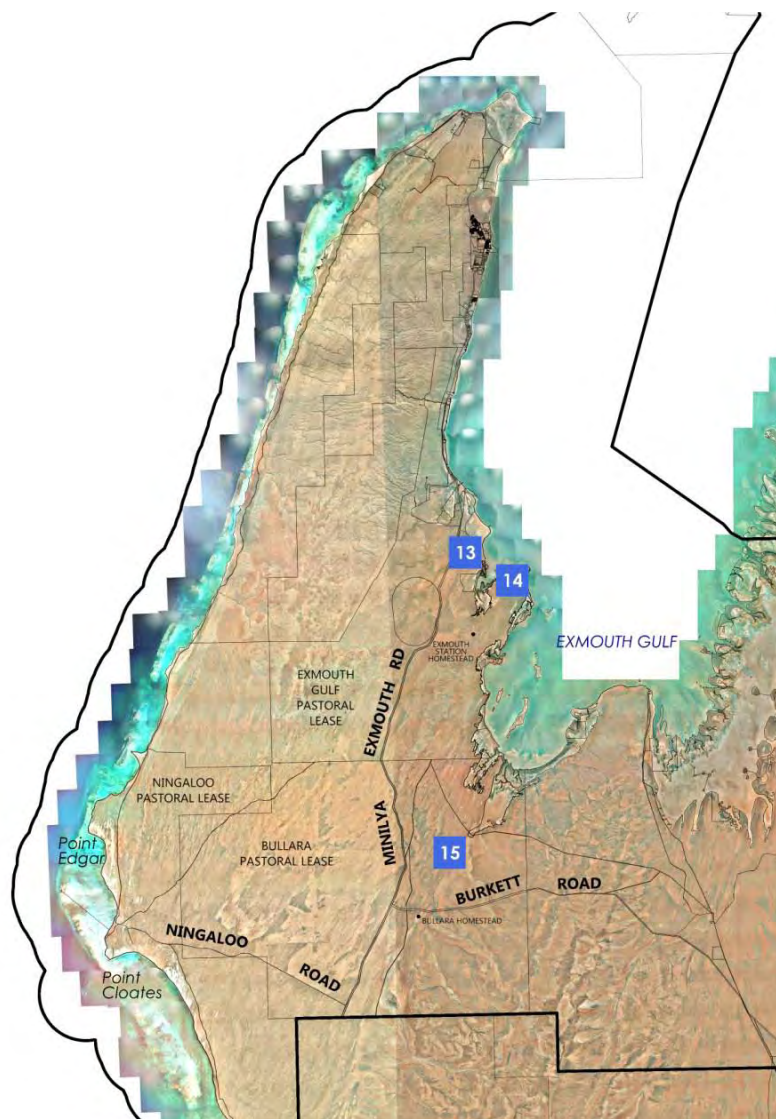
6.2.7.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism – Caravan Park and Camping'.
- b) Rezone Areas 11 and 12 from 'Tourist' zone under TPS 3 to 'Special Use - Caravan Park and Camping' zone under LPS 4.
- c) Prior to the commencement of any development within Area 11, access arrangements to Area 2 and Gulf Beach are to be confirmed.
- d) Investigate funding arrangements for shared access to Area 2 and Gulf Beach, in the event that Option 3 is implemented.
- e) Finalise the relocation of the existing WWTP infrastructure to realise ultimate development potential of the Areas 11 and 12.
- f) Require future development applications to address the planning considerations detailed above.
- g) Implement the relocation of the existing WWTP infrastructure to remove any impediment for the approval of 'sensitive land uses' within Areas 11 and 12.

6.2.8 FUTURE TOURISM AREAS 13 TO 15 – NATURE BASED PARK INVESTIGATION AREAS

6.2.8.1 DESCRIPTION

Location	<p>Area 13 is located remotely within Exmouth Pastoral Station adjacent to Gales Bay generally north of Exmouth Station Homestead.</p> <p>Area 14 is located remotely within Exmouth Pastoral Station adjacent to the Bay of Rest generally north-west of Exmouth Station Homestead.</p> <p>Area 15 is located within the Bullara Pastoral Station adjacent to the southern portion of Gales Bay generally north of Bullara Station Homestead.</p>
Site Description	<p>Area 13 and 14 were identified on the <i>Exmouth South Structure Plan</i> as Future Investigation Areas for nature based camping activity within the Exmouth Pastoral Station, noting that Gales Bay and Bay of Rest form part of a 'recommended marine protected area' under the <i>Ningaloo Coast Regional Strategy Carnarvon to Exmouth</i> (2005) generally south of Wapet Creek.</p> <p>Area 15 similarly abuts the 'Mangrove Coast' in the southern portion of the Exmouth Gulf and is identified as a future investigation area to support similar low key nature based activity.</p>
Existing Zoning	'Pastoral' zone.



SITE PLAN - NATURE BASED PARK INVESTIGATION AREAS 13 TO 15

6.2.8.2 FUTURE TOURISM AREAS 13 TO 15 PLANNING CONSIDERATIONS

- 1) The LPS identifies three nature based park investigation areas at the Bay of Rest and Gales Bay localities. Areas 13 and 14 are located within the Exmouth Gulf Pastoral Stations and are consistent with the recommendations of the *Exmouth South Structure Plan* (2013). Area 15 is located within Bullara Station and has been identified by the Strategy.
- 2) Due diligence reporting will be necessary to determine the suitability of a site for a nature based park prior to the submission of any development application. Such reporting should address the following:
 - a) In consultation with DPaW, the preparation of environmental investigation and reporting necessary to identify the environmental values, potential impacts and appropriate mitigation measures that may need to be addressed by appropriate management plans prepared at the development application stage.
 - b) The preparation of an Ethnographic and Archaeological Survey and where applicable, the need for a heritage management plan to be prepared at the development application stage.
- 3) Upon the site being determined as being suitable for nature based park in accordance with Planning Consideration 2) above, any proposal for a nature based park on the Exmouth Gulf Pastoral Station (Areas 13 and 14) and Bullara Pastoral Station (Area 15) will require an application to be made to the Department of Lands under the appropriate section of the *Land Administration Act 1997*.
- 4) Concurrent with the application referred to in Planning Consideration 3) above, a development application will need to be lodged with the local government.
- 5) In assessing a development application, the local government will have regard to the following:
 - a) The outcomes of the environmental investigations and ethnographic and archaeological surveys undertaken as referred to in Planning Consideration 2) above.
- b) The provision of a nature based camping site plan detailing:
 - i) Access – the location of the Pastoral Station Homestead, the nature based park site and the proposed access route from Minilya-Exmouth Road and/or Burkett Road to the Homestead and the nature based park site so as to minimise environmental impact. In addition to the above, a proposed maintenance programme for access roads to and within the nature based park site is to be provided.
 - ii) Layout – the nature based park site layout including the proposed boundaries of the park site, internal access, location of individual camp sites, extent of clearing, campfire locations, and compliance with a 40m foreshore setback from Exmouth Gulf landward of the high water mark.
 - iii) Waste Management Plan – identification of the homestead waste collection facility and method of removal of waste from the site.
 - iv) Vegetation and Landform Protection – Areas of vegetation protection and the manner in which site disturbance and tourist activity is to be monitored, including the management of off-road vehicles and proposed site rehabilitation programme as required.
 - v) Emergency Management Plan – identification of fire and cyclone emergency management plan.
 - vi) Method of Recording Visitation – tourist numbers including visitor type (i.e. adults, children, pets) and length of stay.
 - vii) Camping Guidelines – method of visitor notification of camping and management requirements detailed above.
- c) The advice of DPaW in regard to the likely impact of the proposed camping area on known areas of high conservation value.

6.2.8.3 ACTION STATEMENTS

- a) The LPS identifies the land for 'Future Tourism' – Nature Based Camping Investigation Areas.
- b) Include land currently zoned 'Pastoral' under TPS 3 within the 'Rural' zone under LPS 4.
- c) Insert 'Nature Based Park' as a 'D' Discretionary Use within the Zoning Table of LPS 4 within the 'Rural' zone.
- d) Include a definition for 'Nature Based Park' within Schedule 1 – Dictionary of Defined Words and Expressions.
- e) Future assessment of a Nature Based Park site plan and associated management plans to address the planning considerations detailed above.
- f) Rezone land along the coastal strip of Exmouth Gulf included within the 'Pastoral' zone under TPS 3 to 'Environmental Conservation' reserve under LPS 4 to reflect the 40m foreshore setback.

7 TOWN CENTRE

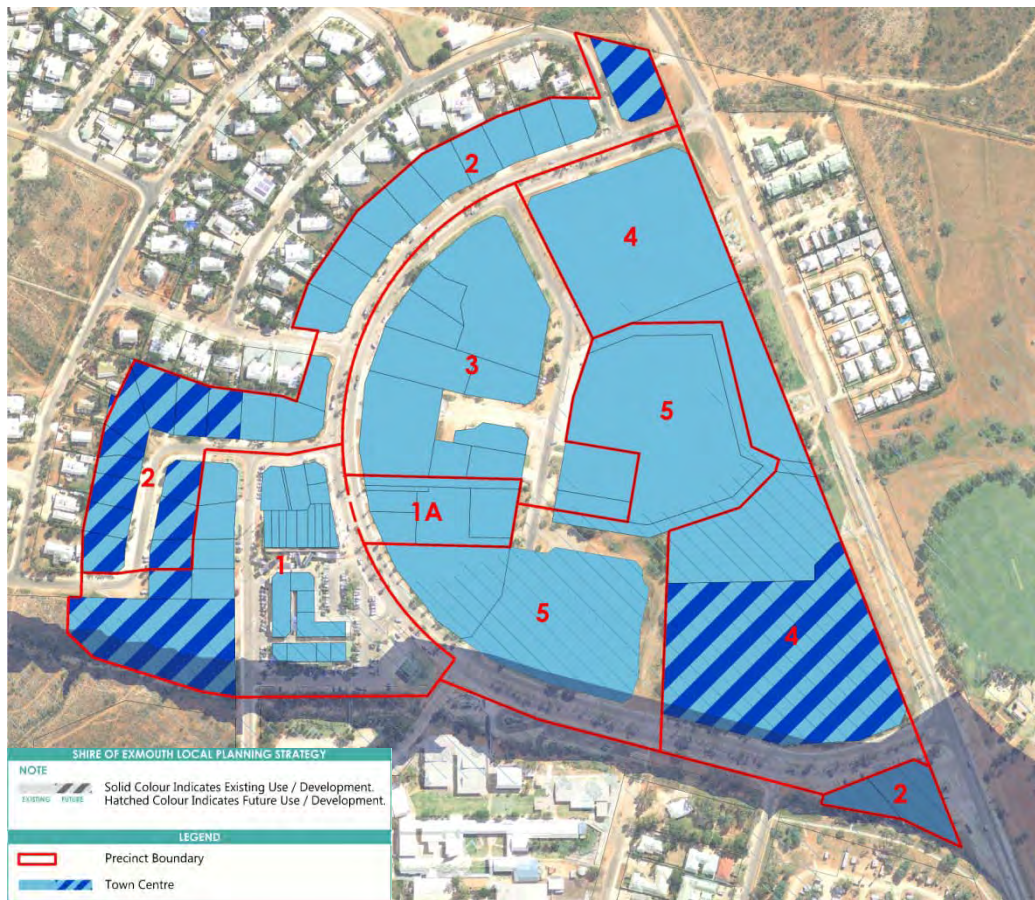
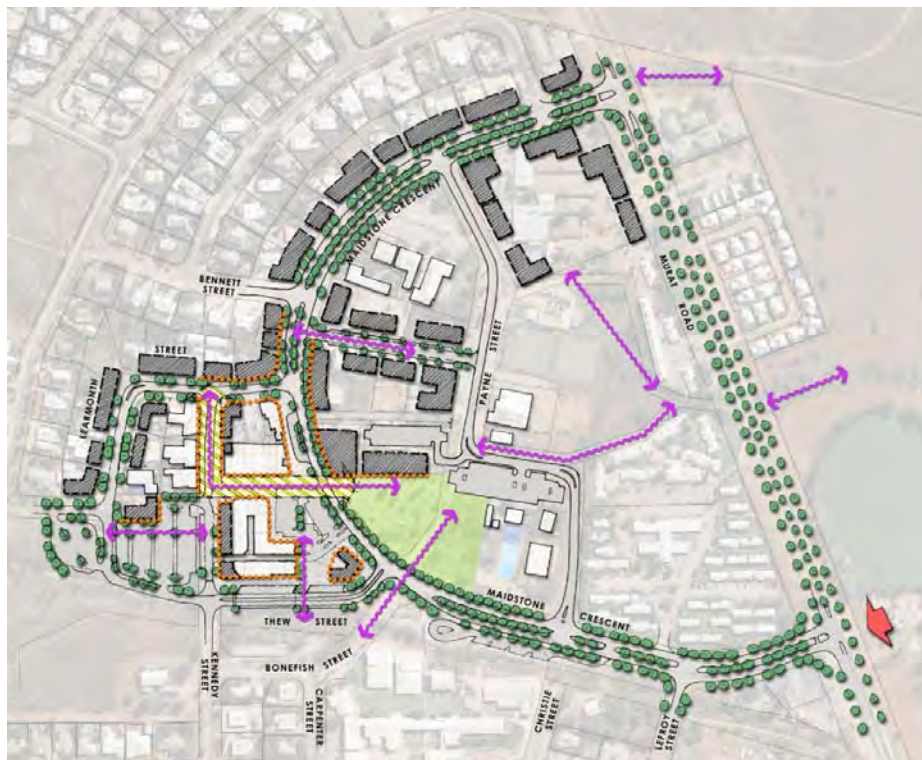


FIGURE 17 TOWN CENTRE STRATEGIC PLAN



PLANNING CONSIDERATIONS

The **Town Centre Strategic Plan (Figure 17)** identifies land as 'Existing' and 'Future' Town Centre as follows:

- Land designated as 'Existing Town Centre' comprises land zoned Town Centre under the provisions of the existing TPS 3.
- Land designated as 'Future Town Centre' comprises land that has the potential to be zoned for town centre purposes to accommodate expansion.

The Strategy proposes the expansion of the Town Centre to include lots east, west and south of Learmonth Street immediately adjacent to the retail core, and the inclusion of existing short stay accommodation sites at the intersection of Maidstone Crescent and Murat Road. These areas represent a logical rounding off the interface between town centre land uses and adjoining uses.

The overriding strategic direction for the town centre is to consolidate and strengthen the centre as the principal place for retail, commercial, community, civic and administrative functions in the Shire. The Strategy supports the consolidation of the town centre as the focal point for the district through the enhancement of built form and public realm elements setting the foundations for attracting new development to the Town Centre.

The ongoing delivery of new infrastructure and corresponding enhancement of built form outcomes within the Town Centre will be guided by the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) as endorsed by the Council in 2013. The Plan evolved from rigorous community engagement that identified issues and opportunities for the revitalisation of the Town Centre. The principles established by the Plan focussed on five land use activity precincts – Retail Core, Mixed Use, Civic Quarter, Short Stay and Recreation. These activity precincts have been adopted by the LPS as 'Town Centre Precincts 1 to 5' with corresponding 'Planning Considerations and Action Statements' defined (refer **section 8.2**). The formulation of the planning considerations for each precinct have been identified based on the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan*, unless otherwise stated, and in direct response to the planning issues highlighted in **section 7.1** to follow.

7.1 PLANNING ISSUES

- 1) **Built form and Character** – The built form within the overall town centre is for the most part dispersed leading to an informal and ill-defined pedestrian movement system through large street blocks. Many of the town centre buildings are not designed to be oriented to the street network or the public realm. Street frontages (e.g. portion of Kennedy Street) are open and uncontained with no opportunity for street activation. The purpose of premises also does not generally match the original design of the buildings and therefore functionality is generally compromised. There is an opportunity to improve the façade of the low level 'Exmouth' block buildings through addition of architectural features and encouragement for new development to incorporate articulated building facades.
- 2) **Streetscape** – The streetscape within the Town Centre has varying degrees of public realm treatment and lacks continuity. Additional streetscape treatments such as verge planting, footpaths and lighting would assist legibility and pedestrian safety over time, particularly the median treatments for Maidstone Crescent as the main entry road. At present, the boulevard effect of the existing Maidstone Crescent median is partly lost by the inconsistency in planting species and tree placement.
- 3) **Landscape and Drainage** – The landscaping and upgrade of Federation Park has had a significant impact on the town centre landscape and community function, and improved pedestrian connectivity with other parts of the centre will improve access to the facility overtime. Currently natural drains intercept and fringe the overall town centre, and depending upon the engineering function, there is the potential to maximise the use of natural drainage lines as a movement corridor. The drainage lines can be improved through ongoing landscape maintenance, planting, lighting and the provision of safe pedestrian and cyclist access, noting that their management is considerably compromised in time of flood.
- 4) **Town Centre Arrival** – Because the Town Centre is set back from Murat Road, its location is not clearly defined for visitors arriving to Exmouth. Maidstone Crescent needs to be visually reinforced as the critical link between Murat Road and town core area through continuous median and verge plantings, signage and urban form treatments. Clearer definition of the Maidstone Crescent and Murat Road intersections is required to enhance sense of arrival to the Town Centre.
- 5) **Movement** – Access through to car parks within the town centre requires enhanced signage due to being somewhat complicated due to the curved geometry of Maidstone Crescent. The current location of car parking currently limits the relationship between buildings and the public realm given the interface is

interrupted by vehicular movements. Car parking will continue to need management to provide easy access for the transient visitor population as well as shorter term car parking closer to the retail core for the resident population. The extension of Thew Street through to Learmonth Street as currently being implemented will assist in this regard, adding legibility to the east-west vehicular and pedestrian movement within the Town Centre. Movement for pedestrians and cyclists is also currently insufficiently defined with footpath networks in some instances incomplete. The linkages between the tourism accommodation along Murat Road and the retail core are currently informally defined and have been identified for upgrade. Strategies to improve the linkages within the town centre are in place as documented in the *Foreshore and Open Space Development Plan* (2013).

- 6) **Pedestrian Prioritisation** – There is need for the pedestrian/cycleway movement within the town centre to become more legible given that currently vehicular movements (particularly high number of caravans and long vehicles during the peak tourist season) are given priority over pedestrian movement. This raises safety concerns, particularly where there is a prevalence of tourists in unfamiliar territory attempting to navigate the town centre.
- 7) **Consolidation of Retail Use** – Retail floor space within the Retail Core is encouraged to expand over the short to medium term up to 26,615m², assuming a population of 8,000 persons (Hassell, 2012). All

retail development within Exmouth is to be focussed within the Retail Core of the Town Centre except where an identifiable local node is supported by the local government such as within the Exmouth Marina. Retail expansion of the Retail Core is to be consolidated around the primary structural axis of the Ross Street Mall and Kennedy Street. Expansion opportunities in the short to medium term to specifically accommodate a “supermarket and associated sleeved development” should only be contemplated on land assembled east of Maidstone abutting Federation Park.

- 8) **Land Use Activity** – There is currently a lack of cohesion between the retail core uses on Kennedy Street/ Ross Street Mall and town centre uses further north on Maidstone Crescent, namely the Post Office and Police and Courthouse complex. Priority should be given to connecting these two nodes through streetscape and landscape treatments, and over the longer term, street activation via reduced built form setbacks. Furthermore, activation can be improved through consolidating urban form around the town core, particularly Kennedy Street, and the introduction of medium density as a permitted use in select locations, currently not provided for within TPS 3. There is the opportunity to consider mixed use development along Maidstone Crescent north providing for activated ground floor development with upper level residential.

7.1.1 ACTION STATEMENTS

- a) Implement Town Centre initiatives to consolidate the Town Centre in its present location and foster commerce, community, tourist accommodation and civic functions.
- b) Introduce a ‘Commercial’ zone within LPS 4 to replace the ‘Town Centre’ zone within TPS 3.
- c) Define Precincts 1 to 3 (Retail Core, Mixed Use, and Mixed Business), include within the ‘Commercial’ zone within LPS 4 and set out objectives, site and development requirements for each Precinct within the Scheme.
- d) Include Precinct 4 (Short Stay Tourism/Residential) within the ‘Tourism’ zone under LPS 4.
- e) Include Precinct 5 (Recreation) within the ‘Public Open Space’ reserve under LPS 4.
- f) Prioritise the implementation of landmark sites, landscape and signage initiatives to strengthen the entry to the Town Centre.
- g) Prioritise vehicular, pedestrian and cycleway infrastructure upgrades to improve the legibility of the movement system within the town centre.
- h) Progress feasibility assessments of Town Centre redevelopment opportunities to assist in the land assembly and early delivery of viable development sites.
- i) Review the design of the existing car park adjacent to Ross Street Mall to allow periodic conversion of the space to a town square with the potential to accommodate community events.
- j) Review the statutory framework for the control of advertising that achieves effective identification of businesses, but does not detract from the character of the Town Centre.
- k) Prepare and progressively update an audit of car parking within the Town Centre to monitor car parking demand and supply.
- l) Prepare a Retail Activation Strategy consistent with the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* for improving development fronting streets, improving the retail mix and offer, implementation via management and governance, to create a more value-added experience.



7.2 TOWN CENTRE PRECINCT 1 AND 1A - RETAIL CORE

7.2.1 DESCRIPTION

Location	Refer Site Plan 1.
Site Description	<p>Precinct 1 is the core of the town centre and supports a range of finer grain buildings containing retail and hospitality uses. It is the activity centre for the town containing the Ross Street Mall and Kennedy Street which combined, form an important town core axis for pedestrian movement through to Maidstone Crescent. A majority of the Town Centre car parking is located within Precinct 1. The southern boundary abuts Town Creek which has an associated drainage and visual landscape function.</p> <p>Precinct 1A currently comprises a car and trailer parking area, community and childcare facilities with a direct interface with Federation Park. An open drain runs along the northern boundary of the Precinct. The landholdings within Precinct 1A have the potential to support redevelopment proposals in the short to medium term including drainage upgrades.</p>
Existing Zoning	'Town Centre' and 'Residential R17.5' zone.



SITE PLAN 1



PLANNING CONSIDERATIONS

7.2.2 TOWN CENTRE PRECINCT 1 AND 1A PLANNING CONSIDERATIONS

The LPS identifies Precinct 1 as Retail Core, where the objective is to:

- Reinforce the strategy for the consolidation and expansion of retail and hospitality uses within the existing retail core, strengthening activity around the axis of Kennedy Street and the Ross Street Mall.
- Ensure the built form and intensification of uses proposed contributes positively to the streetscape and interface with the public realm through setbacks and the activation of frontages.

The LPS identifies Precinct 1A as Retail Core, where the objective is to:

- Promote future retail expansion east of Maidstone Crescent specifically to cater for the establishment of a supermarket sleeved by small scale retail and commercial uses; and
- Ensure the built form proposed contributes positively to the streetscape and Federation Park interface through the activation of frontages.

To achieve the objectives for Precinct 1 and 1A, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications.

Planning Considerations **1 to 12** are cross-referenced on **Precinct 1 and 1a Cameo**.

1) Kennedy Street

- a) Establish Kennedy Street North as a pedestrian mall ultimately, closed to vehicular traffic when pedestrian movement and retail growth is sufficiently high.

In the interim, Kennedy Street North is intended to function as a Main Street. The street is to be retained as a shared space for pedestrians, slow moving traffic and able to be closed to stage community events.

- b) Kennedy Street South is to ultimately be closed as a public road and incorporated within the new Town Centre car park.

In the interim, Kennedy Street South will exist in its current form with modifications to formalise on-street parking generally adopting the approved JDSI Plan SK09. The LPS, however, supports:

- i) Kennedy Street being retained as the primary movement system rather than being accessed as a secondary street from the new Town Centre car park;
- ii) the replacement of 90° parking with parallel parking on the 'eastern side' of Kennedy

Street so as to retain greater clearance for through-movement with improved safety for vehicular and pedestrian movement as new built form is introduced.

- 2) Enhance Ross Street Mall as the prominent pedestrian axis connecting the retail core with Federation Park. Consolidation of retail growth around this axis will ensure a vibrant centre in which retail and hospitality uses can thrive with the potential for upper floor development such as offices.
- 3) Upgrade Maidstone Crescent to a single carriageway and introduce materials to facilitate a slow speed environment. This will improve legibility and safety for pedestrian movement between the retail core and Federation Park.
- 4) Facilitate the ultimate extension of the retail core east of Maidstone Crescent within Precinct 1A specifically for the purpose of a supermarket, sleeved with small scale retail and commercial use. Site development to include rear car parking and rationalisation of open drain (Reserve 33567) to incorporate piped drainage accommodating an internal driveway linking Maidstone Crescent with Payne Street.
- 5) Facilitate activation of the retail frontage to Federation Park to extend the activities of, and connection with the Ross Street Mall. Front doors orientated to Federation Park and extensive glazing should characterise the ground floor facades to create high pedestrian amenity and passive surveillance.
- 6) Implement the recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012) to create the opportunity for dual use of the existing car park adjacent the eastern end of the Ross Street Mall whereby the space can be periodically converted to a town square to accommodate community events.
- 7) Establish a new landmark building to announce the arrival at the entry to town centre retail core at the intersection of Maidstone Crescent and Thew Street.
- 8) Maintain the important existing north-south pedestrian linkage from the retail core through to Bonefish Street and the High School precinct in conjunction with the implementation of the Thew Street and car park upgrades.
- 9) New built form to address the new Town Centre car park to provide passive surveillance and activation.
- 10) Construction of the Town Centre Car Park finalised in line with the 2012 recommendations of the *Exmouth Town Centre and Foreshore Revitalisation Plan* and the JDSI Plan SK09. The portion west of the Thew

Street extension has been designed to accommodate long vehicle car parking.

- 11) Thew Street re-alignment finalised in accordance with approved JDSI Plan SK09. This re-alignment improves connectivity/legibility between Maidstone Crescent, Thew Street and Learmonth Street and creates more efficient traffic flow between retail uses and town centre car parks. The rejuvenated Thew Street revisits its function as a street rather than a driveway within a car park.
- 12) Introduce sleeved development along the eastern flank of Kennedy Street and to ensure activated streetscape and contribution to Main Street environment. New development in this location will create a sense of enclosure, activate the street and enable safe alfresco dining.
- 13) Introduce Scheme Text provisions to control the retail core development within Precinct 1 that address:
 - a) Land Use – retail, upper floor offices, cafés, restaurants, alfresco dining.
 - b) Activation of Kennedy Street (Main Street) – pedestrian focussed two and three storey development constructed to the street boundary.
 - c) Activation of Precinct 1A built form interface with Federation Park in the form of front door entries and window openings, glazing, projections of shade awnings etc
 - d) Building height – three storey development with maximum wall height of 9.75m.
 - e) Landmark site at the intersection of Thew Street and Maidstone Crescent – Retail Core arrival, local vernacular, building height.

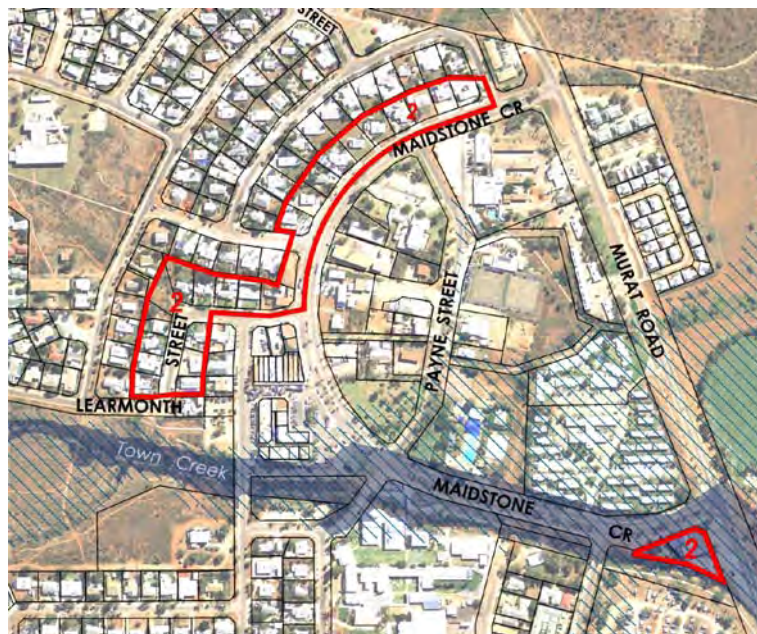
7.2.3 ACTION STATEMENTS

- a) The LPS identifies Precinct 1 and 1A as 'Town Centre – Retail Core'.
- b) Include the land currently zoned 'Town Centre' and 'Residential R17.5' under TPS 3 within the 'Commercial' zone under LPS 4.
- c) Introduce objectives, site and development requirements into the scheme provisions for the Retail Core precinct.
- d) Require future development applications to address the planning considerations detailed above.
- e) Include 'supermarket and sleeved commercial development' as a 'Restricted Use' within Schedule 3 – Restricted Uses of LPS 4 to guide land use and development within Precinct 1A.
- f) Forecast and budget ongoing works to implement the initiatives detailed above, in accordance with the LPS and *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- g) Rezone Lot 27 (No. 16) Learmonth Street from 'Residential' in TPS 3 to 'Commercial' zone in LPS 4.

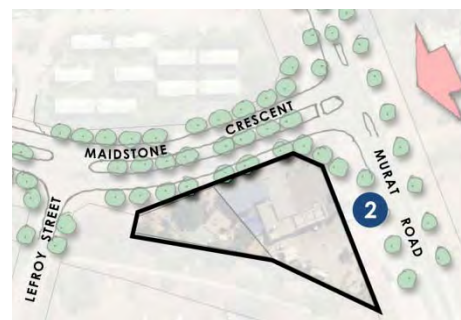
7.3 TOWN CENTRE PRECINCT 2 – MIXED USE

7.3.1 DESCRIPTION

Location	Refer Site Plan 2.
Site Description	Precinct 2 predominantly comprises a mixture of residential dwellings and dwellings converted to commercial/office uses. As the premises are in a majority of cases not purpose built structures, the function is generally compromised and external activity limited. The precinct has a strong interface with Maidstone Crescent and in the southern section abuts the town centre retail core.
Existing Zoning	'Town Centre' and 'Residential R17.5' zones, and 'Public Purposes' reserve.



SITE PLAN 2



PLANNING CONSIDERATIONS

7.3.2 TOWN CENTRE PRECINCT 2 PLANNING CONSIDERATIONS

The LPS identifies Precinct 2 as Mixed Use, where the objective is to:

- Create a mixed use live/work precinct along Maidstone Crescent (north) that provides for office expansion and other business opportunities not appropriate to locate within the retail core, complemented by residential accommodation above.
- Enhance Maidstone Crescent to function as a town promenade and clear entry road into the town centre offering an alternative build form outcome.

To achieve the objectives for Precinct 2, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications;

Planning Considerations **2 to 5** are cross-referenced on **Precinct 2 Cameo**.

- 1) Promote a built form outcome conducive to live-work buildings along Maidstone Crescent that have activated ground floors and upper level residential. This may require the amalgamation and further subdivision of lots to achieve this outcome.
- 2) Establish a landmark site at the intersection of Maidstone Crescent and Murat Road. As a key entry statement on Maidstone Crescent, this site should support prominent high quality mixed use development that announces the arrival to the town centre at a point where pedestrian and slow moving vehicles are to be prioritised.
- 3) Promote new built form along the north side of Maidstone Crescent; and properties fronting

Learmonth Street, to create an activated urban edge consistent with the desired Mixed Use character of the Precinct. This initiative is to assist Maidstone Crescent to function as a town promenade and clear entrance road to enhance the town centre arrival.

- 4) Establish nil building setbacks 'wrapped around' the Learmonth Street/Maidstone Crescent frontage between Bennett and Kennedy Streets to encourage corner development to mirror the development opposite that is to adopt nil setbacks. This will promote a sense of containment and consistent development scale either side of Learmonth Street at the entry to the retail core (Precinct 1).
- 5) Incorporate on-street car parking on Learmonth Street to cater for the future expansion of the town centre mixed use.
- 6) Introduce Scheme Text provisions to control mixed use development within Precinct 2 that address:
 - f) Land Use – Office, Consulting Room(s) and 2nd floor Residential (R40).
 - g) Building height – two storey development, with loft spaces contained within the roof space with a maximum wall height of 6.5m.
 - h) Built form requirements for Precinct 2 including balconies, setbacks (4.5m from street boundary; nil setback from Kennedy Street to Bennett Street), fencing style and location, storage areas.
 - i) Car Parking – promotion of parking at the rear including easements for shared access and reciprocal parking.

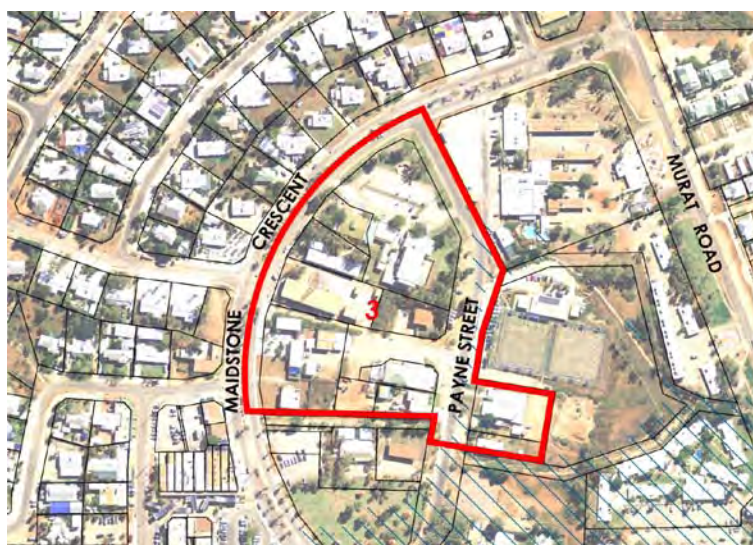
7.3.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Town Centre – Mixed Use'.
- b) Include the land currently zoned 'Town Centre', 'Residential R17.5' and 'Public Purpose' reserve under TPS 3 within the 'Commercial' zone under LPS 4.
- c) Introduce mixed development as a 'D' Discretionary Use to accommodate upper level residential use within the 'Commercial' zone – Mixed Use precinct.
- d) Introduce objectives, site and development requirements into the scheme provisions for the Mixed Use precinct.
- e) Require future development applications to address the planning considerations detailed above.
- f) Forecast and budget ongoing works to implement the initiatives detailed above, in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).

7.4 TOWN CENTRE PRECINCT 3 – MIXED BUSINESS

7.4.1 DESCRIPTION

Location	Refer Site Plan 3.
Site Description	Precinct 3 obtains access from Maidstone Crescent, Payne and Riggs Street and comprises a combination of business, government offices and community land uses separate from, but related to the town centre retail core (e.g. Post Office, Police and Court House complex, Durack Centre, State Emergency Services, Exmouth Shire Offices, Community Hall and Library). The larger landholdings within the Precinct are Crown Reserves providing the opportunity for land assembly and rationalisation of access.
Existing Zoning	'Town Centre' zone.



SITE PLAN 3



PLANNING CONSIDERATIONS

7.4.2 TOWN CENTRE PRECINCT 3 PLANNING CONSIDERATIONS

The LPS identifies Precinct 3 as Mixed Business, where the objective is to:

Reinforce the existing accessible location of the civic, educational and government service functions within the town centre and encourage redevelopment opportunities of complementary mixed business uses that are not generally appropriate and cannot be economically accommodated within the retail core.

To achieve the objectives for Precinct 3, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications;

Planning Considerations **1 to 6** are cross-referenced on **Precinct 3 Cameo**:

- 1) Coordinate the land assembly process in consultation with Department of Lands where redevelopment of Crown Land abutting Riggs Street is proposed (Reserve 27664, 28145, 28153 and 27552 and the drainage Reserve 33567 within Precinct 1 to the south).
- 2) Riggs Street to be ultimately extended from Payne Street through to Maidstone Crescent where a left in – left out turning movement at Maidstone and adequate separation distance from Bennett Street/Maidstone Crescent intersection will be required. The rationalisation of the size of the Riggs Street road reserve to take place as part of the potential amalgamation and further subdivision of adjoining land parcels.
- 3) Promote new built form along the northern and southern side of the Riggs Street extension; and the Maidstone and Payne Street road frontages to achieve an activated urban edge.
- 4) Recognise the redevelopment opportunities for the existing built form comprising the Durack Centre, Shire Offices, Library and Town Hall. This initiative recognises the important role of these civic uses within the community with their town centre presence creating a sense of place. There is the opportunity to create an architecturally uniform civic quarter orientated north towards to the existing car park with connectivity through to Riggs Street.
- 5) Upgrade the War Memorial node through improved landscaping, shade and the enlargement of the setting for formal events, including improved relationship to the existing car park.
- 6) Investigate activation of the Payne Street frontage where existing built form currently does not actively address the street.
- 7) Introduce Scheme Text provisions to control civic and mixed business development within Precinct 3 that address:
 - a) Land Use – Mixed Business (limited to office, small scale showroom, restaurant, consulting room(s), medical centre, health studio).
 - b) Building height – two storey development.
 - c) Built form requirements for Precinct 3 including balconies, setbacks, fencing style and location, storage areas.
 - d) Easements for shared access and reciprocal parking.

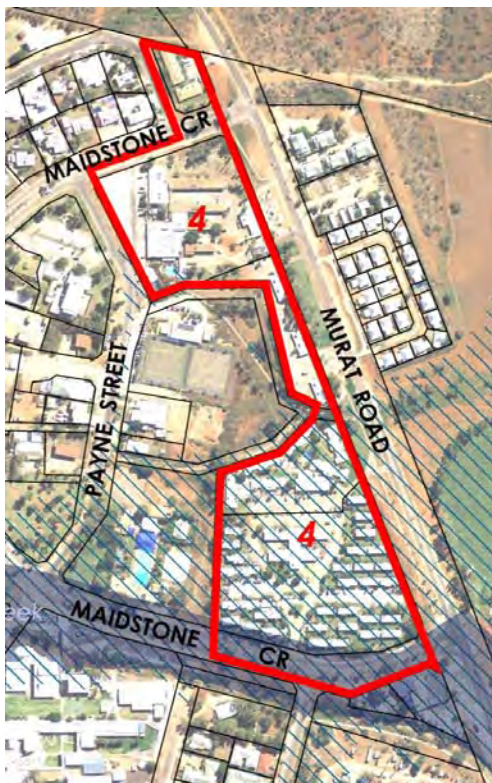
7.4.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Town Centre – Mixed Business'.
- b) Include the land currently zoned 'Town Centre' under TPS 3 within the 'Commercial' zone under LPS 4.
- c) Introduce objectives, site and development requirements into the scheme provisions for the Mixed Business precinct.
- d) Require future development applications to address the planning considerations detailed above.
- e) Forecast and budget ongoing works to implement the initiatives detailed above in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).

7.5 TOWN CENTRE PRECINCT 4 – SHORT STAY TOURISM/RESIDENTIAL

7.5.1 DESCRIPTION

Location	Refer Site Plan 4.
Site Description	<p>Precinct 4 is fully developed for short stay /residential accommodation abutting the Murat Road frontage of the Town Centre having good accessibility to hospitality, retail and civic uses. The precinct is dissected by a drainage line which separates the Pot Shot Tavern and associated tourist accommodation in the north from the Exmouth Villas to the south. Redevelopment opportunities exist to maximise the availability of short stay accommodation in this location including the existing zoned sites on Maidstone Crescent.</p> <p>A development application for consulting rooms at the intersection of Maidstone Crescent and Payne Street (Lot 311) has been recently approved.</p>
Existing Zoning	'Town Centre' zone and 'Tourist' zone.



SITE PLAN 4



PLANNING CONSIDERATIONS

7.5.2 TOWN CENTRE PRECINCT 4 PLANNING CONSIDERATIONS

The LPS identifies Precinct 4 as Short Stay Tourism/Residential, where the objective is to:

- *Maximise the opportunity for short stay tourism/residential development within the town centre recognising the high level of accessibility to hospitality, retail and civic use; and*
- *Encourage future redevelopment opportunities within the precinct comprising short stay accommodation that addresses the street and provides legible edges to the public realm.*

To achieve the objectives for Precinct 4, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications.

Planning Considerations **1 to 6** are cross-referenced on **Precinct 4 Cameo**.

- 1) Promote new built form addressing Payne Street, Maidstone Crescent and Murat Road frontages to create an activated and legible urban edge to the public realm. In this regard, the Potshot Motel and Tavern site (and car park) has a strong urban presence within the town centre warranting a high standard of development representative of the Exmouth vernacular.
- 2) Ensure that development abutting Murat Road meets the requirements of the Murat Road Design Guidelines.
- 3) Recognise the redevelopment opportunities for a landmark site at the intersection of Maidstone Crescent and Murat Road. As a key entry statement to Maidstone Crescent this site has the potential to support prominent high quality short stay tourism/residential development that assists to announce the arrival to the town centre.
- 4) In the event of future redevelopment, improve the streetscape façade along the eastern edge of Payne Street to ensure that development adjacent to the Swimming Pool addresses the public realm. Consider tree planting and street lighting.
- 5) Reinforce the pedestrian linkages between Payne Street and Maidstone Crescent via the augmentation of the natural east-west drainage lines. Ensure connectivity with the pedestrian movement within Precinct 5 in the vicinity of the Bowling Club and Swimming Pool.
- 6) Upon redevelopment, recognise the redevelopment opportunities for a landmark site at the intersection of Maidstone Crescent and Murat Road (north) with the opportunity for new built form to address the intersection.

7.5.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Town Centre – Short Stay Tourism/Residential'.
- b) Include the land currently zoned 'Town Centre' and 'Tourist Zone' under TPS 3 within the 'Tourism' zone under LPS 4.
- c) Introduce objectives, site and development requirements into the scheme provisions for the Short Stay Tourism/Residential precinct.
- d) Introduce grouped and multiple dwellings (R40) as a 'I' Discretionary Use within the 'Commercial' zone – Short Stay Residential precinct.
- e) Require future development applications to address the planning considerations detailed above.
- f) Forecast and budget ongoing works to implement the initiatives detailed above, in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan (2012)*.
- g) Include 'Consulting Rooms' on Lot 311 Payne Street as an additional use within 'Schedule 2 – Additional Uses' within LPS 4 to allow permissibility within the Short Stay Tourism/Residential precinct.

7.6 TOWN CENTRE PRECINCT 5 – RECREATION

7.6.1 DESCRIPTION

Location	Refer Site Plan 5.
Site Description	<p>Precinct 5 is dominated by Recreational uses comprises Federation Park, Exmouth Swimming Pool and Exmouth Bowling Club.</p> <p>The redevelopment of Federation Park was completed in July 2013 providing active water play areas, space for community events and informal recreation activity. Federation Park has been significantly enhanced through the re-alignment of Payne Street and the corresponding creation of a more usable facilities and community space, including the consolidation of the swimming pool infrastructure, landscaping and car parking rationalisation.</p> <p>The northern portion of Precinct 5 contains the Bowling Club which is a popular complementary recreation activity to the enlarged Federation Park precinct.</p> <p>Natural drainage lines follow the perimeter of Precinct 5 north of the swimming pool, partially functioning as a pedestrian movement system.</p>
Existing Zoning	'Town Centre' zone.



SITE PLAN 5



PLANNING CONSIDERATIONS

7.6.2 TOWN CENTRE PRECINCT 5 PLANNING CONSIDERATIONS

The LPS identifies Precinct 5 as Recreation, where the objective is to:

Reinforce and enhance the role of Federation Park, the Swimming Pool and Bowling Club as strong focal points for active and passive recreational activities recognising the need to upgrade linkages through landscape and lighting.

To achieve the objectives for Precinct 5, the local government will:

- Progressively implement the initiatives detailed below; and
- Have regard to the planning requirements detailed below in assessing development applications;

Planning Considerations **1 to 4** are cross-referenced on **Precinct 5 Cameo**.

- 1) In the event of future redevelopment of the Bowling Club, improve the streetscape façade along the eastern edge of Payne Street to ensure that development addresses the public realm. Consider tree planting and street lighting.
- 2) Ensure the design of Federation Park and the structures within; continue to accommodate the main pedestrian movement axis between Ross Street Mall and Federation Park.
- 3) Upgrade the pedestrian linkages correlating with existing drainage reserves within Precinct 5 to improve the legibility and safety of pedestrian connectivity between the retail core, Federation Park, and Murat Road.
- 4) Federation Park to retain its role as a prominent community events and multi-use space for the local community and visitors with development to reflect the recommendations and sense of place promoted within the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).

7.6.3 ACTION STATEMENTS

- a) The LPS identifies the land as 'Town Centre – Recreation'.
- b) Include the land currently zoned 'Town Centre' under TPS 3 within the 'Public Open Space' reserve in LPS 4.
- c) Require future development applications to address the planning considerations detailed above.
- d) Forecast and budget for any ongoing works and maintenance relating to the initiatives detailed above, in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).

8 COMMUNITY & PUBLIC OPEN SPACE

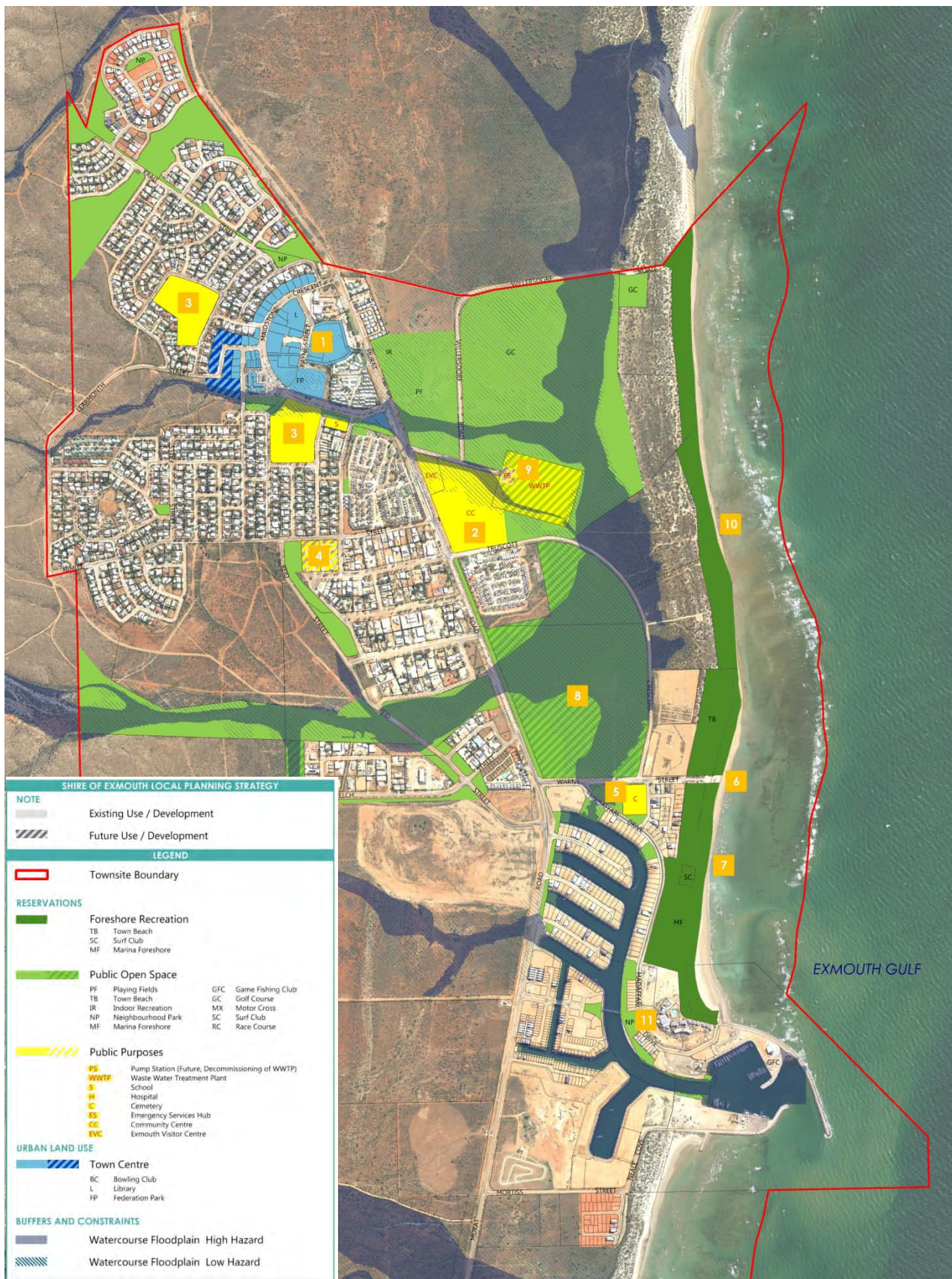


FIGURE 18 COMMUNITY & POS STRATEGIC PLAN

8.1 PLANNING CONSIDERATIONS

The **Community and Public Open Space Strategic Plan (Figure 18)** summarises the ongoing implementation of infrastructure upgrades related to community facilities and open space. The proposals for infrastructure upgrades are guided by the *Foreshore and Open Space Development Plan* adopted by Council and forming part of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).

The audit of public open space (POS) to support the LPS identifies that POS in excess of the WAPC's 10% requirement has been provided within the townscape. Local Open space will continue to be required as new development occurs, however district open space is sufficiently catered for. The current overprovision of open space provides the opportunity for closer review of the amount, location and function of open space provided, acknowledging regional variations should legitimately guide the application of WAPC POS Policy.

The key objectives of the *Development Plan* (2012) are to improve the functionality, quality and attractiveness of the existing facilities; create new destinations; and enhance the connection between the town centre and gulf foreshore through street network and public open space upgrades. The LPS reinforces these objectives and is generally consistent with the *Development Plan* (2012), unless otherwise discussed. The key upgrades proposed to community and open space infrastructure are discussed below as Planning Considerations 1 to 10 as cross-referenced on **Figure 18**.

Community

1. *Town Centre Revitalisation* – The LPS acknowledges the importance of the Town Centre as the primary activity node within Exmouth. This is reinforced through the revitalisation proposals contained within the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012). The implementation of the proposals to upgrade the streetscape, open space and parking configuration, will enhance the Town Centre as the principal meeting place and focal point for the community reinforced through the presence of existing Child Care Facilities, the Shire Hall, Library, Shire Administration, Swimming Pool and Federation Park.
2. *Ningaloo Centre* – The LPS recognises the proposed Ningaloo Centre as a multipurpose community facility to support the existing community functions within the Town Centre. The Ningaloo Centre will be developed as a significant landmark site adjacent to the Town Centre. The core components of the Ningaloo Centre will comprise community, tourism centre, education/research and space for exhibition and galleries. As the Ningaloo Centre is developed and new uses become established within it, opportunities to upgrade existing community facilities within the Town Centre, such as the Durack Centre will become available. This will provide the opportunity for displaced community services to locate within a dedicated facility.
3. *Hospital and School Sites* – The retention of these key public uses within accessible locations is important for community development within Exmouth. The LPS supports future growth of secondary education and public health facilities to be focussed within the existing nodes to build upon infrastructure already in place. The hospital site, in particular has excess land in which to

accommodate associated health uses and worker accommodation through the identification of a Health and Wellness Precinct, an expressed desire resulting from the Community Workshop (2013). As the population grows, the provision of an additional primary school site will be required within the southern portion of town (Future Residential Area 5).

4. *Emergency Services Precinct* – The LPS proposes the establishment of a new Emergency Response Precinct on Lots 145 and 849 Pelias Street (disused power station). This will facilitate the relocation of emergency services from the Town Centre to a larger more accessible site. This change in land use will provide increased opportunities to enhance and consolidate core Town Centre activities, as well as providing a more functional site for the emergency services operations.
5. *Cemetery* – The Exmouth cemetery is bounded by Warne Street, Madafarri Drive and Gndaroo Street south-east of the town centre and adjacent to the Exmouth Marina Village. The cemetery (1.08ha) is to remain in its current location and is assessed as having sufficient capacity the duration of the LPS. The adjoining public open space area to the west serves a drainage function and therefore is unlikely to be available for the expansion of the cemetery in the future.
6. *Yacht Club* – Upgrading of the existing community asset and future development of the Yacht Club is proposed. Works are to include the realignment of the car park allowing stabilisation of the foredune, identification of overflow car parking area, upgrades to yacht club beach access, improvement to entry streetscape and provision of community amenities and services (restaurant, kiosk, water hire, shelters, BBQ facilities, seating and lighting).

Public Open Space

7. *Town Beach* – The improvement of infrastructure at the existing Town Beach accessed via Warne Street is viewed as a key component of the Exmouth foreshore upgrade. The existing car park is to be formalised and improvements implemented to beach access, lighting and beachside amenities (such as showers, shelter, BBQ facilities, turfed areas, areas for community events, landscaping and dune re-vegetation initiatives).
8. *Racecourse* – Investigate opportunities to establish a racecourse/multipurpose facility on Reserve 29066 bounded by Murat Road, Truscott Crescent and Madaffari Drive. In addition, future consideration may need to be given to the land take requirements of associated infrastructure including residential/equestrian accommodation, noting that the LPS's identification of the 'Restricted Rural' area, due to its location within the floodplain, does not support residential use (refer **section 10**).
9. *Rationalisation of WWTP* – The LPS identifies the WWTP for future recreation purposes following the planned decommissioning of the facility, noting that a pump station site will remain with a 10m buffer requirement. The constrained nature of the site, i.e. impact from the high hazard floodplain, will limit the future land use opportunities to recreation,

acknowledging there is currently no identified demand for district open space. Its proximity to the existing golf course provides the opportunity for the land to be included within any proposals for the rationalisation of the golf course layout. In addition, its proximity to the proposed Ningaloo Centre may present opportunities for complimentary community/open space uses.

10. *New Foreshore Park on Gulf* – A new Foreshore Park (and associated car parking) accessed off Truscott Crescent is proposed providing a stronger pedestrian, cycle and vehicular connection between the Town Centre, the proposed Ningaloo Centre and Gulf Beach. The foreshore park will comprise an outdoor interpretative centre including boardwalks and viewing platform. Whilst the boardwalks and viewing platforms are located with the Foreshore Reserve 40678, the proposed car park is located within UCL identified by the LPS as Area 11 future tourism site. The final car

park location will need to be reviewed and confirmed as part of the land assembly process for Area 11 so as not to constrain the extent of tourism development available for Area 11.

11. *Madaffari Drive Marina lots/POS Frontage* – investigate opportunities for existing public open space (Reserve 47803) to be rationalised and where applicable, amalgamated with existing marina residential lots (6-24 Madaffari Drive). This is in response to Council's November 2013 resolution to rationalise the extent of public open space currently maintained by the Shire. The implementation of this proposal is dependent upon the successful coordinated transfer of land to adjoining landowners, noting the willingness to purchase will vary. The process will also require the support of the Department of Lands to the de-vesting the existing POS and the Department of Planning in relation to the amalgamation process.

8.1.1 ACTION STATEMENTS

Community

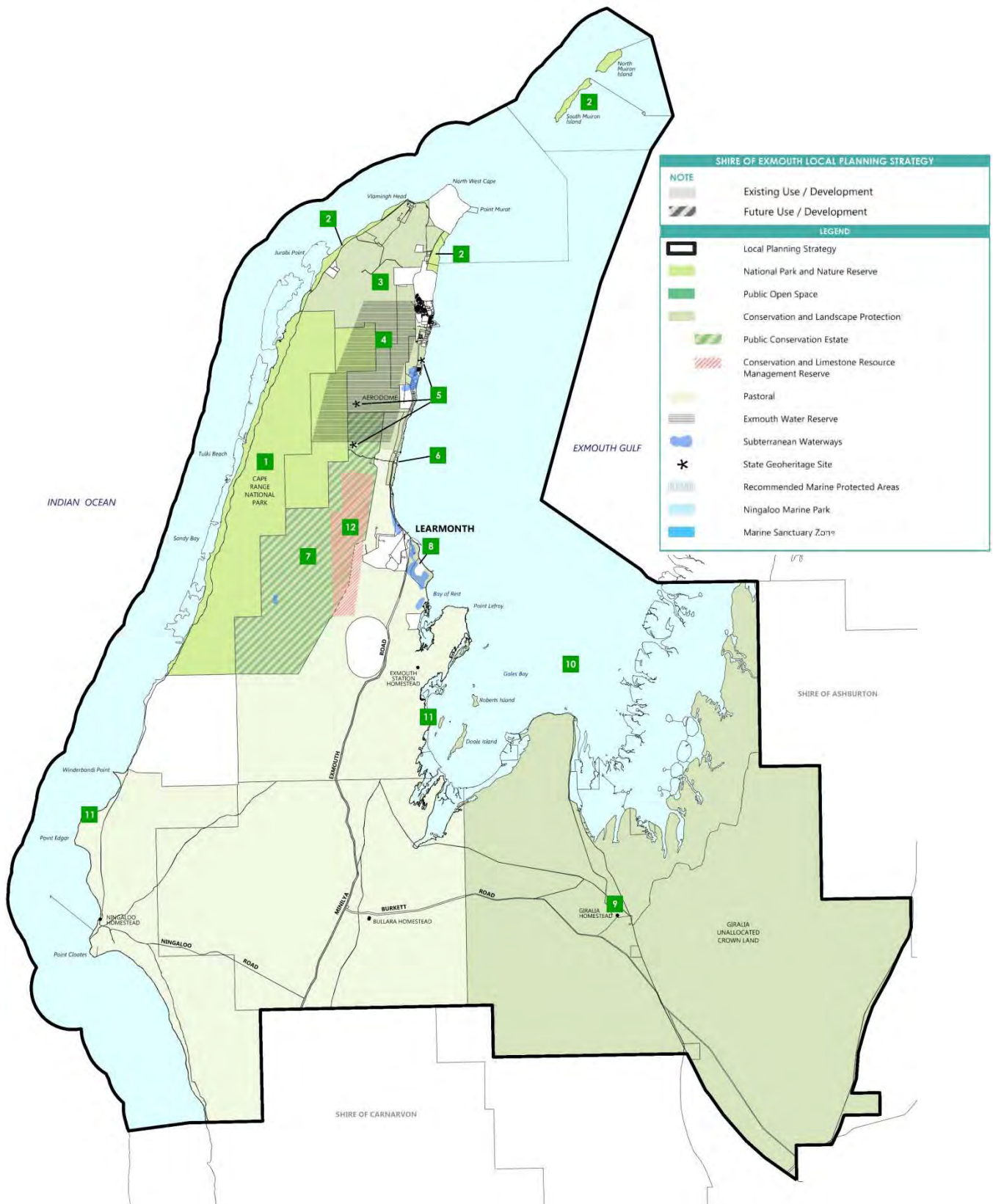
- a) The LPS identifies the various community facilities discussed above as 'Community and Public Purpose' for the intended use.
- b) LPS 4 recognises the existing 'Public Purposes' reserves within TPS 3 of the Ningaloo Centre, Hospital and School sites.
- c) Include the disused power station site (proposed Emergency Services Precinct) currently reserved 'Public Purposes' in TPS 3 within the 'Service Commercial' zone under LPS 4.
- d) Forecast and budget ongoing works to implement the town centre community facility initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- e) Investigate the rationalisation and relocation of existing community facilities and assets within the Town Centre following the development of the Ningaloo Centre.

Public Open Space

- f) The LPS identifies the various public open space areas discussed above as 'Public Open Space' for the intended use.
- g) The LPS identifies the need to review and confirm the extent of the foreshore area where adjacent land is undeveloped. Where development has taken place, and the foreshore reserve already confirmed, the LPS identifies the land as Foreshore.
- h) Prepare and progressively update an audit of Public Open Space provision within the townsite to monitor surpluses or deficiencies in supply.
- i) Investigate opportunities to reconcile the overprovision of public open space (existing and proposed) within the Townsite.
- j) Include the existing foreshore reserve within the Exmouth Townsite, currently reserved 'Recreation and Open Space' reserve within the 'Foreshore' reserve under LPS 4.
- k) LPS 4 recognises the existing 'Recreation and Open Space' reservations from TPS 3 including the future racecourse and the existing WWTP.
- l) Forecast and budget ongoing works to implement the foreshore and public open space initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- m) The LPS supports the final car park location being reviewed and determined as part of the land assembly process for 'Future Caravan Park and Camping' - Area 11 (refer **section 6.2.7.2**).



9 CONSERVATION



9.1 PLANNING CONSIDERATIONS

The **Conservation Strategic Plan (Figure 19)** summarised the key elements of conservation value within the Shire that have been recognised within the LPS. Land based conservation areas have been classified as either 'National Park or Nature Reserve', 'Public Conservation Estate' and 'Conservation and Limestone Resource Management Reserve'. Marine based conservation areas have been specifically notated on the Strategic Plan including the Ningaloo Marine Park, Marine Sanctuary Zone and recommended marine protected areas. The implementation of local reservations under the LPS 4 will assist to protect the conservation areas identified by the LPS and where applicable, provide a clear link to existing reservations and approved management plans where established under other legislation. Planning Considerations 1 to 12 are cross-referenced on the Strategic Plan and discussed below.

1. **Cape Range National Park** – DPaW have the primary management responsibility for the Cape Range National Park within the framework of the endorsed *Cape Range National Park Management Plan (2010 - 2020)*. The Shire and local community recognise the values of the National Park are of international significance and share an interest in being involved in its ongoing management through DPaW consultation processes, particularly at the time of the Management Plan being reviewed.
2. **Jurabi and Bundegi Coastal Parks and Muiron Islands Management Plan** – These conservation areas are subject to Management Plans prepared by DPaW in conjunction with Shire of Exmouth. The LPS acknowledges the recommendations of the Management Plans, endorses the inclusion of additional land around the North West Cape within the coastal parks to establish continuity of management, and raise the opportunity for additional camping areas within the Jurabi Coastal Park to be investigated.
3. **Unallocated Crown Land** – An area of unallocated crown land on the peninsula north and north-west of the Exmouth Townsite has been identified for conservation and landscape protection. However, specific land use investigations in this locality may be undertaken by the Shire to accommodate community uses not appropriate to locate within the townsite due to environmental or land take considerations. This will require further negotiation and consultation with the Department of Lands and DPaW as community needs arise e.g. BMX, go-cart track.
4. **Exmouth Water Reserve** – The protection of the Exmouth Water Reserve is required to ensure Exmouth's ground water resources are safeguarded from contamination via non-compatible land uses. In accordance with the Department of Water's *Water Reserve Protection Report No 122*, the Reserve is managed as a Priority 1 Area in which the development of land is to be restricted and subject to the approval of the Department of Water. The LPS will reinforce this level of protection.
5. **State Geo-heritage Sites** – The Charles Knife Road locality, portion of the Shothole Canyon and exposed coral reef at the mouth of Mowbowra Creek area are identified as areas of geo-heritage significance and warrant recognition within the LPS.
6. **2015 Pastoral Lease Exclusion Area: Extension to Cape Range National Park** – It is noted that a greater portion of the Cape Range is already located within the boundaries of the National Park. However, upon expiry of Pastoral Leases in 2015, DPaW has recommended that the rangelands within the Exmouth Gulf Pastoral Lease be included within the Public Conservation Estate as an addition to the Cape Range National Park. The LPS has reinforced this recommendation.
7. **2015 Pastoral Lease Exclusion Area: Coastal Strip** – Upon the expiry of Exmouth's respective Pastoral Lease in 2015, negotiations between State Government agencies has identified a strip of land south of Cape Wilderness Estate through to Charles Knife Road to be excluded from the Exmouth Gulf Station Pastoral Lease. The area has been identified as Conservation and Landscape protection corridor to be managed by Department of Lands and the Shire.
8. **Subterranean Waterways** – Subterranean waterways identified by the LPS support fauna of environmental significance including Stygofauna and Troglifauna. The LPS identifies these areas for protection where not already afforded protection through the existing reservation of land.
9. **Giralia Station** – In 2002, Giralia Station Pastoral Lease was relinquished as an outcome of negotiations for the station to be included within the Public Conservation Estate, with general leases as negotiated with the Department of Lands for uses associated with the Homestead still to apply. It is the intent for Giralia to be managed by DPaW as a conservation park following finalisation of vesting arrangements and negotiation of Native Title. The LPS identifies the land as Conservation and Landscape Protection.
10. **Marine Protected Area** – The LPS identifies a Marine Protected Area in the nearshore waters of Exmouth Gulf, south of Wapet Creek. These waters are identified as a "Recommended Marine Protected Area" by the *Ningaloo Coast Regional Strategy Carnarvon-Exmouth (2005)*. The LPS recognises that any land-use proposal in the vicinity of these waters should be supported by environmental investigations to ensure there is no impact on the environmental values of the locality, notably the assessment of the suitability of individual application for a nature based park.
11. **40m Coastal Setback** – Currently the boundaries of the Ningaloo Marine Park are protected through World Heritage Legislation, requiring development on the abutting pastoral leases to be setback 40m. The LPS will reinforce the setback through the identification of the land as 'Conservation and Landscape Protection'. The LPS acknowledges that the environmentally sensitive coastal sections of the pastoral stations are under recreational pressure and require coordinated management given the relationship to the marine environment. The creation of additional setbacks in the form of conservation and recreation reserves will be determined through government agency negotiations of the 2015 Pastoral Exclusion area in this locality.
12. **Conservation and Limestone Resource Management Reserve** – This area is proposed under Section 5(1)(h) of the *CALM Act (1984)* to protect high quality limestone

reserves, noting the need to preserve visual amenity of area north and areas of higher relief. The reservation will be implemented as part of the 2015 Pastoral Exclusion Area with proposals for limestone extraction in the future (subject to environmental assessment), favoured to be confined to this reserve.

13. **Heritage** – As discussed in **sections 2.1.8 and 2.1.9**, Terra Rosa (2013) identified that *“there is considered to be a high potential for any development on the Exmouth peninsula to have significant impact upon heritage places both known and unknown”*. This is inclusive of indigenous, historic and maritime heritage sites as well as the World Heritage Listing of the Ningaloo Reef. Aboriginal Heritage sites are, in particular, widespread and complex. Based on the advice of Terra Rosa (2013) the LPS has mapped ‘Registered Aboriginal Heritage Places’ and ‘Other Aboriginal Heritage Places’ to guide planning decisions. Notwithstanding the mapping of these sites, any rezoning, structure planning, subdivision and/or development applications will need to be supported by archaeological and ethnographic reporting as a further level of protection particularly in regard to unknown sites.

In respect to European Heritage, there are 40 places of significance within the Shire of Exmouth included on the State Heritage Register. In addition, there are 39 confirmed shipwrecks identified and registered along the Exmouth coast with a high potential for unrecorded maritime heritage on the eastern side of the Exmouth peninsula. Built heritage is currently recorded in the *Shire Municipal Inventory* (1998) as documented previously in **section 2.1.9.1**. There is a requirement for this inventory to be updated every four years under the provisions *State Heritage Act 1990* – an action supported by the LPS.

14. **Cameron’s Cave** – Cameron’s Cave is located immediately to the north of the Preston Street Rural Residential Area within the southern portion of the townsite and comprises the habitat of the Cameron’s Cave Troglitic Community. The importance of this community is discussed further in **section 13.1** (Planning Consideration 6). The need to conserve Cameron’s Cave is acknowledged by the LPS through the establishment of a 500m land use buffer, inclusion within a local scheme reserve under LPS 4 and support for the classification of Cameron’s Cave and buffer as an ‘A’ Class Reserve under the *Land Administration Act 1997*.

9.1.1 ACTION STATEMENTS

- a) The LPS identifies:
 - i) Cape Range National Park, Jurabi and Bundegi Coastal Parks and Muiron Islands as ‘National Park and Nature Reserve’;
 - ii) 2015 Pastoral Lease Exclusion Area (Cape Range National Park extension and Exmouth Gulf Coastal strip) as ‘Public Conservation Estate’; and
 - iii) Giralia Pastoral Station, Conservation and Limestone Resource Management Reserve, Cameron’s Cave and buffer, and the 40m Coastal Setback as ‘Conservation and Landscape Protection’.
- b) Classify/zone:
 - i) The Cape Range National Park, Jurabi and Bundegi Coastal Parks and Muiron Islands, Exmouth Water Reserve from ‘Recreation and Open Space’ reserve under TPS 3 to ‘Environmental Conservation’ reserve under LPS 4.
 - ii) Giralia Pastoral Station and portion of 2015 Pastoral Lease Exclusion Area from ‘Pastoral’ zone under TPS 3 to ‘Rural’ zone under LPS 4.
 - iii) Land along the coastal strip of the Ningaloo Pastoral Lease from ‘Pastoral’ zone under TPS 3 to ‘Foreshore’ reserve under LPS 4 to reflect the 40m setback landward of the high water mark, consistent with the boundaries of the Ningaloo Marine Park.
 - iv) Land along the coastal strip of Exmouth Gulf (Exmouth, Bullara and Giralia Pastoral Leases) from ‘Pastoral’ zone under TPS 3 to ‘Environmental Conservation’ reserve under LPS 4 to reflect a 40m setback landward of the high water mark.
- c) Include the Exmouth Water Reserve as a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.
- d) Budget for the Shire’s Municipal Inventory to be updated to meet the legislative requirements of the *State Heritage Act 1990*.
- e) Support the classification of Cameron’s Cave and buffer as an ‘A Class’ reserve under the *Land Administration Act 1997*.
- f) Work collaboratively with the DPaW in the investigation of future community uses on Unallocated Crown Land on the peninsula to the north and north-west of the Exmouth Townsite as need arises.
- g) Work collaboratively with DPaW to investigate the prospect of additional camping areas being designated within the Jurabi Coastal Park.
- h) Require structure planning, subdivision and development applications to have regard for ‘Registered Aboriginal Heritage Sites’ and ‘Other Aboriginal Heritage Places’ as identified on the LPS Mapping and undertake investigatory reporting where required.
- i) Support the extraction of basic raw materials where it is assessed to be appropriate and, based on advice from relevant authorities, is understood to not impact on internationally significant flora or fauna or areas of high conservation value.
- j) Acknowledge the World Heritage Listing of land located within the Scheme area.

10 PASTORAL

The **Pastoral Strategic Plan (Figure 20)** identifies the extent of the pastoral leasehold areas within the Shire. The 'Pastoral' category includes all land within the boundaries of the Exmouth Gulf, Ningaloo and Bullara Pastoral Stations occupying a combined area of approximately 380,000ha. The 'Pastoral' lands are generally bounded by Charles Knife Road to the north, the Cape Range National Park and the Ningaloo Coast (excluding Defence lands) to the west, the common boundary of the Shires of Exmouth and Carnarvon to the south, the boundary of Giralia Station to the east and the coastline of the Exmouth Gulf extending northwards.

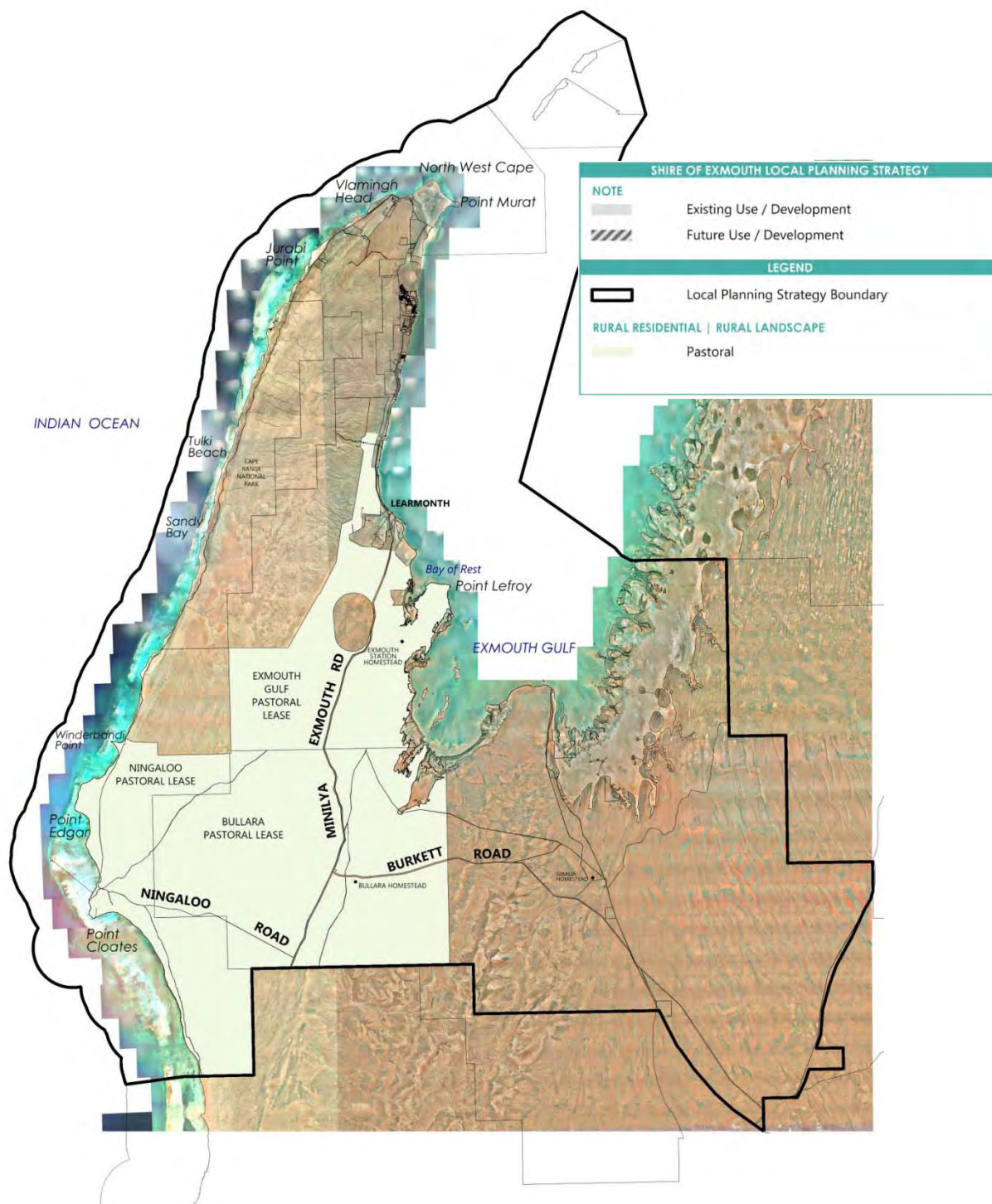


FIGURE 20 PASTORAL STRATEGIC PLAN

10.1 PLANNING ISSUES

Planning and management issues influencing the development of pastoral land within the Shire have been outlined below, acknowledging that development on pastoral land is controlled via conditions of granting a pastoral lease by the Minister for Lands.

1. **Competing Land Uses** – The pastoral lease areas, (or rangelands) are under increasing pressure from land degradation and damage to biodiversity from activities such as mining, resource development, and tourism. It is apparent that pastoral lands, managed to the best advantage as pastoral properties, are increasingly competing with other uses.
2. **Sustainable Management of Pastoral Lands** – Whilst the Pastoral Lands Board aims to ensure the leases are managed in an ecologically sustainable basis, the monitoring of the number and effect of stock and feral animals is an ongoing management issue and relies upon pastoral leaseholders complying with lease conditions and methods of best pastoral and environmental practice.
3. **Diversification of Use** – A pastoral lease is a title issued by the Minister for Lands for the lease of land for the limited purpose of grazing stock and ancillary activities. Issues can arise where the use of pastoral land extends outside the scope of the original purpose of the lease without the issuing of a diversification permit. Tourism, as an example, must be pastoral-based and purely supplementary to pastoral activities. The LPS does not support the uncontrolled diversification of use so as to avoid uncontrolled access; waste disposal; rubbish dumping; campfires and/or wood gathering. Sites need to be managed through an integrated management process involving Department of Lands, the local government, pastoral leaseholders and Native Title interests.
4. **Pastoral Exclusion Areas (2015)** – All current pastoral leases automatically expire in June 2015, when they are subject to renewal by the Minister for Lands. Most pastoral leases have been given a conditional offer to renew. However some pastoral lands are to be excluded from lease renewal for the purpose of either conservation, recreation, tourism, protection of Aboriginal sites. An issue which is still under discussion is the implementation of a 2km setback from the coast for pastoral leases bordering the Ningaloo Marine Park affecting the extent of the Ningaloo pastoral lease within the Shire of Exmouth. The LPS identifies all existing Pastoral Lands as 'Pastoral' so as not to pre-empt the decisions of the current Minister for Lands.

10.1.1 PLANNING CONSIDERATIONS

- 1) The Strategy reinforces the importance of the pastoral industry within the Shire by identifying the operational Pastoral Stations namely Ningaloo, Bullara and Exmouth Gulf Pastoral Stations as 'Pastoral' on **Spatial Plans Sheet 2 and Sheet 6** (refer **Part 1**).
- 2) The Strategy protects the pastoral industry from incompatible land uses and allows for the diversification of uses, noting the requirement for development to be approved by Council under the provisions LPS 4 and the Department of Lands under the *Land Administration Act 1997*.
- 3) The Pastoral Stations will be zoned 'Rural' under the provisions of LPS 4 reinforcing the pastoral activity being undertaken on each station, in addition to enabling the diversification of uses where approved by the local government and the Department of Lands.

10.1.2 ACTION STATEMENT

- a) Introduce a new 'Rural' zone within LPS 4 including objective, site and development requirements to replace the 'Pastoral' zone under TPS 3.
- b) Include land currently zoned 'Pastoral' under the existing TPS 3 within the 'Rural' zone within LPS 4 and associated scheme provisions.
- c) Review the range of permitted uses within Table 1 – Zoning Table for the 'Rural' zone under LPS 4 to reflect the predominant pastoral activities, including opportunity for tourism uses within the zone.
- d) Insert 'Nature Based Park' as an 'A' Discretionary Use within the Zoning Table of LPS 4 within the 'Rural' zone.
- e) Include a definition for 'Nature Based Park' within Schedule 1 – Dictionary of Defined Words and Expressions.
- f) Initiate future scheme amendments to LPS 4 to reflect the outcome of the 2015 Pastoral Exclusion process wherein land is to be excluded land from the 'Rural' zone and included within the 'Environmental Conservation' reserve as an addition to the public conservation estate.

11 RESTRICTED RURAL

The **Restricted Rural Strategic Plan (Figure 21)** identifies 'Restricted Rural' land use where land can sustain rural activity, although is unable to support structures accommodating temporary or permanent human habitation due the environmental and floodplain constraints of the site. Whilst the Restricted Rural strategic classification will, to some extent, alleviate the demand for grazing land for the equestrian community, it does not fully address the potential demand. Additional areas will need to be further investigated, particularly if there is an increased interest in residential 'horse' lots in the event that the community's race course proposal proceeds.



The Strategy identifies two categories of restricted rural land within the Shire:

1. EXISTING RESTRICTED RURAL

'Existing Restricted Rural' comprises 'leasehold' lots supporting existing rural activity that are currently zoned 'Residential Development' under TPS 3, notwithstanding the flood prone nature of the land.

2. FUTURE RESTRICTED RURAL

'Future Restricted Rural' comprises land that has the potential to be zoned for restricted-rural purposes subject to consultation with the Department of Lands.

Planning Considerations and Action Statements applicable to the 'Existing Restricted Rural' and 'Future Restricted Rural' areas and are outlined in **section 11.1** to follow.

SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY	
NOTE	
	Existing Use / Development
	Future Use / Development
LEGEND	
	Townsite Boundary
RURAL RESIDENTIAL RURAL LANDSCAPE	
	Restricted Rural
BUFFERS AND CONSTRAINTS	
	Watercourse Floodplain High Hazard
	Watercourse Floodplain Low Hazard
	Market Street Bund (Developed Case)
	Cameron's Cave 500m Landuse Buffer

FIGURE 21 RESTRICTED RURAL STRATEGIC PLAN

11.1 PLANNING ISSUES

Planning issues influencing the development of restricted rural land within the Shire have been outlined below:

1. **Minimum Floor Heights** – The McLeod Street locality identified for Restricted Rural use is significantly constrained by the floodplain of the Mortiss Street Creek bund such that minimum floor heights cannot be achieved. This presents the need for scheme provisions to place limitations on habitable structures within the locality. As a secondary issue, the inability to cater for living quarters adjacent to horse stabling has potential surveillance and security implications.
2. **View Corridors** – The proximity of the restricted rural area outside of the townsite adjacent to Exmouth Gulf presents the need for the view corridors from Minilya-Exmouth Road to be preserved, given the proximity and visibility of Exmouth Gulf. Whilst dwellings will not be permitted, the positioning of ancillary structures will still need to be controlled, particularly in achieving the requirement for development to be setback 100m from Minilya-Exmouth Road.
3. **Land Management** – To ensure the restricted rural areas are managed in a sustainable basis, the number and effect of stock can potentially become a management issue that will need to be addressed by the leasehold conditions or reinforced by the Scheme.
4. **Land Use Control** – Given the land use constraints that prevail on land identified for Restricted Rural use, ongoing implementation of the scheme provisions to ensure compliance will be necessary, in particular the exclusion of residential dwellings/structures. In addition, the ongoing monitoring of overstocking and land management practices to reduce environmental degradation.

11.1.1 ACTION STATEMENT

- a) Support subdivision of the 'Existing Restricted Residential Area 1' in liaison with the Department of Lands.
- b) Require the preparation and approval of a visual landscape assessment for any development proposed within 100m on either side of Minilya-Exmouth Road.
- c) Include 'Existing Restricted Rural Area 1' and 'Future Restricted Rural Area 1' within the 'Rural' zone under LPS 4, with a restricted use of 'Agriculture – Extensive' and include site and development requirements within the Restricted Use Table.

11.2 EXISTING RESTRICTED RURAL – AREA 1

11.2.1 DESCRIPTION

Location	Area 1 is located within Exmouth Townsite south of Market Street Bund and east of the Preston Street Rural Residential Area.
Site Description	The land identified as 'Existing Restricted Rural' comprises leasehold Lots 851 to Lot 856, portion of Lot 857 south of the Market Street bund and Lots 858 to 862 obtaining access from McLeod Street and Murat Road. Existing lot sizes range from 2.8ha to 5.3ha and are currently leased under the <i>Land Administration Act 1997</i> for the ' <i>paddocking and stabling of horses</i> '. A high proportion of the area is affected by the high hazard flood plain of Mortiss Street Creek placing restriction on the land use activity permitted within the area.
Existing Zoning	'Residential Development' zone.



11.2.2 EXISTING RESTRICTED RURAL PLANNING CONSIDERATIONS

- 1) The LPS identifies 'Existing Restricted Rural - Area 1' as being suitable for restricted rural purposes for the Agriculture – Extensive land use.
- 2) The LPS does not support the construction of habitable buildings within Area 1 given the land is significantly constrained by the high hazard floodplain of Mortiss Street Creek and minimum floor heights for habitable rooms cannot be satisfactorily achieved.
- 3) Natural vegetation within Area 1 is to be retained in its natural state to the extent possible to facilitate limited land use and development.
- 4) In consultation with the Department of Lands, the further crown lot subdivision of the lots for rural grazing purposes will be considered to achieve a 1ha to 2ha lot size. This would enable approximately 35 lots to be leased for grazing purposes, with the longer term consideration given to the issuing of freehold title with restrictions on residential land use.
- 5) The LPS recognises the release of additional land for this purpose will assist to accommodate the demand for 'horse lots', particularly in the event that the race course proposal on Reserve 29066 Truscott Crescent proceeds.



- 6) The land will be zoned as 'Rural' in LPS 4 with a Restricted Use zone for limiting land use and development to enable the use to be environmentally sustainable and for the described purposes.

11.2.3 ACTION STATEMENTS

- a) Include 'Existing Restricted Rural – Area 1' zoned 'Residential Development' under the existing TPS 3 under the 'Rural' zone within LPS 4, with a restricted use of 'Agriculture – Extensive'.

11.3 FUTURE RESTRICTED RURAL – AREA 1

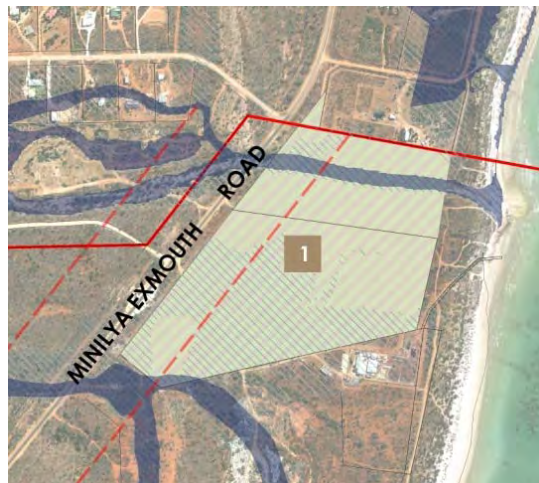
11.3.1 DESCRIPTION

Location	Area 1 is located immediately south of the Exmouth Townsite boundary between Minilya-Exmouth Road and Exmouth Gulf.
Site Description	The land identified comprises UCL and UCL Lot 316. The area has a combined land area of 24.6ha obtaining access from Minilya-Exmouth Road. The northern portion of the area is impacted by the high hazard floodplain of the Preston Street Creek (UCL). It is viewed as a creekline protection area, however can support controlled grazing activity. UCL Lot 316 is impacted by the low hazard floodplain and abuts an existing zoned aquaculture site to the south.
Existing Zoning	‘Recreation and Open Space’ reserve.



11.3.2 FUTURE RESTRICTED RURAL PLANNING CONSIDERATIONS

- 1) The LPS identifies 'Future Restricted Rural - Area 1' as being suitable for restricted rural purposes and representing a logical extension to the existing McLeod Road Existing Restricted Rural – Area 1.
- 2) The LPS does not support the construction of habitable buildings within Future Restricted Rural – Area 1 given the land is constrained by the high and low hazard floodplain of Preston Street Creek in addition to view corridors of Exmouth Gulf needing to be protected.
- 3) Natural vegetation within Area 1 is to be retained in its natural state to the extent possible to facilitate limited land use and development.
- 4) In consultation with the Department of Lands, the further crown lot subdivision of the lots for rural grazing purposes will be considered to achieve a minimum 4ha lot size. This would enable land to be leased for grazing purposes, with the longer term consideration given to the issuing of freehold title with restrictions on residential land use.
- 5) The LPS recognised the release of additional land for this purpose will assist to accommodate the demand for 'horse lots', particularly in the event that the race course proposal on Reserve 29066 Truscott Crescent proceeds.



- 6) In assessing subdivision and development applications, the local government will have regard to:
 - a) The 100m development setback to Minilya-Exmouth Road.
 - b) The stocking numbers proposed and compliance with manner in which the effect of stock is to be minimised, consistent with conditions of the lease.

11.3.3 ACTION STATEMENTS

- a) Include 'Future Restricted Rural - Area 1' reserved 'Recreation and Public Open Space' under the existing TPS 3 be zoned 'Rural' within LPS 4, with a restricted use of 'Agriculture Extensive'.
- b) Maintain a 100m buffer from Minilya-Exmouth Road with inclusion of a special control area in LPS 4.

12 MOVEMENT

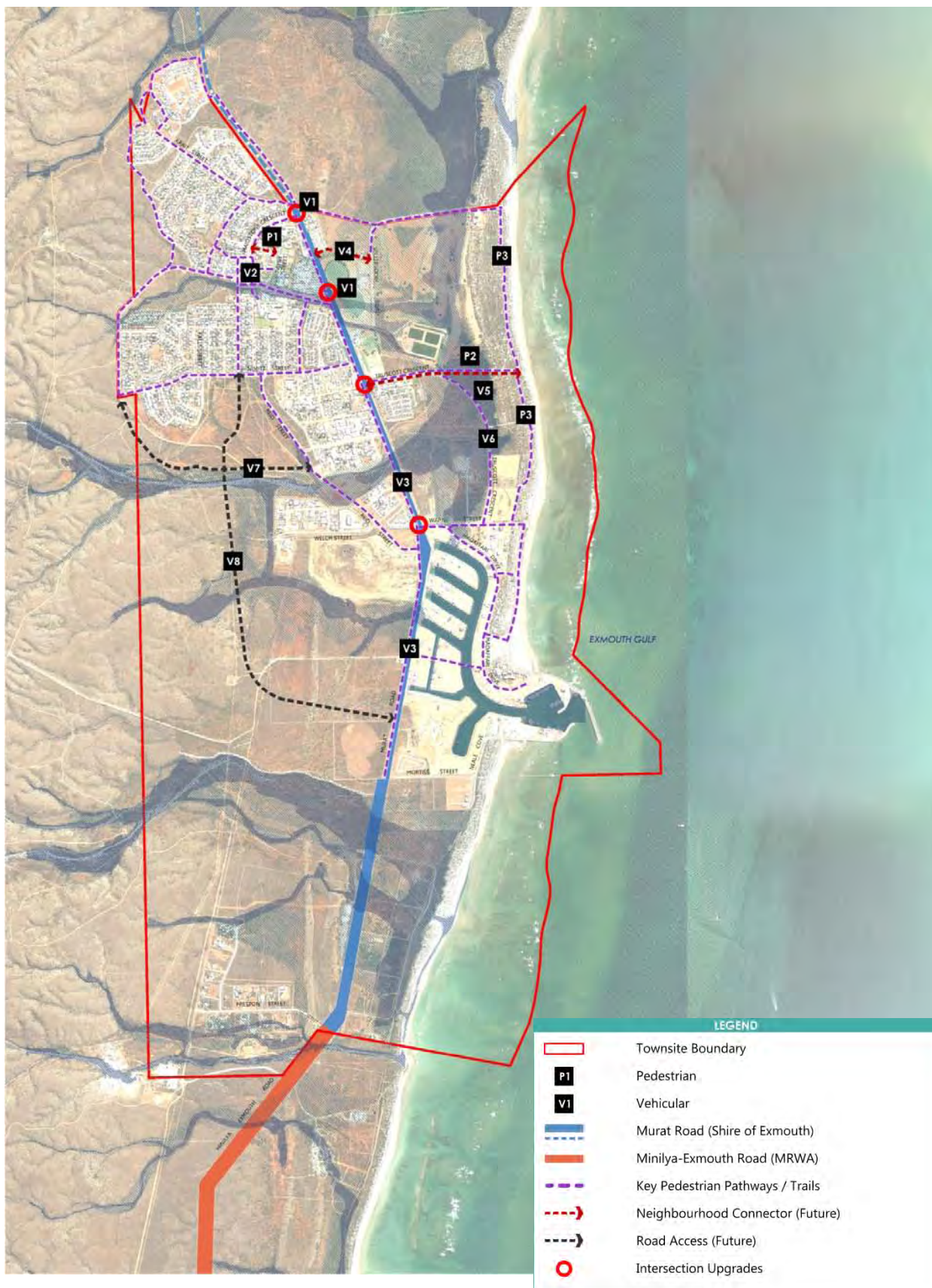


FIGURE 22 MOVEMENT STRATEGIC PLAN

12.1 PLANNING CONSIDERATIONS

The **Movement Strategic Plan (Figure 22)** describes the opportunities and issues influencing the movement system within the Townsite and overall Shire having regard to pedestrian, cycle, vehicular, air and marine movement systems. The existing characteristics of each movement system have been previously discussed in **section 2.7** providing background to the following proposed infrastructure upgrades.

Pedestrian Movement within Townsite

Proposals to improve the pedestrian and cycleway system within the Exmouth Townsite have been guided by the adopted *Foreshore and Open Space Development Plan* (2012), forming part of the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012). The plan identified a need for the pedestrian/cycleway network to be more legible, particularly within the town centre where the prioritisation of pedestrian over vehicular movements is desirable given the prevalence of tourists in unfamiliar territory, often combined with high number of caravan and long vehicle movements. The Plan further identified the need for greater connectivity between the town centre and Exmouth Gulf foreshore through pathway upgrades and maintenance; the introduction of signage, way-finding elements, low impact night lighting, shade trees; and construction of shelter at strategic points along movement system. The key upgrades to the pedestrian /cycleway system are discussed below as Planning Considerations **P1 to P4** as cross-referenced on the *Strategic Plan*.

P1 Town Centre – Within the town centre, pedestrian prioritisation is to be achieved through the following elements, with particular attention to the retail core:

- a) Retain Ross Street Mall as a prominent pedestrian axis with improved connectivity between the Ross Street Mall and Federation Park via the reduction in the width of Maidstone Crescent and change in road/pavement surfaces to facilitate a slow speed traffic environment;
- b) Re-design of Kennedy Street as a shared space for pedestrians, and slow moving traffic, that is able to be closed to stage community events (ultimately to become a pedestrian mall);
- c) Maximise the use of natural drainage lines within the town centre as a safe pedestrian and cycleway movement corridor (within Town Creek and drainage lines between Payne Street and Murat Road); and
- d) Provision of secure bike parking, shower and change room facilities and the introduction of bike hire facilities.

P2 Pedestrian Access to Gulf Beach from Truscott Crescent – The creation of a formalised pedestrian access route to a new town beach is supported by the LPS to strengthen the connection between the town centre, the proposed Ningaloo Centre on Truscott Crescent and Exmouth Gulf. Hassell (2012) proposed that an existing east-west track between Truscott Crescent and the Gulf be formalised in its present alignment to enable vehicular and pedestrian access to a new foreshore park and associated low impact car parking area. **Section 6.2.1** of the LPS raises the issue of ensuring the final agreed alignment is determined with due regard to the:

- a) Need to minimise the impact upon the developable area of future tourism site Area 11; and
- b) Potential for shared access to future tourism site Area 2.

The LPS recommends that the alignment of new pedestrian access to Gulf Beach be determined as a priority and prerequisite to the development of Areas 2 and 11 and incorporated within future planning proposals.

P3 Public Access Trails along Gulf – Improvements to coastal trails and infrastructure along the Gulf Foreshore from Warne Street through to Willersdorf Road enabling enhanced uninterrupted pedestrian access, is supported by the LPS. The current alignment of the north-south pedestrian access track currently impacts on private property, reserved land and UCL. These sites are identified as future tourism areas namely - UCL 1407 (Area 1), Golf Course Reserve 50867 (Area 2), UCL 1403 and 1404 (Areas 11 and 12), Foreshore Reserve 29066 and private property Lot 715 (Area 4). The LPS identifies that the land tenure of the public access trail running parallel to the gulf foreshore will need to be rationalised during the development phase to ensure that:

- a) The foreshore reservation is adjusted to accommodate public access; or
- b) Where the existing foreshore trail is to be retained within private property, that a public access easement is implemented.

The above processes will need to be addressed as a condition of development approval requiring the preparation of a foreshore management plan.

P4 Key Pedestrian Pathways / Trails – The key pedestrian and cycleway paths identified on the Strategic Movement Plan correlate with the uninterrupted pedestrian/cycleway route around the perimeter of the built up area linking the western portion of the townsite with Exmouth Gulf. Internally the key pedestrian movement system has been defined correlating with the local road system defining dominant east-west and north-south desire lines. An on-going maintenance programme, including the introduction of signage, shade trees and shelter at strategic points along the movement system, and the introduction of low impact lighting where applicable, is supported by the LPS to improve pedestrian amenity.

Vehicular Movement within Townsite

Proposals to upgrade elements of the vehicular movement system within the Exmouth Townsite have been guided by the *Exmouth Townsite Structure Plan* (2011) and *Foreshore and Open Space Development Plan* (2012). These documents identify the main movement system within the townsite as Murat Road comprising a dominant north-south spine, in addition to Maidstone Crescent as the key entry into the Town Centre. The LPS recognises the importance of the following road networks to the overall movement network of the townsite: Krait Street servicing a residential catchment in the northern sector; Nimitz Street functioning as an east-west connector in the central sector; Reid Street functioning as a parallel secondary system to Murat Road for localised traffic accessing the industrial and mixed use precinct; Kennedy Street

functioning as a north-south connector through to the Town Centre; Truscott Crescent servicing the Gulf Beach tourist node with connectivity through to Town Beach; Madaffari Crescent providing the sole access to the Exmouth Marina and Boat Harbour (north); and Mortiss Street providing access to Exmouth Boar Harbour and the residential estate to the south. The LPS identifies the need for a secondary neighbourhood road system in the southern sector of the townsite to accommodate future expansion. The key upgrades to the vehicular movement system are discussed below as Planning Considerations **V1 to V8** as cross-referenced on the *Strategic Plan (Figure 22)*.

V1 Murat Road/Maidstone Crescent Sense of Arrival – The upgrading of the Murat Road and Maidstone Crescent intersections (north and south) are identified as a key town centre entry and streetscape initiatives by Hassell (2012). The initiatives were based on intersection treatment upgrades through signage and/or the introduction of roundabouts. Acknowledging the strong desire lines for pedestrian movement across Murat Road between the town centre and the recreation precinct and visitor centre to the east, and the fact that statistically roundabouts are hazardous for pedestrian safety, the LPS is supportive of alternative options being prioritised to accentuate the entry to the Town Centre. It is considered that raised intersection pavements, channelised turning movements, vertical elements including signage, lighting, landscaping and public art are more conducive to pedestrian safety and the creation of slower speed environments, than the construction of a roundabout.

V2 Town Centre – Consistent with the Town Centre Strategic Plan and associated initiatives, within the town centre, a more legible vehicular movement system is to be achieved through the following elements:

- a) Maidstone Crescent to be reinforced as a critical link between Murat Road and the town centre uses, with its function accentuated through continuous median and verge plantings, signage and urban form treatments.
- b) Consolidate Town Centre car parking on the periphery of the retail core to improve the relationship between the public realm and built form elements of the Town Centre.
- c) Implement Thew Street extension through to Learmonth Street to improve legibility to the vehicular and pedestrian movement system and improve access to peripheral parking.
- d) Implementation of Payne Street Re-alignment (2013) to maximise the community and passive recreation function of Federation Park.
- e) Acknowledge the role of the future neighbourhood connector road systems (Learmonth and Kennedy Streets) in maintaining efficient traffic circulation within and around the town centre.
- f) Implementation of the Riggs Street extension between Payne Street and Maidstone Crescent to facilitate improved permeability.

V3 Murat Road Upgrade – The ongoing upgrade of Murat Road, between Truscott Crescent and Mortiss Street is supported to enhance arrival to the Townsite. Consideration should be given to tree planting, median

and intersection design, signage and street lighting. In addition, the intersection of Murat Road with Madaffari Drive will require upgrading to acknowledge this as the primary access to the Exmouth Marina and Boat Harbour and the southern access to Town Beach and the Tourism Gulf Node.

V4 Willersdorf/Murat Road Connection – More direct access is required to link Murat Road with Willersdorf Street to increase permeability and accessibility of land holdings east of Murat Road to the Town Centre. The LPS notes the need for improved access to the future tourism site (Area 5) and the existing Recreation precinct, including the Exmouth Golf Club.

V5 Vehicular Access to Gulf Beach from Truscott Crescent – The creation of vehicular access to a new Gulf beach via Truscott Crescent is supported by the LPS connecting the proposed Ningaloo Centre on Truscott Crescent with Exmouth Gulf. Hassell (2012) proposes that the existing east-west track be formalised in its present alignment to enable vehicular access to a new foreshore park and associated low impact car parking area. **Section 6.2.1** raises the need to ensure the final alignment of this access and location of the car park is determined with due regard to the:

- a) Need to minimise the impact upon the developable area of future tourism site Area 11; and
- b) Potential for shared access to future tourism site Area 2.

The LPS recommends that the alignment of the new vehicular access to Gulf Beach be determined as a priority and prerequisite to the development of Areas 2 and 11 and incorporated within future planning proposals.

V6 Truscott Crescent - The LPS acknowledges the importance of retaining Truscott Crescent as a key access road in the movement network to service:

- a) the proposed Ningaloo Centre;
- b) the Tourism Gulf Node;
- c) the proposed Foreshore Park and Gulf Beach;
- d) possible racecourse facility on Reserve; and
- e) Town Beach.

Whilst Truscott Crescent is situated in a flood prone area and periodically is impassable, a suitable finished level will need to be determined to inform future road upgrades to ensure safe passage is achieved during flood events. Furthermore, the intersection of Truscott Crescent with Murat Road will require upgrading as a secondary gateway to the Gulf Tourism Node and the Ningaloo Centre.

V7 Proposed Neighbourhood Connector Road between Reid and Learmonth Street – The LPS acknowledges the importance of providing a connection between Reid and Learmonth Street as a secondary east-west support system to Nimitz Street in the form of a proposed Neighbourhood Connector Road. The LPS requires the approved ODP to be reviewed to accommodate the proposed Neighbourhood Connector Road, noting that infrastructure upgrades will also be required to cross the existing north-south POS/drainage reservation.

V8 *Proposed Neighbourhood Connector Road between Murat Road and Nimitz Street* – The LPS acknowledges the importance of providing a connection between Murat Road and Nimitz Street as part of the future residential expansion within the southern portion of the townsite. This future neighbourhood connector will provide a parallel support system to Murat Road and a secondary connection to the Town Centre, via Kennedy Street, necessary to support the planned expansion of Exmouth. In addition, the proposed Neighbourhood Connector will function as a secondary link for emergency services during a major flood event.

V9 *Mortiss Street* – The LPS acknowledges the importance of Mortiss Street as the current connection to the southern area of the Exmouth Boat Harbour. Upgrades will need to accommodate B-Double vehicles and the treatment of the road will need to take into account residential and industrial development fronting the road. Levels along the road will need to coordinate with adjoining development.

Vehicular Movement – Outside of Townsite

1. *Minilya-Exmouth Road* – The LPS acknowledges the importance of the Minilya-Exmouth Road as the only access road into Exmouth. As the sole entry road for Exmouth, the route experiences heavy demand from Exmouth residents, tourism traffic and heavy haulage service vehicles. This, coupled with future expansion of the Exmouth Townsite and growth in the tourism industry, highlights the importance of ensuring an adequate and safe level of service is achieved for Minilya-Exmouth Road. This will require an ongoing maintenance and upgrade program to be established and implemented by Main Roads WA to ensure the road can adequately accommodate the safe passage of vehicles, particularly during peak times.
2. *Tenure of Road Reserves within Department of Defence landholdings* – The LPS acknowledges that no formal road reservation exists for the portion of Murat Road located within the Department of Defence land north of the townsite boundary, except for the small portion adjacent to the Defence Base. The Bundegi Boat Ramp and the associated access road and portion of Yardie Creek Road, are also located on Department of Defence land, and have no formal status under the *Land Administration Act 1997*. This infrastructure is currently maintained by the Shire and raises potential issues of liability whilst functioning as an access road within the Department of Defence lands.
3. *Ningaloo Access Road* – Ningaloo Road is a gazetted road in the southern section of the Shire that has been historically accessed by high volumes of tourist traffic accessing Ningaloo Station from Minilya-Exmouth Road. Over time the road has been subject to an ongoing maintenance programme to control sand drift made difficult due to the landform through which it passes. Through-access cannot always be guaranteed and the road is currently only accessible by four wheel drive vehicles. As Ningaloo Road is of benefit to the wider community, the option of establishing a sustainable coastal route north from Coral Bay to join Yardie Creek Road servicing Ningaloo Station en-route is a possible solution to this maintenance issue.

4. *Sandy Bay Track between Minilya-Exmouth Road and the West Coast* – The LPS acknowledges the recommendations of the *Exmouth South Structure Plan (2013)* to investigate a revised alignment of the Sandy Bay 4wd Track connecting Minilya-Exmouth Road to the West Coast, in consultation with the Shire, DPaW, and the Department of Lands. Acknowledging the wilderness values of the Cape Range National Park, the Sandy Bay Track should be recognised as a 4wd tourism experience. Future realignment investigations will need to consider the relocation of the access track from within the Department of Defence land.

Air Movement

1. *Learmonth RAAF Base and Airport* – As discussed in **section 2.7.2**, notwithstanding the important strategic defence role of the Learmonth RAAF Base and Airport, from an air transport perspective, it is a significant economic driver for the tourism and business sectors of the Shire, in addition to servicing the local community. The Shire has lease arrangements with the Commonwealth through to 2033 for the civilian terminal, which is subject to the Learmonth Airport Master Plan. The airport can be declared a ‘Military Active’ airport at any time. Currently there is no direct air link between Exmouth and northern Australia. Accordingly, the Council continues to be proactive in investigating partnership opportunities to improve air travel connections with northern tourism areas of Australia. The LPS recognises the importance of continuing to lobby for investment in this manner to benefit the community and increase international visitor arrivals. The Council is also an advocate for increasing the frequency of regular public transport (RPT) aircraft movements to the region.

Section 12.1 to follow further discusses the indicative noise buffer of the Learmonth Airport.

2. *Exmouth Aerodrome* – As referenced in **section 2.7.2**, the Exmouth Aerodrome has been operated by the Shire since 1974 and is classified as an Aeroplane Landing Area. The aerodrome is predominantly used for general aviation (commercial, sightseeing and recreational) and as a helicopter maintenance base. The Shire’s Exmouth Aerodrome Master Plan provides the strategic direction for the future allocation of lease areas and guidance on the potential upgrading of the runway. The Master Plan identifies three operational precincts to accommodate hangar lots for General Aviation (maximum Code A aircraft); Helicopter Operations; and Commercial aviation operations (maximum Code B aircraft). A fourth precinct is identified for future development of commercial aviation (maximum Code D aircraft). Each operational precinct will need to comply with the planning parameters of the Master Plan (as reinforced by LPS 4) including permitted land uses, minimum hangar lot dimensions; development setbacks; compliance with Obstacle Limitation Surfaces (OLS); definition of building envelopes (excluding apron area); fencing, landscaping and signage controls; provision of parking; the use of non-reflective building materials; lighting design and location; and location of services.

In addition to the Master Plan, the LPS references an indicative noise buffer for the Aerodrome to be identified as a Special Control Area within LPS 4 (refer **section 12.1** to follow). Furthermore, the LPS identifies that the

southern portion of the runway is affected by the estimated 100yr floodplain of Shothole Creek catchment. The impact of the floodplain will need to be taken into account in the design of stormwater infrastructure associated with any future runway upgrades.

Marine Infrastructure

1. *Exmouth Boat Harbour* – As referenced in **section 2.7.4**, the Exmouth Boat Harbour (EBH) was constructed in 1997 and is managed by the Department of Transport.

The working harbour provides access for marine vessels to the residential canal lots within the Exmouth Marina; the commercial and recreational boat pen infrastructure in the north-eastern sector; and loading, unloading and re-fuelling facilities for marine based light industrial activity in the southern sector. The Department of Transport continues to work closely with stakeholders in investigating future expansion proposals, noting the physical constraints of the site and current limitations of funding. The LPS Community Workshop identified EBH as being well placed to provide greater marine logistical support to the nearby offshore oil and gas operations, balanced against the provision of commercial and recreational boating infrastructure and maintaining public access to land abutting the harbour.

2. *Cruise Ships* – Tourism WA have identified Exmouth as an important link within the Western Australian and Northern Territory cruise-shipping industry which includes potential stop-overs in the ports of Fremantle, Geraldton, Exmouth, Port Hedland, Broome and Darwin. There are improvements needed at local level destination planning through improved servicing and tour options; however the most critical element for Exmouth is the need to improve cruise ship berthing facilities. Currently there are no berthing facilities available in Exmouth waters and cruise passengers are tendered to shore, dependent upon favourable weather and tidal conditions. To alleviate this constraint, further marine and terrestrial port infrastructure development opportunities should continue to be investigated as part of the initiatives to investigate the expansion of the EBH.
3. *Boat Ramps* – Bundegi Boat Ramp and its access road is through Department of Defence land, yet is managed by DPaW and the Shire. More appropriate access and tenure is considered required. Tantabiddi Boat Ramp is predominately accessible however has issues related to its use by tourism boats as well as boat ramp users.

12.1.1 ACTION STATEMENTS

Pedestrian

- a) Forecast and budget ongoing works to implement the town centre and foreshore pedestrian and cycleway movement initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- b) Prioritise the pedestrian movement network within the Town Centre.

Vehicular

- c) The LPS identifies a hierarchy of roads – Primary Distributor Road, District Distributor Road, Neighbourhood Connector (Future) and Access Road (Future).
- d) Include Minilya-Exmouth and Murat Roads currently identified as ‘Roads’ within TPS 3 within ‘Primary Distributor Road’ and ‘District Distributor Road’ reserves respectively within LP4.
- e) Forecast and budget ongoing works to implement the town centre vehicular movement infrastructure initiatives in accordance with the LPS and the *Exmouth Town Centre and Foreshore Revitalisation Plan* (2012).
- f) Ensure structure planning makes provision for the planned future neighbourhood connector road linking Murat Road with Nimitz Street; and Reid Street with Learmonth Street.
- g) Consult with Mains Roads WA to ensure an ongoing works and maintenance program for Minilya-Exmouth Road is implemented.
- h) Establish management agreements to address the anomalies regarding the tenure of Murat Road, public access roads and the Bundegi Boat Ramp on Commonwealth land, in consultation with the Department of Lands and Department of Defence.
- i) Consult with Main Roads WA, DPaW, Department of Lands and Department of Defence to establish a sustainable coastal route connecting Coral Bay with Ningaloo Coast via Yardie Creek Road, as an alternative route to Ningaloo Road.
- j) Consult with DPaW, Department of Lands and Department of Defence in relation to the formalisation of the Sandy Bay 4WD track between Minilya-Exmouth Road and the west coast.

Air

- k) Include the Learmonth Airport as a ‘Public Purposes’ reserve and Exmouth Aerodrome as a ‘Special Use’ zone under LPS 4.
- l) Continue to advocate increased frequency of RPT aircraft movements to the region and connectivity with northern Australian tourist markets.

- m) Implement the airport layout and design guidelines of the Exmouth Aerodrome Master Plan and include as provisions within LPS 4 where applicable.
- n) Identify the indicative noise buffer of the Exmouth Aerodrome as a Special Control Area within LPS 4, and require all development to comply with the Exmouth Aerodrome Master Plan under 'Relevant Considerations'.

Marine Infrastructure

- o) Consult with the Department of Transport to facilitate Exmouth Boat Harbour expansion initiatives including ongoing community consultation.
- p) Consult with the Department of Transport in regard to the assessment of subdivision and /or development applications within the Boat Harbour Reserve.

13 LAND USE BUFFERS

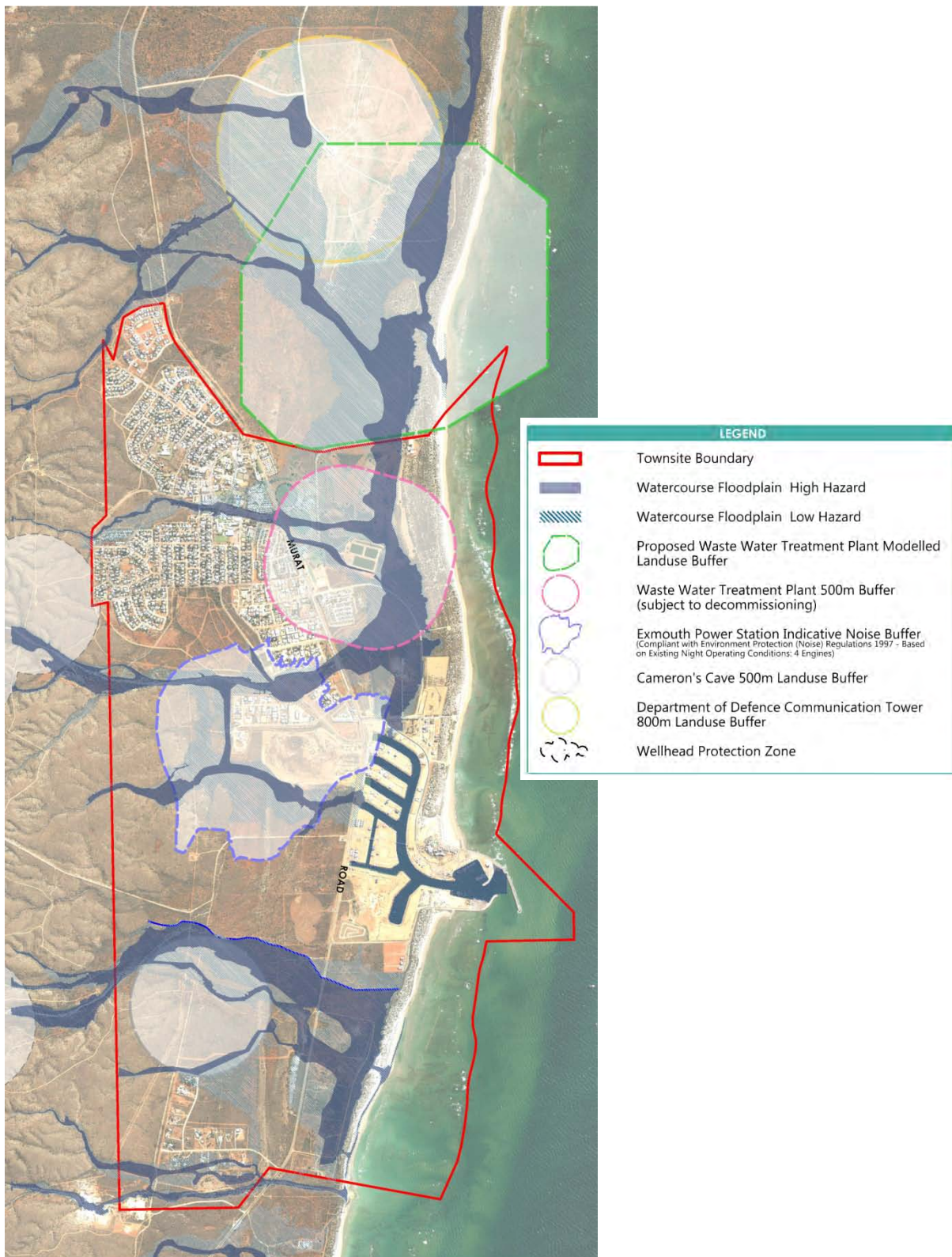


FIGURE 23 LAND USE BUFFERS

13.1 PLANNING CONSIDERATIONS

The **Land Use Buffer Strategic Plan (Figure 23)** identifies six land use buffers that have been defined in consultation with key stakeholders and government agencies responsible for the principal land use. The buffers include land associated with the existing and proposed waste water treatment plants, the Department of Defence Communications Tower north of the townsite, the Exmouth Power Station; Cameron's Cave, and DoW Wellhead Protection Zones. The following planning considerations set out the decision making process for the implementation of uses within and adjacent to the relevant buffers.

1) Floodplain Management – High and Low Hazard Flood

As discussed in **section 2.1.5**, the framework for floodway management adopted by the Strategy has been guided by the *Exmouth Floodplain Management Study* (SKM 2007) and *Exmouth Hydrological Study* (Hyd2o 2014). The SKM Report defines the extent of the high hazard (floodway) and low hazard (flood fringe) for five creeklines within the townsite and immediately south. The LPS 4 will reflect these floodplains as Special Control Areas in which any application for subdivision and/or development will be determined by the local government on the advice of the Department of Water, and may be subject to hydraulic modelling.

Furthermore, the Hyd2o Report identifies the estimated 100yr floodplain of creeklines within four key catchments south of Exmouth Townsite. Development applications in the vicinity of the estimated 100yr floodplains may be required to undertake detailed survey and hydrological investigations to define the developable area.

Only the floodplain defined in detail by SKM (2007) using hydraulic modelling will be used to define the Special Control Area for Floodplains within LPS 4.

2) Exmouth Water Reserve / Wellhead Protection Zones

As identified in **section 2.6.1**, the Exmouth Water Reserve was proclaimed in 2002 under the *Country Areas Water Supply Act 1947* and is managed as a P1 source protection area by the Department of Water due to the unconfined and karstic nature of the water source. This level of protection is reinforced through a Wellhead Protection Zone which identifies a 500m buffer around each production bore. The Water Reserve and Wellhead Protection Zones are reflected by the LPS mapping noting that one Wellhead Protection Zone partially encroaches within the Exmouth Townsite in the northern sector.

It is necessary for an application to be made to the local government for all land use and development proposed within the Exmouth Reserve and must be in

compliance with the provisions of the Department of Water's *Water Quality Protection Note (WQPN) No 25: Land Use Compatibility in Public Drinking Water Source Area*. The local government is currently only required to refer development applications to the Department of Water for advice when the proposed development is inconsistent with the WQPN No 25.

This approval process will be reinforced through the identification of the Exmouth Water Reserve as a Special Control Area within LPS 4 in order to ensure that land use and development is compatible with the longer term protection of the reserve and its water resource.

3) Existing Waste Water Treatment Plant (WWTP)

As referenced in **section 2.6.3**, based on the advice of the Water Corporation, the existing WWTP, located 600m to the east of the Town Centre, is subject to a 500m odour buffer measured from the outer edge of the facility. Whilst it has been identified that there are existing 'sensitive' land uses located within the buffer potentially affected by odour from the WWTP, notwithstanding the use may be a 'P' Permitted Use under the Scheme, any new applications for development that involve a 'sensitive land use' (as defined by EPA Guidance Statement No 3 *Separation Distances between Industrial and Sensitive Land Use*), will not be approved unless:

- a) The wastewater treatment plant has been decommissioned; or
- b) The applicant can demonstrate the odour and/or other impacts associated with the WWTP can be ameliorated to the satisfaction of the the local government based on the advice of the EPA and Water Corporation.

To reinforce this approval process, LPS 4 will reflect the existing WWTP and buffer as a Special Control Area.

4) Proposed Relocation of WWTP

To address the odour issues affecting various land use within the Townsite, ongoing negotiations are taking place between Water Corporation, the Department of Defence and Council to facilitate the longer term relocation of the existing WWTP on Commonwealth land to the north of the Townsite. The Water Corporation has identified a proposed site supported by detailed investigatory reporting and a modelled buffer defined as reflected on the Strategic Plan (**Figure 22**) and **Exmouth Townsite Spatial Plan – Sheet 3**. The proposed buffer does not impact on landholdings within the Exmouth Townsite and correlates with the already defined 800m buffer of Department of Defence Communications Tower (refer below).

As no future impact upon townsite land uses is anticipated, there will be no requirement for the LPS 4 to reflect the Proposed WWTP and buffer as a Special Control Area. There is a buffer applicable for the pump station site at the existing WWTP location, however this will likely be contained within the site for the pump station.

5) Exmouth Power Station (ExPS)

As referenced in **section 2.6.2**, the existing ExPS is centrally located on industrial zoned land within the townsite and is subject to a noise buffer requirement in compliance with the Environmental Protection Authority's Guidance Statement No. 3 *Separation Distance between Industrial and Sensitive Land Uses, Environmental Protection (Noise) Regulations 1997* and Draft SPP 4.1 *State Industrial Buffer (Amended)*.

The **Exmouth Townsite Spatial Plan – Sheet 3** of the LPS adopts a modelled buffer based on the approved operating conditions of the power station (Daytime – 8 engines; Night time – 4 engines). Various noise assessments have been undertaken overtime, however the accurate modelling of the power station operating at full capacity (10,000kW) is yet to be undertaken, and hence the mapping of a land use buffer to represent the greatest extent of land constrained by the ExPs is unresolved.

In the absence of sufficient modelling, section 5.3 of Draft SPP 4.1 stipulates that technical analysis on a case-by-case basis is required to support any application for development that falls within the buffer as currently defined. Furthermore, in the event that an additional engine is commissioned by ExPs Pty Ltd to support future power demand, development approval may be conditional upon the power station being modelled at full capacity i.e. an operating load of 10,000kW, noting that based on population projections, the facility is unlikely to reach full operating capacity within the life of the power station.

To reinforce this approval process, LPS 4 will in the first instance, reflect the buffer of the Exmouth Power Station as a Special Control Area (SCA) assuming the existing operating conditions of Daytime – 8 engines and Night time – 4 engines. Upon the completion of revised modelling assuming the operating conditions of the ExPS at full capacity and/of the impact of the commissioning of an additional engine, an amendment to LPS 4 may be required to reflect a new buffer (if greater than that defined) as a revised Special Control Area.

Notwithstanding, that the use may be a 'P' Permitted Use under the Scheme, any development within the SCA will be determined by the local government based on advice from the EPA and any other relevant agencies that may be subsequently reinforced as a condition of development approval.

6) Cameron's Cave

Cameron's Cave is an environmentally sensitive area that comprises the habitat of the Cameron's Cave Troglobitic Community and is located immediately to the north of the Preston Street Rural Residential Area within the southern portion of the townsite. The community is identified as a Threatened Ecological Community and has been assessed as Critically Endangered. The cave extends downwards to the water table on which the animals depend, and it consists of a narrow freshwater lens above saltwater.

The importance of ongoing protection of Cameron's Cave (and corresponding ecological community) is recognised by LPS consistent with the recommendations of the *Exmouth Townsite Structure Plan* (2011). In advance of the formal identification of the land as a Reserve under the *Land Administration Act 1997*, the DPaW maintains support for a 500m land use buffer being recognised by future planning. Currently the land within the buffer is inappropriately zoned as Special Rural Zone, Residential Development Zone and Local Reserve Recreation and Open Space Reserve under the existing TPS 3.

To rectify this conflicting land use classification, the recommended 500m buffer surrounding the Cave has been identified for Conservation and Landscape Protection purposes. The protection of Cameron's Cave will be further reinforced through LPS 4 as a Conservation Reserve under the *Planning and Development Act 2005*.

The Conservation Reserve will offer an acceptable long term level of protection and therefore, it will not be necessary for the LPS 4 to reflect the 500m buffer for Cameron's Cave as a Special Control Area.

7) Department of Defence Communications Tower

A Communications Tower and associated substantial infrastructure is located approximately 1 km north of the Exmouth Townsite. To secure protection and long term security of this infrastructure, the Department of Defence (DoD) have advised of the need for an 800m land use buffer to be defined by the LPS. The proposed relocation of the waste water treatment plant onto Commonwealth Land further enforces the long term protection of the DoD buffer. The Commonwealth land tenure of the defined buffer area offers a sufficient level of protection and long term security for this infrastructure and accordingly it will not be necessary for the LPS 4 to reflect the 800m buffer for the Communications Tower as a Special Control Area.

8) 100m Minilya-Exmouth Road Setback

The *Ningaloo Coast Regional Strategy Carnarvon to Exmouth* (2004) recommended a 100m setback on either side of Minilya-Exmouth Road to preserve the landscape values and view corridors along the Primary Road from Learmonth Airport to the boundary of the Exmouth Townsite.

The LPS supports this recommendation, however extends this requirement to apply to the full extent of the Minilya-Exmouth Road extending from the southern edge of the gazetted Townsite Boundary southwards to the southern extent of the Shire of Exmouth.

To reinforce this approach, LPS will reflect the 100m setback area as a Special Control Area in which the removal of remnant native vegetation will not be supported and no new development permitted other than rural fencing. The 100m setback is to be measured from the reserve boundary of the road.

9) Exmouth Aerodrome - Indicative Noise Buffer

The *Exmouth South Structure Plan* (2013) identified an indicative Noise buffer for the Exmouth Aerodrome. It is regarded as an interim measure to ensure use and development in the vicinity of the Exmouth Aerodrome is compatible with any existing or proposed future use and development of the aerodrome as guided by the Draft Exmouth Aerodrome Master Plan. The indicative buffer will assist the Shire to manage the encroachment of noise sensitive land uses pending the preparation of Australian Noise Exposure Forecast (ANEF) mapping and more detailed planning.

The Strategy (**Spatial Plan – Sheet 5**) adopts the indicative buffer and will be used to define the extent of a Special Control Area under LPS 4. All development within the SCA will be referred to the Shire's Airport Manager prior to determination.

10) Learmonth Airport – Obstacle Limitations Surface and Indicative Noise Buffer

The *Exmouth South Structure Plan* (2013) confirmed that an extensive area around the Learmonth RAAF Base and Airport is subject the *Defence (Area Control) Regulations 1989* where buildings and structural height limitations apply. The Strategy has reinforced the Obstacle Limitation Surface as reflected on Spatial Plan – Sheet 6. In addition, consistent with the *Exmouth South Structure Plan*, an indicative noise buffer has been defined regarded as an interim measure pending the updating of ANEF mapping by the Department of Defence.

The indicative buffer will be identified as a Special Control Area in which all development will need to be referred to the Department of Defence prior to determination, and the control of development heights within Learmonth Airport Obstacle Limitation Surface referenced as a scheme provision.

11) Landfill Site

The existing landfill site is located on Minilya-Exmouth Road to the north of the Exmouth Aerodrome and south-west of the Ingram Street industrial area. The *Exmouth South Structure Plan* (2013) identified that the site had potential land use issues including the risks of aircraft bird strikes given that the facility is generally within the flight path of the aerodrome, visual impacts evident by the air when arriving to Exmouth as a tourist town, and potential environmental impacts on subterranean waterways that underlay the site. Whilst the landfill site is not at capacity and meets the rubbish disposal needs of the Exmouth Townsite within the life of the LPS, the facility may need to be relocated in the longer term.

13.1.1 ACTION STATEMENTS

- a) Include the Exmouth Water Reserve within a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.
- b) Include the existing WWTP and associated 500m odour buffer as a Special Control Area within LPS 4 requiring any development proposed within the buffer to be approved by the local government upon receiving advice from the EPA and Water Corporation.
- c) Prioritise negotiations with the Department of Defence and Water Corporation to progress the relocation of the WWTP to Commonwealth land by 2016/2018.
- d) Include the Exmouth Power Station and associated noise buffer within a Special Control Area within LPS 4.
- e) Consideration to be given to the operators of the power station undertaking revised noise modelling of the power station upon the commissioning of additional engines and/or assuming the operation of the power station at full capacity (10,000kW). Investigate the longer term relocation of the existing Exmouth Power Station Infrastructure to remove the impediment for development of sensitive land uses within the power station buffer.
- f) Include Cameron's Cave and 500m buffer within the 'Environmental Conservation' reserve within LPS 4 and support its classification as an 'A Class' reserve under the *Land Administration Act 1997*.
- g) Include land 100m either side of Minilya-Exmouth Road within a Special Control Area within LPS 4 to protect view corridors of the Cape Range and Exmouth Gulf.
- h) Adopt the boundary of the indicative noise buffer of the Exmouth Aerodrome as a Special Control Area within LPS 4 requiring development proposed within the buffer to be approved by the local government upon the advice of the Airport Manager.
- i) Adopt the boundary of the indicative noise buffer of the Learmonth Airport as a Special Control Area within LPS 4.
- j) Include a provision within LPS 4 to control development heights within the Learmonth Airport Obstacle Limitation Surface.
- k) Monitor the capacity of the existing landfill site to accommodate the current rate of landfill activity and consider the longer term relocation of the facility.

Shire of Exmouth Local Planning Strategy No. 1 (Revision 7) - Proposed Modifications					
Modification Number	Strategy Page Number	Section within Rev 7	Modification	Reason	Submission
1.	Document Status	Document Status	Add 'Revision 8', Reviewer 'Shire', Date Issued 'December 2016'	Grammar, reflects accurate date and revision number.	N/A
2.	Contents	Contents	Updated	To reflect all modifications proposed below.	N/A
3.	Signing Page	Signing Page	Department of Planning to complete advertising section on signing page.	To ensure the document viewed has been approved for advertising.	N/A
4.	ii	Purpose of the Local Planning Strategy	Add the word 'healthy' after 'economically' in the second dot point.	Ensures public health is considered as a relevant purpose in the Local Planning Strategy.	12. Department of Health
5.	3	2.2 Residential Strategies	Substitute all of 2) with 'Ensure future structure planning of residential land provides for a range of housing densities to accommodate the lifestyle expectations of existing and future communities, and not support spot rezoning.'	Improved grammar, and ensures spot rezoning cannot be supported.	N/A
6.	3	2.3 Residential Actions	Modify i) substituting 'Areas 1 to 4' with 'Areas 3 and 4'	To ensure consistency with Local Planning Scheme No.4 (LPS 4). Only Future Residential (Long Term) - Areas 3 and 4 are proposed be zoned 'Rural' in LPS 4.	N/A
7.	4	2.3 Residential Actions	Add new action stating 'Include Future Residential (Long Term) – Areas 1 and 2 within the 'Urban Development' zone under LPS 4 with associated provisions.'	To ensure consistency with LPS 4. Future Residential (Long Term) – Areas 1 and 2 are proposed to be zoned 'Urban Development' in LPS 4, removing the requirement for a future scheme amendment.	N/A
8.	4	2.3 Residential Actions	Delete 'm) Investigate an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Waters need to maintain a high level of protection of the P1 Source Protection Area.'	To ensure protection of the Public Drinking Water Reserve.	13. Department of Water
9.	5	3.3 Rural Residential Actions	In e) delete 'i)' and 'ii) Including land currently reserved 'Recreation and Open Space' under TPS3 within the 'Environmental Conservation' reserve under LPS 4.'	Not required as all of Future Rural Residential – Area 3 is proposed to be zoned 'Rural' in LPS 4.	N/A
10.	5	3.3 Rural Residential Actions	Modify g) by adding 'in a revised and updated format' after the word 'provisions'.	Provisions included in LPS 4 for Existing Rural Residential Area 2 are not exactly the same as the provisions in current Town Planning Scheme No.3 (TPS 3).	N/A
11.	7	4.3 Industrial Actions	Modify e) by deleting 'Public Open Space reserve'	To ensure consistency with LPS 4.	N/A
12.	7	4.3 Industrial Actions	In k) substitute 'within the Special Use zone' with 'an appropriate infrastructure type classification'	Consistent with other section actions in the Local Planning Strategy.	N/A
13.	7	4.3 Industrial Actions	In o) add 'in a revised and updated format' after 'and associated scheme provisions'	The provisions included in LPS 4 are not exactly the same as those in current TPS 3	N/A

Yellow colour indicates proposed modifications to correct grammatical errors.

Green colour indicates proposed modifications to ensure consistency with the proposed Exmouth Local Planning Scheme 4.

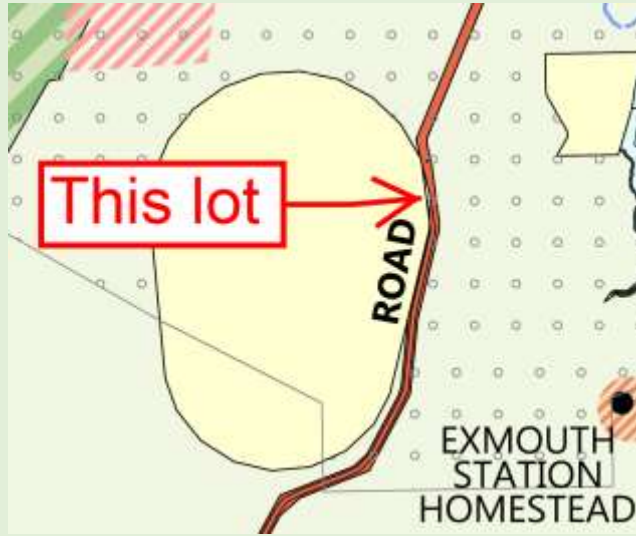
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14.	7	4.3 Industrial Actions	Modify q) by deleting 'and 4'	To ensure consistency with LPS 4. 'Future General Industry – Area 4 is proposed to be zoned 'Industrial Development' in LPS 4.	N/A
15.	7	4.3 Industrial Actions	In s) substitute 'the Department of State Development' with 'the appropriate state authorities'	Improved grammar.	N/A
16.	7	4.3 Industrial Actions	Add new action 'Include Future General Industry Area 4 within the 'Industrial Development' zone under LPS 4 with associated provisions.'	To ensure consistency with LPS 4. As Future General Industry Area 4 has been removed from q) a new action is required to cover this area.	N/A
17.	8	5.3 Tourism Actions	Modify e) by substituting 'Areas 3 to 9' with 'Areas 1 to 6 and Area 10'	To ensure consistency with LPS 4. Future Tourism Areas 1 & 2 are proposed to be zoned Tourism in LPS 4. Future Tourism Areas 7, 8 & 9 are proposed to be zoned 'Special Use – Marina'.	N/A
18.	8	5.3 Tourism Actions	Delete actions 'd) Include 'Future Tourism' – Areas 1 and 2 within the 'Rural' zone under LPS 4 to secure the future use of the land for tourism purpose only, subject to rezoning applications supported by detailed site investigation.' and 'f) Include 'Future Tourism' – Area 10 within the 'Urban Development' zone within LPS 4.'	To ensure consistency with LPS 4. Future Tourism Areas 1 & 2 & 10 are proposed to be zoned Tourism in LPS 4.	N/A
19.	8	5.3 Tourism Actions	In i) i) substitute '40% of the site' with '40% of the gross floor area' and delete ii).	Consistent with LPS 4.	N/A
20.	12	7.2 Community and Public Open Space Strategies	Delete '7) Support the establishment of an Emergency Services Precinct on the dis-used power station site to facilitate the relocation of emergency service facilities from the Town Centre.'	The di-used power station site has been identified for a future waste collection facility (bring centre), rather than an emergency services precinct.	N/A
21.	13	7.3 Community and Public Open Space Strategies	Delete 'e) Include the disused power station site (proposed Emergency Services Precinct) within the 'Service Commercial' zone under LPS 4.' and 'k) Insert provisions within LPS 4 for Landscape Plans to incorporate water-wise design.'	The di-used power station site has been identified for a future waste collection facility (bring centre), rather than an emergency services precinct. Water wise provisions have not been included in LPS 4.	N/A
22.	13	7.3 Community and Public Open Space Actions	Modify g) substituting 'Foreshore reserve under LPS4' with 'Public Open Space reserve under LPS4'	To ensure consistency with LPS 4. Foreshore reserve does not exist in LPS 4.	N/A
23.	15	8.3 Conservation Actions	Modify c) iii) substituting 'Foreshore reserve' with 'Environmental Conservation reserve'.	To ensure consistency with LPS 4. Foreshore reserve does not exist in LPS 4.	N/A
24.	16	9.2 Pastoral Strategies	Substitute all of 4) with 'Support Nature-Based Camping within pastoral land subject to suitability of the site.'	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife
25.	16	9.3 Pastoral Actions	Modify c) by adding 'the majority of' after the word 'Include'.	Not all land zoned 'Pastoral' in TPS 3 is proposed to be zoned 'Rural' in LPS 4, it is the majority of land.	N/A
26.	16	9.3 Pastoral Actions	In e) substitute 'Existing Restricted Residential Area 1' with 'Exiting Restricted Rural Area 1'	Consistent with other sections in the Local Planning Strategy.	N/A

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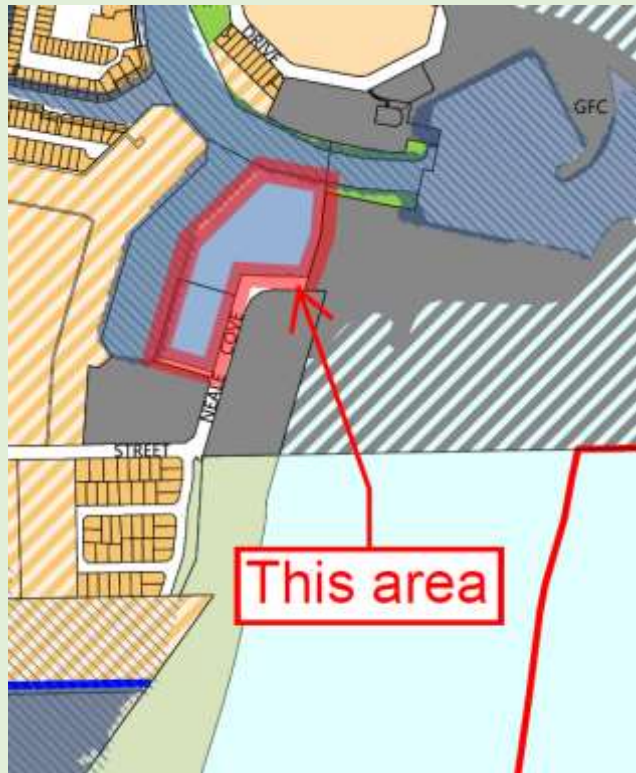
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27.	16	9.3 Pastoral Actions	Modify h) substituting <i>'Foreshore reserve'</i> with <i>'Environmental Conservation reserve'</i> .	To ensure consistency with LPS 4. Foreshore reserve does not exist in LPS 4.	N/A
28.	17	10.2 Movement Strategies	Modify 8) by deleting the word <i>'and'</i> between Learmonth and Airport.	Improved grammar.	N/A
29.	18	10.3 Movement Actions	Modify b) substituting <i>'District Distributor Road'</i> with <i>'Local Distributor Road'</i>	To ensure consistency with LPS 4. No land is classified as <i>'District Distributor Road'</i> in LPS 4.	N/A
30.	18	10.3 Movement Actions	Modify c) by substituting <i>'Nimitz Street'</i> with <i>'Kennedy Street'</i> and deleting <i>'and Reid Street with Learmonth Street.'</i>	To ensure protection of the public drinking water reserve.	13. Department of Water
31.	18	10.3 Movement Actions	Modify m) by deleting <i>'Reserve'</i> after the words <i>'Exmouth Boat Harbour'</i>	Removes any possible confusion over land designated as a reserve in a local planning scheme, and reserved in accordance with the <i>Land Administration Act 1997</i> .	N/A
32.	18	10.3 Movement Actions	Add action under Pedestrian and Vehicular stating <i>'Prepare a Trails Masterplan to identify trails/areas which may be suitable for Mountain Bike Riding, Walking, Hiking and other similar activities.'</i>	In response to submissions, the shire is preparing a trails masterplan document.	9. Private Citizen (Phil Davies) 18. Cape Range Riders
33.	19	11.3 Land Use Buffers Actions	Delete action c) In i) delete the word <i>'setback'</i> after 100m In k) substitute <i>'LPS 4'</i> with <i>'a local planning scheme'</i> In l) substitute <i>'LPS 4'</i> with <i>'a local planning scheme'</i>	To ensure consistency with LPS 4.	N/A
34.	Spatial Plan Sheet 2	Spatial Plan Sheet 2	Delete all future tourism areas from the plan.	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife
35.	Spatial Plan Sheet 2	Spatial Plan Sheet 2	Modify Lot 254 on Plan 219249 to <i>'Primary Distributor Road'</i> as identified on the image below. 	To fix graphical error. This lot forms part of the Minilya Exmouth road reserve. To ensure consistency with LPS 4.	11. Main Roads

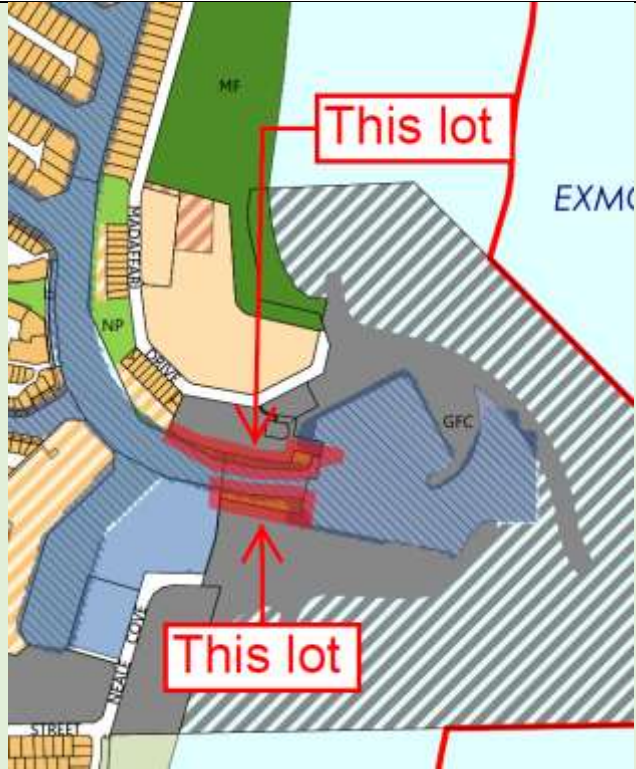

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36.	Spatial Plan Sheet 3, 98, 120, 121, 122, 123, 124, 125, 126, 127, 134, 218,	Multiple	Amend all maps, plans and images so that no red lines, and no future road connections are identified as extending into water reserve.	To reduce risks to the public drinking water reserve.	13. Department of Water
37.	Spatial Plan Sheet 3	Spatial Plan Sheet 3	Delete WWTP buffer from the plan.	To ensure consistency with LPS 4 proposed amendment.	N/A
38.	Spatial Plan Sheet 3	Spatial Plan Sheet 3	<p>Modify changing land indicated as 'Marina' to 'Boat Harbour'</p> 	As the land indicated as Marina is no different to the land indicated as 'Boat Harbour'. Both the Marina and Boat Harbour land forms 'Special Use Zone 5' in LPS 4.	N/A
39.	Spatial Plan Sheet 3	Spatial Plan Sheet 3	Modify Reserve 47806, Lot 1486 and portion of Reserve 47803, Lot 1477 from 'Public Open Space' to 'Boat Harbour'	Reserve 47806 and portion of Reserve 47803 is proposed to be ceded to the Department of Transport, and used for the purpose of Boat Harbour. To ensure consistency with LPS 4 proposed amendment.	N/A



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40.	Spatial Plan Sheet 3	Spatial Plan Sheet 3	<p>Modify land identified below from 'Industry – Service' to 'Public Open Space'</p> 	To ensure consistency with LPS 4.	N/A
41.	Spatial Plan Sheet 3	Spatial Plan Sheet 3	<p>Modify changing 'District Distributor Road (Shire of Exmouth)' in the legend to 'Primary Distributor Road (Shire of Exmouth)'</p>	To ensure consistency with LPS 4.	N/A
42.	Spatial Plan Sheet 3	Spatial Plan Sheet 3	<p>Modify changing the power station site on Welch Street from 'existing Public Purposes' to 'existing Industry – General'.</p>	This land is designated as Industrial zone in current TPS 3, not public purpose reserve. To ensure consistency with LPS 4 proposed amendment.	N/A

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43.	Spatial Plan Sheet 4	Spatial Plan Sheet 4	<p>Modify changing Reserve 48441 from 'Conservation and Landscape Protection' to 'Public Purposes' Recreation.</p> 	The land is currently used for the purposes of a rifle range. To ensure consistency with LPS 4 proposed amendment.	N/A
44.	Spatial Plan Sheet 4	Spatial Plan Sheet 4	<p>Modify changing from 'Conservation and Landscape Protection' to 'Future Public Purposes'</p>	To ensure consistency with LPS 4.	N/A

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45.	Spatial Plan Sheet 4	Spatial Plan Sheet 4	<p>Modify changing the highlighted areas from 'Conservation and Landscape Protection' and 'Tourism', to 'Future Tourism'</p> 	Consistent with proposed modifications to LPS 4 in response to submission received.	N/A	
46.	Spatial Plan Sheet 6	Spatial Plan Sheet 6	Modify by deleting 'Future Tourism' from the plan.	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife	
47.	26	1.1.3 State Planning Policies	Modify SPP 2.7: Public Drinking Water Source Protection Policy by adding the word 'public' after the words 'no degradation of' in the second paragraph.	Improved grammar.	13. Department of Water	
48.	26	1.1.3 State Planning Policies	Modify SPP 2.7 Public Drinking Water Source Protection Policy paragraph three by substituting 'Exmouth Water Reserve Water Source Protection Plan' with 'Exmouth Water Reserve drinking Water Source Protection Review 2011 and the Exmouth Water Reserve Water Source Protection Plan 2000.'	Improved grammar.	13. Department of Water	

49.	31	1.2.3 Other Studies	Under Gascoyne Regional Infrastructure Review (2010) Sustainable Water Supply delete <i>'located near the naval jetty, or'</i>	No support for a desalination plant to be located near the naval jetty, as it will negatively impact upon defence operations at Harold E Holt Naval Facility.	14. Department of Defence
50.	35	1.3.5 Management, Master and Outline Development Plans	<p>Add:</p> <p><i>Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015</i></p> <p><i>This plan outlines a suite of management strategies to protect the special marine plants and animals found in the region, as well as to ensure there is opportunity for sustainable recreational and commercial uses. The major thrust of management of the reserves will include:</i></p> <ul style="list-style-type: none"> <i>Implementation of a zoning scheme for the Park that includes sanctuary zones that are representative of the Park's marine habitats, flora and fauna, comprising 34 per cent of the Park. This will provide a high degree of protection for representative areas throughout the Park.</i> <i>Implementation of a zoning scheme for the marine management area that includes conservation areas that provide a high level of protection to representative marine habitats in the marine management area.</i> <i>Implementation of comprehensive research and monitoring programs to improve the understanding of the marine environment and to assess the impacts of human activities.</i> <i>Implementation of comprehensive education and information programs to support the management of the reserves.</i> <i>Development of detailed recreational management plans and implementation of management strategies throughout the Park to facilitate the sustainable management of recreational activities.</i> <i>Close integration of management of the adjoining coastal lands and the Park.</i> <i>Close cooperation with other agencies, particularly the Department of Fisheries, in achieving integrated management of the marine environment in this area.</i> <p><i>The implementation of this management plan will be regularly reviewed by CALM and audited by the MPRA every three years to ensure the management objectives are being met, and to ensure that the management regime for the reserves is still appropriate to meet these objectives.</i></p>	As this management plan which applies in the Exmouth LGA area has not been discussed in the Local Planning Strategy.	16. Department of Parks and Wildlife
51.	42	1.3.7 Local Planning Policies	6.22 Sand and Dust Control on Private Property Recommendation for New Scheme substitute <i>'Incorporate relevant provisions into LPS4 Scheme Text, and'</i> with <i>'Review in light of provisions inserted into LPS 4 Scheme Text.'</i>	To ensure consistency with LPS 4.	N/A

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52.	45	2.1.5 Floodplains	Add after third paragraph on page 45 ' <i>Department of Water guidelines for acceptable floodplain development recommends that proposed development has:</i> (i) <i>Adequate protection from a 100 year ARI flood; and</i> (ii) <i>Does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.'</i>	To ensure consistency within the strategy and with LPS 4.	13. Department of Water
53.	50	2.1.6.3 Coastline North	Modify the last paragraph by deleting ' <i>and is interested in managing the coastal foreshore within Lyndon Location 44, which is 'Area A' of the Naval Communication Station Harold E. Holt.'</i>	If DPaW is interested in Lyndon location 44 they should approach the Department of Defence directly. This matter is not appropriate to be included within the proposed Local Planning Strategy.	14. Department of Defence
54.	86	2.5.3.2 Places of Worship	Delete ' <i>Uniting Church of Australia Exmouth Congregation – corner Maidstone Crescent and Learmonth Street.'</i>	As the address stated is incorrect.	N/A
55.	88	2.6.1 Water Supply	In the last sentence of paragraph 1 substitute existing with ' <i>Private drinking water supplies are guided by the Australian Drinking Water Guidelines 2011. Brochures for bore and rainwater sources are available from the Department of Health. The Department of Water has a water quality information sheet for private water supplies.'</i>	Improved grammar.	13. Department of Water
56.	88	2.6.1 Water Supply	Modify in the first sentence of paragraph 2 substituting ' <i>Priority 1 Water Protection Reserve (proclaimed in 2002 under the Country Areas Water Supply Act 1947) and Borehead Protection zones (500m) around the borefield.'</i> with ' <i>Priority 1 Water Reserve (proclaimed in 2002 under the Country Areas Water Supply Act 1947) and wellhead protection zones (500m) around each production bore.'</i>	Improved grammar.	13. Department of Water
57.	88	2.6.1 Water Supply	Modify the second sentence of paragraph 2 substituting ' <i>10km wide</i> ' with ' <i>7km to 11km in width</i> ' and substitute ' <i>15km</i> ' with ' <i>20km</i> '	Improved accuracy.	13. Department of Water
58.	88	2.6.1 Water Supply	In paragraph 2 substitute ' <i>P1 Water Protection Reserves</i> ' with ' <i>P1 water reserves</i> '.	Improved grammar.	13. Department of Water
59.	88	2.6.1 Water Supply	In the second sentence of paragraph 3 add the words ' <i>which complements the existing Exmouth Water Reserve source protection plan 2000</i> ' after the words ' <i>Source Protection Plan 2011</i> '	Improved grammar.	13. Department of Water
60.	92	2.6.6 Planning Implications	Add dot point under 2.6.6 stating ' <i>Developments are required to connect to scheme water and reticulated sewerage (if available) in accordance with the draft Country Sewerage Policy.'</i>	Ensures the draft Country Sewerage Policy is considered.	12. Department of Health
61.	93	2.7.1 Roads	Modify Yardie Creek Road section by deleting ' <i>which potentially creates a public risk due to the electromagnetic radiation emitted by the towers which could interfere with hearing aids, pacemakers and radios.'</i>	Harold E Holt Naval Facility has been confirmed to not cause any public risk due to electromagnetic radiation.	14. Department of Defence

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62.	101	3.1.1 Description	In site description 3 dot points delete '(77 dry lots and 60 canal lots)', '(84 dry lots and 111 canal lots)', and '(20 lots)'	Inaccurate statistics.	N/A
63.	103	3.1.2 Planning Issues	Modify 12. by <ul style="list-style-type: none"> substituting the word 'Accommodation' with 'Houses' substitute 'Regulations 2014' with 'Regulations 2015' 	Consistent with definition of Holiday House in proposed Local Planning Scheme 4. Consistent with the recently gazetted <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .	N/A
64.	104	3.1.3 Action Statements	In a) <ul style="list-style-type: none"> i) delete 'sea containers' ii) delete 'eaves' v) delete 'verge parking and' In b) delete 'verge parking'	Consistent with proposed Local Planning Scheme 4.	N/A
65.	109	3.2.2.2 Future Residential Area 2 Planning Considerations	In 2) delete 'a) <i>The planning and environmental investigations and reporting necessary to meet the structure plan provisions of the proposed scheme.</i> '	This area is already cleared. The requirement for environmental investigations is overzealous.	N/A
66.	109	3.2.2.3 Action Statements	In a) delete 'and public open space.'	This area is suitable for up to 14 dwelling units. This area is an infill development. The requirement for this area to provide public open space is overzealous.	N/A
67.	111	3.2.3.2 Future Residential Area 3 Planning Considerations	In 4) <ul style="list-style-type: none"> In c) substitute 'Learmonth Street and Murat Road' with 'East West Connector' In d) substitute 'Reid Street and Learmonth Street' with 'East West Connector' 	As realignment of the P1 drinking water reserve is not supported for the future development of a connector road. To reduce risks to Exmouth Drinking Water reserve.	13. Department of Water
68.	111	3.2.3.2 Future Residential Area 3 Planning Considerations	Add '5) <i>The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:</i> a) <i>Proposed development has adequate protection from a 100 year ARI flood; and</i> b) <i>Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.</i> '	To ensure consistency within the Local Planning Strategy and with LPS 4.	13. Department of Water
69.	118	3.2.7.1 Future Residential Area 7 Description	In site description add the word 'Marina' before 'Village Outline Development Plan'	Ensures correct reference to the existing Exmouth Marina Village Outline Development Plan.	N/A
70.	119	3.2.7.2 Future Residential Area 7 Planning Considerations	Add '6) <i>The extent of the development area being informed by hydraulic modelling to ensure that:</i> a) <i>Proposed development has adequate protection from a 100 year ARI flood; and</i> b) <i>Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.</i> '	To ensure consistency within the Local Planning Strategy and with LPS 4.	13. Department of Water
71.	120	3.3 Future Residential (Long Term)	Delete the following from the second paragraph 'Department of Water support an adjustment of the boundary of the P1 Water Protection Area'	To reduce risks to Exmouth Drinking Water reserve.	13. Department of Water

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72.	121	3.3.1.2 Future Residential (Long Term) Area 1 Planning Considerations	Delete '4) The advice of the Department of Water noting proximity to the P1 Water Protection area and the Wellhead Protection Zones given the extent of the townsite boundary may need to be adjusted at the detailed design stage.'	To reduce risks to Exmouth Drinking Water reserve.	13. Department of Water
73.	121	3.3.1.3 Action Statements	Delete 'd) In the longer term, consideration of an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Waters need to maintain a high level of protection of the P1 Source Protection Area.'	To reduce risks to Exmouth Drinking Water reserve.	13. Department of Water
74.	123	3.3.2.2 Future Residential (Long Term) Area 2 Planning Considerations	Delete '3) The advice of the Department of Water given the proximity of Area 2 to the P1 Water Protection area and the Wellhead Protection Zones. The advice will need to confirm whether: a) The rounding off of development can occur within the wellhead protection zone, consistent with the treatment of existing residential lots to the north which are already developed within the 500m buffer of the eastern-most bore; and b) Road infrastructure, in the form of the proposed neighbourhood connector between Learmonth Street and Reid Street can be implemented to facilitate road connectivity within required development timeframes.'	To reduce risks to Exmouth Drinking Water reserve.	13. Department of Water
75.	123	3.3.2.3 Action Statements	Delete 'd) In the longer term, consideration of an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Waters need to maintain a high level of protection of the P1 Source Protection Area.'	To reduce risks to Exmouth Drinking Water reserve.	13. Department of Water
76.	125	3.3.3.3 Action Statements	Delete 'd) In the longer term, consideration of an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Water needs to maintain a high level of protection of the P1 Source Protection Area.'	To reduce risks to Exmouth Drinking Water reserve.	13. Department of Water
77.	127	3.3.4.3 Action Statements	Delete 'd) In the longer term, consideration of an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Water needs to maintain a high level of protection of the P1 Water Protection Area.'	To reduce risks to Exmouth Drinking Water reserve.	13. Department of Water
78.	129	4.1 Planning Issues	In 8. substitute 'draft SPP 3.7 Planning for Bushfire Risk Management and draft Bushfire Risk Management Guidelines (May 2014)' with 'SPP 3.7 Planning in Bushfire Prone Areas'	To ensure reference to correct state planning policy.	N/A
79.	129	4.1.1 Action Statements	Delete b) vii) 'address fire management'.	To ensure consistency with LPS 4.	N/A
80.	131	4.2.1.3 Action Statements	In d) delete 'and zone as 'Rural Residential' within LPS 4, and amalgamate the land where possible into adjoining lots.'	To ensure consistency with LPS 4.	N/A

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81.	133	4.2.2.2 Existing Rural Residential Area 2 Planning Considerations	In 3) c) substitute 'maintain' with 'manage'	Improved grammar.	N/A
82.	133	4.2.2.2 Existing Rural Residential Area 2 Planning Considerations	Add '5) The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that: a) Proposed development has adequate protection from a 100 year ARI flood; and b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.'	To ensure consistency within the proposed Local Planning Strategy and with LPS 4.	13. Department of Water
83.	133	4.2.2.3 Action Statements	In b) delete the word 'within' after the word include.	Improved grammar.	N/A
84.	133	4.2.2.3 Existing Rural Residential Area 2	Modify action e) adding 'reviewed and' after the word 'will be'	To ensure consistency with LPS 4. Provisions in LPS 4 relating to development in the Cape Wilderness Estate are not exactly the same those in the current TPS 3.	N/A
85.	133	4.2.2.3 Existing Rural Residential Area 2	Add action 'Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.'	To ensure vehicular access to Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
86.	134	4.3.1.1 Description	In site description first paragraph substitute the word 'within' with 'with'.	Improved grammar.	N/A
87.	135	4.3.1.2 Future Rural Residential Areas 1 and 2 Planning Considerations	In Area 1 1) d) substitute existing with 'SPP 3.7 Planning in Bushfire Prone Areas' In Area 2 1) b) substitute existing with 'SPP 3.7 Planning in Bushfire Prone Areas'	Reference to correct state planning policy.	N/A
88.	135	4.3.1.3 Action Statements	In e) substitute existing with 'Require a structure plan to address the planning considerations detailed above.'	Improved grammar.	N/A
89.	137	4.3.2.2 Future Rural Residential Area 3 Planning Considerations	In 3) delete 'a' after the word assessing.	Improved grammar.	N/A
90.	137	4.3.2.2 Future Rural Residential Area 3 Planning Considerations	In 3) g) substitute existing with 'SPP 3.7 Planning in Bushfire Prone Areas'	Ensures references to correct legislation.	N/A
91.	137	4.3.2.3 Action Statements	In b) delete 'and ii) Including land currently reserved 'Recreation and Open Space' under TPS 3 within the 'Environmental Conservation' reserve under LPS 4.'	To ensure consistency with LPS 4.	N/A

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92.	137	4.3.2.3 Action Statements	Add action ' <i>Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.</i> '	To ensure development along Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
93.	137	4.3.2.3 Action Statements	Add action ' <i>Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.</i> '	To ensure vehicular access to Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
94.	140	5.1.1 Action Statements	In h) delete ' <i>and include the Development Investigation Areas within the 'Special Use – Caravan Parks and Camping Grounds' zone.</i> '	To ensure consistency with LPS 4 proposed modifications.	N/A
95.	143	5.2.1.2 Existing Industry Area 1 Planning Considerations	Modify 6) by adding ' <i>of less than 5 lots</i> ' after the words subdivisional potential. Modify 7) d) by deleting ' <i>and associated buffer. The approval of residential land uses within the buffer is dependent upon the longer term relocation of the infrastructure.</i> ' In 9) a) and b) delete ' <i>D</i> ' before the word discretionary. In 9) c) delete ' <i>as 'D/X1''</i> ' before the word discretionary.	To ensure consistency with LPS 4. To ensure consistency with LPS 4 proposed modifications. To ensure consistency with LPS 4. To ensure consistency with LPS 4.	N/A
96.	145	5.2.2.2 Existing Industry Area 2 Planning Considerations	In 5) add ' <i>for less than 5 lots</i> ' after the words subdivision potential. In 6) d) i) and ii) delete ' <i>D</i> ' before the word 'discretionary'	To ensure consistency with LPS 4. To ensure consistency with LPS 4.	N/A
97.	145	5.2.2.3 Existing Industry Area 2	Modify a) and b) by substituting ' <i>Public Open Space</i> ' with ' <i>Public Purpose reserve</i> '	To ensure consistency with LPS 4.	N/A
98.	147	5.2.3.3 Action Statements	In b) delete ' <i>and the 'Development Investigation Area' to be rezoned 'Special Use – Caravan Park and Camping''</i> ' In c) add ' <i>reviewed</i> ' before the word associated.	To ensure consistency with LPS 4 proposed modifications. To ensure consistency with LPS 4.	N/A
99.	147	5.2.3.3 Action Statements	Add action ' <i>Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.</i> '	To ensure development along Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
100.	147	5.2.3.3 Action Statements	Add action ' <i>Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.</i> '	To ensure vehicular access to Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
101.	149	5.2.4.3 Action Statements	Add action ' <i>Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.</i> '	To ensure development along Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
102.	149	5.2.4.3 Action Statements	Add action ' <i>Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.</i> '	To ensure vehicular access to Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads

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103.	151	5.2.5.2 Existing Industry Area 5 Planning Considerations	In 4) c) substitute <i>'public open space buffer'</i> with <i>'Special Control Area'</i>	To ensure consistency with LPS 4.	N/A
104.	151	5.2.5.3 Action Statements	In c) add <i>'where 5 or more lots are proposed'</i> after the words structure plans.	To ensure consistency with LPS 4.	N/A
105.	151	5.2.5.3 Action Statements	Add action <i>'Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.'</i>	To ensure development along Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
106.	151	5.2.5.3 Action Statements	Add action <i>'Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.'</i>	To ensure vehicular access to Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
107.	153	5.2.6.2 Existing Industry Area 6 Planning Considerations	In 5) delete 'e) <i>The timing of the construction of a jetty, with approval to coincide with the completion of the primary building on the site.'</i>	To ensure consistency with LPS 4 proposed modification.	N/A
108.	156	5.3.1.2 Future Industry Area 1 Planning Considerations	At the end of 4) add <i>'where 5 or more lots are proposed.'</i> Modify: <ul style="list-style-type: none"> • '6)' to 'd)' • '7)' to 'e)' • '8)' to 'f)' 	To ensure consistency with LPS 4. Improved grammar.	N/A
109.	156	5.3.1.3 Action Statements	At the end of c) add <i>'where 5 or more lots are proposed.'</i> In f) delete 'D' before the word discretionary.	To ensure consistency with LPS 4.	N/A
110.	158	5.3.2.3 Action Statements	Modify c) by substituting existing with <i>'Rezone Lot 1467 Welch Street (Exmouth Power Station) from 'Industrial' zone under TPS 3 to 'Light Industry' zone in LPS 4.'</i>	Lot 1467 Welch St is currently zoned 'Industrial' in TPS 3. Zoning lot 1467 Welch St 'Light Industry' in LPS 4 removes any possible claim for injurious affection. Including the lot in the 'Light industry' zone also removes the requirement for a scheme amendment in the future when the power station is relocated. To ensure consistency with LPS 4 proposed modification.	N/A
111.	158	5.3.2.3 Action Statements	Modify e) by adding <i>'where 5 or more lots are proposed'</i> after the words structure plans.	To ensure consistency with LPS 4.	N/A
112.	159	5.3.2.3 Action Statements	Modify f) by deleting <i>'Include the Lot 1467 Welch Street within the 'Light Industry' zone under LPS 4 upon the relocation of the Exmouth Power Station.'</i>	Lot 1467 Welch St is currently zoned 'Industrial' in TPS 3. Zoning lot 1467 Welch St 'Light Industry' in LPS 4 removes any possible claim for injurious affection. Including the lot in the 'Light industry' zone also removes the requirement for a scheme amendment in the future when the power station is relocated. To ensure consistency with LPS 4 proposed modification.	N/A
113.	159	5.3.2.3 Action Statements	Modify g) substituting <i>'a I discretionary'</i> with <i>'an incidental'</i>	Improved grammar.	N/A

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114.	159	5.3.2.3 Action Statements	In h) delete 'D' before the word 'discretionary'	To ensure consistency with LPS 4.	N/A
115.	161	5.3.3.3 Action Statements	At the end of c) add 'where 5 or more lots are proposed.' Delete 'e) Require future structure plans to address the planning considerations detailed above.'	To ensure consistency with LPS 4.	N/A
116.	161	5.3.3.3 Action Statements	Add action 'Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.'	To ensure development along Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
117.	161	5.3.3.3 Action Statements	Add action 'Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.'	To ensure vehicular access to Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
118.	163	5.3.4.3 Future Industry Area 4	Modify c) substituting 'General Industry' with 'Industrial Development'	To ensure consistency with LPS 4.	N/A
119.	163	5.3.4.3 Action Statements	At the end of c) add 'where 5 or more lots are proposed.'	To ensure consistency with LPS 4.	N/A
120.	163	5.3.4.3 Action Statements	Add action 'Where considered necessary a Transport Impact Statement or Assessment may be required in accordance with WAPC guidelines.'	To ensure development along Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
121.	163	5.3.4.3 Action Statements	Add action 'Vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.'	To ensure vehicular access to Minilya-Exmouth road does not conflict with Main Road requirements.	11. Main Roads
122.	165	6. Tourism	Substitute 'Wilderness Camping Investigation Areas Investigation Area in which nature based camping and/or eco-tourism facilities may be permitted.' with 'Nature Based Park' as heading.	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife
123.	167	6.1.1 Area Descriptions	Substitute 'Wilderness Camping' with 'Nature Based Park'	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife
124.	168	6.1.2 Planning Considerations	Modify 6) by deleting 'and nominated investigation areas adjacent to Exmouth Gulf'	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife
125.	169	6.1.3 Action Statements	In a) substitute 'Wilderness Camping' with 'Nature Based Camping'	To ensure consistency with LPS 4.	N/A
126.	169	6.1.3 Action Statements	Modify b) substituting 'Rezone land zoned Tourist within TPS 3 to Tourism zone under LPS 4.' with 'Rezone land zoned Tourist within TPS 3 to Tourism zone or Special Use – Caravan and Camping under LPS 4.'	To ensure consistency with LPS 4. Not all land currently zoned 'Tourist' in TPS 3 is proposed be 'Tourism' in LPS 4. Land currently zoned 'Tourist' in TPS 3 is proposed to be zoned 'Tourism' zone or 'Special Use – Caravan and Camping' in LPS 4.	N/A

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127.	169	6.1.3 Action Statements	Delete action c)	To ensure consistency with LPS 4.	N/A
128.	169	6.1.3 Action Statements	In e) ii) substitute 'Exclude' with 'Control' and delete 'by introducing Residential Land Uses within the Zoning Table as 'X' uses, not permitted within the zone.'	To ensure consistency with LPS 4 proposed modification.	N/A
129.	169	6.1.3 Action Statements	Modify f) substituting 'Holiday Accommodation' with 'Holiday House'	To ensure consistency with LPS 4. The term holiday accommodation relates to grouped dwelling not a single house. The classification of this use also varies depending on the zone and sub-precinct with that zone. The Local Planning Policy is intended to be revoked following incorporation of relevant provisions into LPS 4.	N/A
130.	169	6.1.3 Action Statements	Modify i) substituting 'Foreshore reserve' with 'Environmental Conservation reserve'	To ensure consistency with LPS 4.	N/A
131.	169	6.1.3 Action Statements	Add 'k) Rezone land zoned 'Public Open Space' at the rear of Lot 6 Yardie Creek road within TPS 3 to 'Special Use' use under LPS 4.' Add 'l) Rezone land zoned 'Special Use' (Lot 319 Yardie Creek road) to "Rural" zone under LPS 4.'	To ensure consistency with LPS 4 proposed modification.	N/A
132.	171	6.2 Future Tourism	<ul style="list-style-type: none"> In paragraph 1 substitute 'Areas 1 to 15' with 'Areas 1 to 12' In paragraph 1 substitute 'Wilderness Camping Investigation Area.' with 'Nature Based Camping.' In paragraph 4 delete the word 'no' and substitute 'be permitted' with 'restricted' Delete paragraph 5 'Areas 13 to 15 focus on future tourism activity on the Pastoral Stations of Bullara and Exmouth Gulf. These areas have been identified as Nature Based Camping Investigation Areas.' In paragraph 5 substitute 'The use' with 'Nature Based Camping' 	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife
133.	173	6.2.1.2 Future Tourism Areas 1 and 2 Planning Considerations	In 6) delete 'rezoning proposals and' In 6) g) delete 'and associated buffer.' and delete 'The approval of short stay accommodation (sensitive land use) within the buffer is dependent upon the longer term relocation of the infrastructure.'	To ensure consistency with LPS 4.	N/A
134.	173	6.2.1.3 Action Statements	Modify b) substituting 'Rural zone' with 'Tourism zone'.	To ensure consistency with LPS 4. Future Tourism Areas 1 & 2 are proposed to be zoned Tourism in LPS 4.	N/A
135.	177	6.2.3.2 Future Tourism Area 5 Planning Considerations	In 4) d) delete 'and associated buffer. The approval of short stay accommodation (sensitive land use) within the buffer is dependent upon the longer term relocation of the infrastructure.'	To ensure consistency with LPS 4 proposed modification.	N/A

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136.	181	6.2.5.3 Action Statements	In b) add the word 'reviewed' after the word insert.	To ensure consistency with LPS 4.	N/A
137.	183	6.2.6.3 Action Statements	In b) substitute 'Urban Development' with 'Tourism'	To ensure consistency with LPS 4 proposed modification.	N/A
138.	185	6.2.7.2 Future Tourism Areas 11 and 12 Planning Considerations	In 10) c) delete 'and associated buffer. The approval of short stay accommodation (sensitive land use) within the buffer is dependent upon the longer term relocation of the infrastructure.'	To ensure consistency with LPS 4 proposed modification.	N/A
139.	186	6.2.8 Future Tourism Areas 13 to 15 – Nature Based Park Investigation Areas	<ul style="list-style-type: none"> Delete 'Future Tourism Areas 13 to 15' from the heading. In Location and Site Description substitute existing with 'Giralia Station, Exmouth Gulf Station, Bullara Station and Ningaloo Station' Delete all of the site description. Modify the site plan by deleting all numbers from the plan. Modify text under the site plan by deleting 'Investigation Areas 13 to 15' 	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife
140.	187	6.2.8.2 Future Tourism Areas 13 to 15 Planning Considerations	<ul style="list-style-type: none"> In the heading substitute 'Future Tourism Areas 13 to 15' with 'Nature Based Park' Delete 1) In 3) substitute 'on the Exmouth Gulf Pastoral Station (Areas 13 and 14) and Bullara Pastoral Station (Area 15)' with 'on a pastoral station' Modify all numbering accordingly. 	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife
141.	187	6.2.8.3 Action Statements	Delete 'a) The LPS identifies the land for 'Future Tourism' – Nature Based Camping Investigation Areas.'	As there may be Environmental Issues with the sites identified for nature based camping in the Local Planning Strategy. The location/s of nature based camping will be subject to a number of investigations.	16. Department of Parks and Wildlife
142.	187	6.2.8.3 Tourism Action Statements	Modify c) substituting 'D Discretionary' with 'A Advertising'.	To ensure consistency with LPS 4. Nature Based Park is classified as an A use in LPS 4 due to the contentious nature of the land use.	N/A
143.	196	7.3.3 Action Statements	In c) substitute 'D Discretionary' with 'permitted'	To ensure consistency with LPS 4 proposed modification.	N/A
144.	200	7.5.2 Town Centre Precinct 4 Planning Considerations	<p>Add '7) The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:</p> <ul style="list-style-type: none"> a) Proposed development has adequate protection from a 100 year ARI flood; and b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.' 	To ensure consistency within the strategy and with LPS 4.	13. Department of Water

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145.	200	7.5.3 Action Statements	Modify d) substituting ' <i>I Discretionary</i> ' with ' <i>I Incidental</i> '	To ensure consistency with LPS 4.	N/A
146.	202	7.6.2 Town Centre Precinct 5 Planning Considerations	Add '5) <i>The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:</i> a) <i>Proposed development has adequate protection from a 100 year ARI flood; and</i> b) <i>Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.'</i>	To ensure consistency within the strategy and with LPS 4.	13. Department of Water
147.	205	8.1.1 Action Statements	Modify j) substituting ' <i>Foreshore reserve under LPS4</i> ' with ' <i>Public Open Space reserve in LPS 4.</i> '	To ensure consistency with LPS 4. Foreshore reserve does not exist in LPS 4.	N/A
148.	208	9.1 Planning Considerations	At end of point 2. add ' <i>Appropriate areas should be identified in collaboration with Parks and Wildlife and should avoid turtle nesting season given that the foreshores of Jurabi Coastal Park provide an important habitat and relatively undisturbed nesting areas for three species of marine turtles. Additional camping areas within Jurabi Coastal Park should be managed for open access to the public.'</i>	In response to submission. Provides some of the – planning considerations in relation to camping sites within the Jurabi Coastal Park.	16. Department of Parks and Wildlife
149.	208	9.1 Planning Considerations	Modify point 4. Exmouth Water Reserve substituting ' <i>Department of Water's Water Reserve Protection Report No 122, the Reserve is managed as a Priority 1 Area</i> ' with ' <i>Department of Water's, Exmouth Water Reserve Drinking waters source protection report no.122 (2011), the Exmouth Water Reserve is managed as a Priority 1 Area</i> '	Improved grammar.	13. Department of Water
150.	208	9.1 Planning Considerations	Add at end of point 10. ' <i>Any land use proposal shall be referred to the relevant Environmental Authority.'</i>	In response to submission. Ensures appropriate referral is undertaken.	16. Department of Parks and Wildlife
151.	209	9.1.1 Action Statements	Modify b) iii) substituting ' <i>Foreshore reserve</i> ' with ' <i>Environmental Conservation reserve</i> '	To ensure consistency with LPS 4.	N/A
152.	211	10.1 Planning Issues	In point 3. add ' <i>DPaW</i> ' after the words pastoral leaseholders.	To ensure DPaW are involved in decisions regarding diversification of use on pastoral stations.	N/A
153.	211	10.1.2 Action Statements	Modify b) by adding ' <i>the majority of</i> ' after the word ' <i>Include</i> ' and add the word ' <i>reviewed</i> ' after the word associated.	Not all land zoned 'Pastoral' in TPS 3 is proposed to be zoned 'Rural' in LPS 4, it is the majority of land. To ensure consistency with LPS 4. The provisions included in LPS 4 are not exactly the same as current TPS 3.	N/A
154.	211	10.1.2 Action Statements	Modify e) by substituting ' <i>- Dictionary of Defined Words and Expressions</i> ' with ' <i>of LPS 4</i> '	To ensure consistency with LPS 4.	N/A
155.	213	11.1 Planning Issues	Modify 2. by deleting ' <i>, particularly in achieving the requirement for development to be setback 100m from Minilya-Exmouth Road.'</i>	The 100m Minilya-Exmouth road provision is not a required setback it is a Special Control Area, where development may occur subject to meeting specific criteria. To ensure consistency with LPS 4.	N/A
156.	213	11.1.1 Action Statement	Delete a)	As subdivision cannot be supported in the underlying 'Rural' zone. To ensure consistency with LPS 4.	N/A
157.	215	11.2.2 Existing Restricted	Modify 4) substituting existing with ' <i>In consultation with the Department of Lands, the further creation of 1ha to</i>	As subdivision cannot be supported in the underlying 'Rural' zone. To ensure consistency with LPS 4.	N/A

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		Rural Planning Considerations	<i>2ha Crown lot lease areas. This would enable approximately 35 lots to be leased for grazing purposes.'</i>		
158.	217	11.3.2 Future Restricted Rural Planning Considerations	<p>Modify 4) substituting existing with '<i>In consultation with the Department of Lands, the further creation of 1ha to 2ha Crown lot lease areas. This would enable land to be leased for grazing purposes.'</i></p> <p>In 6) a) substitute '<i>development setback to Minilya-Exmouth Road.'</i> with '<i>Special Control Area.'</i></p>	As subdivision cannot be supported in the underlying 'Rural' zone. To ensure consistency with LPS 4.	N/A
159.	220	12.1 Planning Considerations	Delete ' <i>V7 Proposed Neighbourhood Connector Road between Reid and Learmonth Street – The LPS acknowledges the importance of providing a connection between Reid and Learmonth Street as a secondary east-west support system to Nimitz Street in the form of a proposed Neighbourhood Connector Road. The LPS requires the approved ODP to be reviewed to accommodate the proposed Neighbourhood Connector Road, noting that infrastructure upgrades will also be required to cross the existing north-south POS/drainage reservation.'</i>	To ensure consistency with LPS 4 proposed modification to address submitters concern.	N/A
160.	222	12.1.1 Action Statements	<p>Modify c) deleting '<i>District Distributor Road</i>'</p> <p>Modify d) substituting '<i>and District Distributor Road reserves respectively</i>' with '<i>reserve</i>'</p> <p>Modify f) deleting '<i>and Reid Street with Learmonth Street</i>'</p>	<p>To ensure consistency with LPS 4.</p> <p>To ensure consistency with LPS 4.</p> <p>To ensure consistency with LPS 4 proposed modification to address submitters concern.</p>	N/A
161.	225	13.1 Planning Considerations	<p>In the first sentence substitute 'six' with 'five'.</p> <p>In the second sentence delete 'existing and'</p> <p>Delete all of point 3)</p>	To ensure consistency with LPS 4 proposed amendment to delete WWTP SCA.	N/A
162.	225	13.1 Planning Considerations	Modify by deleting from point 1) ' <i>Only the floodplain defined in detail by SKM (2007) using hydraulic modelling will be used to define the Special Control Area for Floodplains within LPS 4.'</i>	Recommended to ensure Hyd2O Exmouth South Flood Study Major Creeks report is taken into consideration in making planning decisions. To ensure consistency with LPS 4 proposed modification.	13. Department of Water
163.	225	13.1 Planning Considerations	Modify point 2) by substituting ' <i>is managed as a P1 source protection area by the Department of Water due to the unconfined and karstic nature of the water source.'</i> with ' <i>is managed as a P1 source protection area by the Department of Water. Due to the unconfined and karstic nature of the water source it is vulnerable to contamination from above ground land uses.'</i>	Improved grammar.	13. Department of Water
164.	226	13.1 Planning Considerations	In 8) substitute the word ' <i>setback</i> ' with ' <i>visual landscape protection corridor</i> '	To ensure consistency with the Ningaloo Coast Regional Strategy Carnarvon to Exmouth and LPS 4 proposed modification.	N/A
165.	227	13.1 Planning Considerations	<p>In 8) paragraph 3 delete the words:</p> <ul style="list-style-type: none"> • '<i>setback area as a</i>' • '<i>in which the removal of remnant native vegetation will not be supported and no new</i> 	To ensure consistency with the Ningaloo Coast Regional Strategy Carnarvon to Exmouth and LPS 4 proposed modification.	N/A

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			<i>development permitted other than rural fencing. The 100m setback is to be measured from the reserve boundary of the road.'</i>		
166.	227	13.1.1 Action Statements	<p>Delete 'b) Include the existing WWTP and associated 500m odour buffer as a Special Control Area within LPS 4 requiring any development proposed within the buffer to be approved by the local government upon receiving advice from the EPA and Water Corporation.'</p> <p>Modify i) delete 'within LPS 4'</p> <p>Modify j) substitute 'LPS 4' with 'a local planning scheme'</p>	<p>To ensure consistency with LPS 4 proposed modification.</p> <p>The ensure consistency with LPS 4.</p> <p>To ensure consistency with LPS 4.</p>	N/A

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Schedule of Submissions - Shire of Exmouth Local Planning Strategy (Revision 7)

Submission Number	Address of Affected Property (if applicable)	How Interests are Affected (private citizen, on behalf of, owner, occupier)	Submitters Comment/s	Officers Comment/s
1.	N/A	Gascoyne Development Commission	<p>Thank you for the opportunity to comment on the draft Exmouth Town Planning Scheme No. 4 (TPS) and Local Planning Strategy No. 1 (LPS).</p> <p>The GDC as part of its charter is tasked with economic and social development of the Gascoyne region, and supporting the draft TPS and LPS which successfully integrates and balances economic, social and environmental needs of the community is part of this process.</p> <p>The draft TPS and LPS is a strong and robust planning instrument which aligns with the vision and aspirations of the Gascoyne Regional Investment Blueprint (Blueprint).</p> <p>The proposed amendments will ensure active and vibrant meeting places, diversification, development opportunities and considers growth estimates; including future demands on infrastructure and services. These amendments are consistent with Blueprint Transformational Pillars, Developing Industries and Market's, Improving Regional Accessibility and Connectivity and Enhancing Health and Lifestyle.</p> <p>For further support, please contact myself or Odile May, Exmouth Project Officer on 9949 2090 or email odile.may@gdc.wa.gov.au</p> <p>I wish the Shire well in finalising this important planning instrument.</p>	<p>The submitter's comments generally support the proposed Local Planning Strategy. No specific changes have been requested to the proposed Local Planning Strategy. The submitter's comments are <u>noted</u>.</p>
				<p>Summary of Submission 1.</p> <ul style="list-style-type: none"> Gascoyne Development Commission has provided general support for the proposed Local Planning Strategy. No changes proposed to Local Planning Strategy.
2.	N/A	Department of Health WA	<p>Thank you for your invitation to attend the community consultation sessions.</p> <p>I will not be able to attend however I have attached some documents that may be of assistance and should be considered where appropriate.</p> <p>If there is any further assistance I can provide, please let me know.</p> <p>I wish you a successful consultation process.</p> <p><i>Enclosed were the following brochures:-</i></p> <ul style="list-style-type: none"> <i>Risky Business: A resource to help local governments manage environmental health risks (November 2012)</i> <i>Industrial estates, precincts and industrial developments Scoping Tool: Public Health Considerations (2016)</i> <i>Evidence supporting the creation of environments that encourage healthy active living (2014)</i> <i>Guidelines for Separation of Agricultural and Residential Land Uses: Establishment of Buffer Areas (August 2012)</i> 	<p>The submitter has provided a number of brochures relating to creating healthy environments. No specific changes have been requested to the proposed Local Planning Strategy. The submitter's comments are <u>noted</u>.</p>
				<p>Summary of Submission 2.</p> <ul style="list-style-type: none"> Department of Health have provided a number of brochures relating to creating healthy environments. No specific changes have been requested to the proposed Local Planning Strategy. No changes proposed to Local Planning Strategy.

3.	N/A	Department of Education WA	<p>Thank you for your letter dated 2 June 2016 regarding the proposed Local Planning Scheme Number 4 and Local Planning Strategy Number 1.</p> <p>The Department of Education has reviewed the proposal and makes the following comments:</p> <ul style="list-style-type: none"> It is noted that there is a substantial increase to the residential zoning within the Exmouth town centre and of those some areas are identified for long term residential development. As structure planning progresses the Department would welcome further information on the dwelling yield and its type to assist in the analysis of possible student yields and in turn assess the impact on the existing education facilities. <p>There is no objection to the proposed planning scheme and strategy.</p>	<p>Section 2.5.1 Education of the proposed Local Planning Strategy states that the school is currently not at capacity, and that the Department of Education has advised that an additional primary school site would be required in the event that an additional 1,500 lots are developed within the townsite. Future structure plans are likely to involve significant public consultation. Planning consideration 4) l) for Future Residential Area 5 also states that in assessing a structure plan the local government will have regard to provision of a future 4ha primary school site in consultation with the Department of Education and Council. The submitter's comments are <u>noted</u>.</p>
				<p>Summary of Submission 3.</p> <ul style="list-style-type: none"> Department of Education welcomes further information on dwelling yield and its type to assist in the analysis of impacts on educational facilities. No changes proposed to Local Planning Strategy.
4.	N/A	Department of Water WA	<p>Thank you for the invitation to your Community Consultation Sessions (15/6, 22/6, 21/7, 10/8 & 17/8) regarding your Shire's Local Planning Scheme No. 4 and Local Planning Strategy No. 1 but I will not be able to attend.</p> <p>As flooding is a major issue that constrains development in Exmouth, the following guiding principles are used by the Department of Water to ensure proposed development in floodprone areas is acceptable with regard to major flooding:</p> <ul style="list-style-type: none"> proposed development has adequate flood protection from a 1 in 100 AEP flood proposed development does not detrimentally impact on the existing 1 in 100 AEP flooding regime of the general area. 	<p>The proposed Local Planning Strategy spatial plans indicate the Watercourse Floodplain High Hazard and Watercourse Floodplain Low Hazard within the Exmouth Townsite. The proposed Local Planning Strategy spatial plans indicate the estimated 100 year floodplain of major creeks south of the Exmouth Townsite to Learmonth Airport. Section 2.1.10 Planning Implication dot point 3 states that the hydraulic and hydrological modelling undertaken for the Exmouth Townsite and south to Learmonth indicates that development will need to have regard to the flood regimes in the locality. The recommendations within the <i>Exmouth Floodplain Management Strategy</i> (SKM, 2007) and the <i>Exmouth Hydrological Study</i> (Hyd2o, 2014) should be considered in relation to any proposed use or development of land, including subdivision. The submitters comment is <u>noted</u>.</p>
				<p>Summary of Submission 4.</p> <ul style="list-style-type: none"> Department of Water advises that flooding is a major issue in Exmouth, therefore development is to have adequate protection from 1 in 100 year levels, and development is to not detrimentally impact on existing 1 in 100 year levels. The Local Planning Strategy identifies the high and low hazard floodplains. Development is to be given due regard against the Local Planning Strategy. No changes proposed to Local Planning Strategy.
5.	In the bush NNW RAAF Learmonth WWII War Cemetery	Private Citizen (Suzanne McHutchison)	<p>The War Cemetery at Learmonth does not appear on any of the present plans of the area. There is still one grave in the cemetery which is surrounded by a broken down fence.</p> <p>Linda Lefroy (formerly of Exmouth Station) used to look after the grave. Executive Manager Building Services Mr. Keith Woodward along with myself & Linda visited the site in 2015. Whilst the site is sensitive in as much as there is a ceramic cross on the grave which could be easily taken, I feel the site should appear on our maps.</p>	<p>Non-aboriginal heritage is discussed in section 2.1.9.1 of the proposed Local Planning Strategy, which states the register of heritage places is maintained by the State Heritage Office, of which there are 40 places of local, state, national or international significance within the Shire of Exmouth. Built heritage within Exmouth is recorded in the Shire's Municipal Inventory produced in 1998. The State Heritage Act 1990 requires that a municipal inventory be updated annually and reviewed every four years. The submitters referred Learmonth War Cemetery does not appear in the Shire's municipal inventory nor does it appear in the proposed Local Planning Strategy or Terra Rosa CRM (2014) report. The last dot point under planning implication 2.1.10 states that the Shires municipal inventory is in need of review which will provide the opportunity to consider adding or removing places or locations. Action statement 9.1.1 d) states '<i>Budget for the Shire's Municipal Inventory to be updated to meet the legislative requirements of the State Heritage Act 1990.</i>' Therefore the addition or removal of heritage locations, including the submitters referred Learmonth War Cemetery will be considered as part of detailed investigation when the Shires municipal inventory is reviewed and updated to meet the legislative requirements of the State Heritage Act 1990. The submitters comment is <u>noted</u>.</p>

				Summary of Submission 5. <ul style="list-style-type: none"> The submitter advises that there is a war cemetery at Learmonth which has not been identified in the Local Planning Strategy. The Local Planning Strategy includes an action to review the Shires Municipal Heritage Inventory. The submitter's referred war cemetery at Learmonth can be considered when the Shires Municipal Heritage Inventory is reviewed. No changes proposed to Local Planning Strategy.
6.	10/11 Tambor Drive, Exmouth	Private Citizen (Michael John Cadd)	<p>As you well know, we have very important Oil & Gas Infrastructure (e.g. FPSOs) along our fragile coastline waters that generate jobs & prosperity for all of use, but there are risks with such operations. Eva & I are very happy with the Oil & Gas operations located in our NW region, but we would also like to see Pro-Active & long-term use of the new est. \$29.5 mil Ningaloo Centre Science & Industry facility for ensuring the rapid local response to any hydrocarbon spill incidents regarding water quality monitoring on the reefs & coastal onshore environment. An incident if not tackled in a rapid & focused manner would long term financially impact our town & its reputation as an internationally would heritage fringe reef listed & environmentally responsible community. I have personally been impacted by oil spills such as the Gulf of Mexico post hurricane Katrina, where my employment with a satellite telecommunications service provider was impacted from this region while I was working for a USA based NYSE Company. So I'm acutely aware of how hydrocarbon spills can & have decimated communities (& even global corporations financially), infrastructure (e.g. fishing) & jobs, not at least to say to the natural environment for our children's inheritance. Think of our last spill in the Kimberly region waters not so long ago! <i>It can & does happen.</i></p> <p>My wife & I think this initiative could be vitally important to Exmouth & the wider Australian community. Independent of other Australia wide government & company strategies by providing a local homegrown facility for this vital overall (i.e. any water quality issue impacted by any source whether it be O&G industry or commercial fishing or recreation boating or other toxic chemical &/or hydrocarbon spill source), hence our submission. If not an O&G industry incident, even a boating miss-hap or other water asset incident impacting on water quality can be monitored with current technology for fuel tank spills or toxin leaks, health of coral spawning etc can be utilized employing such as facility as the Ningaloo Centre for spills.</p> <p>Eve & I think RAPID deployment of SPILL kits (i.e. mop-up tools) in a hydrocarbon spill emergency <u>plus</u> enduring 24/7 real-time water monitoring is the key to mitigate hydrocarbon slow leak incidents & major spills along our sensitive coastal waters. Detecting any hydrocarbon leaks is vital at ALL times, and independently of oil operations with local redundant & deterministic backup.</p> <p>My wife & I don't particularly care who administers, &/or operates or what local timely detection & spill mop-up systems are in place to provide 24/7 near real-time redundant monitoring and hydrocarbon spill mitigation, but we think we need this facility to ensure the future of our world heritage listed beautiful region of WA. We are all indeed very fortunate to have such a beautiful healthy coastal region. The Ningaloo Centre makes perfect sense to us to provide such as facility. We owe it to ourselves and our children. We don't want to see our reef going the way of the Great Barrier Reef, which is now suffering badly from our impact. Let us do our best to keep our reef world heritage. I speak to divers & marine scientists who dive on reefs all over this planet. They tell me we have a very healthy Ningaloo reef with important fish species abundant when comparing/reference to current world standards in reef resources, so let us try, by whatever practical means we have at our disposal, to keep it in this condition, as much as is practicable and achievable that is.</p> <p>Enduring monitoring kits held in storage & deployed as a background monitoring for leaks from Vessels, boats (recreational & fishing) via hydrocarbon detection</p>	The health, monitoring and clean-up of reefs are not determined by the proposed Local Planning Strategy. The submitter's comment is <u>noted.</u>

			<p>systems & infrastructure located at the new Ningaloo Centre Science could give this facility a high profile in the Integrated Marine Observation Service (IMOS) across Australia. NOTE: Current latency of up to 48hrs for kits shipped from Fremantle or the east coast of Australia with inherent lost vital time in determining water column drifts current patterns, tidal currents & spill mop-up time with estimated reef impact assessment during this period).</p> <p>We think this initiative a vital imperative, as an oil spill has already occurred in our West Australian, Kimberly waters in recent decades along with shipping/boating accidents releasing hydrocarbons & other chemical toxins into the waters off our coast & polluting or pristine coastline...and can occur at any time. Apart from Boat traffic on the reef(s), which is growing year by year (i.e. commercial shipping, fishing boats & recreational boating plus other light craft), we think a system for monitoring water quality via small inexpensive drift or fixed buoys c/w sensors & satellite communications &/or mobile network with very low volume inexpensive data rates placed in the water maybe a relatively inexpensive insurance for the long-term health of our coastline & reefs. For the O&G industry (i.e. SPSO Ops etc) operations, enduring IMOS/WAIMOS/UWA collaboration with the Exmouth Shire Ningaloo Centre Science facility for water quality monitoring with locally housed RAPID deployment spill kit 'tools' are vital to both keep watch on any changes to water column base line (i.e. water quality reference) measurements & timely action (i.e. Mop-ups) to mitigate impaired water quality & larger hydrocarbon/toxin spills.</p> <p>The Ningaloo Centre could be a vital 'TOOL' in enduring 24/7 monitoring a rapid response to any environmental impact incident in our beautiful pristine region of not only WA, but the globe. Time is a vital resource in any incident involving hydrocarbon & other toxic spills and/or leaks in our sensitive pristine marine environment.</p> <p>Thank you for inviting us to comment to the Exmouth Shire Local Planning Strategy #1 & Scheme #4. We appreciate you listening to our concerns & what we think is the best 'sense of direction' for the Shire's initiatives.</p> <p>All the best for this planning initiative.</p>	
				<p>Summary of Submission 6.</p> <ul style="list-style-type: none"> The submitter has provided information on facilities and systems that could be used for the monitoring of, and the clean-up of spills in coastal reefs. The health, monitoring and clean-up of coastal reefs is not determined by the proposed Local Planning Strategy. No changes proposed to Local Planning Strategy.
7.	N/A	Department of Environment Regulation	<p>I refer to the correspondence dated 2 June inviting comment from the Department of Environment Regulation (DER) on Shire's new Local Planning Scheme and Local Planning Strategy.</p> <p>DER has no comment on the proposed Planning Scheme or Planning Strategy. Where required, DER will provide input at subsequent stages of planning in reference to the Department's regulatory responsibilities under the Environmental Protection Act 1986 or Contaminated Sites Act 2003.</p> <p>The title of the Clearing Regulations referred to in 5.7.2 (b)(vi) is the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.</p> <p>Should you have any enquiries, please contact Teresa Gepp, DER's Planning and Advice Coordinator, on 6467 5383.</p>	<p>The submitter's comments generally support the proposed Local Planning Strategy. No specific changes have been requested to the proposed Local Planning Strategy. The submitter's comments are <u>noted</u>.</p>
				<p>Summary of Submission 7.</p> <ul style="list-style-type: none"> Department of Environment Regulation has provided general support for the proposed Local Planning Strategy.

				<ul style="list-style-type: none"> No changes proposed to Local Planning Strategy.
8.	Lot 301 Minilya-Exmouth Road (Rubbish Tip Rd)	Private Citizen (Phil Davies)	I went to the environment meeting at the Shire Hall on the 10/8/16 and nothing was mentioned about relocating the Exmouth Rubbish Tip although it has been mentioned to be moved north of town. The planning officer informed me that a new site has not been picked out or considered. Wouldn't it be a good idea to choose a new site now, while the local planning strategy is in draft form.	The local planning strategy states at page 91 that the current landfill site is not at capacity and meets the needs of the Exmouth townsite within the life of the proposed local planning strategy, however the facility may need to be relocated in the longer term. Subject to available cover material, the landfill site has at least another 20 years in its current location. The landfill site would have a further 20 years should cover material be able to be economically imported to the site. Planning for a new landfill site would generally begin 10 years prior to the projected closure of an existing site. Therefore the identification a new landfill site is beyond the scope of the proposed local planning strategy, and would be subject to further detailed investigation. There may be need to identify a new landfill site beyond the scope of the proposed Local Planning Strategy. The submitters comment is <u>noted.</u>
			The current Rubbish Tip is an eyesore and is on the main road into town. Rubbish Tip smells and is effecting nearby residents. It abuts the town water reserve. It is moving closer to Minilya-Exmouth Rd. It is right next to a creek which floods into the Exmouth Gulf after heavy rain. There are now houses less than 2kms away from tip site!	<p>The landfill site is within proximity of Minilya Exmouth Road and therefore subject to the Minilya-Exmouth Road Special Control Area in proposed Local Planning Scheme 4 which aims to protect the natural environment and landscape features, maintain views of the Cape Range, and rural lands, and ensure development does not compromise the visual experience within 100 metres on either side of Minilya Exmouth Road. This is considered to adequately protect visual amenity from Minilya-Exmouth road.</p> <p>The landfill site does not directly abut the town water reserve, it is sited approximately 420 metres to the east of Reserve 34055 which is managed by Water Corporation and even further to the P1 reserve. The Hyd2O Exmouth South Flood Study of Major Creeks report prepared as part of the proposed local planning strategy identified that there is a major creek to the north of the landfill site, however no portion of the landfill fill site is within the estimated 100 year floodplain. Further the landfill site also has a Department of Environment Regulation (DER) approved Post Closure Management Plan that guides finished contour levels and ongoing monitoring of the site and ground water post closure. The landfill site is subject to regular (usually every 12-18 months) audits by DER officers. As a Registered Rural Landfill Site the Shire is under no statutory obligation to monitor ground water (GW). Notwithstanding the above, the site has a number of monitoring bores approximately 80 metres in from the eastern boundary and one control bore in the north west corner of the site. Monitoring GW has occurred regularly over the past 20 years and in recent years the Shire has stepped this up to every 12-18 months. 20 years' worth of GW monitoring data has shown no negative impact on GW.</p> <p>The submitter is correct in that the closest dwelling to the landfill site is less than 2 km away. The EPA Guidance Statement for separation distance between industrial and sensitive land uses recommends a minimum separation distance of 500 metres. There are no houses within 500 metres of the landfill site. The submitters comment is <u>noted.</u></p>
				<p>Summary of Submission 8.</p> <ul style="list-style-type: none"> The submitter is requesting that the Local Planning Strategy identify a new Rubbish Tip Site. The Local Planning Strategy identifies that the current rubbish tip is not at capacity and meets the needs of the Exmouth Townsite within the life of the proposed strategy. The submitter advises that the current rubbish tip is an eyesore, smelly effecting nearby residents, and moving closer to Minilya Exmouth Road. The location of the current rubbish tip is compliant with the EPA guidance statement for separation distance between industrial and sensitive land uses. The current rubbish tip has a (Department of Environment Regulation) post closure management plan that guides monitoring of the site. No changes proposed to Local Planning Strategy.
9.	N/A	Private Citizen (Phil Davies)	I would like to see some land made available for Mountain Biking. Currently there are no designated areas in which to ride (It would be best to have more than 1 area). These areas could include an area in town (near ovals) that local kids/community could access easily Pimp Track - Skills Park. – Also a larger area with a carpark – trail head that leads onto MTB Trails into the Range for the more adventurous. This area can have a variety of trails to suit different rider levels.	The identification of land that is available and suitable for mountain bike riding is the responsibility of individual agencies/persons/groups. One of the purposes of the Local Planning Strategy is to identify the need for further studies or investigation within the Shire to address longer term strategic planning and development issues. The identification of land suitable for mountain bike riding will be subject to detailed investigation beyond the scope of the local planning strategy.

				The Shire is currently undertaking a separate project called the Exmouth Trails Masterplan which will take into account the Local Planning Strategy and identify land that is available and suitable for mountain bike riding. The proposed local planning strategy does not make reference to preparation of the Trails Masterplan which will identify suitable mountain bike riding trails. The submitters comment is <u>partially upheld. (add action to 10.3 to prepare a Trails Masterplan) Refer proposed modification 32.</u>
				<p>Summary of Submission 9.</p> <ul style="list-style-type: none"> The submitter is requesting that land be identified in the Local Planning Strategy for mountain bike riding. The Shire is currently undertaking a separate project called the Exmouth Trails masterplan which will identify land suitable for mountain bike riding if any is available. Modification 32 proposed to Local Planning Strategy.
10.	N/A	Cape Conservation Group Inc.	<p>RE: Shire of Exmouth draft Local Planning Strategy 2015-2025 and Local Planning Scheme No. 4.</p> <p>Thank-you for the opportunity to comment on the Shire of Exmouth draft Local Planning Strategy and Scheme. This document may have more than one contributor and is not necessarily the work of the signatory below. Cape Conservation Group Inc. (CCG) was established 25 years ago. It is a volunteer group, with approximately 40 members, comprising some environmental and marine scientists and has significant local support. Our charter is to “protect and preserve the North West Cape – now and for future generations” and CCGs submission, regarding the new planning scheme and protection of environmentally significant areas within the Shire of Exmouth, has a number of contributors. The environmental significance of the North West Cape and surrounds, has been acknowledged at a State level by the Environmental Protection Authority (EPA, 1999), at a national level with National Heritage listing and at an international level with IUCN World Heritage listing. The IUCN went on to acknowledge the environmental values outside of the existing World Heritage boundary emphasizing that Exmouth Gulf be considered for future inclusion within the World Heritage boundary (IUCN, 2011). The following submission is in regards to potential environmental impacts on these environmental values.</p>	The submitters comment provides background information to the Cape Conservation Group. The submitters comment is <u>noted.</u>
			<p>Areas of Support</p> <p>It is pleasing to see the environmental values of the region acknowledged by the Shire, with obvious strategies to protect these values throughout the document, which are pleasing and generally endorsed by CCG. Of particular note is the Shire’s acknowledgement of the importance of the precautionary principle when considering coastal development approvals as per the applicable Ningaloo Coast Regional Strategy Carnarvon to Exmouth (2004). In light of this CCG recommends the Shire’s utilization of expert advice from Department of Parks and Wildlife, Ningaloo Coast World Heritage Advisory Committee, WA Environmental Protection Agency and relevant experts when considering coastal developments. CCG requests inclusion in the consultation process for these decisions as we have members with expertise in environmental and marine science together with extensive local knowledge.</p>	The submitter generally supports the proposed Local Planning Strategy in the context of recognizing Environmental Values. The submitters comment is <u>noted.</u>
			<p>CCG also supports the new zoning for “Environmental Conservation Reserves” because it simplifies the zoning and enforces protection for these areas. The voluntary inclusion of a 500m protection zone for Cameron’s Cave is to be commended and demonstrates the Shire of Exmouth’s acknowledgement of the significance the site, its protection as a critically endangered ecological community at a state level, and its vulnerability from development. CCG notes that this is part of the recommendations in the CAMERONS CAVE TROGLOBITIC COMMUNITY, CAMERONS CAVE MILLIPEDE AND CAMERONS CAVE PSEUDOSCORPION INTERIM RECOVERY PLAN 2012-2017.</p>	The submitter is providing comment on proposed Local Planning Scheme No.4, not the proposed Local Planning Strategy. The submitters comment is <u>noted.</u>

			<p>CCG notes there is land marked for future residential use directly west and north, upstream of a known floodway that travels through the reserve and we have serious concerns about the impact of residential areas on the cave system, which are downstream from these sites. Furthermore the use of private bores on these sites and adjacent to the reserve can result in upward 'coning' of saline water due to over-extraction, which is likely to have deleterious consequences on this sensitive habitat. CCG recommends continual liaison with experts regarding management and access to the area, endorsement of the recovery plan within the scheme, inclusion of support for the monitoring plan and removal of private bore access within the reserve.</p>	<p>The submitter requests that the impacts of flooding on the Camerons Cave buffer area, from areas identified for future residential north of Camerons Cave in the Local Planning Strategy be considered. The proposed Local Planning Strategy already identifies floodway impacts as a relevant planning consideration for Future Residential Area 5 and Future Residential (Long Term) Area 4. The submitters comment is <u>noted.</u></p> <p>The submitter advises that the use of private bores in areas identified for future residential north of Camerons Cave in the Local Planning Strategy will have deleterious consequences on the Camerons Cave. The Department of Water are responsible for controlling and monitoring groundwater extraction (bores) not the Shire. This matter is beyond the scope of the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>
			<p>The recommendation that Exmouth Gulf Marine waters become a protected area south of Wapet creek, and rezoning of the coastal strip from Cape Wilderness to Charles Knife Road into Public Conservation Estate, is supported by CCG.</p>	<p>The submitter is providing support for the recommendation that Exmouth Gulf Marine waters become a protected area south of Wapet creek, and for the coastal strip from Cape Wilderness to Charles Knife Road be put into a Public Conservation Estate. The submitters comment is <u>noted.</u></p>
			<p>As stated earlier, all coastal developments in this area needs to be considered using the precautionary principle including areas that may be zoned otherwise. Greater acknowledgement of the environmental significance of the Exmouth Gulf–Mangrove ecosystems, which commence south of Wapet Creek and extend to the far north-eastern corner of the Shire of Exmouth, is essential to protect its notable environmental assets such as:</p> <ul style="list-style-type: none"> • Significant population of 1000 Dugongs (Gales et al. 2004) • Protected marine turtles utilize Exmouth Gulf including the endangered Loggerhead turtle and the vulnerable Green turtle (Hodgson, 2007) • Shallow Gulf waters which are believed to be a nursery area for prawns, fish and sharks (Dept of Fisheries, 2002)• Algal mats, mangroves and shallow waters of the Gulf which are important primary producers for marine and estuarine food webs in the gulf (Lovelock, 2010) • Eastern waters of Exmouth Gulf which are listed on the directory of important wetlands (Environment Australia, 2001) • Mangroves to the eastern margins of the Gulf which are regionally significant (EPA, 2001)Mangroves are especially vulnerable to the effects of oil (Burns et al., 1993) and consideration be given to the high-risk consequences to this environment should an oil spill occur. 	<p>The submitter is requesting for greater emphasis in the proposed Local Planning Strategy on the precautionary principle for all coastal development, and greater acknowledgement of the environmental significance of the Exmouth Gulf Mangrove ecosystems, which commence south of Wapet Creek. The proposed Local Planning Strategy discusses these matters at clause 8.2 8) and 13) and 9.1 10). The Local Planning Strategy recognises that any land use proposal in the vicinity of the recommended marine protected area south of Wapet Creek should be supported by environmental investigations to ensure there is no impact on the environmental values of the locality. This is considered to be suitable for the Local Planning Strategy, addressing the concerns of the submitter. The submitters comment is <u>noted.</u></p>
			<p>CCG supports inclusion of the 40m coastal set-back commitment made by the Shire of Exmouth, along with the 100m buffer for visual amenity along Murat Road. This policy is important because Exmouth is a gateway to the World Heritage Area, and tourism relies on a positive first experience entering the area and on approach to the town.</p>	<p>The submitter provides support for the 40m coastal Conservation and Landscape Protection designation in pastoral stations, and 100m visual and landscape protection corridor along Minilya Exmouth road in the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>
			<p>Utilities and Services</p> <p>Regarding utilities and services CCG has the following comments:</p> <ul style="list-style-type: none"> • If re-siting the sewerage works the Shire gives consideration to flood ways to protect impacts on Exmouth Gulf. 	<p>The submitter requests that the Shire give consideration to the location of floodways if re-siting the waste water treatment plant (WWTP). The re-siting of sewerage works is not undertaken by the Shire of Exmouth, it will be undertaken by Water Corporation as a public work. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> • If a new Power station is built the Shire advocates for increased capacity for solar, or other renewable, energy. 	<p>The submitter is requesting that the Shire advocate for increased capacity for solar, or other renewable energy if a new power station is built. The Local Planning Strategy discusses this matter at 2.6.6, dot point 3 which states '<i>Best practice for management of the Power Station may lead to a reduced buffer, however the costs of ongoing improvements to the Power Station may be prohibitive towards providing an affordable supply of power to the townsite.</i>' Therefore advocating for increased capacity for solar, or other renewable energy in a new power station in the proposed Local Planning Strategy</p>

				is considered inappropriate as it should not be considered until such time that it allows for the provision of affordable power. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Should the waste disposal site be moved the Shire must take into consideration: <ul style="list-style-type: none"> hydrology to avoid floodways karst features to prevent leeching into underground waterways/caves visual amenity especially if the location is north of town where wind-strewn rubbish would have a negative association with the World Heritage entrance 	The submitter is requesting that the proposed Local Planning Strategy state considerations that the Shire must take into account when selecting a new waste disposal site. The proposed Local Planning Strategy does not recommend a new waste disposal site, as the existing waste disposal site is not at capacity and meets the needs of the Exmouth townsite within the life of the proposed strategy. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Flood ways – CCG strongly supports re-vegetation of Town creek flood ways to prevent erosion during rain fall events. 	The proposed Local Planning Strategy does not recommend re-vegetation of Town creek floodways. The submitters comment is <u>noted.</u>
			<p>Marine access</p> <p>Currently there are four marine access points on the eastern side of Exmouth Gulf:</p> <ul style="list-style-type: none"> Navy Pier Bundegi Boat Ramp Exmouth Marina Bay of Rest (small boat launch) 	The submitter is advising of the marine access points in the Exmouth Gulf. The submitters comment is <u>noted.</u>
			<p>In addition CCG notes:</p> <ul style="list-style-type: none"> There is environmental approval for a Barge Load-out facility for 26 shipments annually of Limestone from the Exmouth Limestone Quarry at Mowbowra Creek. Approval was granted in 1998 and the project has yet to begin construction. Privately owned land at the Kailis site has been zoned to enable a marine support facility. Recently there has been an extension to Exmouth marina to enable increased industrial use. 	<p>The submitter is advising that there is environmental approval for a barge loadout facility at Mowbowra Creek. The submitters comment is <u>noted.</u></p> <p>The submitter is referring to proposed Local Planning Scheme No.4, not the Local Planning Strategy. The submitters comment is <u>noted.</u></p> <p>The submitter does not advise whether they are referring to physical works, zoning or classification in the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>
			The impacts of shipping on marine life is becoming apparent across the world – most notably the impacts of noise on marine mammals (IFAW, 2013, Laiolo, 2010, Merchant et al. 2014). Exmouth Gulf hosts the highest density of Humpback Whales in the Southern Hemisphere, reaching 73 whales per hour at peak season (Jenner and Jenner, 2011). Humpback whales are protected as Vulnerable under the EPBC Act. During their time in Exmouth Gulf, Humpback whales are 'resting' with their calves and this is considered a critical time in their migration (Braithwaite et al., 2012). Local studies have shown that industrial vessel presence causes the whales to move away (Jenner et al., 2010), increasing energy expenditure through avoidance and using vital energy stores (Christianson, 2016, Dawbin, 1966). Whilst this might seem a 'harmless' response it is not – whales come to "rest" in Exmouth gulf (Jenner and Jenner, 2005) and extra energy use (from avoiding industrial vessels) uses up vital energy stores. It must be noted that the entire migration is undertaken without feeding enroute and thus relies on finite energy stores accumulated each summer in the Antarctic feeding grounds (Chittleborough, 1965, Dawbin, 1966). Humpback whales predominantly utilise the deeper waters on the western side of the gulf – the same waters utilised by industrial vessels (Jenner, et al. 2010).	The submitter is requesting that the proposed Local Planning Strategy recognise the impacts of shipping on marine life, particularly whales. Where development is proposed which includes a marine component the Shire can refer it EPA and any other relevant authority for comment, regardless of what is stated in the proposed Local Planning Strategy. However the proposed Local Planning Strategy does generally state referral to EPA, and any other relevant authority as a relevant planning consideration where there is the potential for the development of a marine component. The submitters comment is <u>noted.</u>
			CCG believes there is a need to take into consideration good governance and the cumulative impacts when planning - which currently enables two additional industrial use sites (Kailis and Mowbowra Creek). Should both sites be developed, as proposed zoning would enable, there would be unnecessary duplication and would result in four industrial sites: Navy Pier, Marina, Mowbowra and Kailis.	The submitter is advising that the cumulative impacts when planning for additional industrial sites needs to be considered, as stated in the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. The proposed Local Planning Strategy has not identified any new locations for industrial sites, simply the expansion of existing sites which have already been identified in other planning documents such as the Exmouth South Structure Plan. The Local Planning Strategy also discusses the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. The Submitters comment is <u>noted.</u>

			<p>As stated by the Ningaloo Coast Regional Strategy Carnarvon to Exmouth there is a need to take into consideration cumulative impacts when planning. The 30 year Ningaloo Coast Regional Strategy, adopted by the Western Australian Planning commission, states:</p> <p><i>“Development outside the townsite should complement the existing settlement and should not rely on either the duplication or unnecessary expansion of existing services and facilities (Department of Planning and Infrastructure, 2004, p. 140).</i></p> <p>There are justified concerns that an additional marine service area will be an unnecessary duplication and result in heightened cumulative environmental impacts. The Ningaloo Coast Regional Strategy also states:</p> <p><i>“(b) no applications for higher impact tourism, residential, commercial or industrial developments will be approved unless:</i></p> <ul style="list-style-type: none"> <i>(i) they are within the townsites of Carnarvon and Exmouth; and</i> <i>(ii) consistent with this policy and the relevant structure plan components of the Ningaloo coast regional strategy Carnarvon to Exmouth; and</i> <i>(iii) consistent with the applicable local planning strategy policies and objectives and town planning scheme.</i> <p><i>(c) All development proposals should be referred to the Environmental Protection Authority where there is likely to be a significant impact on the environment.”</i> (Department of Planning and Infrastructure, 2004, p. 192).</p> <p>Both the Mowbowra Creek and Kailis Learmonth site in question lie outside of the Exmouth townsite boundary. For this reason:</p> <p>CCG strongly recommends that the Shire of Exmouth Local Planning Strategy and Scheme reflect on the legislated Ningaloo Coastal Strategy 6.3 and review the proposed plans with a view to consolidating marine infrastructure in order to reduce the number of access points that cater for industrial shipping, and restrict industrial developments, such as industrial marine facilities, that may have a significant impact on the environment as directed by the Ningaloo Coast Regional Strategy Carnarvon to Exmouth.</p>	<p>Refer comment above.</p> <p>Refer comment above.</p>
			<p>Regarding access for recreational boating CCG recommends that no additional access points be made available. Exmouth Marina and Bundegi Boat ramp are the two primary access points for recreational boats to Exmouth Gulf, and additional primary access to the west coast is available at Tandibiddi. Both the Bundegi and Tandibiddi boat ramps have been recently upgraded to enable a greater number of boats to use them. The Department of Fisheries (2015) state that recreational fishing levels of the top recreational fish target, the Spangled Emperor, are already “unacceptable” in the North Gascoyne, north of Point Maud, and “exceeds sustainable levels”. Fishing is a major tourism drawcard and significantly contributes to the economy and is a popular activity for residents. For this reason, CCG feels it would be prudent for the Shire to incorporate a strategy enable sustainability of the resource and continuance of this activity into the future.</p>	<p>The submitter is requesting that no additional boat ramps be made available. The proposed Local Planning Strategy does not identify any new site/s for an additional boat ramp. The submitters comment is <u>noted.</u></p> <p>The submitter is requesting that the Shire prepare a strategy to ensure sustainability of recreational fishing. Recreational fishing is controlled by the Department of Fisheries, not the Shire. This matter is beyond the scope of the proposed Local Planning Strategy. The submitters comment it <u>noted.</u></p>
			<p>CCG would recommend liaison between Shire, Tourist industry, local fishers, fishing groups, conservation groups, researchers, Department of Parks and Wildlife, Ningaloo Coast World Heritage Advisory Committee and Department of Fishing to look at management strategies to create sustainable fishing for the future in Exmouth. Our group understands that there has already been interest from the Shire into perceived increase of ‘shark takes’ of recreational fish and would encourage a more considered and structured approach to be built into the strategic plan to look at ways to enable fishing to continue into the future within Exmouth Shire.</p>	<p>The submitter advises that they recommend liaison between the shire and other agencies to create management strategies for sustainable fishing. This is beyond the scope of the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>
			<p>Areas of Concern</p> <p>CCG has several concerns with the proposed plan:</p>	

		<ul style="list-style-type: none"> Sand Dune integrity – sand dunes are an important environmental feature, providing protection from the impacts of tsunamis, storms and storm surge. The portion of primary dune zoned as “boat harbour” on the east side of Neal Cove has a foredune that is currently intact, but it is in close proximity to the residential development on Mortiss Street immediately to its south. CCG believes it is essential that this dune area be upgraded to a protective level. and recommend that the primary dune is excluded from block 857. In order to preserve and protect the environment and reduce risks to the community, CCG recommends that all coastal sand dunes remain intact for protection against ocean inundation. 	<p>The submitter advises that portion of the primary dune on the east side of Neale Cove is classified as ‘Boat Harbour’ which has the foredune intact, and requests that this area and the portion of Lot 857 Murat within the foredune be classified as protected to maintain sand dune integrity. The land on the east side of Neale Cove being R47807 has been zoned ‘Marina’ in Town Planning Scheme No.3 since 1999. Section 3.2.6.2 Planning Consideration 4) e) which relates to Lot 857 states ‘<i>Preparation and implementation of a foreshore management plan and including the confirmation of an acceptable Foreshore Reserve, having regard to coastal processes and environmental protection requirements.</i>’ The submitters comment is <u>noted.</u></p>
		<ul style="list-style-type: none"> Camping in Jurabi Coastal park: The Jurabi Coastal Park contains important rookeries for protected Green, Hawksbill and Loggerhead turtles (IUCN, 2011). Turtles will abandon their attempts to nest in the presence of light, and hatchlings are disorientated by it because on hatching the ocean is located through identification of the lightest point (Thums et al., 2016). Bearing this in mind, a portion of turtles will nest at the top of a dune and any light from camp sites behind it will misdirect hatchlings and cause a significant reduction in survival rate. In view of the importance of turtles to both the environment and tourism in the area: CCG recommends that consideration of camping sites in this area take into account the potential impact on protected species and are referred under the EPBC Act accordingly. 	<p>The submitter is advising that any proposal for camp sites within the Jurabi Coastal Park will need to be referred under the EPBC Act. The Jurabi Coastal park is under joint management with DPaW. The EPBC Act is separate legislation from the Planning and Development Act 2005. Therefore any proposal for additional camping within the Jurabi Coastal Park is required to be referred under the EPBC Act regardless of what is stated in the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>
		<ul style="list-style-type: none"> Development of the Sandy Bay track: In order for this development to occur without environmental impacts it will require consultation between a number of entities. CCG strongly recommends collaboration between DPaW, subterranean fauna experts, conservation groups and the Ningaloo Coast World Advisory committee. Similarly for any increased development of the Yardie Creek-Coral Bay Rd which runs directly adjacent to the very environmentally sensitive Bundera Sink Hole. 	<p>The submitter is requesting that in developing the Sandy Bay track collaboration should occur between DPaW and other relevant experts. In relation to the proposed Sandy Bay track the proposed Local Planning Strategy states consult with DPaW, Department of Lands and Department of Defence. The Department of Lands have recently advised that the Sandy Bay track cannot proceed, due to a number of issues. The submitters comment is <u>noted.</u></p>
		<p>Requests for clarification</p> <p>CCG has a few follow up questions regarding the scheme:</p> <ul style="list-style-type: none"> How are the Ningaloo Coast Regional Strategy Carnarvon to Exmouth ‘coastal nodes’ zoned and what is the approval process for their development? 	<p>The submitter has not provided a plan or map indicating the referred coastal nodes, however the proposed Local Planning Strategy has classified land taking into account the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. The submitters comment is <u>noted.</u></p>
		<ul style="list-style-type: none"> Has the Ningaloo Coast World Heritage Committee been consulted? 	<p>The Ningaloo Coast World Heritage Committee has been consulted, and have provided a submission on the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>
		<p>General Recommendations for consideration</p> <p>CCG has the following general recommendations</p> <ul style="list-style-type: none"> Cumulative impacts – should be considered within the scheme, for example each proposal with the rural or conservation zones should include consideration of the existing or approved developments as outlined in the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. 	<p>The submitter is requesting the cumulative impacts as discussed in the Ningaloo Coast Regional Strategy Carnarvon to Exmouth be considered. The proposed Local Planning Strategy has been prepared having regard to the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. The Ningaloo Coast Regional Strategy Carnarvon to Exmouth is discussed in the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>
		<ul style="list-style-type: none"> Climate change considerations should be incorporated into the scheme and uses the recommended “<i>vertical sea level rise of 0.9 m be adopted when considering the setback distance and elevation to allow for the impact of coastal processes over a 100 year planning timeframe (2010 to 2110)</i>” (Department of Transport, 2010) at a minimum. 	<p>The submitter is requesting that the impacts of climate change be considered, and incorporated into the proposed Local Planning Strategy. Within the state planning framework sea level rise and coastal impacts are considered under State Planning Policy 2.6 (SPP2.6) – State Coastal Planning Policy not the submitters referred document. SPP2.6 is discussed in the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>

		<ul style="list-style-type: none"> Nature based camping gulf side sites should have an environmental assessment done prior to allocation to ensure the most appropriate sites are selected. 	The submitter is requesting that nature based camping within the Exmouth Gulf have an environmental assessment done, prior to allocation of any sites. Section 6.2.8.2 planning consideration 2) a) states that in determining a suitable location for a nature based park reporting should address environmental investigation in consultation with DPaW. The submitters comment is <u>noted.</u>
		<ul style="list-style-type: none"> UCL north of town is put into conservation estate as per the recommendations of the World Heritage Consultative Committee (2005). 	The submitter is requesting that UCL land north of the townsite be put into a conservation estate. The proposed Local Planning Strategy identifies UCL land north of the townsite as Conservation and Landscape Protection and Defence. This is considered suitable until such time as the land is identified as being suitable for inclusion into a conservation estate in a statutory document. The submitters comment is <u>noted.</u>
		CCG also notes Figure 7 shows petroleum permits which appear to be out-of-date.	The submitter advises that Figure 7 in the proposed Local Planning Strategy is out of date. Figure 7 in the proposed Local Planning Strategy is accurate for the time when this document was originally produced. This plan is date marked. For the most recent information on petroleum permits please refer to the Department of Mines and Petroleum. The submitters comment is <u>noted.</u>
		<p>Thank-you for the opportunity to make comment on the proposed Scheme and plan. We trust that you will take our comments and recommendations into consideration.</p> <p>Kind Regards,</p>	The submitters comment is <u>noted.</u>
		<p>REFERENCES</p> <p>Braithwaite, J. Meeuwig, J & Jenner, K. (2012). Estimating Cetacean Carrying Capacity Based on Spacing Behaviour. PLoS ONE, 7, e51347.</p> <p>Burns, K, Garrity, S & Levings, S. (1993). How many years until mangrove ecosystems Recover from catastrophic oil spills. Marine Pollution Bulletin 26, 239-248.</p> <p>Chittleborough, R. (1965). Dynamics of two populations of the humpback whale, <i>Megaptera novaeangliae</i> (Borowski). Marine and Freshwater Reserach, 16, 33-128.</p> <p>Christiansen, F., Dujon, A.M., Sprogis, K.R., Arnould, J.P.Y. and Bejder, L. (2016). Non-invasive Unmanned Aerial Vehicle provides estimates of the energetic cost of reproduction in humpback whales. Ecosphere (in press). Available at: http://mucru.org/our-research/research-projects/humpback-condition-on-breeding-ground/ [Accessed 19 September, 2016]</p> <p>Dawbin, W. (1966). The seasonal migratory cycle of humpback whales. In: Norris, K. (ed). Whales, dolphins and porpoises. Berkeley, California: University of California Press.</p> <p>Department of Environment and Conservation (2012). Camerons Cave Troglotic Community, Camerons Cave Millipede and Camerons Cave Pseudoscorpion Interim Recovery Plan 2012-2017. Interim Recovery Plan No. 324. Department of Environment and Conservation, Western Australia</p> <p>Department of Fisheries (2002). Fisheries Environmental Management Plan for the Gascoyne Region – Draft Report. Fisheries Management Paper No. 142. Perth, Western Australia</p> <p>Department of Fisheries. (2015). Gascoyne Coast Bioregion: Status Reports of the Fisheries and Aquatic Resources of Western Australia 2014/15 Available at: http://www.fish.wa.gov.au/Documents/sofar/status_reports_of_the_fisheries_2014-15_gascoyne_bioregion.pdf [Accessed 17 September, 2016]</p> <p>Department of Transport. (2010). Sea Change Level in Western Australia – Application to Coastal Planning. Available at:</p>	The submitter's references are <u>noted.</u>

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			<p>assess the impact of coastal developments on marine mammals. Marine Pollution Bulletin 78, 85–95</p> <p>Thums, M., Whiting, S.D., Reisser, J., Pendoley, K.L., et al. (2016). Artificial light on water attracts turtle hatchlings during their near shore transit. Royal Society Open Science 3.5: 160142. Available at: http://dx.doi.org/10.1098/rsos.160142 [Accessed: 19 September, 2016]</p> <p>Western Australian Planning Commission (2004). Ningaloo Coast Regional Strategy Carnarvon to Exmouth.</p> <p>World Heritage Consultative Committee (2005). Report on a proposal to nominate the North West Cape — Ningaloo Reef area for inscription on the World Heritage List. World Heritage Consultative Committee Final Report 18 October 2004. Government of Western Australia</p>	
				<p>Summary of Submission 10.</p> <ul style="list-style-type: none"> • The submitter recommends referral of coastal development applications to the Department of Parks and Wildlife, Cape Conservation Group, Ningaloo Coast World Heritage Advisory Committee, WA Environmental protection Authority, and other relevant experts. This is beyond the scope of the proposed Local Planning Strategy. • The submitters generally supports the proposed Local Planning Strategy in the context of recognizing Environmental Values. • The submitter requests that the impacts of flooding on the Camerons Cave buffer area, from areas identified for future residential north of Camerons Cave in the Local Planning Strategy be considered. The proposed Local Planning Strategy already identifies floodway impacts as a relevant planning consideration for the relevant areas. • The submitter is requesting for greater emphasis in the proposed Local Planning Strategy on the precautionary principle for all coastal development, and greater acknowledgement of the environmental significance of the Exmouth Gulf Mangrove ecosystems, which commence south of Wapet Creek. The proposed Local Planning Strategy discusses these matters at clause 8.2 8) and 13) and 9.1 10). • The submitter requests that the Shire give consideration to the location of floodways if re-siting the waste water treatment plant (WWTP). The re-siting of sewerage works is not undertaken by the Shire of Exmouth, it will be undertaken by Water Corporation as a public work. • The submitter is requesting that the Shire advocate for increased capacity for solar, or other renewable energy if a new power station is built. The Local Planning Strategy discusses this matter at 2.6.6, dot point 3 which states '<i>Best practice for management of the Power Station may lead to a reduced buffer, however the costs of ongoing improvements to the Power Station may be prohibitive towards providing an affordable supply of power to the townsite.</i>' • The submitter is requesting that the proposed Local Planning Strategy state considerations that the Shire must take into account when selecting a new waste disposal site. The proposed Local Planning Strategy does not recommend a new waste disposal site, as the existing waste disposal site is not at capacity and meets the needs of the Exmouth townsite within the life of the proposed strategy. • The submitter is requesting that the proposed Local Planning Strategy recognise the impacts of shipping on marine life, particularly whales. Where development is proposed which includes a marine component the Shire can refer it EPA and any other relevant authority for comment, regardless of what is stated in the proposed Local Planning Strategy. • The submitter is advising that the cumulative impacts when planning for additional industrial sites needs to be considered, as stated in the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. The proposed Local Planning Strategy has not identified any new locations for industrial sites, simply the

				<p>expansion of existing sites which have already been identified in other planning documents such as the Exmouth South Structure Plan.</p> <ul style="list-style-type: none"> • The submitter is requesting that no additional boat ramps be made available. The proposed Local Planning Strategy does not identify any new site/s for an additional boat ramp. • The submitter is requesting that the Shire prepare a strategy to ensure sustainability of recreational fishing. Recreational fishing is controlled by the Department of Fisheries, not the Shire. • The submitter advises that portion of the primary dune on the east side of Neale Cove is classified as '<i>Boat Harbour</i>' which has the foredune intact, and requests that this area and the portion of Lot 857 Murat within the foredune be classified as protected to maintain sand dune integrity. The land on the east side of Neale Cove being R47807 has been zoned '<i>Marina</i>' in Town Planning Scheme No.3 since 1999. Section 3.2.6.2 Planning Consideration 4) e) which relates to Lot 857 states '<i>Preparation and implementation of a foreshore management plan and including the confirmation of an acceptable Foreshore Reserve, having regard to coastal processes and environmental protection requirements.</i>' • The submitter is advising that any proposal for camp sites within the Jurabi Coastal Park will need to be referred under the EPBC Act. The Jurabi Coastal park is under joint management with DPaW. The EPBC Act is separate legislation from the <i>Planning and Development Act 2005</i>. Therefore any proposal for additional camping within the Jurabi Coastal Park is required to be referred under the EPBC Act regardless of what is stated in the proposed Local Planning Strategy. • The submitter is requesting that in developing the Sandy Bay track collaboration should occur between DPaW and other relevant experts. The Department of Lands have recently advised that the Sandy Bay track cannot proceed, due to a number of issues. • The submitter is requesting the cumulative impacts as discussed in the Ningaloo Coast Regional Strategy Carnarvon to Exmouth be considered. The proposed Local Planning Strategy has been prepared having regard to the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. • The submitter is requesting that the impacts of climate change be considered, and incorporated into the proposed Local Planning Strategy. Within the state planning framework sea level rise and coastal impacts are considered under State Planning Policy 2.6 (SPP2.6) – State Coastal Planning Policy not the submitters referred document. SPP2.6 is discussed in the proposed Local Planning Strategy. • The submitter is requesting that nature based camping within the Exmouth Gulf have an environmental assessment done, prior to allocation of any sites. Section 6.2.8.2 planning consideration 2) a) states that in determining a suitable location for a nature based park reporting should address environmental investigation in consultation with DPaW. • The submitter is requesting that UCL land north of the townsite be put into a conservation estate. The proposed Local Planning Strategy identifies UCL land north of the townsite as Conservation and Landscape Protection and Defence. • The submitter advises that Figure 7 in the proposed Local Planning Strategy is out of date. Figure 7 in the proposed Local Planning Strategy is accurate for the time when this document was originally produced. This plan is date marked. • No modifications proposed to Local Planning Strategy.
11.	N/A	Department of Main Roads WA	<p>Thank you for consulting Main Roads on the above document. In general Main Roads supports the future plans set out within the document and provides the following comments below.</p> <p><u>Rural Residential and Industrial</u></p> <p>For Future Rural Residential Area 3, Existing Industry Area 3, Area 4, Area 5 and Future Industry Area 3 and Area 4 designated in the Strategy, we request that in the Planning Considerations section of Part 3 of the document is reworded to include the requirement that rezoning/structure plan/subdivision/development</p>	<p>The submitter is requesting that areas identified for development along Minilya Exmouth be required to be supported by a Transport Impact Statement or Assessment when any planning proposal is considered. This is inappropriate as the WAPC Transport Impact Assessment Guidelines include criteria to determine when a Transport Impact Statement</p>

			proposals that could have an impact on Minilya-Exmouth Road, applications are to be submitted together with a Transport Impact Statement or Assessment (as appropriate) produced in accordance with the WAPC's Transport Impact Assessment Guidelines.	or Assessment is required. A Transport Impact Statement or Assessment may be required if satisfying the requirements of the WAPC Transport Impact Assessment Guidelines. The submitters comment is partially upheld. (Add action statement to state where considered necessary a Transport Impact Statement or Assessment may be required). Refer proposed modifications 92, 99, 101, 105, 116 and 120.
			In regards to Existing Rural Residential Area 2, Future Rural Residential Area 3, Existing Industry Area 3, Area 4, Area 5 and Future Industry Area 3 and Area 4 in the Strategy, as per section 3.3 of Development Control Policy 5.1 in considering planning applications with access onto regional roads Main Road's general approach is to minimise the number of accesses onto roads under our control, consolidating accesses where possible. We would like to highlight that new accesses should be sought from local roads, shared driveways, cross-easement agreements or access roads where available.	The submitter is requesting that areas identified for development along Minilya Exmouth have vehicular access from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road. This is suitable considering WAPC Development Control Policy 5.1. The submitters comment is upheld. (Add action statement where relevant to state vehicular access shall be provided from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road.) Refer proposed modifications 85, 93, 100, 102, 106, 117 and 121.
			<p><u>Movement</u></p> <p>Main Roads supports the inclusion of a hierarchy of Primary and District Distributor Roads for Burkett Road, Minilya-Exmouth Road and Murat Road. The road hierarchy adequately defines Main Road's management responsibilities for public roads and their reservation, except that Lot 254 on Plan 219249 (Certificate of Title LR3114/ 181) should be designated as "Primary Distributor Road" to be part of Minilya-Exmouth Road reservation rather than designated as "Pastoral". We believe this is a graphical error as it is shown correctly within the Shire of Exmouth Draft Local Planning Scheme No. 4.</p> <p>If you would like any further information please contact Isabel Huston on 9956 1238.</p>	The submitter provides support for the classification of Burkett Road, Murat Road and Minilya Exmouth Road in the proposed Local Planning Strategy. The submitter advises that Lot 254 on Plan 219249 Minilya Exmouth Road should be classified as Primary Distributor Road consistent with proposed Local Planning Scheme No.4. This is recommended. The submitters comment is upheld. (classify Lot 254 on Plan 219249 Minilya Exmouth Road as Primary Distributor Road on the strategy maps) Refer proposed modification 35.
				<p>Summary of Submission 11.</p> <ul style="list-style-type: none"> Main Roads is requesting that all areas identified for development along Minilya Exmouth Road be required to be supported by a Transport Impact Statement or Assessment when any planning proposal is considered. A Transport Impact Statement or Assessment may be required if satisfying the requirements of the WAPC Transport Impact Assessment Guidelines. It should not be a requirement. Main Roads is requesting that areas identified for development along Minilya Exmouth have vehicular access from local roads, shared driveways, cross easement agreements or access roads where available, rather than Minilya Exmouth road. This is suitable considering WAPC Development Control Policy 5.1. The submitter provides support for the classification of Burkett Road, Murat Road and Minilya Exmouth Road in the proposed Local Planning Strategy. The submitter advises that Lot 254 on Plan 219249 Minilya Exmouth Road should be classified as Primary Distributor Road consistent with proposed Local Planning Scheme No.4. This is recommended. Modifications 35, 85, 92, 93, 99, 100, 101, 102, 105, 106, 116, 117, 120 and 121 proposed to Local Planning Strategy.
12.	N/A	Department of Health WA	<p>Further to your letter, dated 2 June 2016, inviting the Department of Health (DOH) to attend community consultation sessions on the above proposal, please consider the following comments.</p> <p>1. Water Supply and Wastewater Disposal</p> <p>The Scheme and Strategy should acknowledge and reference the following:-</p> <ul style="list-style-type: none"> Developments are required to connect to scheme water and reticulated sewerage (if available) in accordance with the draft <i>Country Sewerage Policy</i>. 	<p>The submitter is requesting that the proposed Local Planning Strategy acknowledge that Developments are required to connect to scheme water and reticulated sewerage (if available) in accordance with the draft <i>Country Sewerage Policy</i>. This is recommended. The submitters comment is upheld. (add planning implication to 2.6.6) Refer proposed modification 60.</p> <p>The submitter is providing reference to documents and guidelines relating to public health and is requesting that they be acknowledged in the proposed Local Planning</p>

			<ul style="list-style-type: none"> Any water supply, water management plan including the utilisation of recreational water and any waste water recycling is to comply with DOH guidelines and requirements which are available for download from: http://www.public.health.wa.gov.au/2/1062/2/water.pm http://www.public.health.wa.gov.au/3/1275/2/recycled_water_guidelines_and_publications.pm Approval is required for any on-site waste water treatment process. The necessary requirements may be referenced and downloaded from: http://www.public.health.wa.gov.au/3/672/2/wastewater_legislation_and_guidelines.pm http://www.public.health.wa.gov.au/3/1430/2/subdivisions_and_town_planning_approvals.pm Non-scheme water area developments are to have access to a sufficient supply of potable water that is of the quality specified under the <i>Australian Drinking Water Quality Guidelines 2004</i>. 	Strategy. This is considered to be inappropriate as Public Health will be taken into account on a case by case basis. The documents and guidelines referred are also dealt with by other legislation beyond the <i>Planning and Development Act 2005</i> . The submitters comment is <u>noted</u> .
			<p>2. Medical Entomology The Shire of Exmouth is a region that regularly experiences significant problems with nuisance and disease carrying mosquitoes. These mosquitoes can disperse several kilometres from breeding sites and are known carriers of Ross River Virus and Barmah Forest Virus.</p> <p>The Shire of Exmouth should integrate mosquito management programs and practices within the strategy and incorporate built form design measures (e.g. insect screening on doors and windows and screened outdoor enclosures) and public warning signage into the conditions of approval to assist in protecting visitors from mosquitoes and associated disease risks.</p>	The submitter is requesting that the Shire integrate mosquito management programs and practices within the strategy and incorporate built form design measures. This is considered to be inappropriate as Public Health will be taken into account on a case by case basis. The submitters comment is <u>noted</u> .
			<p>3. Public Health Impacts Enclosed is a scoping tool that highlights public health issues that should be addressed and incorporated into the proposed Local Planning Scheme No. 9. The scoping tool is available for download at: http://www.public.health.wa.gov.au/cproot/3965/2/Residentia%20estates%20and%20precincts%20JUNE%202011.pdf</p> <p>DOH has also a document on '<i>Evidence supporting the creation of environments that encourage healthy active living</i>' which may assist you with planning elements related to this structure plan. The document may be downloaded from: http://www.public.health.wa.gov.au/cproot/6111/2/140924_wahealth_evidence_statement_be_health.pdf</p> <p>An additional resource that will be helpful in an enHealth document '<i>Risky Business</i>' – <i>A resource to manage environmental health risks specifically tailored for local governments</i>. The document is available for download at: http://www.public.health.wa.gov.au/2/1400/2/health_risk_assessment.pm</p> <p>The Strategy should also acknowledge the DOH's <i>Guidelines for the Separation of Agricultural and Residential Land Use</i> as a means to help avoid conflict and potential adverse health effects and nuisance impacts from chemical use, dust and other rural pursuits. It may be accessed from the Public Health website: http://www.public.health.wa.gov.au/cproot/4913/2/Guidelines%20for%20Agricultural%20and%20Residential%20Buffer.pdf</p>	The submitter is providing reference to documents and guidelines relating to public health and is requesting that they be acknowledged in the proposed Local Planning Strategy. This is considered to be inappropriate as Public Health will be taken into account on a case by case basis. The documents and guidelines referred are also dealt with by other legislation beyond the <i>Planning and Development Act 2005</i> . The submitters comment is <u>noted</u> .
			<p>4. Scheme and Strategy Content It is noted within the proposed planning scheme and associated planning strategy, that good public health is not specifically recognised as part of the</p>	The submitter is requesting that an aim of the proposed Local Planning Strategy should include a direct reference to 'enhancing the public health of the community'. The submitter is correct in stating that the proposed Local Planning Strategy does not

			vision and objectives. Good public health outcomes require good planning strategies. The aim of the new scheme and the strategy should include a direct reference to 'enhancing the public health of the community'.	recognise good public health as an aim. This is recommended. The submitters comment is upheld . (add 'healthy' to second dot point under purposes of the Local Planning Strategy) Refer proposed modification 4.
			Although the document focuses on 'positive' growth outcomes for the Shire, it does not address potential issues in relation disaster preparedness, recovery management or the associated impacts on public health. The document provides a snapshot of foreseeable positive impacts in relation to economic, social, environmental, built form and infrastructure and governance but does not highlight potential negative impacts of such growth.	The submitter is requesting that the proposed Local Planning Strategy identify the potential negative impacts of growth. This is beyond the scope of the proposed Local Planning Strategy. The submitters comment is noted .
			<p>A risk assessment of each of the potential growth scenarios should be incorporated into the plan. For your reference, consider the enHealth document '<i>Risky Business</i>' – <i>A resource to manage environmental health risks specifically tailored for local governments</i>. The document is available for download at: http://www.public.health.wa.gov.au/2/1400/2/health_risk_assessment.pm</p> <p>5. Land Use Planning for Natural Hazards Another document '<i>Land Use Planning for Natural Hazards</i> can also guide the use of land to effectively reduce risk and enhance sustainability for areas prone to hazards such as flooding (including storm surge), fire, landslide, earthquake, strong wind and coastal erosion. Available for download from: https://www.ag.gov.au/EmergencyManagement/Tools-and-resources/Publications/Documents/Manual-series/manual-7-planning-safer-communities.pdf</p> <p>Should you have queries or require further information please contact Vic Andrich on (08) 9388 4978 or vic.andrich@health.wa.gov.au</p>	The submitter is providing reference to documents and guidelines relating to public health and is requesting that they be acknowledged in the proposed Local Planning Strategy. This is considered to be inappropriate as Public Health will be taken into account on a case by case basis. The documents and guidelines referred are also dealt with by other legislation beyond the <i>Planning and Development Act 2005</i> . The submitters comment is noted .
				<p>Summary of Submission 12.</p> <ul style="list-style-type: none"> • Department of Health have provided reference to Department of Health policies and guidelines and requests that they be referenced in the proposed Local Planning Strategy. This is considered to be inappropriate as Public Health will be taken into account on a case by case basis. The documents and guidelines referred are also dealt with by other legislation beyond the <i>Planning and Development Act 2005</i>. • Department of Health is requesting that the Shire integrate mosquito management programs and practices within the strategy and incorporate built form design measures. This is considered to be inappropriate as Public Health will be taken into account on a case by case basis. • Department of Health is requesting that an aim of the proposed Local Planning Strategy should include a direct reference to '<i>enhancing the public health of the community</i>'. The submitter is correct in stating that the proposed Local Planning Strategy does not recognise good public health as an aim. This is recommended. • Department of Health is requesting that the proposed Local Planning Strategy identify the potential negative impacts of growth. This is beyond the scope of the proposed Local Planning Strategy. • Modifications 4 and 60 proposed to Local Planning Strategy.
13.	N/A	Department of Water WA	Thank you for referring the new scheme and local planning strategy to the Department of Water.	
			The DoW is supportive of the proposed strategies and actions for management of urban water, flood risk and coastal processes.	The submitter provides general support for the proposed Local Planning Strategy. The submitters comment is noted .
			Regarding the Exmouth Water Reserve, advice on water source protection matters is provided in Attachment 1. Subject to the draft strategy and scheme text being amended as advised, DoW endorsement can be provided.	

I look forward to receiving the revised draft documents. Should you wish to discuss this matter further, please contact Kerry Wray on (08) 6364 7721 or Mark Canny on (08) 9965 7411.

Attachment 1 – Local Planning Strategy No. 1

Section	Page	Local Planning PART 1	Comments
8.3 ACTIONS	15	d) Include the Exmouth Water Reserve as a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.	Supported
11.2 STRATEGIES	19	Safeguard public drinking water resources through the protection of the Exmouth Water Reserve. b) Include the Exmouth Water Reserve within a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.	Supported
11.2 STRATEGIES	19	d) Prioritise negotiations with the Department of Defence and Water Corporation to progress the relocation of the WWTP to Commonwealth land by 2016/2018.	We recommend that this occurs outside the Exmouth Water Reserve for the protection of water quality.
Section	Page	Local Planning Strategy - PART 2	Comments
SPP 2.7 - PUBLIC DRINKING WATER SOURCE PROTECTION POLICY	26	Priority 1 (P1) areas offer the highest level of protection, allowing for no degradation of drinking water sources to be caused by the development of incompatible land use activities. The Exmouth Water Reserve is classified as a Priority 1 area.	Please add the word "public" (shown in bold and red below); "...no degradation of public drinking water sources to be.."
		SPP 2.7 recommends that Public Drinking Water Source Areas be shown as a Special Control Area in local planning schemes, with scheme provisions having regard to the approved Exmouth Water Reserve Water Source Protection Plan.	Please update these to the current report names (names shown in bold and red below); "...regard to the approved Exmouth Water Reserve drinking water source protection review 2011 and the Exmouth Water Reserve water source protection plan 2000."

The submitter provides support for action 8.3 d). The submitters comment is **noted.**

The submitter provides support for action 11.3 b). The submitters comment is **noted.**

The submitter advises that the relocation of the WWTP should not occur within the Exmouth Drinking Water Reserve for the protection of water quality. This is not stated anywhere within the proposed Local Planning Strategy. The WWTP is proposed to be relocated north of the townsite within Department of Defence land. The submitters comment is **noted.**

The submitters is proposing to add the word 'public' after the words 'no degradation of' in the second paragraph, second sentence, under heading SPP2.7. This is recommended to improve grammar. The submitters comment is **upheld. (add the word 'public' after the words 'no degradation of' in the second paragraph, second sentence, under heading SPP2.7, page 26) Refer proposed modification 47.**

The submitter is requesting the words 'Exmouth Water Reserve Water Source Protection Plan' be substituted with 'Exmouth Water Reserve drinking water source protection review 2011 and the Exmouth Water Reserve water source protection plan 2000.' This recommended to provide reference to correct documents. The submitters comment is **upheld. (substitute 'Exmouth Water Reserve Water Source Protection Plan' with 'Exmouth Water Reserve drinking water source protection review 2011 and the Exmouth Water Reserve water source protection plan 2000.' In the third paragraph, under heading SPP2.7, page 26) Refer proposed modification 48.**

			1.2.1 EXMOUTH LEARMONTH (NORTH WEST CAPE) STRUCTURE PLAN 1998	29	The high costs of providing services and the limited supply of potable water should be taken in account when planning future growth; Provision of potable water identified as a priority issue with recognition given to the importance of investigating options for sourcing water, such as an expanded borefield, water efficiency measures, and desalination;	Supported	The submitter provides support for the text under heading 1.2.1. The submitters comment is <u>noted.</u>
			2.1.4 HYDROLOGY	44	The water supply for the Exmouth Townsite is drawn from the northern part of this aquifer. The Water Corporation has operated the borefield for an extended period of time and has not reported any evidence of reduced freshwater availability.	The Water Corporation should be provided an opportunity to comment on this strategy.	Water Corporation were provided an opportunity to provide comment on the proposed Local Planning Strategy, however did not lodge a submission. The submitters comment is <u>noted.</u>
			2.1.5 Floodplains	45	Refers to Exmouth Floodplain Management Strategy (SKM, 2007) and Exmouth Hydrological Study (HYD20, 2014) to inform LPS recommendations. Results presented pages 45 to 48.	LPS does not consider climate change (ie. sea level rise), coastal assessment and adaptation planning. Section 2.1.5 should include DoW's guidelines for acceptable floodplain development (i) adequate protection from a 100 year ARI flooding regime of the general area.	The submitter is requesting that the proposed Local Planning Strategy make reference to climate change and sea level rise. This is considered to be adequately covered by the proposed Local Planning Strategy which summaries State Planning Policy 2.6, which takes into account sea level rise. The submitter is also requesting that the proposed Local Planning Strategy include reference to DoW guidelines for acceptable floodplain development to provide protection from 1 in 100 year ARI flood levels. This is considered to be adequately covered by the proposed Local Planning Strategy in the third paragraph under heading 2.1.5. The submitters comment is <u>noted.</u>
			2.1.10 PLANNING IMPLICATION S	55	The dry climatic conditions of Exmouth will mean the provision of a suitable water supply is likely to be limited to groundwater resources, requiring continued protection of this resource. In addition, the occurrence of tropical cyclones and major storm events will impact decisions regarding the location and design of buildings and infrastructure.	Supported	The submitter provides support for 2.1.10 Planning Implication, dot point 1. The submitters comment is <u>noted.</u>
			2.2.3 POPULATION CAPACITY	60	The Exmouth Townsite Structure Plan (2011) spatially assessed the extent of existing residential areas within the Exmouth Townsite adopting gross land areas, in addition to identifying land that had the potential to support residential development unconstrained by landform, floodways and/or the water protection reserve	Supported	The submitter provides support for the text under heading 2.2.3. The submitters comment is <u>noted.</u>

2.6.1 WATER SUPPLY	88	All developments outside the main townsite have their own bore water supplies and the quality of the town water supply varies.	Private drinking water supplies are still be guided by the Australian Drinking Water Guidelines 2011. Brochures for bore and rainwater sources are available from the Department of Health. The Department of Water has a water quality information sheet for private water supplies available here: www.water.wa.gov.au/_data/assets/pdf_file/0004/1588/91131.pdf	The submitter is requesting that the last sentence in paragraph 1 under heading 2.6.1 be substituted to make reference to the Australian Drinking Water Guidelines, and brochures and information sheets from the Department of Health and the Department of Water under section 2.6.1 of the proposed Local Planning Strategy. This is recommended. The submitters comment is <u>upheld. (In 2.6.1 substitute ‘All developments outside the main townsite have their own bore water supplies and the quality of the town water supply varies.’ with ‘Private drinking water supplies are guided by the Australian Drinking Water Guidelines 2011. Brochures for bore and rainwater sources are available from the Department of Health. The Department of Water has a water quality information sheet for private water supplies.’) Refer proposed modification 55.</u>
	88	The Shire of Exmouth's ground water supply is secured through a Priority 1 Water Protection Reserve (proclaimed in 2002 under the Country Areas Water Supply Act 1947) and Borehead Protection zones (500m) around the borefield.	It would best if correct terminology is used, they are called "wellhead protection zones" rather than "Borehead protection zones" and it is a Priority 1 Water Reserve (using the word "protection" there is not needed). Also the wellhead protection zones surround each individual production bore not the borefield area. We recommend amending the text as follows (in bold red): “Priority 1 Water Reserve (proclaimed in 2002 under the Country Areas Water Supply Act 1947) and wellhead protection zones (500m) around each production bore”.	The submitter is requesting that text in the first sentence in paragraph 2 under heading 2.6.1 in the proposed Local Planning Strategy be modified to read as follows ‘ <i>The Shire of Exmouth's ground water supply is secured through a Priority 1 Water Reserve (proclaimed in 2002 under the Country Areas Water Supply Act 1947) and wellhead protection zones (500m) around each production bore</i> ’. This is recommended. The submitters comment is <u>upheld. (substitute the first sentence in paragraph 2 under heading 2.6.1 with ‘The Shire of Exmouth's ground water supply is secured through a Priority 1 Water Reserve (proclaimed in 2002 under the Country Areas Water Supply Act 1947) and wellhead protection zones (500m) around each production bore’). Refer proposed modification 56.</u>
	88	The Water Protection Reserve consists of 34 bores and is located immediately west of the Exmouth Townsite. It is approximately 10km wide and extends approximately 15km to the south of the Townsite.	Please note that the Exmouth Water Reserve is 20km in length (not 15km) and it ranges from approximately 7km to 11km in width. These more accurate dimensions should be updated to be correct in the strategy to avoid any confusion.	The submitter is requesting that text in the second sentence in paragraph 2 under heading 2.6.1 in the proposed Local Planning Strategy be modified to read as follows ‘ <i>The Water Protection Reserve consists of 34 bores and is located immediately west of the Exmouth Townsite. It is approximately 7km to 11km wide and extends approximately 20km to the south of the Townsite.</i> ’ This is recommended. The submitters comment is <u>upheld. (substitute the second sentence in paragraph 2 under heading 2.6.1 with ‘The Water Protection Reserve consists of 34 bores and is located immediately west of the Exmouth Townsite. It is approximately 7km to 11km wide and extends approximately 20km to the south of the Townsite.’) Refer proposed modification 57.</u>

2.6.1 WATER SUPPLY	88	Strict limitations on land use apply in areas defined and managed as P1 Water Protection Reserves to ensure there is no degradation of the quality of the drinking water source, using the principle of risk avoidance. Land development is generally not permitted.	It is a Priority 1 Water Reserve (using the word “protection” is not needed)/ Amend to “P1 water reserves”	<p>The submitter is requesting that the word ‘protection’ be deleted after ‘Priority 1 Water’ under heading 2.6.1. This is recommended. The submitters comment is <u>upheld. (delete the word protection after ‘Priority 1 Water’ under heading 2.6.1) Refer proposed modification 58.</u></p> <p>The submitter is requesting the words ‘which complements the existing Exmouth Water Reserve source protection plan 2000’ be added after the words ‘Source Protection Plan 2011’ in the second sentence of the third paragraph under heading 2.6.1 within the proposed Local Planning Strategy. This is recommended. The submitters comment is <u>upheld. (add the words ‘which complements the existing Exmouth Water Reserve source protection plan 2000’ after the words ‘Source Protection Plan 2011’ in the second sentence of the third paragraph under heading 2.6.1) Refer proposed modification 59.</u></p> <p>The submitter is requesting that the WWTP not be relocated to the Exmouth Drinking Water Reserve. The proposed Local Planning Strategy does not indicate that the WWTP will be relocated to the Exmouth Drinking Water Reserve. The submitters comment is <u>noted.</u></p> <p>The submitter is requesting that the provisions of 3.2.1.2 (4) a) and b) from the proposed Local Planning Strategy which relates to development having adequate protection from 100 year ARI flood levels, be copied and inserted in sections 3.2.3.2, 3.2.7.2, and 4.2.2.2. This is recommended, however the first sentence is recommended to state ‘<i>The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:</i>’ The submitter comment is <u>upheld. (add under 3.2.3.2, 3.2.7.2, and 4.2.2.2 ‘The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that: a) Proposed development has adequate protection from a 100 year ARI flood; and b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.’) Refer proposed modifications 68, 70 and 82.</u></p>
	88	The Department of Water reviewed the Exmouth Water Reserve Water Source Protection Plan in 2011. No changes were made to the water reserve boundary as part of the review. The review found that the existing reserve adequately reflected the recharged area and management objectives for drinking water source protection. It also identified specific land uses that have the potential to contaminate drinking water sources (i.e. livestock grazing, limestone mining, unauthorised use of unsealed tracks and activities associated with exploration/production connected with geothermal/petroleum leases).	Please note that Exmouth Water Reserve drinking water source review 2011, complements the existing Exmouth Water Reserve source protection plan 2000, it is not a replacement, and they should be referenced and read in conjunction.	
	89	It is necessary for the Department of Defence and Water Corporation to finalise negotiations regarding the relocation of the Exmouth WWTP, in order to proceed with its ultimate construction of new WWTP infrastructure and decommissioning of existing WWTP infrastructure.	Please note that the relocation of the WWTP should not occur into the Exmouth Water Reserve.	
	110		Need provisions made in text for floodplain management constraints.	
3.2.7 Future Residential Area 7 Marina Precinct D	118		Need to include DoW’s guidelines for acceptable floodplain development. Or refer to section 3.2.1.2 (4) a & b.	
4.2.2 Existing Rural Residential Area 2	132			

			3.3 FUTURE RESIDENTIAL (LONG TERM)	120	Medium to long term development can occur where: Department of Water support an adjustment of the boundary of the P1 Water Protection Area; and	The Exmouth Water Reserve boundary was assessed in 2011 and “determined the existing water reserve adequately reflects the recharge area and management objectives consistent with drinking water source protection policy”. Therefore there is no current reasoning to support a boundary amendment of the Exmouth Water Reserve.	The submitter is requesting that reference within the proposed Local Planning Strategy to an adjustment of the P1 Water Protection Area be deleted as there is no current reasoning to support a boundary amendment of the Exmouth Water Reserve. This can be supported as land identified within the P1 Water Protection Area is not required for development within the timeframe of the proposed Local Planning Strategy. The submitters comment is <u>upheld. (Amend all maps and plans to not indicate any adjustment of the P1 Water Protection Area, delete dot point on page 120 stating ‘Department of Water support an adjustment of the boundary of the P1 Water Protection Area; and’). Refer proposed modifications 36 and 71.</u>
			3.3 FUTURE RESIDENTIAL (LONG TERM) ACTION STATEMENTS – ALL AREAS	120 123 125 127	In longer term, consideration of an adjustment of the existing western townsite boundary based on landform rather than as an arbitrary cadastral boundary, acknowledging the Department of Waters need to maintain a high level of protection of the P1 Source Protection Area.	The Exmouth Water Reserve boundary was assessed in 2011 and “determined the existing water reserve adequately reflects the recharge area and management objectives consistent with drinking water source protection policy”. Therefore there is no current reasoning to support a boundary amendment of the Exmouth Water Reserve.	

			3.3.1	121	FUTURE RESIDENTIAL	These future residential area maps have boundary lines that continue into the Exmouth Water Reserve. These maps should be amended to reflect no possible extension into currently defined boundary of the Exmouth Water Reserve. i.e. the lines should not be shown to extend further west into the water reserve.		The submitter is requesting that reference within the proposed Local Planning Strategy to an adjustment of the P1 Water Protection Area be deleted as there is no current reasoning to support a boundary amendment of the Exmouth Water Reserve. This can be supported as land identified within the P1 Water Protection Area is not required for development within the timeframe of the proposed Local Planning Strategy. The submitters comment is <u>upheld. (Amend all maps and plans to not indicate any adjustment of the P1 Water Protection Area). Refer proposed modification 36.</u>
				122	(LONG TERM) AREAS 1,2,3 & 4 – MAPS			
				124				
				126		<p>No future development should be identified in the Exmouth Water Reserve. It is not productive to the retention of a reliable, safe, good quality water supply into the future.</p> <p>The lines that define area 2 continue into a part of the Exmouth Water Reserve that also includes a Wellhead Protection Zone. It is unlikely that any boundary amendment would be supported here unless the production bores were decommissioned and the water reserve boundary and wellheads were amended accordingly which is of low likelihood.</p>		

			3.3.1.2 FUTURE RESIDENTIAL (LONG TERM) AREA 1 PLANNING CONSIDERATI ONS	121	In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to: 4) The advice of the Department of Water noting proximity to the P1 Water Protection area and the Wellhead Protection Zones given the extent of the townsite boundary may need to be adjusted at the detailed design stage.	Please note that it is possible for the townsite boundary to extend into the Exmouth Water Reserve (this occurs in other LGAs) however this does not change the types of land use activities supported by the Department of Water in the Exmouth Water Reserve – as guided by the priority areas and Department of Water, Water quality Protection Note no.25: Land use compatibility tables for public drinking water source areas.		The submitter is requesting that reference within the proposed Local Planning Strategy to an adjustment of the P1 Water Protection Area be deleted as there is no current reasoning to support a boundary amendment of the Exmouth Water Reserve. This can be supported as land identified within the P1 Water Protection Area is not required for development within the timeframe of the proposed Local Planning Strategy. The submitters comment is <u>upheld. (Amend all maps and plans to not indicate any adjustment of the P1 Water Protection Area, delete 3.3.1.2 4), and 3.3.1.3 d)). Refer proposed modifications 36, 72 and 73.</u>
			3.3.2.2 FUTURE RESIDENTIAL (LONG TERM) AREA 2 PLANNING CONSIDERATI ONS	123	3) The advice of the Department of Water given the proximity of Area 2 to the P1 Water Protection area and the Wellhead Protection Zones. The advice will need to confirm whether: The rounding off of development can occur within the wellhead protection zone, consistent with the treatment of existing residential lots to the north which are already developed within the 500m buffer of the eastern-most bore; and Road infrastructure, in the form of the proposed neighbourhood connector between Learmonth Street and Reid Street can be implemented to facilitate road connectivity within requirement development timeframes.	The Wellhead Protection Zones and Priority 1 area are defined and managed to ensure there is no degradation of the quality of the drinking water source with the objective of risk avoidance. Therefore consistent with the preventive risk-based framework of Western Australian Government, changes of land use that introduce additional risks are not recommended.		The submitter is requesting that reference within the proposed Local Planning Strategy to an adjustment of the P1 Water Protection Area be deleted as there is no current reasoning to support a boundary amendment of the Exmouth Water Reserve. This can be supported as land identified within the P1 Water Protection Area is not required for development within the timeframe of the proposed Local Planning Strategy. The submitters comment is <u>upheld. (Amend all maps and plans to not indicate any adjustment of the P1 Water Protection Area, delete 3.3.2.2 3), and 3.3.2.3 d)). Refer proposed modifications 36, 74 and 75.</u>
			3.3.3 FUTURE RESIDENTIAL (LONG TERM) AREA 3	124	In assessing a rezoning/structure plan proposal the local government will, in addition to the staging criteria above, have regard to: 3) The advice of the Department of Water given the proximity of Area 2 to the P1 Water Protection area and the Wellhead protection Zones.	Supported		The submitter is providing support for 3.3.3.2 3). The submitters comment is <u>noted.</u>
			3.3.4 FUTURE RESIDENTIAL (LONG TERM) AREA 4	127	3) The advice of the Department of Water given the proximity of Area 4 to the P1 Water Protection area and the Wellhead protection Zones.	Supported		The submitter is providing support for 3.3.4.2 3). The submitters comment is <u>noted.</u>

			7.5 Town Centre Precinct 4	199	Area subject to flooding.	Need provisions made in text for floodplain management constraints.	The submitter is requesting that the provisions of 3.2.1.2 (4) a) and b) from the proposed Local Planning Strategy which relates to development having adequate protection from 100 year ARI flood levels, be copied and inserted in sections 7.5.2 and 7.6.2. This is recommended, however the first sentence is recommended to state <i>'The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that:'</i> The submitter comment is <u>upheld. (add under 7.5.2 and 7.6.2 'The extent of the development area being informed by hydraulic modelling associated with the floodplain to ensure that: a) Proposed development has adequate protection from a 100 year ARI flood; and b) Proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.'</u> Refer proposed modifications 144 and 146.
			7.6 Town Centre Precinct 5	101	Area subject to flooding.	Need to include DoW's guidelines for acceptable floodplain development. Or refer to section 3.2.1.2 (4) a & b.	
			9.1 PLANNING CONSIDERATIONS	208	4. Exmouth Water Reserve – The protection of the Exmouth Water Reserve is required to ensure Exmouth's ground water resources are safeguarded from contamination via non-compatible land uses. In accordance with the Department of Water's Water Reserve Protection Report No 122, the Reserve is managed as a Priority 1 Area in which the development of land is to be restricted and subject to the approval of the Department of Water. The LPS will reinforce this level of protection	Supported. Please note that the review should be referenced as shown below (in bold and red); "...Department of Water's, Exmouth Water Reserve Drinking water source protection report no.122 (2011), the Exmouth Water Reserve is managed as a Priority 1Area ..."	
			9.1.1 ACTION STATEMENTS	209	c) Include the Exmouth Water Reserve as a Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.	Supported	
			13.1 PLANNING CONSIDERATIONS	225	1) Floodplain management – 'Only the floodplain defined in detail by SKM (2007) using hydraulic modelling will be used to define the Special Control Area for Floodplains within LPS 4	Hyd2o floodplain mapping south of Exmouth should also be used; knowing that the results are indicative only.	The submitter is requesting that the words ' <i>Department of Water's Water Reserve Protection Report No 122, the Reserve is managed as a Priority 1 Area</i> ' be substituted with ' <i>Department of Water's, Exmouth Water Reserve Drinking water source protection report no.122 (2011), the Exmouth Water Reserve is managed as a Priority 1 Area...</i> ' under heading 9.1 4). This is recommended to improve grammar, and ensures reference to the correct documents. The submitters comment is <u>upheld. (under heading 9.1 4) substitute 'Department of Water's Water Reserve Protection Report No 122, the Reserve is managed as a Priority 1 Area' with 'Department of Water's, Exmouth Water Reserve Drinking water source protection report no.122 (2011), the Exmouth Water Reserve is managed as a Priority 1 Area'.</u> Refer proposed modification 150.
							The submitter provides support for action statement 9.1.1 c). The submitters comment is <u>noted.</u>
							The submitter is requesting that the last sentence from 13.1 1) be deleted. This is recommended. The submitters comment is <u>upheld. (Delete 'the last sentence from 13.1 1). Refer proposed modification 163.</u>

13.1 PLANNING CONSIDERATIONS	225	2) Exmouth Water Reserve / Wellhead Protection Zones As identified in section 2.6.1, the Exmouth Water Reserve was proclaimed in 2002 under the Country Areas Water Supply Act 1947 and is managed as a P1 source protection area by the Department of Water due to the unconfined and karstic nature of the water source. This level of protection is reinforced through a Wellhead Protection Zone which identifies a 500m buffer around each production bore.	<p>The Priority 1 allocation of the Exmouth Water Reserve is not only due to karstic nature of the aquifer.</p> <p>Please updated this sentence into two separate statements so that this is clear with some additional explanation as shown here below (in red and bold);</p> <p>“...and is managed as a P1 source protection area by the Department of Water. Due to the unconfined and karstic nature of the water source it is vulnerable to contamination from above-ground land uses.”</p>	<p>The submitter is requesting that the words ‘<i>and is managed as a P1 source protection area by the Department of Water due to the unconfined and karstic nature of the water source.</i>’ under 13.1 2) in the first sentence be substituted with ‘<i>and is managed as a P1 source protection area by the Department of Water. Due to the unconfined and karstic nature of the water source it is vulnerable to contamination from above-ground land uses.</i>’ This is recommended. The submitters comment is <u>upheld. (under 13.1 2) substitute ‘and is managed as a P1 source protection area by the Department of Water due to the unconfined and karstic nature of the water source.’ with ‘and is managed as a P1 source protection area by the Department of Water. Due to the unconfined and karstic nature of the water source it is vulnerable to contamination from above-ground land uses.’</u> Refer proposed modification 164.</p>
	225	The Water Reserve and Wellhead Protection Zones are reflected by the LPS mapping noting that one Wellhead Protection Zone partially encroaches within the Exmouth Townsite in the northern sector. It is necessary for an application to be made to the local government for all land use and development proposed within the Exmouth Water Reserve and land use must be in compliance with the provisions of the Department of Water's Water Quality Protection Note (WQPN) No 25: Land Use Compatibility in Public Drinking Water Source Area. The local government is currently only required to refer development applications to the Department of Water for advice when the proposed development is inconsistent with the WQPN No 25. This approval process will be reinforced through the identification of the Exmouth Water Reserve as a Special Control Area within LPS 4 in order to ensure that land use and development is compatible with the longer term protection of the reserve and its water resource.	Supported	<p>The submitter is providing general support for text included under 13.1 2). The submitters comment is <u>noted.</u></p>

			13.1.1 ACTION STATEMENTS	227	a) Include the Exmouth Water Reserve within Special Control Area within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.	Supported	The submitter is providing support for action statement 13.1.1 a). The submitters comment is <u>noted.</u>
							<p>Summary of Submission 13.</p> <ul style="list-style-type: none"> Department of Water have provided comprehensive comments on the proposed Local Planning Strategy and recommend the document: <ul style="list-style-type: none"> Make reference to the correct Department of Water documents. This is recommended to improve accuracy; Make reference to climate change and sea level rise. The proposed Local Planning Strategy discusses State Planning Policy 2.6 which covers sea level rise and coastal impacts of climate change. There is no need to further discuss this matter; Include reference to DoW guidelines for acceptable floodplain development to provide protection from 1 in 100 year ARI flood levels. The proposed Local Planning Strategy discusses DoW guidelines for acceptable floodplain management; Make reference to the correct dimensions of the drinking water reserve. This is recommend to improve accuracy; Include reference to development having adequate protection from 100 year ARI flood levels in all relevant areas. This is recommended to ensure the impacts of flooding are considered in all relevant areas; Not include reference to re-alignment of the public drinking water reserve as this is not supported. This is recommended as land within the drinking water reserve is not required within the timeframe of the proposed Local Planning Strategy; Modifications 36, 47, 48, 55, 56, 57, 58, 59, 68, 70, 71, 72, 73, 74, 75, 76, 77, 82, 144, 146, 150, 163 and 164 proposed to Local Planning Strategy.

14.	N/A	Department of Defence	<p>Thank you for providing the Department of Defence (Defence) with the opportunity to provide input into the Proposed Exmouth Local Planning Scheme and Local Planning Strategy. I note that the Planning Strategy is a high-level district plan that will provide a framework for the provision and arrangements of future land use.</p> <p>The Planning Strategy (the Strategy) includes a number of high priority objectives and subsequent actions that would impact on the future strategic direction of the region. The Strategy outlines Objectives: 10 "Movement" 10.2 (7) and 11 "Land Use Buffers" 11.2 (5) that have implications for Defence and ongoing Defence operations at RAAF Base Learmonth and the Harold E Holt Naval Facility. As such, Defence would like to make the following comments.</p>	The submitters comment is <u>noted.</u>
			<p>Land use Buffers An objective identified in the Strategy is to protect key infrastructure and areas of conservation value within the Exmouth Region from land use conflict and sensitive land uses through the identification of land use buffers. A number of relevant buffers included for military facilities include an indicative noise Buffer and height restrictions associated with RAAF Learmonth and an 800 metre Defence communication tower buffer associated with the Harold E Holt Naval Facility. The inclusion of these buffers in the scheme is supported.</p>	The submitter provides general support for the land use buffers as indicated and discussed in the proposed Local Planning Strategy. The submitters comment is <u>noted.</u>
			<p>Defence is concerned that excessive amounts of lighting associated with potential development near the Space Surveillance Telescope located at Harold E Holt Naval Facility could pose a risk to the telescope's operational capability. Defence requests that Council consider including a buffer area with measures to control light pollution and outdoor lighting. As a potential guide, Defence suggests that Council review the NSW Department of Planning and Environment guidelines for Dark Sky Planning found at: http://www.planning.nsw.gov.au/Policy-and-Legislation/Environment-and-Heritage/Dark-Sky-Planning. Defence is open to engaging in discussions with Council to help address this matter.</p>	The submitter is concerned about the impacts of lighting on a telescope within the Harold E Holt Naval Facility. It is important to note that the existing townsite was developed prior to development of the telescope. The submitter has referred to a document from the New South Wales Department of Planning and Environment which relates to dark sky planning. The guideline states to control the impact of lighting from development within critical distances from an observatory, three different lighting areas should be applied, with 0-12km being the greatest impact area requiring the most stringent of lighting controls. The entire townsite of Exmouth is within 12km of the Harold E Holt Naval Facility. The submitters comment is <u>noted.</u>
			<p>Learmonth RAAF Base and Airport Section 2.7.2 "Learmonth RAAF Base and Airport" acknowledges the strategic and Defence significance that RAAF Base Learmonth and the Airport have within the region. This Section also includes a reference to an indicative aircraft noise buffer and acknowledges RAAF Base Learmonth and the Airport. The surrounding area is affected by building and structure height limits under the Defence (Areas Control) Regulations (D(AC)R) 1989. Defence is also responsible for the Aircraft Noise Exposure Forecast (ANEF) for RAAF Base Learmonth and is supportive of the inclusion of an indicative buffer area in the absence of an updated ANEF and the D(AC)R as shown in the Exmouth South Structure Plan (Plan 7).</p>	The submitter provides support for the text included under heading 2.7.2 Air Travel and the indication of relevant buffer areas on the proposed Local Planning Strategy maps. The submitters comment is <u>noted.</u>
			<p>Future Residential Land Defence understands that future residential land is of particular importance to Exmouth given that townsite expansion is significantly constrained by the Exmouth Water Reserve to the west, Commonwealth Land (Defence) to the north and Conservation and Pastoral Landholdings to the south. The Strategy identifies a number of future residential land sites and these are mostly to the south or west of the existing town with no sites identified to the north. Defence appreciates Council's approach to minimising urban encroachment on the Defence estate and protection of Defence's operations in Exmouth.</p>	The submitter provides general support for the areas identified for future residential development in the proposed Local Planning Strategy. The submitters comment is <u>noted.</u>
			<p>Section 10.3 Action Items Contained within Section 10.3 of the Strategy there are three action items that involves ongoing engagement with Defence specifically 10.3 (e), (t) and (g). Defence acknowledges these specific action items and is willing to engage with Council to address them.</p>	The submitter provides general support for 10.3 Actions e), f), and g). The submitters comment is <u>noted.</u>
			Other Matters	

			<p>Under the Gascoyne Regional Infrastructure Review 2010 <i>"Sustainable Water Supply"</i> there is a reference to "a possible desalination plant, located near the naval jetty". Defence is unaware of any discussions or negotiations regarding a possible desalination plant. I have been advised by Defence Subject Matter Experts (SMEs) that a desalination plant will negatively impact upon Defence operations at Harold E Holt Naval Facility. Until further discussions on this matter occur it is inappropriate for Council to include this Section in its Strategy and should therefore be removed.</p>	<p>The submitter is requesting the deletion of reference to any possible desalination plant, located near the naval jetty. This is recommended as the proposed Local Planning Strategy also states that a possible location for a desalination is south of the town along Murat Road. The submitters comment is <u>upheld. (Delete 'located near the naval jetty, or' under Gascoyne Regional Infrastructure Review 2010, Sustainable Water Supply) Refer proposed modification 49.</u></p>
			<p>Contained within Section 2.1.6.3 "Coastline North" there is the statement that "Department of Parks and Wildlife (DPaW) manages the coastline contained in the Jurabi Coastal Park and Bundegi Park, and is interested in managing the coastal foreshore within Lyndon Location 44, which is 'Area A' of the Naval Communication Station Harold E. Holt." As Council is aware, Lyndon Location 44 is contained on Defence land and Defence is responsible for managing the environmental values of this land. I request that Council removes references to DPaW expressing interest to manage Lyndon Location 44 and that DPaW should seek to engage with Defence directly regarding this matter.</p>	<p>The submitter is requesting in section 2.1.6.3 of the proposed Local Planning Strategy the deletion of <i>'and is interested in managing the coastal foreshore within Lyndon Location 44, which is 'Area A' of the Naval Communication Station Harold E. Holt.'</i> in the last paragraph. This is recommended as it relates to DPaW undertaking actions not the Shire. The submitters comment is <u>upheld. (Delete 'and is interested in managing the coastal foreshore within Lyndon Location 44, which is 'Area A' of the Naval Communication Station Harold E. Holt.' in the last paragraph, under heading 2.1.6.3) Refer proposed modification 53.</u></p>
			<p>Section 2.7.1 "Yardie Creek Road" states that there is potentially a risk to travellers on Yardie Creek Road due to electromagnetic radiation emitted by the towers at Harold E Holt Naval Facility. I have been advised by Defence SMEs that there is no electromagnetic radiation hazard risk on Yardie Creek Road. As there is no electromagnetic radiation hazard risk there is no need to engage in discussions regarding possible land exchanges. Therefore, I request that this section is also removed from the Strategy.</p>	<p>The submitter is confirming that there is no electromagnetic radiation hazard risk caused by the towers at Harold E Holt Naval Facility, and recommends deletion of reference to this in the proposed Local Planning Strategy. The deletion of reference to electromagnetic radiation hazard risk caused by the towers at Harold E Holt Naval Facility is recommended to improve accuracy of the proposed Local Planning Strategy. The submitters comment is <u>upheld. (Delete reference to electromagnetic radiation hazard risk caused by the towers at Harold E Holt Naval Facility under heading 2.7.1 Roads Yardie Creek Road) Refer proposed modification 61.</u></p>
			<p>Should you wish to discuss the content of this advice further, my point of contact is Mr Tim Hogan at DSRGIDEP.ExecutiveSupport@defence.gov.au or by telephone on (02) 6266 8193.</p>	<p>The submitters comment is <u>noted.</u></p>
				<p>Summary of Submission 14.</p> <ul style="list-style-type: none"> Department of Defence provides support for: <ul style="list-style-type: none"> the land use buffers as identified and discussed; the text included under heading 2.7.2 Air Travel and the indication of relevant buffer areas on the Strategy maps; the areas identified for future residential development; 10.3 Actions e), f), and g). Department of Defence is concerned that excessive amounts of lighting associated with potential development near the Space Surveillance Telescope located at Harold E Holt Naval Facility could pose a risk to the telescope's operational capability, and requests the Shire to consider including a buffer area with measures to control light pollution and outdoor lighting. This is noted and partially addressed through proposed Local Planning Scheme No.4. Department of Defence is requesting deletion of reference to any possible desalination plant, located near the naval jetty. This is recommended as the proposed Local Planning Strategy also states that a possible location for a desalination plant is south of the town along Murat Road. Department of Defence is requesting deletion of <i>'and is interested in managing the coastal foreshore within Lyndon Location 44'</i> in section 2.1.6.3 of the proposed Local Planning Strategy. This is recommended as it relates to DPaW undertaking actions not the Shire. Department of Defence confirms that there is no electromagnetic radiation hazard risk caused by the towers at Harold E Holt Naval Facility, and recommends deletion of reference to this in the proposed Local Planning Strategy. The deletion of reference to electromagnetic radiation hazard risk caused by the towers at Harold E Holt Naval Facility is recommended to improve accuracy of the proposed Local Planning Strategy. Modifications 49, 53 and 61 proposed to Local Planning Strategy.

15.	Lot 3 Truscott Street	RAC	<p>1. INTRODUCTION</p> <p>This document provides a submission on the Draft Shire of Exmouth Local Planning Strategy, Town Planning Scheme No.4 and the subsequent proposed zoning of the RAC Exmouth Cape Holiday Park, at 3 Truscott St Exmouth (the Site) as Special Use 4 - Caravan Park and Camping Ground (SU4 Zone).</p>	The submitters comment is <u>noted.</u>
			<p>The Shire of Exmouth is currently advertising the proposed Shire of Exmouth Local Planning Strategy (LPS) and Town Planning Scheme No.4 (TPS4). The proposed LPS4 replaces the existing Tourist Zone with two new zones being the Tourism Zone and the Special Use Zone 4 – Caravan Park and Camping Ground.</p>	The submitters comment relates to proposed Local Planning Scheme No.4 not the Local Planning Strategy. The submitters comment is <u>noted.</u>
			<p>2. EXISTING TOWN PLANNING SCHEME</p> <p>The Site is currently contained within the Tourist Zone and the proposal to include the land within the SU4 Zone will result in the prohibition of certain uses that are currently permissible under the Shire of Exmouth Town Planning Scheme No.3. Most notably a hotel, motel and tourist development are proposed to be prohibited.</p>	The submitters comment relates to proposed Local Planning Scheme No.4 not the Local Planning Strategy. The submitters comment is <u>noted.</u>
			<p>2.1 Existing Use of the RAC Exmouth Cape Holiday Park</p> <p>In addition to ancillary facilities the primary land uses on the site include the following:</p> <ul style="list-style-type: none"> • Caravan park (defined under the draft LPS4 as caravan park) • Camp sites (defined under the draft LPS4 as camping ground) • Chalets (defined under the draft LPS4 as chalet) • Backpackers accommodation (defined under the draft LPS4 as tourist development) • Shop (defined under the draft LPS4 as a shop) 	The submitter has provided information on the current facilities and primary land uses on the RAC Exmouth Cape Holiday Park. The submitters comment is <u>noted.</u>
			<p>2.2 Summary of issues</p> <p>The following key issues are identified for consideration by the Council:</p> <ul style="list-style-type: none"> • It is understood that the intent of the rezoning is to protect caravan parks in the Shire from redevelopment to residential land uses which in turn reduces the capacity of the shire to provide tourism related accommodation. The site contains a variety of land uses that are not envisaged and therefore prohibited by the proposed Caravan Parks and Camping Ground zone. This will prejudice long term viability of the RAC Exmouth Cape Holiday Park. 	The submitter is advising that the RAC caravan park site contains a variety of land uses that are not envisaged by the proposed Local Planning Strategy, and therefore prejudicing long term viability of the Caravan Park. The proposed Local Planning Strategy does not restrict currently approved land uses operating upon the Caravan Park. The Caravan Park contains land uses that are envisaged. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> • The proposed zone change is inconsistent with the draft Local Planning Strategy which identifies the site for tourism – not caravan parks and camping grounds. 	The submitter is advising that the zone change is inconsistent with the proposed Local Planning Strategy. The zone change is consistent with the proposed Local Planning Strategy, refer action 5.3 c). The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> • The proposed scheme amendment reduces the ability for RAC to make alterations to the mix of tourism accommodation on the site. This is important to ensure that RAC can meet the changing needs of modern tourist caravan parks throughout Western Australia. In that regard the current tourist zone provides greater flexibility for changes to the accommodation mix (for example the increase in onsite cabins / chalet accommodation driven by changing consumer demand). This flexibility is essential to enable caravan park owners to meet the market needs of today's tourists. 	The submitter is advising that the proposed Scheme Amendment reduces the ability for RAC to make alterations to the mix of tourism accommodation. The proposed Local Planning Strategy does not reduce the ability for RAC to make alterations to the mix of tourism accommodation. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> • The proposed scheme amendment will result in a variety of uses currently operating on the site to be prohibited and therefore will only 	Refer comments above.

			<p>continue to operate as a non-conforming uses (for example the current backpackers accommodation). While it can continue under existing use rights, should the RAC determine that changes to market demand in Exmouth are better suited by, for example, a budget family accommodation or motel facility instead of backpackers, proper flexible and responsive planning for the site would be seriously hampered by the proposed amendment.</p>	
			<ul style="list-style-type: none"> The site is a strategically important tourism location due to its proximity to key regional facilities - In particular the Ningaloo Visitor and Interpretation Centre and the Exmouth Town Centre. The Ningaloo Centre on the northern side of Truscott Street (adjacent the site) is due for completion in April 2017. This is a \$38m development to be a major attraction for the Shire and is a state-of-the-art centre that will deliver new research, education, tourism and community facilities to Exmouth. This adds weight to zoning this site Tourism and allowing for a larger variety of tourism accommodation facilities. 	<p>The submitter is advising that the RAC Caravan Park is in a strategically important tourism location and this therefore adds weight to zoning the site tourism. The proposed Local Planning Strategy does not zone land. The proposed Local Planning Strategy identifies the Caravan Park as being suitable for inclusion in 'Special Use – Caravan Park'. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> By limiting the range of tourism accommodation permitted on the site the new scheme also reduces the value of the asset which thereby reduces the incentive for RAC to allocate capital to reinvest in improvements to this park compared to the 4 other assets in our tourism portfolio. 	<p>The submitter is advising that the proposed Local Planning Strategy reduces the ability for RAC to make alterations to the mix of tourism accommodation. The proposed Local Planning Strategy does not reduce the ability for RAC to make alterations to the mix of tourism accommodation. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> The proposal could create an impairment requirement of the asset on RAC's balance sheet on a future revaluation. This would negatively impact on RAC's ability to reinvest in the property and would result in exposure of the Council to injurious affection. 	<p>The submitter is advising that the proposed Local Planning Strategy will create an impairment of the RAC's balance sheet. The financial implications of the proposed Local Planning Strategy are not a relevant planning consideration. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> We note that the draft Local Planning Strategy and Scheme zone land for a new caravan park to the east of the site and it is recommended that due to its location further from the Town centre that this land should be zoned to restrict land uses to caravan park and camping only. Further, it is questioned that the current off peak market demand within the Shire cannot support additional caravan parks and tourism facilities. It is recommended that the need for another caravan park in Exmouth should be carefully reconsidered in the context of the current performance of existing parks in the area and whether their occupancy rates demonstrate the need for additional capacity. 	<p>The submitter is advising that the proposed Local Planning Strategy restricts the land uses to caravan park and camping only. The proposed Local Planning Strategy does not restrict the land uses of the RAC Caravan Park and Camping Ground Only. The submitters comment is <u>noted.</u></p>
			<p>3. CONCLUSION AND RECOMMENDATION</p> <p>RAC's intention is to provide a portfolio of consistent high quality holiday parks to its members and the broader tourism market in WA. RAC's Exmouth property is very important to this portfolio given the iconic tourism experiences offered in the Exmouth region. It is recommended that the draft SU4 zone be amended, as shown in Appendix A, to allow for a greater variety of land uses than currently proposed. Appendix A provides the recommended text that should be applied to SU4. In particular, it allows for:</p> <ul style="list-style-type: none"> the continuation of the existing lawfully established uses on site; preservation of the strategically important tourism related activities within the established tourism sites within the Shire; a greater diversity of tourism related activities on the site which will consequently allow for the tourism facilities to respond to a dynamic and changing tourism market; and allow for proper planning review of future development proposals by the Council. <p>The Shire of Exmouth's support for this planning recommendation will be vital to ensure that RAC can make the ongoing investment in the property needed to achieve this outcome.</p>	<p>The submitter is providing comment on proposed Local Planning Scheme No.4, not the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>

			<p>Appendix – Recommended Text for SU4</p> <p>1 SPECIAL USE 4 ZONE – CARAVAN AND CAMPING GROUND</p> <p>The objectives of Special Use Zone 4 are as follows:</p> <ol style="list-style-type: none"> 1. To cater for the current and future supply of affordable tourist accommodation, principally in the form of caravan parks and camping grounds, to meet the current and anticipated demand. 2. To facilitate flexibility in the design and development of tourism infrastructure by allowing a diversity of tourism related development. 3. To control the location, form, character and density of development to complement the natural and built features within the locality. 4. To provide for high quality short-term accommodation and tourist facilities. 5. To protect potential and existing caravan and camping areas from the encroachment by other incompatible use or development. <p>1.1 Land Use</p> <p>1. The following uses shall be classified as ‘D’ uses under the Scheme:</p> <ul style="list-style-type: none"> • camping ground; • car park; • caravan park. • chalet; • civic use; • club premises; • community purpose; • convenience store; • fast food outlet; • hotel; • motel; • public utility; • recreation – private; • restaurant/café; • shop; • telecommunications infrastructure; • tourist development. <p>2. The following uses shall be classified as ‘I’ uses under the Scheme:</p> <ul style="list-style-type: none"> • caretakers dwelling; • All uses listed in table 1 as Commercial land uses provided that the combined gross floor area allocated for such uses does not exceed 500m2 and they are not already listed in item 1 above. <p>3. All other uses are ‘X’ not permitted.</p> <p>1.2 Development Requirements</p> <p>1. In considering any development application for a new caravan park and camping ground, the local government shall require a detailed report addressing the following:</p> <ol style="list-style-type: none"> i. Landform, drainage and topography; ii. Soils and vegetation; iii. Internal vehicle and pedestrian movement system, including location and dimensions of roads and footpaths; iv. The location, size and function of all communal open space areas; v. Land uses; vi. Indicative lot/site layout; vii. Servicing, including sewer, water, drainage and power; and viii. Such other information as may be required by the local government. <p>2. Accommodation for an on-site manager shall be provided for a caravan park and camping ground.</p> <p>3. Additional accommodation for up to a maximum of two permanent staff of the caravan park and camping ground may be permitted.</p> <p>4. Landscaping shall be provided to integrate the development into the natural landscape and provide screening from visual and noise impacts of surrounding land uses.</p>	<p>The submitter is providing comment on proposed Local Planning Scheme No.4, not the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p>
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				<div>Summary of Submission 15.</div> <div><div><div><div></div><div>The submitter is advising that the RAC caravan park site contains a variety of land uses that are not envisaged by the proposed Local Planning Strategy, and therefore prejudicing long term viability of the Caravan Park. The proposed Local Planning Strategy does not restrict currently approved land uses operating upon the Caravan Park. The Caravan Park contains land uses that are envisaged.</div></div></div><div><div></div><div>The submitter is advising that the zone change is inconsistent with the proposed Local Planning Strategy. The zone change is consistent with the proposed Local Planning Strategy, refer action 5.3 c).</div></div><div><div></div><div>The submitter is advising that the proposed Scheme Amendment reduces the ability for RAC to make alterations to the mix of tourism accommodation. The proposed Local Planning Strategy does not reduce the ability for RAC to make alterations to the mix of tourism accommodation.</div></div><div><div></div><div>The submitter is advising that the RAC Caravan Park is in a strategically important tourism location and this therefore adds weight to zoning the site tourism. The proposed Local Planning Strategy does not zone land. The proposed Local Planning Strategy identifies the Caravan Park as being suitable for inclusion in ‘Special Use – Caravan Park’.</div></div><div><div></div><div>The submitter is advising that the proposed Local Planning Strategy will create an impairment of the RAC's balance sheet. The financial implications of the proposed Local Planning Strategy are not a relevant planning consideration.</div></div><div><div></div><div>The submitter is advising that the proposed Local Planning Strategy restricts the land uses to caravan park and camping only. The proposed Local Planning Strategy does not restrict the land uses of the RAC Caravan Park and Camping Ground Only.</div></div><div><div></div><div>No modifications proposed to Local Planning Strategy.</div></div></div>						
16.	N/A	Department of Parks and Wildlife WA	<div>Thank you for providing the Department of Parks and Wildlife (Parks and Wildlife) Exmouth District with the opportunity to comment on the Shire of Exmouth Draft Local Planning Strategy 1 and Draft Local Planning Scheme 4.</div> <div>Parks and Wildlife's Exmouth District has reviewed the documents in relation to the Department's responsibilities under the <i>Conservation and Land Management Act 1984</i> and the <i>Wildlife Conservation Act 1950</i>. Please find Parks and Wildlife's comments attached for the Shire of Exmouth's consideration in the process of finalising the Local Planning Strategy 1 and Local Planning Scheme 4.</div> <div>Please contact Brooke Halkyard (ph. 9947 8021 or Brooke.Halkyard@DPaW.wa.gov.au) in the first instance if you have any queries in relation to this advice.</div> <table><tr><td>Item No.</td><td>Issue</td><td>Reviewer Comment / Advice</td></tr><tr><td>1</td><td>Classification</td><td><i>Recommendation 1: That the Local Planning Strategy identifies additional areas for classification as "Environmental Conservation"</i></td></tr></table>	Item No.	Issue	Reviewer Comment / Advice	1	Classification	<i>Recommendation 1: That the Local Planning Strategy identifies additional areas for classification as "Environmental Conservation"</i>	<div>The submitters comment is <u>noted.</u></div>
Item No.	Issue	Reviewer Comment / Advice								
1	Classification	<i>Recommendation 1: That the Local Planning Strategy identifies additional areas for classification as "Environmental Conservation"</i>								

			/zoning Section 9.0 Conservation	<p><i>reserve, under the Shire's Local Planning Scheme.</i></p> <p>Discussion</p> <p>Parks and Wildlife supports the classification of 'Environmental Conservation' reserve under the Local Planning Scheme for the following conservation significant areas within the Shire of Exmouth:</p> <ul style="list-style-type: none"> • Cape Range National Park; • Jurabi Coastal Park; • Bundegi Coastal Park; • Muiron Islands Reserve; • land abutting the Ningaloo Marine Park and the Exmouth Gulf that reflects the 40 metre setback landward of the high water mark; • Camerons Cave Threatened Ecological Community and associated 500 metre land use buffer; and • Unallocated Crown Land (UCL) on the peninsula north and north-west of Exmouth townsite. <p>Parks and Wildlife also supports working collaboratively with the Shire of Exmouth to investigate future community uses for the UCL on the peninsula north and north-west of the Exmouth townsite.</p>	<p>The submitter is providing support for the proposed Environmental Conservation reserve in proposed Local Planning Scheme No.4, as recommended in the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p> <p>The submitter advises that they are willing to work with the Shire to investigate future community uses north and northwest of the townsite. The submitters comment is <u>noted.</u></p>
				<p>Parks and Wildlife notes that islands within the Exmouth Gulf are identified in Local Planning Scheme No. 4 as 'Environmental Conservation' reserves but this classification is not reflected in the Local Planning Strategy. Parks and Wildlife supports this classification for islands within the Exmouth Gulf and recommends that the Local Planning Strategy is updated to ensure consistency with the Scheme.</p>	<p>The submitter is advising that islands within the Exmouth Gulf are not classified as 'Environmental Conservation' reserve and therefore not consistent with proposed Local Planning Scheme No.4. Islands within the Exmouth Gulf are designated as Conservation and Landscape Protection in the proposed Local Planning Strategy spatial plans. This is generally consistent with proposed Local Planning Scheme No.4 as the designations do no need to be exactly the same in both documents. The submitters comment is <u>noted.</u></p>
				<p>The Local Planning Strategy identifies that Giralia ex-pastoral lease is to be zoned 'Rural' consistent with the existing scheme. Parks and Wildlife considers it more appropriate that Giralia ex-pastoral lease is classified 'Environmental Conservation' reserve, given that the area is intended to be declared a Conservation Park under the Conservation and Land Management Act 1984, with Parks and Wildlife as the management agency. The Interim Management Guidelines (IMGs) for Giralia ex-pastoral lease identifies the UCL directly adjoining the ex- Giralia pastoral lease (Loe. 7 and Loe. 90) as an addition to the proposed Conservation Park. Parks Wildlife recommends that UCL Loe 7 and Loe. 90 also be classified as 'Environmental Conservation' reserve consistent with the intent of the IMGs, as should the Nature Reserve at Sandalwood Landing (please refer to attached map).</p> <p>Parks and Wildlife acknowledges that the activities at Giralia Homestead may not be consistent with the activities permitted within an 'Environmental</p>	<p>The submitter is requesting that the proposed Local Planning Strategy state 'Classify Giralia ex pastoral lease as 'Environmental Conservation' reserve excluding the Giralia Homestead which is to be classified as 'Rural' in proposed Local Planning Scheme No.4'. This is not appropriate as the land has not been formally designated as a conservation reserve. The Local Planning Strategy spatial plans identify the Giralia Pastoral Station as Conservation and Landscape Protection and the Giralia Homestead as tourism. The submitters comment is <u>not supported.</u></p>

				<p>Conservation' reserve, as specified under the scheme, and that this portion of development may need to be classified as 'Rural' zone (Or some form of Special Purpose tourism Zone). Parks and Wildlife further notes that a commercial aquaculture lease is held on UCL on the north-eastern side of the Sandalwood Peninsula that will require consideration in the Local Planning Scheme.</p>	
				<p>In 2015 portions of Ningaloo pastoral lease and Exmouth Gulf Pastoral lease within the Shire of Exmouth were excluded from pastoral lease, with the intention to add these areas to the conservation reserve system. Currently the majority of areas which were excluded in 2015 have reverted to UCL, with legal action relating to the exclusions ongoing at Ningaloo Station. The Local Planning Strategy proposes that the Exmouth Gulf Pastoral Lease exclusion area is zoned 'Rural' consistent with the existing scheme. Parks and Wildlife recommends that the exclusion area is classified 'Environmental Conservation' reserve, consistent with the intent to incorporate the area as an extension to Cape Range National Park. Similarly, the northern portion of Ningaloo Station is intended for inclusion into Cape Range National Park. Parks and Wildlife recommends this area as well as the excluded coastal portion of ex Ningaloo Station also be classified 'Environmental Conservation' reserve, consistent with the land use intent.</p>	<p>The submitter is requesting that the proposed extensions of the Cape Range National Park be recommend for inclusion within the 'Environmental Conservation' reserve within Local Planning Scheme No.4 in the proposed Local Planning Strategy.</p> <p>Exclusions to Ningaloo Station are currently being challenged in court. It is therefore inappropriate to pre-empt the court's decision on this matter and recommend this land be included within the 'Environmental Conservation' within Local Planning Scheme No.4 in the proposed Local Planning Strategy. The proposed Local Planning Strategy spatial plans identify Ningaloo Station as Pastoral.</p> <p>The area excluded from the Exmouth Gulf Pastoral Station has not been formally designated as a Conservation Estate. Therefore it is inappropriate to recommend this land be zoned 'Environmental Conservation' reserve within Local Planning Scheme No.4 in the proposed Local Planning Strategy. The proposed Local Planning Strategy spatial plans identify this land as 'Future Conservation Estate'. The submitters comment is <u>not supported.</u></p>
		2	Management Plans Section 1.3 Local Planning Context	<p><i>Recommendation 2: That the Local Planning Strategy incorporates the Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015 into its local planning context.</i></p> <p>Discussion The Ningaloo Marine Park and Muiron Islands Marine Management Area occur within the Shire of Exmouth and are managed in accordance with the Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015. This plan contains management strategies for managing conservation and social values within these reserves, including recreation and visitor use. Parks and Wildlife recommends that the above-mentioned management plan is referenced in the Local Planning Strategy at Section 1.3.5 (Management, Master and Outline Development Plans) and that planning considerations within the Local Planning Strategy are consistent with the plan's management strategies.</p>	<p>The submitter is requesting that the Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015 be referenced in the proposed Local Planning Strategy under heading 1.3.5. This is recommended. The submitters comment is <u>upheld. (Add paragraph under heading 1.3.5 to summarise the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015) Refer proposed modification 50.</u></p>
		3	Marine Protected Areas Section 9.0 Conservation	<p><i>Recommendation 3: That the Local Planning Strategy incorporates recommendations of the Marine Parks and Reserves Selection Working Group (1994) into its proposal for a Marine Protected Area in the nearshore waters of Exmouth Gulf south of Wapet Creek.</i></p>	

				<p>Discussion</p> <p>Given the importance of the mangal and mudflat habitats for environmental conservation and sustaining local fisheries, Parks and Wildlife supports the proposal for a Marine Protected Area in the Exmouth Gulf. Parks and Wildlife recommends that the Local Planning Strategy incorporates the recommendations of the Marine Parks and Reserves Selection Working Group (1994), with respect to the establishment of a Marine Protected Area:</p> <ul style="list-style-type: none">▪ that the nearshore waters on the eastern and south-western sides of Exmouth Gulf be considered for reservation;▪ that the north-eastern limit of the proposed marine reserve should be located at Locker Point and the south-western limit in the vicinity of Learmonth;▪ that the marine area reserved should extend from the High Water Mark seaward to the about the 10• metre bathymetric contour; and• that the mangals of Gales Bay and Bay of Rest be included in the reserve.	<p>The submitter is requesting that additional actions be included in the proposed Local Planning Strategy to address the recommendations of the Marine Parks and Reserves Selection Working Group (1994) in relation to the Marine Protected Area in the Exmouth Gulf. This is considered to be beyond the scope of the proposed Local Planning Strategy. The proposed Local Planning Strategy states that any land use proposal in the vicinity of these waters should be supported by environmental investigations. Text could be added to 9.1 10) stating '<i>Any land use proposal shall be referred to the relevant Environmental Authority</i>'. The submitters comment is <u>noted. (Add text to 9.1 10) at end stating '<i>Any land use proposal shall be referred to the relevant Environmental Authority</i>' Refer proposed modification 151.</u></p>
		4	<p>Camerons Cave Threatened Ecological Community</p> <p>-Section 9.0 Conservation</p> <p>-Section 3.2.5 Future Residential Area 5</p> <p>- Section 3.3.4 Future Residential (Long Term) Area 4</p> <p>- Section 4.3 Future Rural Residential Areas 1 and 2</p>	<p><i>Recommendation 4: That the Local Planning Strategy identifies the potential for cumulative impacts of residential developments on the Camerons Cave Threatened Ecological Community and buffer, and that appropriate environmental impact assessment occurs to ensure the buffer is protected as per an 'A' Class Nature Reserve.</i></p> <p>Discussion</p> <p>Parks and Wildlife acknowledges the Shire of Exmouth's intent to incorporate the protection of the Camerons Cave Threatened Ecological Community (TEC) within its residential planning framework and welcomes requests from the Shire to work together to achieve this outcome, particularly in relation to the gazettal of the Camerons Cave TEC and buffer as an 'A' Class Nature Reserve under the Land Administration Act 1997 and the Conservation and Land Management Act 1984.</p>	<p>The submitter is providing support for the protection of Camerons Cave as discussed in the proposed Local Planning Strategy, including the identified buffer and recommendation for inclusion as an 'A' class reserve. The submitters comment is <u>noted.</u></p>
				<p>Parks and Wildlife notes that several residential areas have been identified to the north and south of the Camerons Cave buffer, including lots directly abutting the buffer. The Camerons Cave Interim Recovery Plan identifies that developments in the region of Camerons Cave require assessment and that no developments should be approved unless the proponents can demonstrate that they will have no significant impact on the cave or its fauna! communities. These assessments include threatening process outside the buffer. Subdivisions will therefore need to be assessed for impacts, particularly modifications to hydrological processes. If the long-term land uses surrounding the buffer have been identified as part of the local planning scheme, impacts should be assessed now. rather</p>	<p>The submitter is requesting that the proposed Local Planning Strategy include provisions to ensure assessments are carried out for future development surrounding Camerons Cave to ensure there is no impact on the cave or its fauna communities. This is unnecessary as the buffer area is intended to provide adequate protection to Camerons Cave. This can also be taken into consideration during the structure planning process and subdivision process. The submitters comment is <u>noted.</u></p>

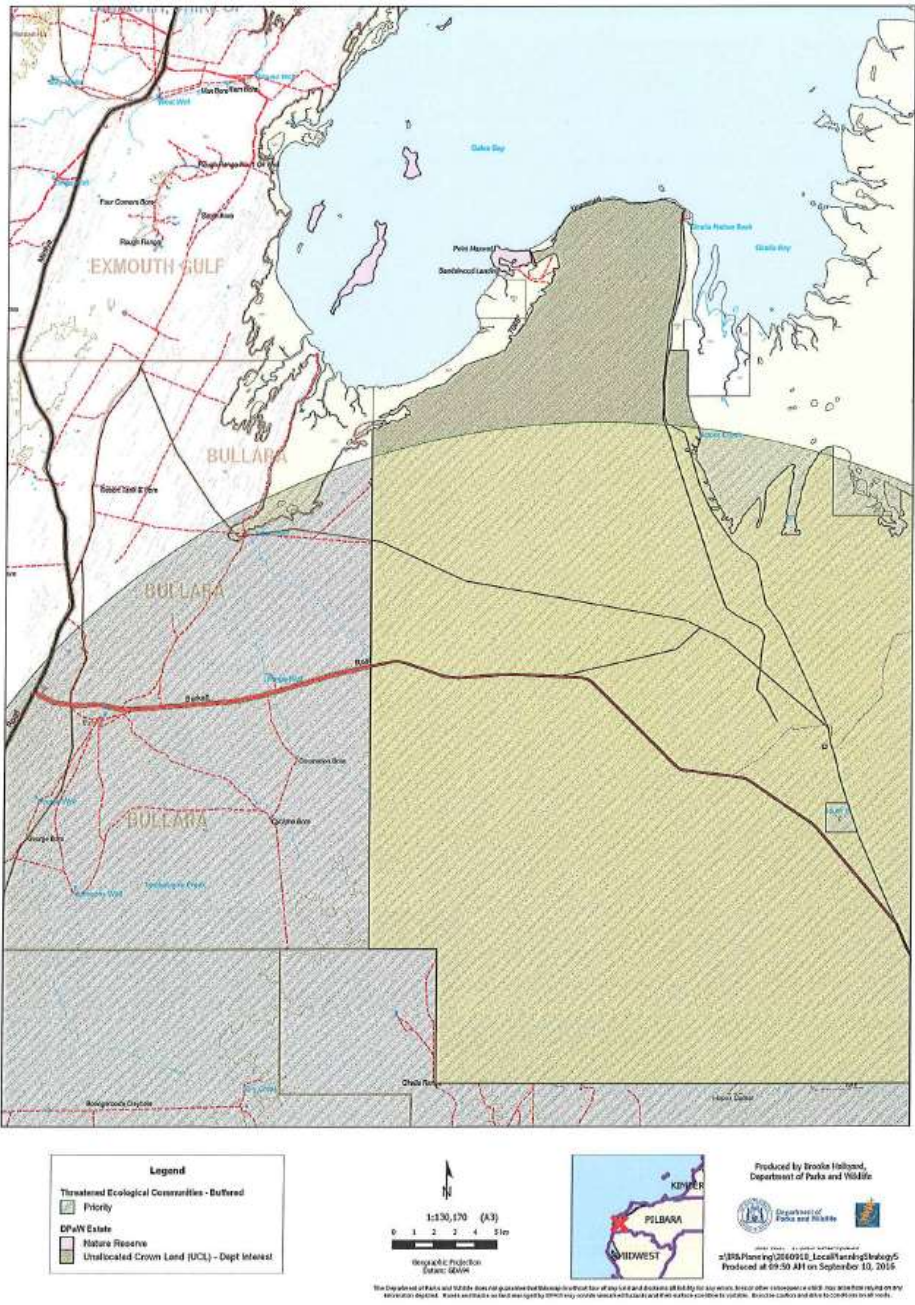
		<p>than on an individual subdivision or development approval basis.</p>	
		<p>Given that altered groundwater hydrology resulting from groundwater abstraction is identified as a threatening process for the Camerons Cave TEC (Department of Environment and Conservation, 2012), consideration should be given to restricting and/or licensing bores in Future Residential Area 5, Future Residential (Long Term) Area 4 and Future Residential Areas 1 and 2, in collaboration with Department of Water and Parks and Wildlife.</p>	<p>The submitter is requesting that the use of bores be restricted in Future Residential Area 5, Future Residential (Long Term) Area 4 and Future Residential Areas 1 and 2 to protect Camerons Cave. The use of bores are not controlled by the Shire, they are controlled by the Department of Water. Therefore it is inappropriate to restrict the use of bores in the submitters referred areas in the proposed Local Planning Strategy. The submitters comment is <u>noted</u>.</p>
5	Yarcowie Land System Priority Ecological Community	<p><i>Recommendation 5: That the Yarcowie Land System (Carnarvon Basin) Priority Ecological Community (PEC), its associated buffer, and management of potential threats are incorporated into the Local Planning Strategy.</i></p> <p>Discussion Ecological communities that do not meet the required criteria to be classified as a Threatened Ecological Community (TEC) or are not adequately defined, but are still under threat are listed by Parks and Wildlife as PEC. PECs are ranked in three categories are in which provide an order of priority for survey and/or definition of the community, and evaluation of conservation status, so that consideration can be given to their declaration as TECs.</p> <p>The Yarcowie Land System (Carnarvon Basin) PEC (Priority 1) is currently identified as occurring on the southern boundary of Shire of Exmouth, with its buffer extending into Bullara Station and Giralia ex-pastoral lease (please see attached map). It is described as gilgaied soils derived from lower cretaceous bentonitic siltstone on nearly flat plains that support tussock grasslands or grassy tall or low shrublands. This PEC has very restricted distribution and requires further surveys to validate its true extent.</p> <p>Any activity likely to cause degradation to the grassland community should be avoided. This includes overgrazing and inappropriate vehicle activity causing damage to soil structure and introduction of weeds. Parks and Wildlife recommends that the Local Planning Strategy consider the compatibility of future land uses in the context of these threatening processes.</p>	<p>The submitter is requesting that the Yarcowie land system occurring on the southern boundary of the Shire of Exmouth, with its buffer extending into Bullara Station and Giralia be described and discussed in the proposed Local Planning Strategy, and that activities occurring in the Yarcowie land system which cause degradation to the grassland, damage the soil and introduce weeds be restricted. The land uses which occur in Bullara pastoral station are primarily controlled by the Department of Lands, Department of Environment Regulation (Clearing), and Department of Agriculture (Overgrazing). The proposed Local Planning Strategy does not control land use, this is a matter which is dealt with by a Local Planning Scheme. Giralia ex-pastoral station has been ceded to the Department of Parks and Wildlife. Considering the above it is not considered necessary to discuss the Yarcowie land system within the proposed Local Planning Strategy. The submitters comment is <u>noted</u>.</p>
6	Section 6.2.8 Future Tourism Areas 13 to 15 - Nature Based Park Investigation Areas	<p><i>Recommendation 6: That the Local Planning Strategy re-evaluate the location of the Investigation Areas for "Nature Based Parks", given the high conservation values of the proposed sites.</i></p> <p>Discussion Parks and Wildlife recommends re-evaluation of the potential establishment of "Nature Based Parks" at Gales Bay and Bay of Rest (Areas 13 and 14)</p>	<p>The submitter is requesting that the sites identified for possible nature based camping be re-evaluated due to a number of environmental considerations. The submitter has provided substantial evidence that the sites identified in the proposed Local Planning</p>

				<p>and Bullara Station (Area 15) due to the high conservation values in these surrounding areas, particularly the islands and Mangal communities. The increased anthropogenic threats, including recreation, resulting from the promotion of "Nature Based Parks", have the potential to adversely impact the significant conservation values of the area.</p> <p>The Bay of Rest mangrove area has been designated "regionally significant" based on its very high conservation value (Environmental Protection Authority, 2001). A recent Shorebirds 2020 survey found the highest numbers and greatest diversity of shorebirds were found on the islands and coast of the south-western Exmouth Gulf (Onton et al, 2013). Areas 13 and 14 provide habitat for nationally significant numbers of shorebirds, including species afforded protection under the Environment Protection and Biodiversity Conservation Act 1999, migratory bird agreements (JAMBA, ROKAMBA and CAMBA) and other international agreements including the Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention).</p> <p>The detrimental impacts of human disturbance on shorebird habitats is well documented. Pressures include recreational disturbance, dogs and 4WDs on beaches. Parks and Wildlife recommends that Investigation Areas are selected to minimise risk to significant conservation values, including shorebirds and mangrove habitats. In addition, Planning Consideration 5)b)vi) at page 187 identifies pets as a potential visitor type. Given the potential for dogs and cats to adversely impact wildlife, Parks and Wildlife recommends that some restrictions or controls on pets may need to be considered where obvious conservation threats in areas adjacent to "Nature Based Parks" becomes an issue</p> <p>Promotion of camping at Areas 13, 14 and 15 is likely to result in increased visitation to nearby island nature reserves, many of which have significant conservation values. This has the potential for increased disturbance to wildlife and the introduction of feral animals and weeds. The Local Planning Strategy identifies that environmental values, potential impacts and appropriate mitigation measures associated with "Nature Based Park" applications may need to be addressed by appropriate management plans. Parks and Wildlife considers these should be a requirement and recommends the wording of the Local Planning Strategy be amended so that environmental values, potential impacts and appropriate mitigation measures will need to be addressed by appropriate management plans. Parks and Wildlife welcomes consultation with the Shire of Exmouth in assessing the suitability of management plans submitted as a requirement of "Nature Based Park" applications.</p>	<p>Strategy for possible nature based camping have significant environmental considerations. Therefore the identification of specific sites for future nature based camping should be deleted from the proposed Local Planning Strategy. The submitters comment is <u>upheld. (delete all reference to sites identified for future nature based camping, future wilderness camping, future tourism in the pastoral stations).</u> <u>Refer proposed modifications 24, 34, 46, 122, 123, 124, 125, 132, 139, 140 and 141.</u></p>
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			7	<p>Camping areas within Jurabi Coastal Park Section 9.0 Conservation</p> <p>Recommendation 7: That the Local Planning Strategy outlines additional management considerations regarding camping at Jurabi Coastal Park.</p> <p>Discussion Parks and Wildlife supports opportunities for investigating additional camping areas within the Jurabi Coastal Park, as identified in the Jurabi and Bundegi Coastal Parks, and Muiron Islands Management Plan 1999-2009. Appropriate areas should be identified in collaboration with Parks and Wildlife and should avoid turtle nesting season given that the foreshores of Jurabi Coastal Park provide an important habitat and relatively undisturbed nesting areas for three species of marine turtles. Additional camping areas within Jurabi Coastal Park should be managed for open access to the public. Parks and Wildlife recommends that these management considerations are incorporated into the Local Planning Strategy.</p>	<p>The submitter is requesting that the proposed Local Planning Strategy identify additional management considerations regarding camping at Jurabi Coastal Park. This is recommended. The submitters comment is upheld. (add at end of 9.1 2 'Appropriate areas should be identified in collaboration with Parks and Wildlife and should avoid turtle nesting season given that the foreshores of Jurabi Coastal Park provide an important habitat and relatively undisturbed nesting areas for three species of marine turtles. Additional camping areas within Jurabi Coastal Park should be managed for open access to the public.') Refer proposed modification 149.</p>
			8	<p>Recommendation 8: That the Local Planning Strategy clearly identifies the long term intent for Area 5 (Kai/is Site) and that planning and environmental investigations consider terrestrial as well as marine based components from the outset.</p> <p>Discussion The Local Planning Strategy is unclear regarding the long term intent of Existing Industry Area 5. The "Planning Considerations" at 5.2.5.2 identify that the land use intent is to provide the opportunity for land based general industrial activity servicing the resource sector. However, the "Site Description" at 5.2.5.1 notes the intent for the locality to support industrial use and land based infrastructure associated with a potential marine support facility. Parks and Wildlife notes that a "marine support facility", as defined in the Local Planning Scheme No. 4, may include marine based components, as well as terrestrial components.</p> <p>If there is intent for the potential development of a marine-based component at Area 5, this should be identified in the Local Planning Strategy. The strategy should consider all potential environmental and visual amenity impacts from the proposed land use. This should include site-specific, as well as cumulative impacts associated with multiple marine support facilities along the Exmouth Gulf.</p> <p>Parks and Wildlife supports the development of minor facilities where industrial infrastructure already exists at Area 4, subject to environmental assessment.</p>	<p>The submitter is requesting that the proposed Local Planning Strategy clearly identify the long term intent for existing industry Area 5 (Kailis Site) and that planning and environmental investigations consider terrestrial as well as marine based components from the outset. The proposed Local Planning Strategy has identified that Area 5 may be developed for a marine support facility which may include terrestrial components. If and when a development application is submitted which includes a terrestrial component it will be considered against all relevant planning provisions. Amenity is a relevant planning consideration under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, and the assessment of Environmental Impacts are covered by other legislation beyond the planning framework. The submitters comment is noted.</p>
			9	<p>Conservation and</p> <p>Recommendation 9: That the Local Planning Strategy ensures that the boundaries of the</p>	

				<p>Limestone Resource Management Reserve Section 9.0 Conservation</p> <p><i>proposed Conservation and Limestone Resource Management Reserve are maintained and adhered to, to protect conservation significant areas.</i></p> <p>Discussion Parks and Wildlife notes that the current wording of the Local Planning Strategy identifies that future proposals for limestone extraction are favoured to be confined to the Conservation and Limestone Resource Management Reserve. Resource extraction on the North West Cape has the potential to impact significant environmental values such as subterranean fauna habitats (including TECs) and habitat of Vulnerable black-flanked rock wallabies (<i>Petrogale lateralis lateralis</i>). Resource extraction should be limited to the Conservation and Limestone Resource Management Reserve and Parks and Wildlife recommends that the Local Planning Strategy should reflect that intent.</p>	<p>The submitter is requesting that the proposed Local Planning Strategy restrict mining activities to the identified Conservation and Limestone Resource Management reserve. The proposed Local Planning Strategy cannot restrict the location of mining activities, as they are exempt from requiring approval under the <i>Planning and Development 2005</i>. The submitters comment is <u>noted</u>.</p>
			10	<p>Coastal route connecting Coral Bay with Exmouth Section 12.0 Movement</p> <p><i>Recommendation 10: That the Local Planning Strategy considers the recommendations of the Western Australian Planning Commission (WAPC) with regards to the proposal to establish a sustainable coastal route from Coral Bay to Yardie Creek Road.</i></p> <p>Discussion The Ningaloo coast regional strategy Carnarvon to Exmouth (2004) determined that the Winderrabandi to Yardie Creek section of the Ningaloo to Yardie Creek Road is to remain an intermittent four-wheel drive only track. The Strategy identified that this section may be closed for environmental management or as part of Department of Defence operational requirements. The Strategy further identifies that walking and sea access along this section of coast will be encouraged in preference to 4WD access.</p> <p>With regards to the Yardie Creek crossing, a 2002 survey revealed that 63% of visitors supported the retention of 4WD access over Yardie Creek (Department of Environment and Conservation, 2010). To preserve environmental values, visual amenity and visitor experience, the WAPC (2004) determined that there should be no constructed crossing at Yardie Creek and the existing natural sand bar should be utilised for intermittent four-wheel drive crossing only.</p> <p>Parks and Wildlife recommends that these WAPC determinations be factored into proposals for the creation of a coastal route from Coral Bay to Yardie Creek Road.</p>	<p>The submitter is requesting that the proposed Local Planning Strategy consider the recommendations of the WAPC with regards to the proposal to establish a sustainable coastal route. This is considered to already be covered by the proposed Local Planning Strategy under action statement 12.1.1 i) which requires consultation with DPaW. The submitters comment is <u>noted</u>.</p>
			11	<p>Yardie Creek Road Section 2.7 Movement Network</p> <p><i>Recommendation 11: That the Local Planning Strategy re-evaluate the recommendation that the portion of Yardie Creek Road located in Cape Range National Park be the responsibility of Parks and Wildlife.</i></p>	

					<p>Discussion</p> <p>The Local Planning Strategy recommends that the portion of Yardie Creek Road located in Cape Range National Park be the responsibility of Parks and Wildlife. Parks and Wildlife recommends that this portion of the road remain the responsibility of Shire of Exmouth or become the responsibility of MRWA and that the Local Planning Strategy should reflect that intent.</p>	<p>The submitter is requesting that the proposed Local Planning Strategy re-evaluate the recommendation that the portion of Yardie Creek Road located in Cape Range National Park be the responsibility of Parks and Wildlife. Cape Range National Park is managed by the Department of Parks and Wildlife, it is not controlled by the Shire. The Cape Range National Park includes roads. The submitters comment is <u>noted.</u></p>
			<p>References</p> <p>Department of Environment and Conservation (DEC). 2010. Cape Range National Park Management Plan No 65 2010. DEC, Western Australia.</p> <p>DEC. 2012. Camerons Cave Troglotic Community, Camerons Cave Millipede and Camerons Cave Pseudoscorpion Interim Recovery Plan 2012-2017. DEC, Western Australia.</p> <p>Environmental Protection Authority (EPA). 2001. Guidance of the Assessment of Environmental Factors: Guidance statement for the protection of tropical arid zone mangroves along the Pilbara coastline. EPA, Western Australia.</p> <p>Onton K, Maurer G and Weller D. 2013. North West Cape Welcomes Shorebirds: Identifying habitat and building conservation capacity. Birdlife Australia and Department of Parks and Wildlife, Western Australia.</p>			<p><u>The submitter's references are noted.</u></p>
			<p>Land Tenure at Giralia ex-pastoral lease and the Yarcowie Land System (Carnarvon Basin) Priority Ecological Community</p>			<p>The Yarcowie land system map is <u>noted.</u></p>

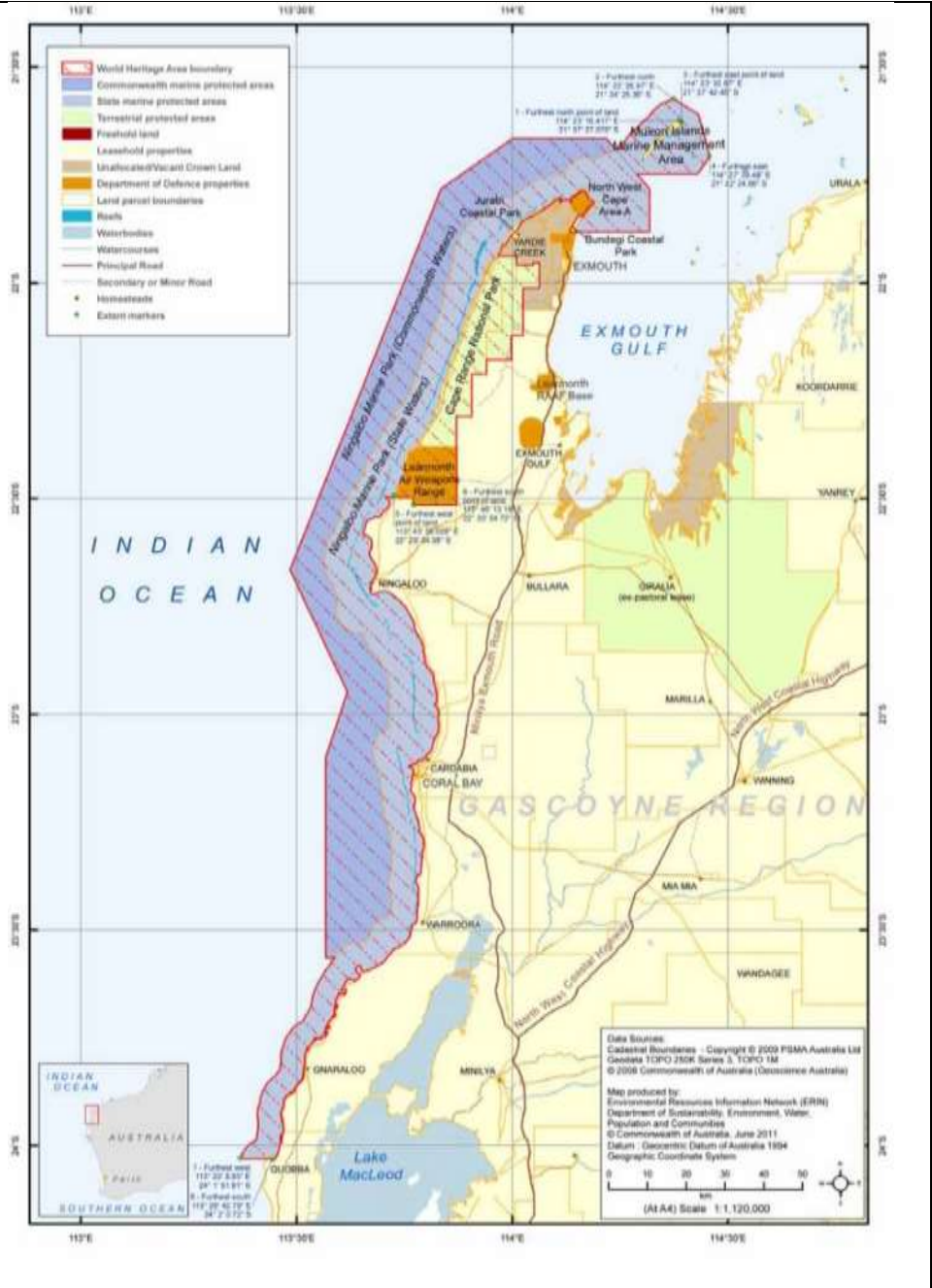
			<div></div>	<p>Summary of Submission 16.</p> <ul style="list-style-type: none">• Department of Parks and Wildlife is providing support for:<ul style="list-style-type: none">○ the proposed Environmental Conservation reserve in proposed Local Planning Scheme No.4;○ the protection of Camerons Cave as discussed in the proposed Local Planning Strategy.• Department of Parks and Wildlife is advising that islands within the Exmouth Gulf are not classified as ‘Environmental Conservation’ reserve and therefore not consistent with proposed Local Planning Scheme No.4. Islands within the Exmouth Gulf are designated as Conservation and Landscape Protection in the proposed Local Planning Strategy spatial plans. This is generally consistent with proposed Local Planning Scheme No.4.• Department of Parks and Wildlife is requesting that the proposed Local Planning Strategy state ‘Classify Giralia ex pastoral lease as ‘Environmental Conservation’ reserve excluding the Giralia Homestead which is to be classified as ‘Rural’ in proposed Local Planning Scheme No.4’. This is not appropriate as the land has not been formally designated as a conservation reserve.
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				<ul style="list-style-type: none"> • Department of Parks and Wildlife is requesting that the proposed extensions of the Cape Range National Park be recommend for inclusion within the 'Environmental Conservation' reserve within Local Planning Scheme No.4 in the proposed Local Planning Strategy. Exclusions to Ningaloo Station are currently being challenged in court. It is therefore inappropriate to pre-empt the court's decision on this matter and recommend this land be included within the 'Environmental Conservation' reserve within Local Planning Scheme No.4 in the proposed Local Planning Strategy. The area excluded from the Exmouth Gulf Pastoral Station has not been formally designated as a Conservation Estate. Therefore it is inappropriate to recommend this land be zoned 'Environmental Conservation' reserve within Local Planning Scheme No.4 in the proposed Local Planning Strategy. • Department of Parks and Wildlife is requesting that the Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015 be referenced in the proposed Local Planning Strategy under heading 1.3.5. This is recommended. • Department of Parks and Wildlife is requesting that additional actions be included in the proposed Local Planning Strategy to address the recommendations of the Marine Parks and Reserves Selection Working Group (1994) in relation to the Marine Protected Area in the Exmouth Gulf. This is considered to be beyond the scope of the proposed Local Planning Strategy. • Department of Parks and Wildlife is requesting that the proposed Local Planning Strategy include provisions to ensure assessments are carried out for future development surrounding Camerons Cave to ensure there is no impact on the cave or its fauna communities. This is unnecessary as the buffer area is intended to provide adequate protection to Camerons Cave. • Department of Parks and Wildlife is requesting that the use of bores be restricted to protect Camerons Cave. The use of bores are not controlled by the Shire, they are controlled by the Department of Water. • The submitter is requesting that the Yarcowie land system occurring on the southern boundary of the Shire of Exmouth, with its buffer extending into Bullara Station and Giralia be described and discussed in the proposed Local Planning Strategy, and that activities occurring in the Yarcowie land system which cause degradation to the grassland, damage the soil and introduce weeds be restricted. The land uses which occur in Bullara pastoral station are primarily controlled by the Department of Lands, Department of Environment Regulation (Clearing), and Department of Agriculture (Overgrazing). • The submitter is requesting that the sites identified for possible nature based camping be re-evaluated due a number of environmental considerations. The submitter has provided substantial evidence that the sites identified in the proposed Local Planning Strategy for possible nature based camping have significant environmental considerations. Therefore the identification of specific sites for future nature based camping should be deleted from the proposed Local Planning Strategy. • The submitter is requesting that the proposed Local Planning Strategy identify additional management considerations regarding camping at Jurabi Coastal Park. This is recommended. • The submitter is requesting that the proposed Local Planning Strategy clearly identify the long term intent for existing industry Area 5 (Kailis Site) and that planning and environmental investigations consider terrestrial as well as marine based components from the outset. If and when a development application is submitted which includes a terrestrial component it will be considered against all relevant planning provisions. • The submitter is requesting that the proposed Local Planning Strategy restrict mining activities to the identified Conservation and Limestone Resource Management reserve. The proposed Local Planning Strategy cannot restrict the location of mining activities, as they are exempt from requiring approval under the <i>Planning and Development 2005</i>.
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				<ul style="list-style-type: none"> The submitter is requesting that the proposed Local Planning Strategy consider the recommendations of the WAPC with regards to the proposal to establish a sustainable coastal route. This is already covered by action statement 12.1.1 i) which requires consultation with DPaW. The submitter is requesting that the proposed Local Planning Strategy re-evaluate the recommendation that the portion of Yardie Creek Road located in Cape Range National Park be the responsibility of Parks and Wildlife. Cape Range National Park is managed by the Department of Parks and Wildlife, it is not controlled by the Shire. The Cape Range National Park includes roads. Modifications 24, 34, 46, 50, 122, 123, 124, 125, 132, 139, 140, 141, 149 and 151 proposed to Local Planning Strategy.
17.	N/A	Ningaloo Coast World Heritage Advisory Committee	<p>Thank you for the opportunity to comment on the Exmouth Shire Local Planning Strategy and Local Planning Scheme 4 and the extension of time granted for our submission. This submission is from Ningaloo Coast World Heritage Advisory Committee (NCWHAC) that was established in 2013 by agreement between the Commonwealth and Western Australian governments.</p>	The submitters comment is <u>noted.</u>
			<p>The role of the NCWHAC is to:</p> <ul style="list-style-type: none"> provide advice to the Commonwealth and State Environment Ministers on the protection, conservation, presentation and management of the values of the World Heritage area; develop and provide input into initiatives and opportunities for the promotion and presentation of the World Heritage area values to the local, national and international communities; and contribute to enhancing the stewardship and connection of the community to the World Heritage area nominate members from the NCWHAC to represent the Committee on the Australian World Heritage Advisory Committee and the Australian World Heritage Indigenous Network. <p>The current membership of the NCWHAC is at Attachment 1 and a map of the Ningaloo Coast World Heritage Area is at Attachment 2. The members bring a wide diversity of expertise and interests to Committee business, including local government (Exmouth and Carnarvon Shires), Aboriginal traditional owner interests, science, research and natural resource management (both terrestrial and marine), conservation, heritage, tourism, industry (including pastoral) interests, corporate governance and community interests (local and broader community).</p>	The submitter is providing comment on the role of the NCWHAC. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Ningaloo Coast World Heritage Area (NCWHA) <p>As you know, the NCWHA was inscribed on the World Heritage List in 2011 as one of the outstanding natural places in the world, in particular for its natural beauty and high biological diversity. In particular, the listing recognises the:</p> <ul style="list-style-type: none"> striking natural landscapes of Cape Range and Ningaloo Reef high biological diversity of Ningaloo reef one of the world's largest annual aggregations of whale sharks, as well as other marine mammals, turtles and manta rays unusual diversity of marine turtle species and a key turtle rookery rare and diverse plants and animals of Cape Range, particularly the unique subterranean cave creatures. 	The submitter is providing comment on the reasons why the NCWHA was included on the World Heritage List in 2011. The submitters comment is <u>noted.</u>
			<p>The World Heritage listing creates obligations on the Commonwealth and State governments to ensure that the outstanding universal value of the area is conserved so existing and future generations can enjoy them. The area comprises high value ecosystems on land (e.g. karst formations) and in the</p>	The submitter is providing comment on the obligations of various agencies in relation to the NCWHA. The submitters comment is <u>noted.</u>

			marine environment that includes both State marine and national parks, marine management areas, Commonwealth marine park and Defense lands.	
			<ul style="list-style-type: none"> Comments and Recommendations: <p>The NCWHAC commends the Shire on the effort that has gone into addressing the long-term planning for balanced development and conservation use of the area and in the recognition of the conservation values of the area. In particular the NCWHAC supports the following:</p> <ul style="list-style-type: none"> the strong conservation emphasis in the Strategy by the inclusion of a new zone “Environmental Conservation” the recognition of the Ningaloo Coast World Heritage Area and its Outstanding Universal Value (but see recommendations below) the application of the “precautionary principle” for coastal developments the 40m setback from landward of the high tide mark the inclusion of visual amenity as an important component of visitor experience and of the Ningaloo Coast World Heritage Area values Shire support for any future consideration of extensions to the boundaries of the NCWHA 	The submitter is providing support for a number actions, strategies and text included in the proposed Local Planning Strategy. The submitters comment is <u>noted.</u>
			<p>The NCWHAC recommends further strengthening of the Strategy and the Scheme through:</p> <ul style="list-style-type: none"> Inclusion of the NCWHA boundary e.g. as an overlay, in all relevant planning maps to better clarify the spatial relationship between the different planning and management regimes that apply the LPS area. Please note that human activities that may affect the values of the NCWHA not only occur within the boundaries of the NCWHA but also outside and adjacent to the Area. 	The submitter is requesting that the Ningaloo Coast World Heritage Area boundary maps be an overlay, in all relevant planning maps. The proposed Local planning Strategy includes a plan indicating the extent of the World Heritage Area, refer page 51. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Acknowledgement of Ningaloo Coast Regional Strategy as a key planning strategy that formed part of the support by UNESCO for inclusion of the NCWHA on the world heritage list. 	The submitter is requesting that the proposed Local Planning Strategy acknowledge the Ningaloo Coast Regional Strategy. The Ningaloo Coast Regional Strategy is discussed and acknowledged in the proposed Local Planning Strategy, refer page 30. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Recognition of recent changes to Commonwealth/State responsibilities in relation to referrals under the EPBC Act (Cwlth) which delegated powers under that Act to the State Government to make referrals and undertake assessments e.g. in relation to listed species. The NCWHAC can provide further information on these changes if required. 	The submitter is requesting that changes in relation to referrals under the EPBC Act be discussed in the proposed Local Planning Strategy. This is considered to be beyond the scope of the proposed Local Planning Strategy as it relates to responsibilities beyond the Shire. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Noting that management of the NCWHA by State Government agencies is not just the responsibility of the Department of Parks and Wildlife, but that the WA Department of Fisheries is also responsible for fisheries management in the State Ningaloo Marine Park and the Ningaloo Marine Park (Commonwealth Waters) e.g. in Section 2.3.5 of the Strategy. Inclusion of a hierarchy of legislation (local, state, Commonwealth and international) that applies to conservation management of the Shire, to provide clarity around the legislative responsibilities of various agencies. 	The submitter is requesting that the responsibilities of state government agencies in relation to the management of the Ningaloo Marine Park and conservation management be discussed in the proposed Local Planning Strategy. This is considered to be beyond the scope of the proposed Local Planning Strategy as it relates to responsibilities beyond the Shire. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Development of a lighting strategy particularly to set standards and guide industrial and tourism activities along the coast adjacent to vulnerable turtle nesting sites. Marine turtles are particularly susceptible to impacts (misorientation and disorientation of hatchlings leaving nests leading to increased mortality either from increased predation or exposure; and artificial light can also interfere with female turtles and nesting success). The effects of light can occur not just from direct lighting on beaches but also from reflected light-glow up to several kilometres from the nesting beach. Also nesting turtles are biologically programmed to return to the same natal beach each time they nest; the loss of a nesting beach is not 	The submitter is requesting that the proposed Local Planning Strategy include action/s to prepare a lighting strategy to set standards and guide industrial and tourism activities along the coast adjacent to vulnerable turtle nesting areas. The impacts of lighting on individual coastal developments can be considered on a case by case basis, and in accordance with section 4.16 Floodlighting of proposed Local Planning Scheme No.4. The submitter has not indicated the areas where coastal industrial and tourism development will impact on turtles. It is noted that coastal areas in Exmouth are predominantly managed by the Department of Parks of Wildlife. The submitters comment is <u>noted.</u>

			offset by the availability of another beach nearby and may have detrimental consequences for nesting and hatchling success at the nesting beach and in the wider population.	
			<ul style="list-style-type: none"> The NCWHAC is currently developing an expanded Statement of Outstanding Universal Values for the NCWHAC to better assist in its assessment of human activities that might affect the Outstanding Universal Value expressed in the UNESCO listing. The Committee would welcome the opportunity to discuss this Statement with the Shire, when completed. 	The submitter advises they are preparing a separate document and welcomes input from the Shire. The submitters comment is <u>noted.</u>
			<ul style="list-style-type: none"> Note the current review by the Department of Parks and Wildlife of the seascape values of the NCWHA and Ningaloo Marine Park. Seascapes are one of the key values included in the decision to inscribe the Area on the World Heritage list. Design principles, guidelines and controls that might be developed by the Shire may intersect with this exercise. Recognition be given to the current Cape Range National Park Management Plan in relation to Yardie Creek i.e. that “to prevent adversely impacting on key values... maintain the Yardie Creek crossing in its current state” i.e. access by 4wd vehicles only at low tide (pg. 64). In addition recognition be given to the provisions in the plan for Sandy Bay track i.e. to be “4WD access only” with specific management controls. The NCWHAC has identified weeds as a major threat to the values of the Area and is concerned that there is increased risk of further serious weed introductions to the Area from any increased use of the Sandy Bay track. Management of access could include a limited number of permits to reduce the potential for weed introductions and impacts. One-way access east to west due to the difficulty in the incline on the western side may also assist conservation management of the area and retention of values. 	<p>The submitter is providing comment on a separate project being undertaken by DPaW. DPaW have provided comment on the proposed Local Planning Strategy. The submitters comment is <u>noted.</u></p> <p>The submitter is request that the proposed Local Planning Strategy recognise that to prevent adversely impacting on key values, the Yardie Creek crossing is to remain in its current state. The proposed Local Planning Strategy action statement 12.1.1 i) states ‘Consult with Main Roads WA, DPaW, Department of Lands and Department of Defence to establish a sustainable coastal route connecting Coral Bay with Ningaloo Coast via Yardie Creek Road, as an alternative route to Ningaloo Road.’ This is to benefit the wider community and serve as possible maintenance solution to Ningaloo Access Road. The submitters comment is <u>noted.</u></p> <p>The submitter is requesting that in relation to the Sandy bay track it be 4wd access only with specific management controls. The proposed Local Planning Strategy identifies that the Sandy Bay track will be 4wd access only, and requires consultation with various relevant authorities including DPaW. Department of Lands have advised that the proposal cannot proceed due to a number of issues. The submitters comment is <u>noted.</u></p>
			<ul style="list-style-type: none"> The NCWHAC continue to be regarded as a key stakeholder group for consultation on matters that might affect the values of the NCWHA. In this regard I would like to acknowledge the past contribution of Cr Turk Shales and the valuable contribution of Cr Mick Hood in the activities of the Committee. 	The submitter is acknowledging Shire councillors for their contribution to the Ningaloo Coast World Heritage Advisory Committee. The submitters comment it <u>noted.</u>
			<p>If you require clarification of these comments and recommendations, please contact me at the address below.</p> <ul style="list-style-type: none"> Attachment 1 <p>Ningaloo Coast World Heritage Advisory Committee: Membership as at September 2016</p> <p>Mr Simon Woodley (Chair) Cr Karl Brandenburg Mr Anthony Dowling Mr Anthony Evans Ms Jacqueline Hine Cr Mick Hood (appointment pending) Professor William Humphreys Mr Frazer McGregor Ms Leonie McLeod Mrs D. Ann Preest Ms Hazel Walgar</p> <p>Attachment 2: NCWHA Boundary Map</p>	<p>The submitter’s attachment 1 is noted.</p> <p>The submitter’s attachment 2 is already included in the proposed Local Planning Strategy. The submitter’s attachment 2 is <u>noted.</u></p>



Summary of Submission 17.

- The submitter provides support for a number actions, strategies and text included in the proposed Local Planning Strategy.
- The submitter is requesting that the Ningaloo Coast World Heritage Area boundary maps be an overlay, in all relevant planning maps. The proposed Local planning Strategy includes a plan indicating the extent of the World Heritage Area, refer page 51.
- The submitter is requesting that the proposed Local Planning Strategy acknowledge the Ningaloo Coast Regional Strategy. The Ningaloo Coast Regional Strategy is discussed and acknowledged in the proposed Local Planning Strategy, refer page 30.
- The submitter is requesting that changes in relation to referrals under the EPBC Act be discussed in the proposed Local Planning Strategy. This is considered to be beyond the scope of the proposed Local Planning Strategy as it relates to responsibilities beyond the Shire.
- The submitter is requesting that the responsibilities of state government agencies in relation to the management of the Ningaloo Marine Park and conservation management be discussed in the proposed Local Planning

				<p>Strategy. This is considered to be beyond the scope of the proposed Local Planning Strategy as it relates to responsibilities beyond the Shire.</p> <ul style="list-style-type: none"> • The submitter is requesting that the proposed Local Planning Strategy include action/s to prepare a lighting strategy to set standards and guide industrial and tourism activities along the coast adjacent to vulnerable turtle nesting areas. The impacts of lighting on individual coastal developments can be considered on a case by case basis, and in accordance with section 4.16 Floodlighting of proposed Local Planning Scheme No.4. The submitter has not indicated the areas where coastal industrial and tourism development will impact on turtles. • The submitter is requesting that the proposed Local Planning Strategy recognise that to prevent adversely impacting on key values, the Yardie Creek crossing is to remain in its current state. The proposed Local Planning Strategy action statement 12.1.1 i) states '<i>Consult with Main Roads WA, DPaW, Department of Lands and Department of Defence to establish a sustainable coastal route connecting Coral Bay with Ningaloo Coast via Yardie Creek Road, as an alternative route to Ningaloo Road.</i>' This is to benefit the wider community and serve as possible maintenance solution to Ningaloo Access Road. • The submitter is requesting that in relation to the Sandy bay track it be 4wd access only with specific management controls. The proposed Local Planning Strategy identifies that the Sandy Bay track will be 4wd access only, and requires consultation with various relevant authorities including DPaW. Department of Lands have advised that the proposal cannot proceed due to a number of issues. • The submitter is acknowledging Shire councillors for their contribution to the Ningaloo Coast World Heritage Advisory Committee. • No modifications proposed to Local Planning Strategy.
18.	N/A	Cape Range Riders	<p>I would like to see some land made available for Mountain Biking. Currently there are no designated areas in which to ride (It would be best to have more than 1 area). These areas could include an area in town (near ovals) that local kids/community could access easily e.g. Pump Track - Skills Park. – Also a larger area with a carpark – trail head that leads onto MTB Trails into the Range for the more adventurous. This area can have a variety of trails to suit different rider levels.</p>	<p>The identification of land that is available and suitable for mountain bike riding is the responsibility of individual agencies/persons/groups. One of the purposes of the Local Planning Strategy is to identify the need for further studies or investigation within the Shire to address longer term strategic planning and development issues. The identification of land suitable for mountain bike riding will be subject to detailed investigation beyond the scope of the local planning strategy.</p> <p>The Shire is currently undertaking a separate project called the Exmouth Trails Masterplan which will take into account the Local Planning Strategy and identify land that is available and suitable for mountain bike riding. The proposed local planning strategy does not make reference to preparation of the Trails Masterplan which will identify suitable mountain bike riding trails. The submitters comment is <u>partially upheld. (add action to 10.3 to prepare a Trails Masterplan) Refer proposed modification 32.</u></p>
				<p>Summary of Submission 18.</p> <ul style="list-style-type: none"> • The submitter is requesting that land be identified in the Local Planning Strategy for mountain bike riding. The Shire is currently undertaking a separate project called the Exmouth Trails masterplan which will identify land suitable for mountain bike riding if any is available. • Modification 32 proposed to Local Planning Strategy.



Your ref: OCR13738, LP.PL.0.4 LP.PL.0.2
 Our ref: TPS/1125
 Enquiries: Johan Gildenhuys (6551 9562)

X OCR13738

Chief Executive Officer
 Shire of Exmouth
 PO Box 21
 EXMOUTH WA 6707

SHIRE OF EXMOUTH			
FILE NO	ACKNOWLEDGMENT	FILE	
LP.PL.0.4/LP.PL.0.2			
CEO		Planner	
M Corp		Building	
MES	20 APR 2016	Accounts	
MDS		Notes	
M Com	DATE RECEIVED	Exemptions	
MHES			
PRESIDENT	1CL20508	Rhasse	
COUSILLORS			

Dear Sir

SHIRE OF EXMOUTH LOCAL PLANNING STRATEGY CERTIFICATION PRIOR TO ADVERTISING

The Western Australian Planning Commission (Commission) resolves to advise the Shire of Exmouth that the draft local planning strategy received on 12 November 2015 is to be modified in accordance with the attached Schedule of Modifications.

Subject to the above modifications being satisfactorily undertaken, certify that the draft Shire of Exmouth Local Planning Strategy and associated 'Background Information and Analysis Report' are consistent with Regulation 11(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and provide a copy of the certification to the local government for purpose of proceeding to advertise the documents for not less than 21 days.

The Commission has authorised Department of Planning Officers to sign off on the draft local planning strategy prior to advertising once the modifications are undertaken.

It would also be appreciated if you could provide up with 2 copies of the modified draft Local Planning Strategy documents and described as 'the advertised draft'.

Could you also email a word version of the local planning strategy document to schemes@planning.wa.gov.au.

Yours sincerely

Kerrine Blenkinsop
 Secretary
 Western Australian Planning Commission

12 April 2016



wa.gov.au

ADVERTISING

The Shire of Exmouth Local Planning Strategy certified for advertising on 23 March 2016

Signed for and on behalf of the Western Australian Planning Commission

*an officer of the Commission duly authorised by the Commission
(pursuant to the Planning and Development Act 2005)*

Date _____

ADOPTED

The Shire of Carnarvon hereby adopts the Local Planning Strategy, at the
Ordinary meeting of the Council held on the _____ day of
20 .

MAYOR/SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

ENDORSEMENT

Endorsed by the Western Australian Planning Commission on _____ DATE

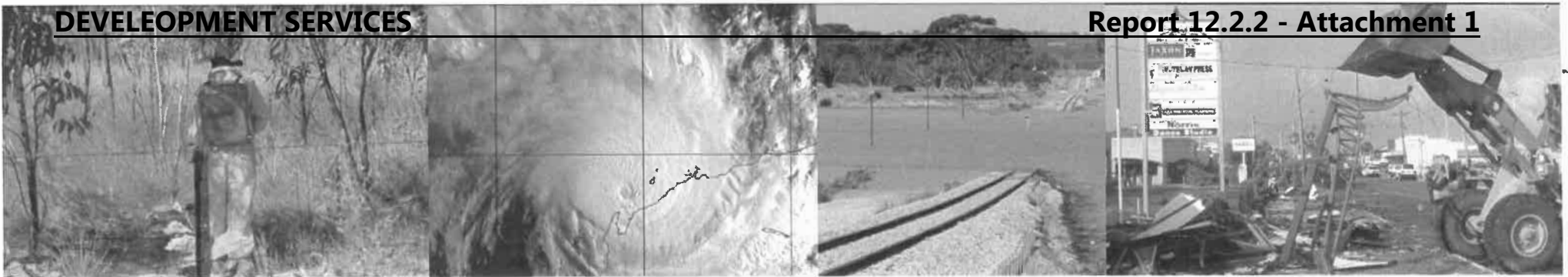
*an officer of the Commission duly authorised by the Commission
(pursuant to the Planning and Development Act 2005)*

Date _____

Shire of Exmouth Local Planning Strategy - Modifications. Certification to Advertise, March 2016

No.	Page	Section	Modification	Reason
1.	3	2 Residential	2.3 d), g), h) Remove reference to a Marina zone in TPS 4. Change to Special Use – Marina.	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . Ensure this change is reflected throughout the document - see page 99, 103, 104, 119, 169, and 181.
2.	7	4. Industrial	4.3 m) remove reference to 'revoke' the Exmouth Village ODP.	Change to amend as the SP is still relevant. Change all references in the document.
3.	8	5 Tourism	5.3 i) i) Add the word 'townsite'.	To ensure that no residential/tourism proposals are supported outside of the townsite.
4.		Spatial Plans – Sheet 2	Check locations of the Coastal Nodes. Legend – change Urban Land Use to Tourism.	Inconsistent with the Ningaloo Coast Regional Strategy. Misleading to identify the coastal nodes as an 'Urban Land use'.
5.	18	10 Movement	10.3m) Delete action and reword as follows: Include the proclaimed Exmouth Boat Harbour within an appropriate 'Strategic Infrastructure' type classification in LPS 4.	The land use classification of the Exmouth Boat Harbour is being determined through discussion with the Department of Transport, Local Government and the Department of Planning. The final classification will be included in LPS 4.
6.	27	1.3.1 State Planning Policies	Update Draft SPP 3.7 to reflect the finalisation of the Bushfire Policy. Include and action to prepare a	Ensure the document is up-to-date.
7.	28	1.1.4 State, Regional and Local Planning Context	1.1.4 – Add in the <i>Visual Landscape Planning in Western Australia (WAPC, 2007)</i> . Update numbering to reflect inclusion.	Ensure the document is up-to-date.
8.	31	1.2.3 Other Studies	Update the Draft Gascoyne Regional Development and Infrastructure Framework to reflect finalisation.	Ensure the document is up-to-date.
9.	38-42	1.3.7 Local Planning Policies	6.1 Home Occupation – Recommendation for new scheme – Revoke. 6.13 Temporary Workers Accommodation - Recommendation for new scheme – Revoke. 6.22 Sand and Dust Control on private property - Recommendation for new scheme –Revoke. 6.5 Bed and Breakfast – recommendation for new scheme – Revoke.	The guidance in the LPPs has been included in the Strategy and/or Scheme and are no longer required.
10.	55	2 Local Profile	2.1.10 Planning Implications – add in text under dot point 4 that covers SPP 2.6.	Ensure the document is up-to-date.
11.	119	3 Residential	3.2.7.3 c) Change working as a structure plan already exists for this area.	Consistency with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .

12.	121 & 123	3 Residential	3.3.1.3 b) - change 'Rural' to Urban Development zone. 3.3.2.3 b) - change 'Rural' to Urban Development zone.	'Rural' land in the townsite is misleading and does not indicate the intended use of the land.
13.	153	5 Industrial	5.2.6.3 b) & c) delete actions and replace with the following: Work collaboratively with the Department of Transport to achieve a high standard of development for the land based component of the Exmouth Boat Harbour.	The land use classification of the Exmouth Boat Harbour is being determined through discussion with the Department of Transport, Local Government and the Department of Planning. The final classification will be included in LPS 4.
14.	159		g) Reword as follows: Retain Caretaker's Dwelling as a 'I' discretionary use within the 'Light Industry' zone.	Consistent with LPS 4.
15.	163	5 Industrial	5.3.4.3 – change 'Rural' to Industrial Development zone.	'Rural' land in the townsite is misleading and does not indicate the intended use of the land.
16.	196	7 Town Centre	7.3.3 c) change to - Introduce mixed development as a 'D' discretionary use to accommodate upper level residential use within the 'Commercial' zone Mixed Use precinct.	Consistent with LPS 4.
17.	200	7 Town Centre	7.5.3 d) change 'D' use to 'I' use.	Consistent with LPS 4.
18.	217	11 Restricted Rural	Add an action b) to prepare a VLA to address visual landscape planning considerations.	Links to modification #7.
19.	222 &223	12 Movement	Delete text under point 1, Marine Infrastructure "The LPS identifies the EBH as a Boat Harbour and classifies it as 'Special Use - Boat Harbour' zone and 'Special Purpose' reserve under the provisions of LPS 4." 12.1.1 o) Delete action.	The land use classification of the Exmouth Boat Harbour is being determined through discussion with the Department of Transport, Local Government and the Department of Planning. The final classification will be included in LPS 4.



Presentation to Shire of Exmouth Councillors and LEMC members

Local Emergency Management Committee:

Why local governments must have one ...

**Why local governments and communities need
one ...**



**Government of Western Australia
Office of Emergency Management**

Local Government: Emergency Management Functions

- Local Emergency Management Arrangements
- Manage recovery following an emergency in its LG area
- Other functions as prescribed in the EM Act 2005

Recovery

Definition:

“The support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment, and community, psychosocial and economic wellbeing.”

(Emergency Management Act 2005, s. 36)



Recovery

Why local government manages recovery:

- Why local government **must** manage recovery:
EM Act 2005 (s. 36)

Why local government **needs** to manage recovery:

- LGs know their communities

Emergency Management: Shared Responsibility

- Emergency management and “disaster resilience” is the responsibility of government, business, the non-government sector and individuals
- WA’s emergency management committee structure brings together stakeholders at State, district and the local level.

WA Emergency Management Committee Structure

**State Emergency Management Committee
(SEMC)**



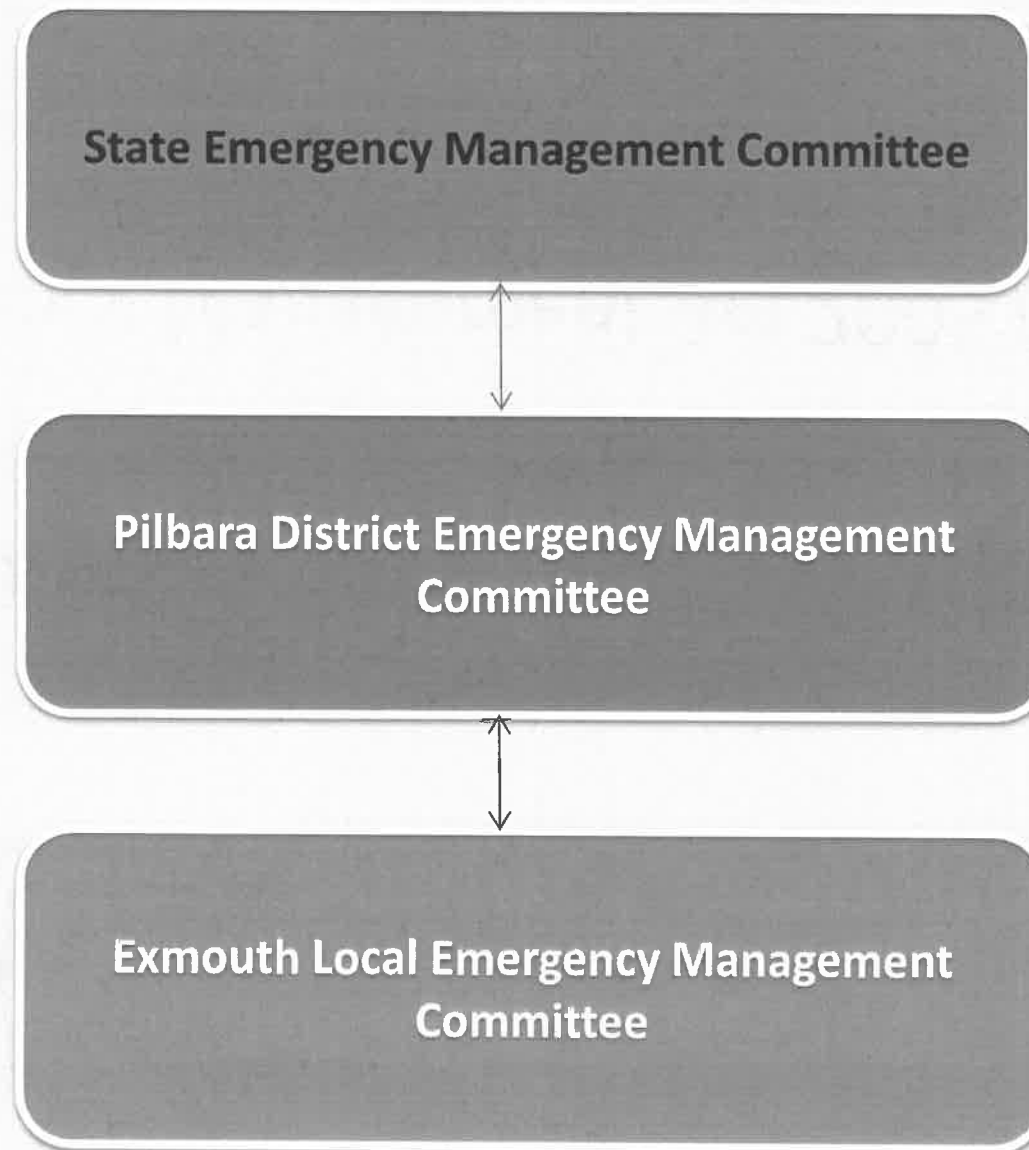
**District Emergency Management Committee
(DEMC)**



**Local Emergency Management Committee
(LEMC)**

WA Emergency Management Committee

Structure: Exmouth context



Local Emergency Management Committee

Why you must have one:

- Emergency Management Act 2005 (S. 38)

Local Emergency Management Committee

Why you need to have one:

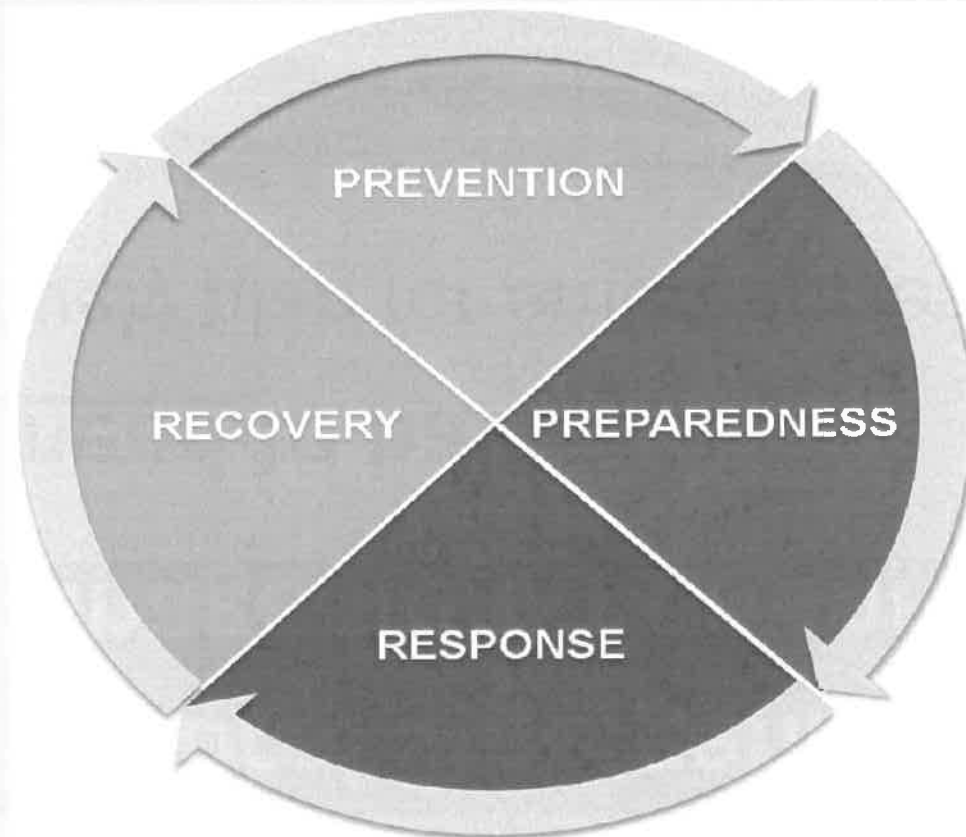
- To effectively plan for emergencies



Local Emergency Management Committee

What it does:

Plans for all phases of emergency management:



Local Emergency Management Committee

What it does and how it does it:

- Local Emergency Management Arrangements
- Emergency Risk Management
- Emergency management exercises
- Emergency management funding
- Reporting – post exercise; post incident; annual report
- Meets quarterly during the financial year

Local Emergency Management Committee

What it is not and what it does not do:

- Not an operational group and is not operational during incidents

Who does that?

- Incident Support Group
- Convened by the Controlling Agency



LEMC Composition

LEMC make up and why:

LEMC Executive:

- Chair – elected member of Council
- Deputy Chair – LEC:
OIC of the local police station
- Executive Officer



LEMC Composition

LEMC make up and why:

Members:

- Emergency Management agencies:
 - Hazard Management agencies
 - Combat and support agencies

- LG Local Recovery Coordinator/s

- Other LG officers to be considered

- Community groups and *members;*

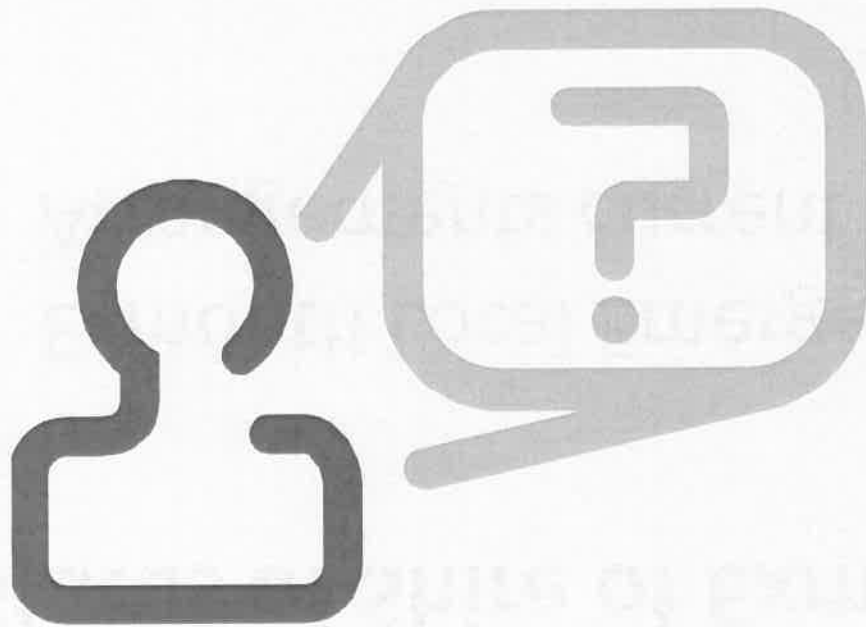


Shire of Exmouth Local Emergency Management Arrangements

Status of Shire of Exmouth LEMA:

- Exmouth Local Emergency Management Arrangements current and compliant
- Progressed through formal approvals process

Questions?



District Advisor's contact details

Helen Kent

**District Emergency Management Advisor |
Kimberley & Pilbara**

Office of Emergency Management (OEM)

Corner Carnarvon & Frederick Sts, Broome WA 6725

T +61 8 9158 3204

M 0409 415 256

E helen.kent@oem.wa.gov.au

**Presentation to the
Shire of Exmouth LEMC:
Local Emergency Management
Committee: need and function**

Thank you for your attention

38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of —
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

Shire of Exmouth Policy Manual

POLICY NO 2.12***(2.12 – Regional Price Preference Policy)*****Origin/Authority**

Council Meeting: 24 May 2018

OBJECTIVE

To encourage the use of competitive local businesses in goods, services and works purchased or contracted on behalf of the Shire of Exmouth.

POLICY**1. Policy Statement**

1.1 A price preference will apply to quotations of \$5,000 value or greater and all tenders invited by the Shire of Exmouth, for the supply of goods and services and construction services, unless the Council resolves that this policy not apply to a particular quotation or tender.

1.2 The following levels of preference will be applied under this policy:

- (a) Goods or services up to a maximum price reduction of \$50,000.00:
 - 10% to businesses located within the Prescribed Area.
- (b) Construction (building) services up to a maximum price reduction of \$50,000.00:
 - 5% to businesses located within the Prescribed Area.
- (c) Goods or Services, including construction (building) services, up to a maximum price reduction of \$500,000.00, if the Council is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the Council:
 - 10% to businesses located within the Prescribed Area.

2. The levels of preference outlined in 1.2 above, will be applied as either a regional business preference or as a regional content preference, as follows:

2.1 Regional Business Preference

- (a) This preference enables businesses/contractors within local governments in the Prescribed Area to claim a price preference for their whole bid, regardless of the origin of the labour or materials, as all labour and materials are deemed to be regional content.
- (b) The price of the bids from the local businesses/contractors will be reduced (for evaluation purposes only), by the amounts set out in section 1.2 of this policy.

2.2 Regional Content Preference

- (a) This preference provides an incentive for businesses/contractors outside

the Prescribed Area to purchase goods, services and construction from within the Prescribed Area. The preference applies to the value of the goods, materials or services purchased from within the Prescribed Area and used in the Shire of Exmouth and are referred to as "Regional Content". The preference percentages are as set out in section 1.2 of this policy.

- (b) Businesses outside the Prescribed Area, who claim that they will use regional businesses (Regional Content) in the delivery of the contract outcomes, may be required, as part of the contract conditions, to demonstrate that they have actually used them.

2.3 Businesses wishing to claim a price preference in Clause 2 must complete a preference questionnaire/response form that is distributed with each quotation of \$5,000.00 value or greater and which is also included in tender documentation. Eligible businesses within the Prescribed Area must clearly state their full business location and postal address.

3. Price is only one factor to be considered when assessing quotations and tender submissions.

4. Definitions

4.1 A "Local Business/Contractor" must meet the following conditions:

- (a) Have a permanent office in the Prescribed Area for at least six months prior to bids being sought;
 - (b) Have permanent staff based in the Prescribed Area; and
 - (c) That bidding and management/delivery of the majority of the contract outcomes will be carried out from the business location in the Prescribed Area.
-



Exmouth Destination Development Framework

Presented to Shire of Exmouth

9 May 2018

DTM 
DISTINCTLY TOURISM
MANAGEMENT

INSIGHTFUL TOURISM SOLUTIONS

Purpose of Report

In November 2017, Distinctly Tourism Management (DTM) were appointed by the Shire of Exmouth to review tourism operations in Exmouth and identify a destination strategy framework to guide tourism development and sustainability.

3 Core Areas Of Focus.



The objective of the project has been to understand the challenges of the current tourism landscape for Exmouth and its role as the gateway to the Ningaloo region, recognise opportunity to implement structural change and demonstrate a clear path forward for the broader tourism community to grow visitation.

Whilst the Ningaloo region is renowned for some of Western Australia's most iconic tourism experiences, co-ordination of the local industry in Exmouth and principle tourism stakeholders is fractured, leading to gaps in leadership and stagnation in destination market activity. The current body which is largely responsible for tourism administration, the Ningaloo Visitor Centre Management Committee (NVCMC), is no longer committed to the existing model and a new direction is now required to sustain visitation for the immediate period, whilst strategies are developed to grow visitation into the future.

With a new Shire recently appointed and an appetite for change within the existing NVCMC, the opportunity now presents to unite the tourism community through demonstrating a clear development plan to create a renewed tourism hub, which builds upon the unrivalled tourism experiences of the Rangelands & the Ningaloo Coast, leveraging its status as an internationally recognised World Heritage Area.

To achieve this, consideration has been given to the guiding principles of collaboration in destination management models and an assessment of available resources, supported by relevant case studies to demonstrate possible outcomes for Exmouth and the Ningaloo region.

Methodology & Consultation Insights

The ability to drive awareness into new markets, thereby growing visitation, is often limited by resources including financial, time and skill. Funding for destination marketing is a constant challenge as principle partners, usually Local Government Authorities (LGA's) experience greater pressure to demonstrate ROI to their constituents. To understand the Exmouth tourism community and principle stakeholder opinions, the following consultation was undertaken during November – December 2017:



- Survey to all NVC members (return rate 25 %)



- 3 x Interviews with NVC committee members.
- 6 x Interviews with key stakeholders
- 5 x Interviews with NVC members



- Regular meetings with Shire of Exmouth
- Member and stakeholder workshop - approx. 30 attendees

Key Findings of the consultation process were provided to the Shire of Exmouth for presentation to Council on 20 December 2017.

Key Findings

Governance & Sustainable Leadership



- There is a strong desire from the tourism community to move the Ningaloo Visitor Centre (NVC) back under Shire of Exmouth management to provide a consistent delivery of servicing, which is focused on driving sales in person and online.
- There is no appetite from the current committee to continue management of the Visitor Servicing administration. The committee thought they would be driving visitation not providing an administration approval process.
- Tourism community advocacy and product development opportunity is recognized as a gap, presenting an opportunity for a skills-based DMO to pursue on behalf of the region.
- There is a lack of a "Visitor Community" in both Exmouth and Coral Bay which needs to be addressed to ensure that Tourism is seen as a major economic driver by the residents, contributing to advocacy.

Key Findings cont...

Visitor Servicing



- There was no resistance to locating the Ningaloo Visitor Centre (NVC) in the Ningaloo Centre (NC); it was expected.
- There is support to collaborate in Visitor Servicing and the Ningaloo Centre as one entity through an appointed Tourism Manager, employed by the Shire of Exmouth. However, this does not extend to employing VC staff until cost-modelling has been completed.
- DBCA have expressed a desire to provide visitor servicing for their assets at the NC and to lease out the Millyering Centre on a commercial basis. This needs to be done as a cost neutral move, to be implemented in the 2018-19 Fiscal year.
- Merchandise sales represent a principle revenue stream for the NVC and it is recognized that more efficient retail software, together with a focus on local artisan and quality tourism products, would contribute positively to revenue and visitor experience within the centre. Professional merchandising consultants are desirable.

Destination Marketing



- There is little or no destination marketing done by the current NVC due to gaps in skillset and human resource. It is recognized that there is brand equity in 'Visit Ningaloo' to be leveraged, together with the World Heritage status of the region, through the development of a new destination marketing strategy, administered by a Destination Marketing Group (DMG) where all stakeholder interests are represented.
- The formation of an effective DMG is supported, provided that it is resourced with relevant skills to engage stakeholders and generate awareness in new markets. There is wide-spread acknowledgement that required skillset is not available locally; nor is there the collective knowledge to form an efficient board to manage the process.
- The Chamber of Commerce and the current NVC would seem to be at odds as to who should deliver tourism destination marketing. The formation of a DMG could resolve this impasse by clearly showing leadership and delivering results.

Strategic Context



Building A Global Tourism Hub

In establishing a framework to guide destination development, it is necessary to understand the aspirations of the destination to add strategic context to recommendations. A clearly defined vision and quantified goals are needed to guide an overarching destination plan, under which the 3 focus areas of this report reside.

The NVCMC has recognised the opportunity to leverage the Ningaloo brand, having re-branded the Exmouth Visitor Centre to the Ningaloo Visitor Centre, with the intention of aligning its representative role within the region. However, there remains much work to do in defining the Ningaloo brand and its global message, which leverages the Ningaloo Coast's World Heritage status and educates consumers in the experiences of the region as a year-round destination. The opportunity is to amplify the global significance of the Ningaloo Reef.

In setting a strategic vision for Exmouth, it is relevant to recognise its remote location as both an asset and a barrier. By its geographical location, Exmouth is an 'end destination'. Visitors are specifically seeking out the opportunity to explore the Ningaloo region and its tourism experiences as opposed to a stopover en-route to their next destination, making it a [geographic tourism hub](#). However, knowledge of accessing the region from interstate and international markets is low. In the planning phase of the consumer booking cycle however, this can in turn lead to barriers of distance, logistics, time and affordability which require strategic communication to address.

Defining the region and its global significance, beyond Whale Sharks, is about setting the vision for growth by recognising the opportunity to position Exmouth as the principal access point and tourism hub to explore the Ningaloo Region. This primary objective is to achieve extended stays, increased spend and the ability to attract [high value travellers](#)¹ through the provision of quality services & experiences to meet their needs.

Characteristics of a Global Tourism Hub include:

- Access through an airport with potential to implement international operations
- World-class tourism infrastructure capitalising on the region's unique natural assets
- Integrated resorts with a broad range of tourist related facilities
- Compliments the state & federal broader tourism strategy by encouraging regional dispersal with increased visitor nights and spend
- Delivers broader community benefits including regional jobs, investment and liveability

Introducing a regional vision for Ningaloo, through the development of a formalised brand, with clearly defined values which can be embraced by the total tourism community, is a principle requirement to guide destination development goals. The starting point for Exmouth is to determine the Tourism Authority structure under which a new destination plan can be managed and implemented.

¹Tourism Australia Primary Consumer Segment

Sustainable Leadership



Background

Visitor Servicing and Destination Marketing for Exmouth and the Ningaloo region is currently undertaken by the Ningaloo Visitor Centre (NVC) managed by the NVCMC, which is a not-for-profit Incorporated Association, administered by a volunteer Committee. It employs the NVC staff and is funded as a membership-based model, supported by the Shire of Exmouth (SoE). The objects of the Association are:

- The primary focus of the Ningaloo Visitor Centre is actively contributing to the success and sustainability of the local tourism industry through ongoing development and promotion of tourism products, services and experiences within the Ningaloo region;
- To act as the primary marketing/promotion/advertising body for tourism activities in the Exmouth and Ningaloo region;
- To promote and service the needs of members through the sale of tours, accommodation, entertainment and related activities;
- To sell products and services within the Ningaloo Visitor Centre as a means of funding the activities of the Association.

It is widely acknowledged that the tasks identified for the Association have exceeded the expectation of involvement by Committee members, leaving management under resourced to respond effectively to the tourism needs of the region. Day to day administration of the Visitor Centre is no longer desirable for the NVCMC. However, the local operators and the SoE recognise that industry buy-in to destination building is vital to ensure the region's tourism sustainability. The NVCMC and the SoE as the principle funding partner, are seeking recommendations of new tourism models which can continue to undertake the primary roles of Visitor Servicing and Destination Marketing for the region.

Situational Context

In addition to the current position of the NVCMC, a recommendation for a new tourism model for destination management in Exmouth needs to consider the roles of additional stakeholders where duplication of effort could be minimised and/or efficiencies gained, for the benefit of the region. In addition, the NVC will potentially experience a shift in visitor expectation of services as a result of the relocation to the Ningaloo Centre.

Department of Biodiversity, Conservation & Attractions (DBCA)	Exmouth Chamber of Commerce	Ningaloo Centre
<ul style="list-style-type: none">• Undertakes visitor servicing for National Parks• Merchandise sales	<ul style="list-style-type: none">• Destination Marketing• Advocacy	<ul style="list-style-type: none">• Ticket Revenue• Visitor Servicing• Guest Relations

Defining A New Tourism Model



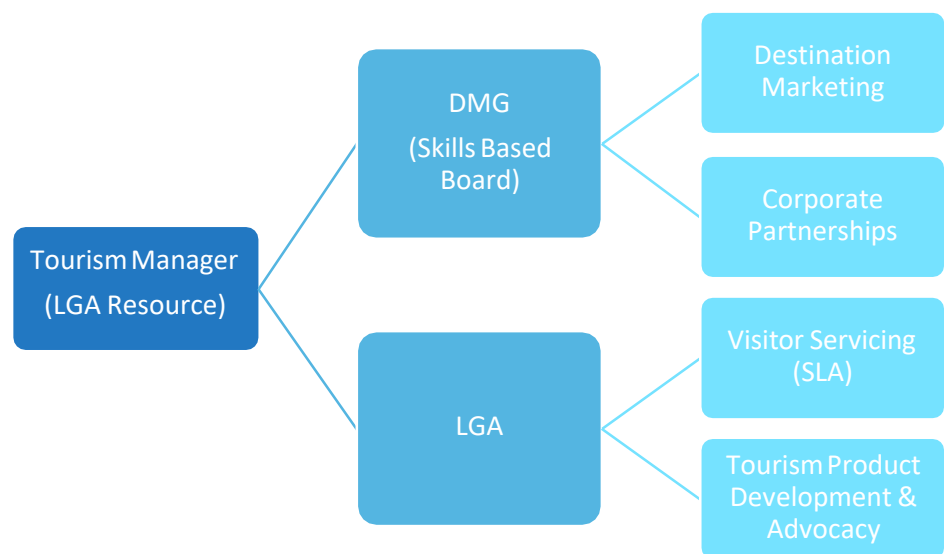
With acknowledgement of the situational context for Exmouth, 3 principle operating themes in Destination Management have been examined to guide assessment of possible business models for the region. In-so doing, these principles have been applied to understand the benefits and considerations for both the NVCMC and the SoE to resource a robust tourism model.

Theme	Description	Benefits	Limitations
Compete (Industry Association Model)	The NVCMC continues to undertake a stand-alone role in Destination Management functions for the region as per the current constitution and self-sustaining funding model.	<ul style="list-style-type: none"> Revenue focussed organisation Self-determination in all tourism operations including marketing & merchandising revenue Industry engagement is maintained through trusted relationships Visit Ningaloo has brand equity 	<ul style="list-style-type: none"> Constitution revision to address delays in approval processes Retention of existing NVC staff Capacity to source skilled Committee required for efficient administration Capability to execute marketing campaigns Ongoing funding from SoE Retention of membership revenue
Co-Exist (LGA Model)	The NVCMC relinquishes all responsibility of Destination Management functions and funding to the SoE, but retains an industry consultative role through a tourism advisory group.	<ul style="list-style-type: none"> Stable work environment for NVC staff Consistency of resourcing for Visitor Servicing Co-ordination in product development and advocacy through SoE Co-ordination of visitor experience at Ningaloo Centre 	<ul style="list-style-type: none"> Potential risk of shift in focus for revenue generation Reallocation of SoE budget from marketing to operating costs Decision making conditional on LGA process Fluidity in destination marketing resources Limited industry engagement
Collaborate (LGA & Industry Collaboration Model)	The NVCMC partners with all Stakeholders to re-distribute responsibility for Visitor Servicing, whilst developing partnerships to leverage funding for Destination Marketing.	<ul style="list-style-type: none"> Co-ordinated communication between all regional stakeholders Quarantined funds for destination marketing Reduced duplication in visitor servicing Co-ordinated regional advocacy Centralised tourism community 	<ul style="list-style-type: none"> Formation of entity to administer destination marketing Skills based Board may require remuneration Clear vision and strategic plan required to engage funding partnerships Limited destination marketing activity pending formation of new structure

Assessing Options

Ongoing discussion throughout the strategy development process has indicated an initial preference for the proposed model as follows:

1. Collaboration Model
2. LGA Model
3. Industry Association Model – unlikely to proceed



The collaboration model between a Local Government Authority (LGA) and an Industry lead Destination Marketing Group (DMG), administered by a skills-based board, relies on the pivotal role of a Tourism Manager to implement strategic direction.

For Exmouth, this role is proposed to be funded by the SoE, performing the role of Secretariat for the DMG Board.

The DMG Board is proposed to have direct responsibility for Destination Marketing, potentially engaging industry through a Tourism Advisory Group.

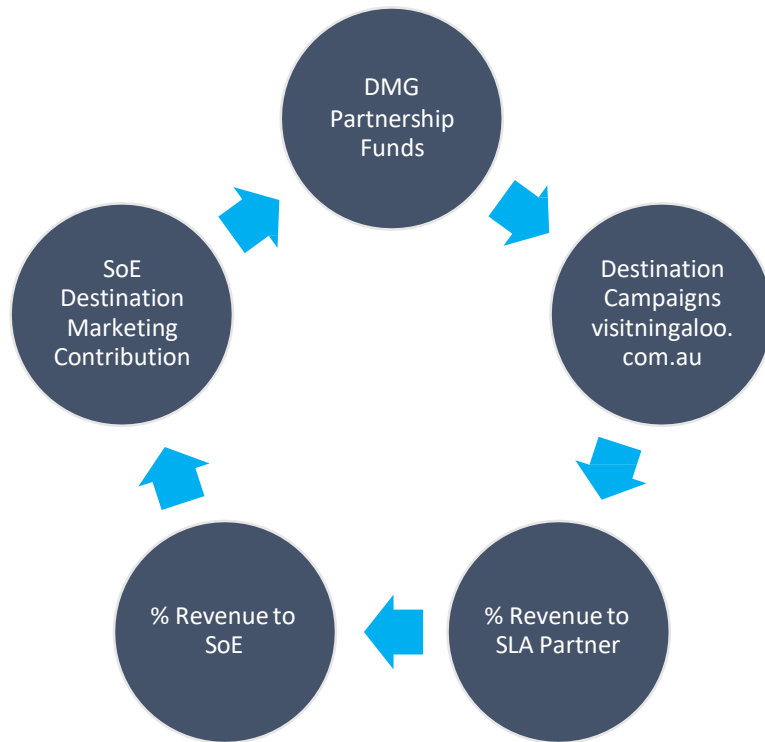
Corporate Partnerships would be considered as principal funding sources for the purpose of Destination Marketing, engaged in partnership with the SoE through the Tourism Manager.

The LGA assumes the lead responsibility in Visitor Servicing, Tourism Product Infrastructure and Regional Advocacy.

Through the consultation process, the SoE has indicated that it is disinclined to undertake the day to day operations of the NVC, but may consider appointing a 3rd party to undertake Visitor Servicing under a Service Level Agreement (SLA). A key consideration for the region in Visitor Servicing is the relationship with DBCA and the potential to engage support for destination marketing, whilst gaining efficiencies in centralising DBCA visitor servicing to the NVC. This potential partnership would need to be considered in a proposed SLA.

Funding Considerations For Collaborative Model

Funding Cycle For Destination Marketing



Sustainable funding is a core requirement in robust destination management. Consistent contribution allows destinations to invest in brand optimisation, destination awareness and tactical marketing campaigns. Whilst an LGA model is prone to fluidity in committed funding, a collaboration model is defined as 'multi-channelled' to mitigate risk by spreading funding commitment across multiple partners.

Potential funding channels include:

- Local Government
- Tourism Partnerships
- Strategic Partnerships
- Membership
- Retail

The percentage of funding sought from each partnership is to be determined, however, the most successful collaboration models are supported with a 50% commitment from government, ensuring capacity to engage in destination marketing. The funding cycle demonstrates the opportunity to offset LGA commitment through increased sales.

Recommended Action

Shire of Exmouth	Description	Implementation
Task 1	Assess tourism model options <ul style="list-style-type: none"> • Seek endorsement to investigate options for Visitor Servicing through <ol style="list-style-type: none"> a. Service Level Agreement (SLA) b. Shire Funded Model • Develop SLA conditions and prepare for tender • Develop role for Tourism Manager • Identify suitable structure for DMG 	May 2018
Task 2	Define and endorse an over-arching destination vision <ul style="list-style-type: none"> • Review destination workshop summary • Agree on a vision statement • Agree quantitative goals, benchmarking and strategy timeframes • Tourism community updates 	June 2018
Task 3	Identify Potential Funding Partners <ul style="list-style-type: none"> • Pursue partnership with DBCA • Develop partnership prospectus 	July 2018
NVCMC	Description	Implementation
Task 1	Assess tourism model options <ul style="list-style-type: none"> • Communicate NVCMC assessment to membership • Seek member support to wind up NVCMC, effective 31 Dec 18 at AGM 	30 June 2018
Task 2	Investigate structure for new DMG entity <ul style="list-style-type: none"> • Collaborate with SoE to establish new body for distribution of NVCMC property • Identify roles for new Board and identify possible candidates • Collaborate with SoE to establish constitution 	Jul-Dec 2018



Monthly Financial Report

For the period ended

30 April 2018

PO Box 21
2 Truscott Crescent
Exmouth
Western Australia 6707

Phone: (08) 9949 3000
Fax: (08) 9949 3050
Email: records@exmouth.wa.gov.au
Web: www.exmouth.wa.gov.au

ABN: 32 865 822 043

SHIRE OF EXMOUTH
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 April 2018

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF EXMOUTH
Information Summary
For the Period Ended 30 April 2018

Key Information

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

Items of Significance

The material variance for the 2017/18 year is \$10,000 or 10% whichever is the greater. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

	YTD Actual	YTD Budget	Annual Budget
	\$	\$	\$
Significant Projects			
Construction of Ningaloo Centre	1,777,194	2,662,070	3,194,510
Ningaloo Centre Furniture/Equipment	25,125	217,570	261,091
Murat Road widening, intersection redesign	43,943	1,197,280	1,436,747
 Grants, Subsidies and Contributions			
Operating Grants, Subsidies and Contributions	960,972	1,126,020	1,351,285
Non-operating Grants, Subsidies and Contributions	2,464,114	4,466,980	5,360,417
	3,425,086	5,593,000	6,711,702
 Rates Levied	3,258,487	2,701,280	3,241,549

% Compares current ytd actuals to annual budget

Financial Position		Current Year 30 Apr 2018	Previous Year 30 Apr 2017
		\$	\$
Adjusted Net Current Assets	-222%	2,890,235	(1,300,674)
Cash and Equivalent - Unrestricted	-178%	2,155,679	(1,208,780)
Cash and Equivalent - Restricted	114%	7,624,407	6,698,350
Receivables - Rates	106%	392,060	369,082
Receivables - Other	83%	1,051,692	1,262,056
Payables	68%	1,215,344	1,783,590

% Compares current ytd actuals to prior year actuals at the same time

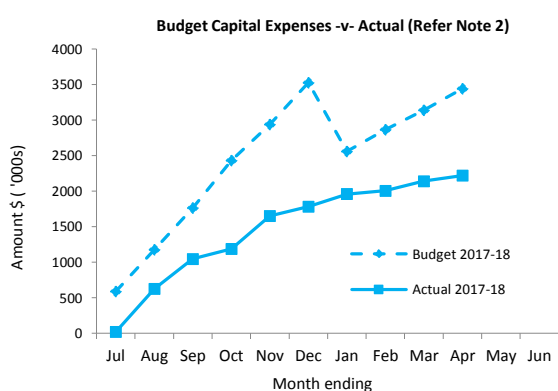
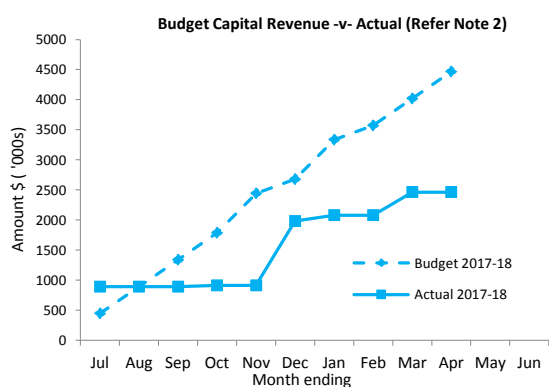
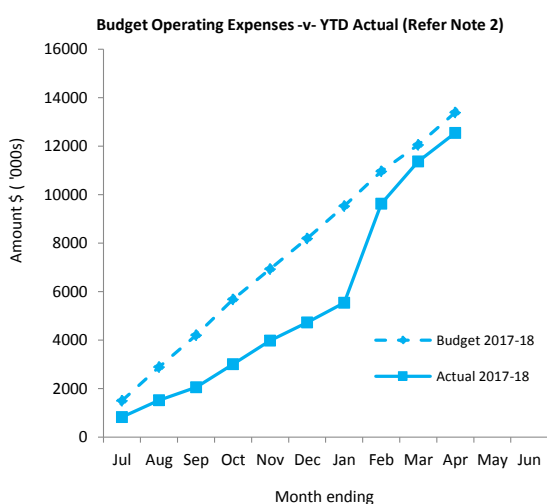
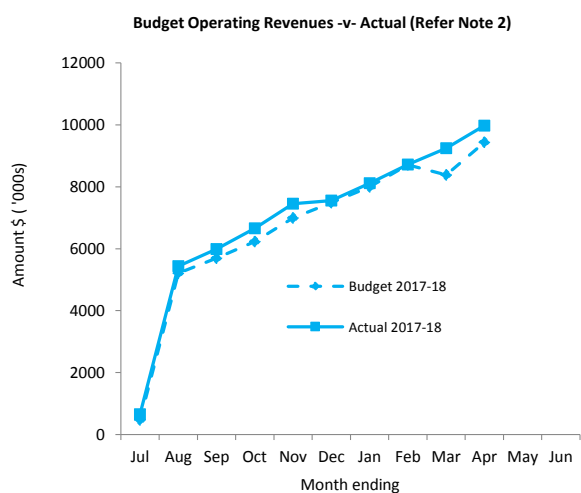
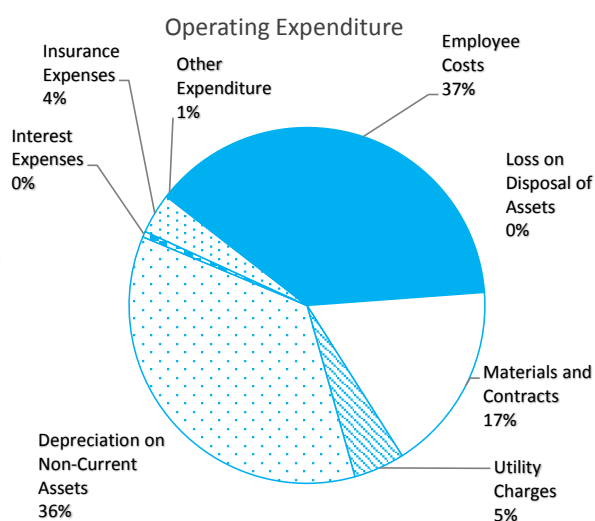
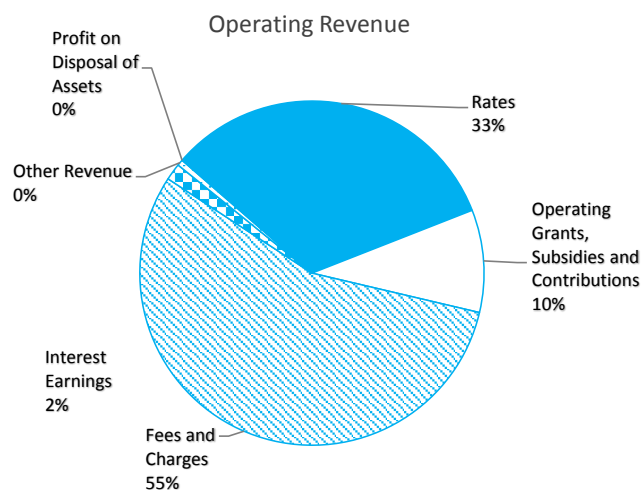
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

Preparation

Prepared by: Jennine Ashby - Senior Finance Officer

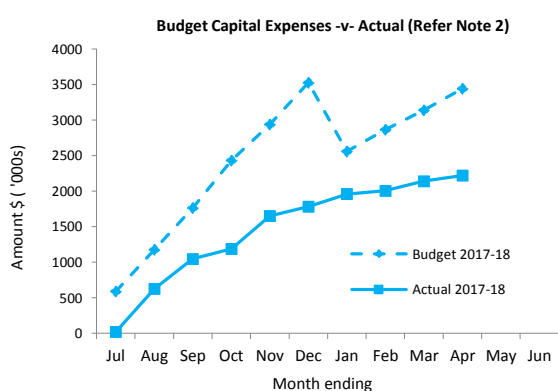
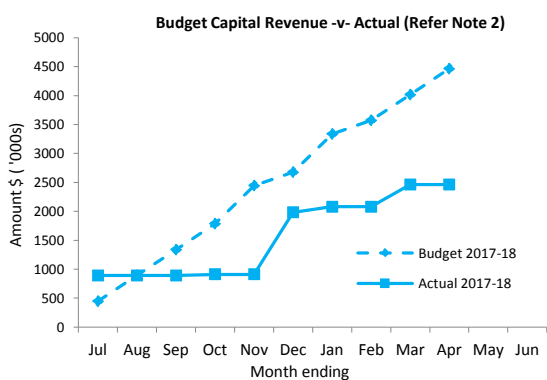
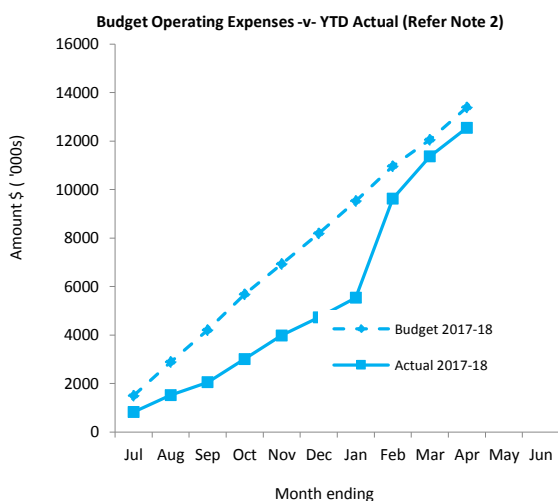
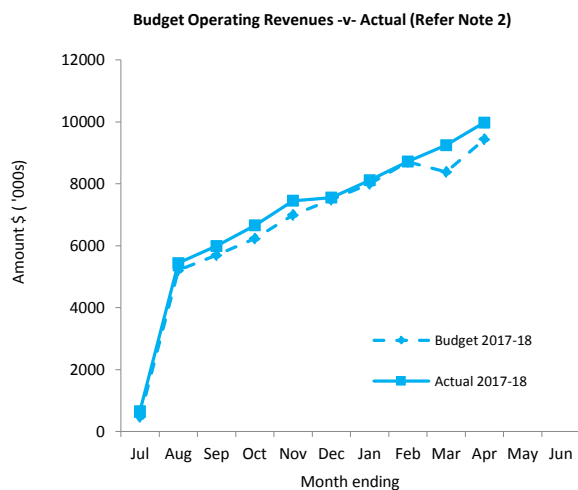
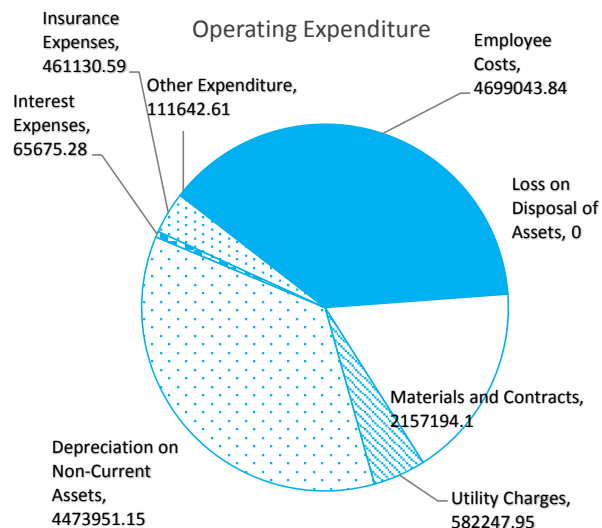
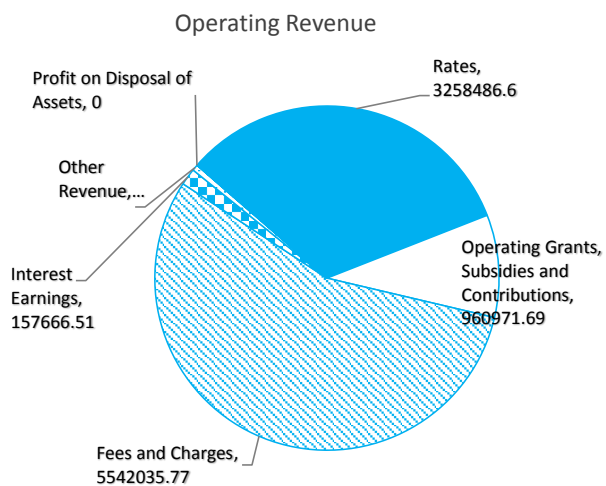
Date prepared: 9 May 2018

SHIRE OF EXMOUTH
Information Summary
For the Period Ended 30 April 2018



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

**SHIRE OF EXMOUTH
Information Summary
For the Period Ended 30 April 2018**



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

SHIRE OF EXMOUTH
STATEMENT OF FINANCIAL ACTIVITY
(by Statutory Reporting Program)
For the Period Ended 30 April 2018

	Note	YTD Actual (b)	YTD Budget (a)	17/18 Amended Budget	Var. \$ (b)-(a)	Var. % (b)- (a)/(a)	Forecast to 30/6/2018
		\$	\$	\$	\$	%	\$
Opening Funding Surplus(Deficit)	3	962,667	962,702	962,702	(35)	(0%)	962,667
Revenue from operating activities							
General Purpose Funding	9	4,032,310	3,492,250	4,190,740	540,060	15%	4,190,740
Governance		16,427	1,180	1,427	15,247	1292%	1,427
Law, Order and Public Safety		55,982	58,600	70,359	(2,618)	(4%)	70,359
Health		33,046	27,190	32,668	5,856	22%	32,668
Education and Welfare		26,847	27,080	32,516	(233)	(1%)	32,516
Housing		100,380	86,480	103,863	13,900	16%	103,863
Community Amenities		1,048,893	1,019,591	1,075,906	29,302	3%	1,075,906
Recreation and Culture		518,067	693,600	832,458	(175,533)	(25%)	832,458
Transport		3,890,310	3,814,070	4,576,972	76,240	2%	4,576,972
Economic Services		203,219	176,970	212,412	26,249	15%	212,412
Other Property and Services		50,918	35,990	43,220	14,928	41%	43,220
		9,976,399	9,433,001	11,172,541			11,172,541
Expenditure from operating activities							
General Purpose Funding		(58,328)	(71,320)	(85,664)	12,992	18%	(85,664)
Governance		(694,265)	(681,070)	(817,583)	(13,195)	(2%)	(817,583)
Law, Order and Public Safety		(369,954)	(375,690)	(451,198)	5,736	2%	(451,198)
Health		(145,302)	(163,520)	(196,398)	18,218	11%	(196,398)
Education and Welfare		(135,484)	(135,920)	(163,271)	436	0%	(163,271)
Housing		(99,352)	(54,033)	(65,870)	(45,319)	(84%)	(65,063)
Community Amenities		(1,362,094)	(1,580,630)	(1,897,482)	218,536	14%	(2,891,257)
Recreation and Culture		(4,006,193)	(4,548,670)	(5,460,383)	542,477	12%	(5,460,383)
Transport		(4,852,118)	(5,183,940)	(6,221,384)	331,822	6%	(6,221,384)
Economic Services		(512,955)	(593,030)	(711,997)	80,075	14%	(711,997)
Other Property and Services		(314,840)	(8,080)	(10,214)	(306,760)	(3797%)	(10,214)
		(12,550,886)	(13,395,903)	(16,081,444)			(17,074,412)
Operating activities excluded from budget							
Add back Depreciation		4,473,951	5,000,600	6,001,350	(526,649)	(11%)	5,188,968
Adjust (Profit)/Loss on Asset Disposal	8	0	35,810	42,996	(35,810)	(100%)	42,996
Adjust Provisions and Accruals		0	0	0	0		0
Amount attributable to operating activities		1,899,465	1,073,508	1,135,443			(669,907)
Investing Activities							
Non-operating Grants, Subsidies and Contributions	11	2,464,114	4,466,980	5,360,417	(2,002,866)	(45%)	5,360,417
Proceeds from Disposal of Assets	8	0	209,000	209,000	(209,000)	(100%)	0
Land Held for Resale		0	0	0	0		0
Land and Buildings	13	(1,997,188)	(2,901,570)	(3,481,940)	904,382	31%	(3,471,940)
Infrastructure Assets - Roads	13	(103,565)	(1,744,030)	(2,092,858)	1,640,465	94%	(2,092,858)
Infrastructure Assets - Other	13	(75,587)	(237,000)	(440,413)	161,413	68%	(440,413)
Plant and Equipment	13	(17,701)	(779,320)	(935,201)	761,619	98%	(935,201)
Furniture and Equipment	13	(25,125)	(250,310)	(300,398)	225,185	90%	(300,398)
Amount attributable to investing activities		244,948	(1,236,250)	(1,681,393)			(1,880,393)
Financing Activities							
Proceeds from New Debentures		0	0	0	0		0
Proceeds from Community Advances		34,000	34,000	54,000	0	0%	34,000
Transfer from Reserves	7	0	963,890	1,160,875	(963,890)	(100%)	1,156,699
Advances to Community Groups		0	0	0	0		0
Repayment of Debentures	10	(168,684)	(207,110)	(248,557)	38,426	19%	(248,556)
Transfer to Reserves	7	(82,161)	(41,720)	(138,074)	(40,441)	(97%)	(50,123)
Amount attributable to financing activities		(216,845)	749,060	828,244			892,020
Closing Funding Surplus(Deficit)	3	2,890,235	1,549,020	1,244,996			(695,613)

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF EXMOUTH
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 April 2018

	Note	YTD Actual (b)	YTD Budget (a)	17/18 Amended Budget
Opening Funding Surplus (Deficit)	3	\$ 962,667	\$ 962,702	\$ 962,702
Revenue from operating activities				
Rates	9	3,258,487	2,701,280	3,241,549
Operating Grants, Subsidies & Contributions	11	960,972	1,126,020	1,351,285
Fees and Charges		5,542,036	5,467,701	6,414,009
Interest Earnings		157,667	97,600	117,140
Other Revenue		57,239	27,900	33,558
Profit on Disposal of Assets	8	0	12,500	15,000
		9,976,399	9,433,001	11,172,541
Expenditure from operating activities				
Employee Costs		(4,699,044)	(4,935,720)	(5,924,764)
Materials and Contracts		(2,157,194)	(1,943,370)	(2,334,495)
Utility Charges		(582,248)	(703,173)	(844,540)
Depreciation on Non-Current Assets		(4,473,951)	(5,000,600)	(6,001,350)
Interest Expenses		(65,675)	(84,740)	(101,727)
Insurance Expenses		(461,131)	(384,290)	(461,607)
Other Expenditure		(111,643)	(295,700)	(354,965)
Loss on Disposal of Assets	8	0	(48,310)	(57,996)
		(12,550,886)	(13,395,903)	(16,081,444)
Operating activities excluded from budget				
Add back Depreciation		4,473,951	5,000,600	6,001,350
Adjust (Profit)/Loss on Asset Disposal	8	0	35,810	42,996
Adjust Provisions and Accruals		0	0	
Amount attributable to operating activities		1,899,465	1,073,508	1,135,443
Investing activities				
Grants, Subsidies and Contributions	11	2,464,114	4,466,980	5,360,417
Proceeds from Disposal of Assets	8	0	209,000	209,000
Land Held for Resale	13	0	0	0
Land and Buildings	13	(1,997,188)	(2,901,570)	(3,481,940)
Infrastructure Assets - Roads	13	(103,565)	(1,744,030)	(2,092,858)
Infrastructure Assets - Other	13	(75,587)	(237,000)	(440,413)
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Financing Activities				
Proceeds from New Debentures		0	0	0
Proceeds from Community Advances		34,000	34,000	54,000
Transfer from Reserves	7	0	963,890	1,160,875
Advances to Community Groups		0	0	0
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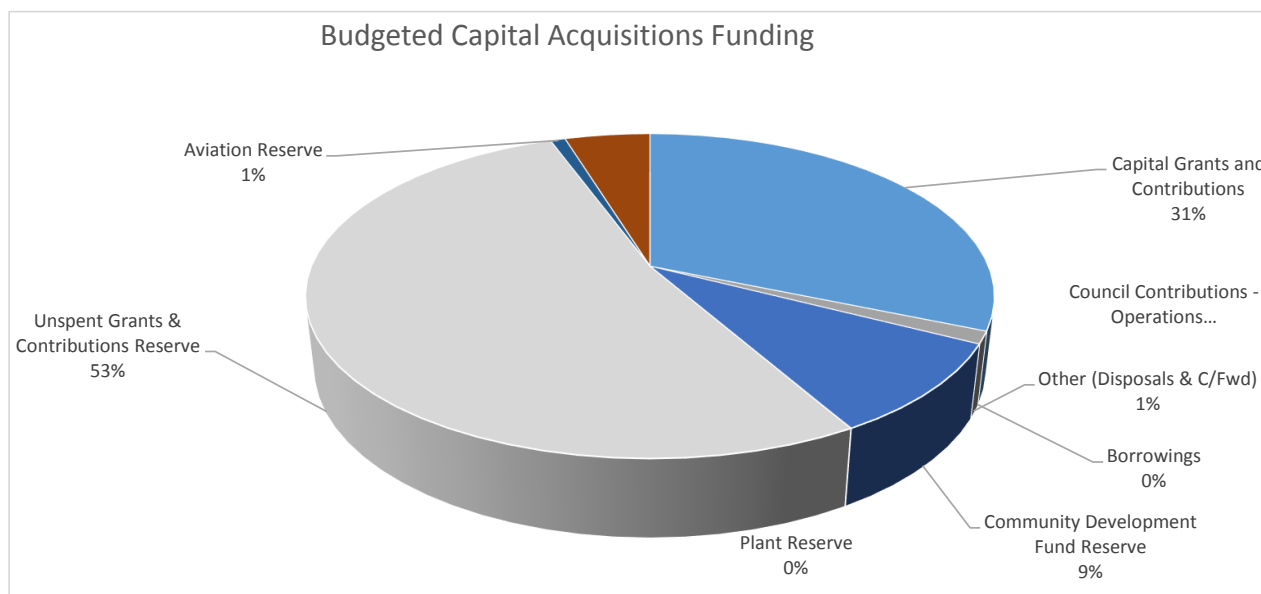
SHIRE OF EXMOUTH
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 30 April 2018

Capital Acquisitions

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal) (b)	Amended YTD Budget (d)	Amended Annual Budget	YTD Actual Total= (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land & Buildings	13	1,997,188	-	2,901,570	3,481,940	1,997,188	904,382
Furniture & Equipment	13	25,125	-	250,310	300,398	25,125	225,185
Land Held for Resale	13	-	-	-	-	-	0
Plant & Equipment	13	-	17,701	779,320	935,201	17,701	761,619
Infrastructure Roads	13	103,565	-	1,744,030	2,092,858	103,565	1,640,465
Infrastructure Other	13	49,830	25,757	237,000	440,413	75,587	161,413
Capital Expenditure Totals		2,175,707	43,459	5,912,230	7,250,810	2,219,166	3,693,064

Capital Acquisitions funded by:

Capital Grants and Contributions	5,360,417	2,464,114
Borrowings	-	0
Other (Disposals & C/Fwd)	209,000	962,667
Council Contributions - Cash Backed Reserves		
Plant Reserve	-	0
Community Development Fund Reserve	1,574,818	0
Unspent Grants & Contributions Reserve	9,026,655	0
Aviation Reserve	143,000	0
Council Contributions - Operations	817,606	(1,207,615)
	17,131,496	2,219,166



SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 1: Significant Accounting Policies

(a) Basis of Accounting

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories

General

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 1: Significant Accounting Policies

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Asset	Years
Buildings	2.50%
Heavy Plant & Equipment	10% - 33%
Light to Medium Vehicles	20% - 50%
Light Mobile Equipment	50.00%
Furniture and Equipment	
Electronic Equipment	20% - 33%
All Other Items	10% - 20%
Infrastructure	
Road Base Construction	2.50%
Road Seals - Aggregate	8.33%
Road Seals - Asphalt	5.00%
Road (Unsealed) - Gravel	12.50%
Road (Unsealed) - Unformed	16.66%
Road Kerb	2.00%
Bridges	2.00%
Drains / Sewers	1.33%
Airfield / Runways	8.33%
Other	50-100%

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 1: Significant Accounting Policies

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

(p) Nature or Type Classifications

Rates

All rates levied under the *Local Government Act 1995*. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 1: Significant Accounting Policies

(r) Program Classifications (Function/Activity)

City/Town/Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE

Objective:

To provide a decision making process for the efficient allocation of scarce resources.

Activities:

Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern specific council services.

GENERAL PURPOSE FUNDING

Objective:

To collect revenue to allow for the provision of services.

Activities:

Collection of rate revenue and the maintenance of valuation and rating records to support the collection process. General purpose

LAW, ORDER, PUBLIC SAFETY

Objective:

To provide services to help ensure a safer and environmentally conscious community.

Activities:

Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.

HEALTH

Objective:

To provide an operational framework for environmental and community health.

Activities:

Inspection of food outlets and their control, provision of meat inspection services, noise control and waste disposal compliance.

EDUCATION AND WELFARE

Objective:

To provide services to disadvantaged persons, the elderly, children and youth.

Activities:

Maintenance of playgroup centre and senior citizen's centre. Administration and support for provision of Human Services Agency.

HOUSING

Objective:

To provide housing to staff members

Activities:

Administration and operation of residential housing for Council staff.

COMMUNITY AMENITIES

Objective:

To provide services required by the community.

Activities:

Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences.

RECREATION AND CULTURE

Objective:

To establish and effectively manage infrastructure and resource which will help the social well being of the community.

Activities:

Maintenance of public halls, civic centres, swimming pool, beaches, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library and radio re-broadcasting facilities.

TRANSPORT

Objective:

To provide safe, effective and efficient transport services to the community.

Activities:

Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc. Administration and operation of airport, heliport and aerodrome.

ECONOMIC SERVICES

Objective:

To help promote the shire and its economic wellbeing.

Activities:

Tourism and area promotion. Provision of rural services including weed control and Building Control.

OTHER PROPERTY AND SERVICES

Objective:

To monitor and control Shire's overheads operating accounts.

Activities:

Private works operation, plant repair and operation costs and engineering and administration costs.

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially. The material variance adopted by Council for the 2017/18 year is \$10,000 or +/- 10% whichever is the greater.

Explanation of Identified Material Variances +/- 10% or \$10,000 at Program Level between Year to Date Actuals and Year to Date Budget

▲ Increase Surplus

▼ Decrease Surplus

	Var \$	Var %		Timing/ Permanent	
	\$	\$			
Revenue from operating activities					
General Purpose Funding	540,060	15%			
Governance	15,247	1292%	▲		Insurance Contributions discount
Law, Order and Public Safety	(2,618)	(4%)			
Health	5,856	22%			
Education and Welfare	(233)	(1%)			
Housing	13,900	16%	▲		Increased Rental Income due to some properties previously vacant
Community Amenities	29,302	3%			
Recreation and Culture	(175,533)	(25%)	▼	Timing	Ningaloo Centre lease income, exhibition revenue. Unspent grants reserve transfer-50yrs celebration. Tantabiddi boat ramp funding.
Transport	76,240	2%			
Economic Services	26,249	15%	▲	Timing	Caravan Park Lease invoiced in full. Increased Building Application revenue.
Other Property and Services	14,928	41%	▲		Insurance Reimbursement
Expenditure from operating activities					
General Purpose Funding	12,992	18%	▲		Reduced employee costs
Governance	(13,195)	(2%)			
Law, Order and Public Safety	5,736	2%			
Health	18,218	11%	▲		Reduced Employee costs and Consultant expenses
Education and Welfare	436	0%			
Housing	(45,319)	(84%)	▼	Timing	Additional maintenance for new tennants. Actual expense reallocations to be reviewed.
Community Amenities	218,536	14%	▲	Timing	Reduced maintenance for cemetery, refuse site, community amenities and reduced consultants fees.
Recreation and Culture	542,477	12%	▲	Timing	Reduced employee and utility costs at Ningaloo Centre. Reduced maintenance expenses Recreation Centre Grounds, Parks & Gardens and boat ramp ammenities.
Transport	331,822	6%			
Economic Services	80,075	14%	▲	Timing	Decrease in depreciation expense. Lighthouse maintenance under budget. Building employee costs reduced.
Other Property and Services	(306,760)	(3797%)	▼	Timing	Plant and Works Overhead to be revised and reallocated.
Capital Revenues					
Grants, Subsidies and Contributions	(2,002,866)	(45%)	▼	Timing	Ningaloo Centre Grants (\$1.3m rollover 18/19) Roads funding not received due to delayed works programme.
Proceeds from Disposal of Assets	(209,000)	(100%)	▼		Items not disposed at time of reporting
Capital Expenses					
Land Held for Resale	0				
Land and Buildings	904,382	31%	▲	Timing	Ningaloo Aquarium budget outstanding
Infrastructure Assets - Roads	1,640,465	94%	▲	Timing	Delayed capital works programme
Infrastructure Assets - Other	161,413	68%	▲	Timing	Construction of Septage Ponds
Plant and Equipment	761,619	98%	▲	Timing	Sanitation replacement vehicles
Furniture and Equipment	225,185	90%	▲	Timing	Purchase Orders raised for marine and terrestrial upgrade and associated software.

Comment

Overall financials are on track, acknowledging timing differences in both revenue and expenditure.

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 3: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Current	Last Years	Same Period Last
	Note	30 Apr 2018	Closing	Year
		30/06/2017	30/04/2017	
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	2,155,679	1,264,385	(1,208,780)
Cash Restricted	4	6,110,965	6,028,804	6,698,350
Receivables - Rates	6	392,060	336,908	369,082
Receivables - Other	6	1,051,692	1,227,923	1,007,822
ATO Receivable		25,967	225,590	254,234
Inventories		49,708	39,398	60,558
		9,786,070	9,123,008	7,181,266
Less: Current Liabilities				
Trade and other payables		(297,077)	(2,077,538)	(602,730)
Short term borrowings		(95,298)	(253,764)	(121,111)
Provisions		(822,969)	(822,969)	(1,059,749)
		(1,215,344)	(3,154,271)	(1,783,590)
Less: Cash Reserves	7	(6,110,965)	(6,028,804)	(6,698,350)
Less: Loans Receivable - Clubs/Institutions		(58,774)	(54,000)	
Add: Current liabilities not expected to be cleared at year end		489,248	1,076,733	
Net Current Funding Position		2,890,235	962,667	(1,300,674)

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash at Bank							
Municipal Bank Account	2,151,631			2,151,631	Westpac	0.50%	At Call
Reserve Bank Account		1,810,965		1,810,965	Westpac	0.50%	At Call
Trust Bank Account			70,978	70,978	Westpac	0.50%	At Call
Cash On Hand	4,048			4,048	N/A		On Hand
WATC OCD Facility		1,513,442		1,513,442	WATC		On Application
(b) Term Deposits							
TD 303187			550,000	550,000	Westpac	2.28%	04-Jun-18
TD 196745		1,000,000		1,000,000	Westpac	2.45%	30-May-18
31 Day Notice 202244		1,300,000		1,300,000	Westpac	2.45%	01-May-18
TD 199719		2,000,000		2,000,000	Westpac	2.71%	28-Aug-18
Total	2,155,679	7,624,407	620,978	10,401,064			

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 5: Budget Amendments

Amendments to original budget since budget adoption. Surplus/(Deficit)

Council Meeting Date	Description	General Ledger Account	Notes	Original Budget	Amended Budget	Budget Variation	Amended Budget Running Balance
				\$	\$	\$	\$
10/10/2017	Unbudgeted Contract Staff	TBA	Council Resolution 08-1017	0	(80,000)	(80,000)	(80,000)
22/03/2018	Valuation Expenses	E031410	Council Resolution 09-0318	5,000	4,998	(2)	(80,002)
22/03/2018	Printing & Stationery	E031590	Council Resolution 09-0318	2,150	11,518	9,368	9,368
22/03/2018	Postage and Freight	E031595	Council Resolution 09-0318	3,203	2,543	(660)	(80,662)
22/03/2018	Insurance	E031610	Council Resolution 09-0318	1,471	1,474	3	9,371
22/03/2018	Audit Fees	E031670	Council Resolution 09-0318	800	0	(800)	(81,462)
22/03/2018	Debt Collection Fees	E031685	Council Resolution 09-0318	5,000	4,931	(69)	9,302
22/03/2018	Administration Overheads	E031950	Council Resolution 09-0318	10,183	11,085	902	(80,560)
22/03/2018	President's Allowance	E041305	Council Resolution 09-0318	12,153	10,457	(1,696)	7,606
22/03/2018	Deputy President's Allowance	E041310	Council Resolution 09-0318	3,038	2,583	(455)	(81,015)
22/03/2018	Councillors Allowance	E041315	Council Resolution 09-0318	92,880	84,488	(8,392)	(786)
22/03/2018	Meeting, Conference & Travel	E041320	Council Resolution 09-0318	15,000	14,951	(49)	(81,064)
22/03/2018	Refreshments & Receptions	E041325	Council Resolution 09-0318	10,000	7,294	(2,706)	(3,492)
22/03/2018	Promotional Items	E041326	Council Resolution 09-0318	500	0	(500)	(81,564)
22/03/2018	Telecommunications Expenses	E041330	Council Resolution 09-0318	4,590	3,297	(1,293)	(4,785)
22/03/2018	Election Expenses	E041335	Council Resolution 09-0318	14,000	26,231	12,231	(69,333)
22/03/2018	Salaries	E041340	Council Resolution 09-0318	71,628	71,608	(20)	(4,805)
22/03/2018	Superannuation	E041345	Council Resolution 09-0318	10,994	9,766	(1,228)	(70,561)
22/03/2018	FBT	E041375	Council Resolution 09-0318	3,952	3,948	(4)	(4,809)
22/03/2018	Chambers Maintenance	E041450	Council Resolution 09-0318	5,289	8,471	3,182	(67,379)
22/03/2018	Consultants	E041560	Council Resolution 09-0318	20,000	5,000	(15,000)	(19,809)
22/03/2018	Advertising	E041582	Council Resolution 09-0318	1,000	500	(500)	(67,879)
22/03/2018	General Consumables	E041585	Council Resolution 09-0318	100	0	(100)	(19,909)
22/03/2018	Printing & Stationery	E041590	Council Resolution 09-0318	2,800	2,480	(320)	(68,199)
22/03/2018	Subscriptions	E041600	Council Resolution 09-0318	1,420	1,293	(127)	(20,036)
22/03/2018	Insurance	E041610	Council Resolution 09-0318	7,177	7,117	(60)	(68,259)
22/03/2018	IT Licences & Support	E041630	Council Resolution 09-0318	2,734	2,740	6	(20,030)
22/03/2018	Legal Expenses	E041695	Council Resolution 09-0318	0	860	860	(67,399)
22/03/2018	Donations - Venue Waiver	E041702	Council Resolution 09-0318	3,000	3,059	59	(19,971)
22/03/2018	Donations/Sponsorships	E041870	Council Resolution 09-0318	5,000	4,983	(17)	(67,416)
22/03/2018	Donations - In Kind Works	E041900	Council Resolution 09-0318	5,568	405	(5,163)	(25,134)
22/03/2018	Administration Overhead	E041950	Council Resolution 09-0318	18,732	20,985	2,253	(65,163)
22/03/2018	Depreciation	E041990	Council Resolution 09-0318	8,021	21,422	13,401	(11,733)

22/03/2018	Business Meetings/Travel	E042320	Council Resolution 09-0318	5,000	3,000	(2,000)	(67,163)
22/03/2018	Salaries	E042340	Council Resolution 09-0318	250,834	252,415	1,581	(10,152)
22/03/2018	Superannuation	E042345	Council Resolution 09-0318	37,561	21,390	(16,171)	(83,334)
22/03/2018	Protective Clothing/Uniforms	E042350	Council Resolution 09-0318	800	5,238	4,438	(5,714)
22/03/2018	Training	E042355	Council Resolution 09-0318	3,000	800	(2,200)	(85,534)
22/03/2018	Subsidies	E042360	Council Resolution 09-0318	2,400	0	(2,400)	(8,114)
22/03/2018	Recruitment Expenses	E042367	Council Resolution 09-0318	0	2,930	2,930	(82,604)
22/03/2018	FBT	E042375	Council Resolution 09-0318	16,226	16,224	(2)	(8,116)
22/03/2018	Consultants	E042560	Council Resolution 09-0318	55,000	67,204	12,204	(70,400)
22/03/2018	Advertising	E042582	Council Resolution 09-0318	6,000	3,000	(3,000)	(11,116)
22/03/2018	General Consumables	E042585	Council Resolution 09-0318	0	2,485	2,485	(67,915)
22/03/2018	Printing & Stationery	E042590	Council Resolution 09-0318	11,123	7,273	(3,850)	(14,966)
22/03/2018	Postage & Freight	E042595	Council Resolution 09-0318	50	119	69	(67,846)
22/03/2018	Subscriptions	E042600	Council Resolution 09-0318	1,612	3,086	1,474	(13,492)
22/03/2018	Insurance	E042610	Council Resolution 09-0318	9,423	9,331	(92)	(67,938)
22/03/2018	Utilities	E042620	Council Resolution 09-0318	4,440	4,466	26	(13,466)
22/03/2018	IT Licences & Support	E042630	Council Resolution 09-0318	9,727	8,472	(1,255)	(69,193)
22/03/2018	Legal Expenses	E042695	Council Resolution 09-0318	0	8,878	8,878	(4,588)
22/03/2018	Administration Overhead	E042950	Council Resolution 09-0318	61,514	11,398	(50,116)	(119,309)
22/03/2018	Staff Housing Allocated	E042965	Council Resolution 09-0318	43,434	56,368	12,934	8,346
22/03/2018	Depreciation	E042990	Council Resolution 09-0318	10,648	3,515	(7,133)	(126,442)
22/03/2018	Advertising	E051582	Council Resolution 09-0318	0	320	320	8,666
22/03/2018	General Consumables	E051585	Council Resolution 09-0318	200	470	270	(126,172)
22/03/2018	Fire Break Expenses	E051900	Council Resolution 09-0318	30,312	1,322	(28,990)	(20,324)
22/03/2018	Bushfires - Firefighting	E051901	Council Resolution 09-0318	8,218	5,365	(2,853)	(129,025)
22/03/2018	Administration Overhead	E051950	Council Resolution 09-0318	2,846	3,097	251	(20,073)
22/03/2018	Protective Clothing/Uniforms	E052350	Council Resolution 09-0318	400	398	(2)	(129,027)
22/03/2018	Training	E052355	Council Resolution 09-0318	1,500	1,000	(500)	(20,573)
22/03/2018	FBT	E052375	Council Resolution 09-0318	0	2,788	2,788	(126,239)
22/03/2018	Maintenance - Dog Pound	E052465	Council Resolution 09-0318	1,500	500	(1,000)	(21,573)
22/03/2018	Motor Vehicle Expenses	E052505	Council Resolution 09-0318	10,004	6,653	(3,351)	(129,590)
22/03/2018	General Consumables	E052585	Council Resolution 09-0318	1,500	1,250	(250)	(21,823)
22/03/2018	Minor Equipment	E052590	Council Resolution 09-0318	1,000	0	(1,000)	(130,590)
22/03/2018	Postage & Freight	E052595	Council Resolution 09-0318	200	329	129	(21,694)
22/03/2018	Insurance	E052610	Council Resolution 09-0318	3,373	3,371	(2)	(130,592)
22/03/2018	Administration Overhead	E052950	Council Resolution 09-0318	21,982	25,045	3,063	(18,631)
22/03/2018	Depreciation	E052990	Council Resolution 09-0318	3,696	5,312	1,616	(128,976)
22/03/2018	FBT	E055375	Council Resolution 09-0318	5,577	2,788	(2,789)	(21,420)
22/03/2018	Motor Vehicle Expenses	E055505	Council Resolution 09-0318	9,037	8,956	(81)	(129,057)
22/03/2018	Advertising	E055582	Council Resolution 09-0318	2,500	500	(2,000)	(23,420)
22/03/2018	General Consumables	E055585	Council Resolution 09-0318	0	8	8	(129,049)
22/03/2018	Postage & Freight	E055595	Council Resolution 09-0318	500	475	(25)	(23,445)
22/03/2018	Utilities	E055620	Council Resolution 09-0318	2,040	1,319	(721)	(129,770)
22/03/2018	IT Licenses & Support	E055630	Council Resolution 09-0318	6,254	4,990	(1,264)	(24,709)
22/03/2018	Printing & Stationery	E055690	Council Resolution 09-0318	2,500	2,286	(214)	(129,984)
22/03/2018	Legal Expenses	E055695	Council Resolution 09-0318	2,500	2,507	7	(24,702)
22/03/2018	Administration Overhead	E055950	Council Resolution 09-0318	13,940	15,185	1,245	(128,739)

22/03/2018	Staff Housing Allocated	E055965	Council Resolution 09-0318	10,463	12,463	2,000	(22,702)
22/03/2018	Maintenance of Vehicles	E056505	Council Resolution 09-0318	60,192	30,027	(30,165)	(158,904)
22/03/2018	Purchase of P&E <\$1,000	E056585	Council Resolution 09-0318	790	797	7	(22,695)
22/03/2018	Other Goods & Services	E056587	Council Resolution 09-0318	(49,638)	1,088	50,726	(108,178)
22/03/2018	Insurance	E056610	Council Resolution 09-0318	5,926	5,940	14	(22,681)
22/03/2018	Maintenance of Vehicles	E057505	Council Resolution 09-0318	29,874	29,331	(543)	(108,721)
22/03/2018	Purchase of P&E <\$1,000	E057585	Council Resolution 09-0318	1,500	1,501	1	(22,680)
22/03/2018	Purchase of P&E >\$1,000	E057586	Council Resolution 09-0318	(21,665)	1,285	22,950	(85,771)
22/03/2018	Other Goods & Services	E057587	Council Resolution 09-0318	0	371	371	(22,309)
22/03/2018	Utilities	E057620	Council Resolution 09-0318	8,401	6,893	(1,508)	(87,279)
22/03/2018	Administration Overheads	E057950	Council Resolution 09-0318	74	149	75	(22,234)
22/03/2018	Depreciation	E057990	Council Resolution 09-0318	51,674	76,447	24,773	(62,506)
22/03/2018	Protective Clothing/Uniforms	E074350	Council Resolution 09-0318	1,000	400	(600)	(22,834)
22/03/2018	Training	E074355	Council Resolution 09-0318	3,500	1,568	(1,932)	(64,438)
22/03/2018	FBT	E074375	Council Resolution 09-0318	3,159	3,160	1	(22,833)
22/03/2018	Motor Vehicles Expenses	E074505	Council Resolution 09-0318	7,577	3,584	(3,993)	(68,431)
22/03/2018	Consultants	E074560	Council Resolution 09-0318	5,000	4,984	(16)	(22,849)
22/03/2018	Analytical Expenses	E074580	Council Resolution 09-0318	11,000	7,447	(3,553)	(71,984)
22/03/2018	Subscriptions	E074600	Council Resolution 09-0318	620	683	63	(22,786)
22/03/2018	Insurance	E074610	Council Resolution 09-0318	3,863	3,765	(98)	(72,082)
22/03/2018	Utilities	E074620	Council Resolution 09-0318	1,740	1,325	(415)	(23,201)
22/03/2018	IT Licences & Support	E074630	Council Resolution 09-0318	6,041	5,026	(1,015)	(73,097)
22/03/2018	Legal Fees	E074695	Council Resolution 09-0318	2,000	0	(2,000)	(25,201)
22/03/2018	Utilities	E075620	Council Resolution 09-0318	590	0	(590)	(73,687)
22/03/2018	Pest Control/Chicken Bleed Program	E075900	Council Resolution 09-0318	39,428	14,634	(24,794)	(49,995)
22/03/2018	Depreciation	E075990	Council Resolution 09-0318	23	73	50	(73,637)
22/03/2018	Senior Citizen Expenses	E082485	Council Resolution 09-0318	15,799	22,360	6,561	(43,434)
22/03/2018	Depreciation	E082990	Council Resolution 09-0318	38,838	65,658	26,820	(46,817)
22/03/2018	Playgroup Bldg/Grounds Mtce	E086450	Council Resolution 09-0318	6,333	5,398	(935)	(44,369)
22/03/2018	Toy Library Expenses	E086451	Council Resolution 09-0318	241	242	1	(46,816)
22/03/2018	Administration Overheads	E086950	Council Resolution 09-0318	140	162	22	(44,347)
22/03/2018	Depreciation	E086990	Council Resolution 09-0318	4,163	10,573	6,410	(40,406)
22/03/2018	Superannuation	E087345	Council Resolution 09-0318	1,923	1,990	67	(44,280)
22/03/2018	Protective Clothing/Uniforms	E087350	Council Resolution 09-0318	100	0	(100)	(40,506)
22/03/2018	Staff Recruitment	E087367	Council Resolution 09-0318	200	0	(200)	(44,480)
22/03/2018	Building Mtce	E087450	Council Resolution 09-0318	2,536	2,826	290	(40,216)
22/03/2018	Grounds Mtce	E087451	Council Resolution 09-0318	1,304	1,482	178	(44,302)
22/03/2018	General Consumables	E087585	Council Resolution 09-0318	80	0	(80)	(40,296)
22/03/2018	Insurance	E087610	Council Resolution 09-0318	3,091	3,092	1	(44,301)
22/03/2018	Utilities	E087620	Council Resolution 09-0318	3,100	2,832	(268)	(40,564)
22/03/2018	Administration Overheads	E087950	Council Resolution 09-0318	5,528	6,240	712	(43,589)
22/03/2018	Depreciation	E087990	Council Resolution 09-0318	3,031	15,356	12,325	(28,239)
22/03/2018	Unit 24a Carr Way	E091000	Council Resolution 09-0318	16,314	16,102	(212)	(43,801)
22/03/2018	Unit 24b Carr Way	E091001	Council Resolution 09-0318	16,758	16,117	(641)	(28,880)
22/03/2018	Unit 34a Carr Way	E091002	Council Resolution 09-0318	18,263	18,402	139	(43,662)
22/03/2018	Unit 34b Carr Way	E091003	Council Resolution 09-0318	17,066	21,046	3,980	(24,900)
22/03/2018	20 Davidson St	E091004	Council Resolution 09-0318	18,017	19,797	1,780	(41,882)

22/03/2018	12 Fletcher St	E091005	Council Resolution 09-0318	26,952	23,288	(3,664)	(28,564)
22/03/2018	5 Gooley St	E091006	Council Resolution 09-0318	33,067	24,674	(8,393)	(50,275)
22/03/2018	Unit 1 Lefroy St	E091007	Council Resolution 09-0318	15,929	11,795	(4,134)	(32,698)
22/03/2018	Unit 2 Lefroy St	E091008	Council Resolution 09-0318	14,471	9,576	(4,895)	(55,170)
22/03/2018	Unit 3 Lefroy St	E091009	Council Resolution 09-0318	14,310	9,797	(4,513)	(37,211)
22/03/2018	56 Nimitz St	E091010	Council Resolution 09-0318	15,948	17,520	1,572	(53,598)
22/03/2018	Payne St (S'Pool House)	E091011	Council Resolution 09-0318	17,635	14,392	(3,243)	(40,454)
22/03/2018	29 Snapper Loop	E091013	Council Resolution 09-0318	48,493	43,671	(4,822)	(58,420)
22/03/2018	31 Snapper Loop	E091014	Council Resolution 09-0318	48,690	54,481	5,791	(34,663)
22/03/2018	5 Walters Way	E091016	Council Resolution 09-0318	20,563	25,625	5,062	(53,358)
22/03/2018	Welch St Depot (Caretaker)	E091017	Council Resolution 09-0318	7,126	5,083	(2,043)	(36,706)
22/03/2018	19 Carpenter St (DoH)	E091018	Council Resolution 09-0318	17,513	10,155	(7,358)	(60,716)
22/03/2018	17 Christie St (DoH)	E091019	Council Resolution 09-0318	17,678	11,339	(6,339)	(43,045)
22/03/2018	27 Christie St (DoH)	E091020	Council Resolution 09-0318	17,678	15,821	(1,857)	(62,573)
22/03/2018	31 Nimitz St (DoH)	E091021	Council Resolution 09-0318	17,528	11,222	(6,306)	(49,351)
22/03/2018	19 Skipjack Circle	E091024	Council Resolution 09-0318	43,434	53,325	9,891	(52,682)
22/03/2018	23 Carr Way (Private)	E091102	Council Resolution 09-0318	7,675	5,513	(2,162)	(51,513)
22/03/2018	Insurance	E091610	Council Resolution 09-0318	384	422	38	(52,644)
22/03/2018	Administration Overheads	E091950	Council Resolution 09-0318	3,861	4,359	498	(51,015)
22/03/2018	Staff Housing Allocated	E091965	Council Resolution 09-0318	(382,087)	(377,652)	4,435	(48,209)
22/03/2018	Salaries	E101340	Council Resolution 09-0318	61,623	94,625	33,002	(18,013)
22/03/2018	Superannuation	E101345	Council Resolution 09-0318	28,819	28,919	100	(48,109)
22/03/2018	Uniforms/Protective Clothing	E101350	Council Resolution 09-0318	3,000	2,915	(85)	(18,098)
22/03/2018	FBT	E101375	Council Resolution 09-0318	538	536	(2)	(48,111)
22/03/2018	Recycling	E101440	Council Resolution 09-0318	7,251	6,846	(405)	(18,503)
22/03/2018	Rubbish Bins	E101445	Council Resolution 09-0318	5,000	4,974	(26)	(48,137)
22/03/2018	Motor Vehicles Expenses	E101505	Council Resolution 09-0318	6,186	6,155	(31)	(18,534)
22/03/2018	Pre Cyclone Rubbish Collections	E101530	Council Resolution 09-0318	55,892	10,451	(45,441)	(93,578)
22/03/2018	Consultants	E101560	Council Resolution 09-0318	15,000	30,000	15,000	(3,534)
22/03/2018	Environmental Monitoring	E101565	Council Resolution 09-0318	7,700	2,000	(5,700)	(99,278)
22/03/2018	General Consumables	E101585	Council Resolution 09-0318	3,000	2,952	(48)	(3,582)
22/03/2018	Insurance	E101610	Council Resolution 09-0318	9,593	9,590	(3)	(99,281)
22/03/2018	Utilities	E101620	Council Resolution 09-0318	513	6,457	5,944	2,362
22/03/2018	IT Licences & Support	E101630	Council Resolution 09-0318	4,779	2,414	(2,365)	(101,646)
22/03/2018	Licences & Permits	E101635	Council Resolution 09-0318	850	2,036	1,186	3,548
22/03/2018	Interest Expense	E101690	Council Resolution 09-0318	9,413	10,553	1,140	(100,506)
22/03/2018	Rubbish Collections	E101900	Council Resolution 09-0318	256,018	225,518	(30,500)	(26,952)
22/03/2018	Refuse Site General Mtce	E101901	Council Resolution 09-0318	126,931	128,116	1,185	(99,321)
22/03/2018	Refuse Site Food Pit Mtce	E101902	Council Resolution 09-0318	136,514	139,276	2,762	(24,190)
22/03/2018	Refuse Site Septage Ponds Mtce	E101903	Council Resolution 09-0318	4,881	3,590	(1,291)	(100,612)
22/03/2018	Refuse Site Green Waste Mtce	E101904	Council Resolution 09-0318	48,935	54,165	5,230	(18,960)
22/03/2018	Refuse Site General Tip Face Mtce	E101905	Council Resolution 09-0318	75,075	80,531	5,456	(95,156)
22/03/2018	Rubbish Townsite Litter	E101906	Council Resolution 09-0318	176,412	40,422	(135,990)	(154,950)
22/03/2018	Refuse Site Tyres	E101907	Council Resolution 09-0318	7,375	9,960	2,585	(92,571)
22/03/2018	Administration Overheads	E101950	Council Resolution 09-0318	76,733	84,662	7,929	(147,021)
22/03/2018	Depreciation	E101990	Council Resolution 09-0318	35,973	42,310	6,337	(86,234)
22/03/2018	CBD Area	E104450	Council Resolution 09-0318	72,020	73,025	1,005	(146,016)

22/03/2018	Insurance	E104610	Council Resolution 09-0318	8,294	8,293	(1)	(86,235)
22/03/2018	Utilities	E104620	Council Resolution 09-0318	3,400	1,578	(1,822)	(147,838)
22/03/2018	Administration Overheads	E104950	Council Resolution 09-0318	7,234	8,166	932	(85,303)
22/03/2018	Depreciation	E104990	Council Resolution 09-0318	92,887	95,041	2,154	(145,684)
22/03/2018	Salaries	E106340	Council Resolution 09-0318	227,778	159,404	(68,374)	(153,677)
22/03/2018	Superannuation	E106345	Council Resolution 09-0318	37,365	22,683	(14,682)	(160,366)
22/03/2018	Protective Clothing/Uniforms	E106350	Council Resolution 09-0318	800	808	8	(153,669)
22/03/2018	Recruitment Expenses	E106367	Council Resolution 09-0318	0	3,751	3,751	(156,615)
22/03/2018	FBT	E106375	Council Resolution 09-0318	18,271	18,452	181	(153,488)
22/03/2018	Title Searches	E106415	Council Resolution 09-0318	1,000	1,021	21	(156,594)
22/03/2018	Motor Vehicle Expenses	E106505	Council Resolution 09-0318	7,187	3,457	(3,730)	(157,218)
22/03/2018	Town Planning Scheme	E106567	Council Resolution 09-0318	5,000	0	(5,000)	(161,594)
22/03/2018	Advertising	E106582	Council Resolution 09-0318	5,000	4,988	(12)	(157,230)
22/03/2018	General Consumables	E106585	Council Resolution 09-0318	100	354	254	(161,340)
22/03/2018	Subscriptions	E106600	Council Resolution 09-0318	4,800	4,885	85	(157,145)
22/03/2018	Insurance	E106610	Council Resolution 09-0318	6,611	6,511	(100)	(161,440)
22/03/2018	Utilities	E106620	Council Resolution 09-0318	3,240	5,462	2,222	(154,923)
22/03/2018	IT Licences & Support	E106630	Council Resolution 09-0318	10,295	13,737	3,442	(157,998)
22/03/2018	Administration Overheads	E106950	Council Resolution 09-0318	55,860	63,000	7,140	(147,783)
22/03/2018	Cemetery Grounds Mtce	E107450	Council Resolution 09-0318	40,204	27,606	(12,598)	(170,596)
22/03/2018	Subscriptions	E107600	Council Resolution 09-0318	110	120	10	(147,773)
22/03/2018	Insurance	E107610	Council Resolution 09-0318	1,597	1,596	(1)	(170,597)
22/03/2018	Utilities	E107620	Council Resolution 09-0318	5,350	3,626	(1,724)	(149,497)
22/03/2018	Depreciation	E107990	Council Resolution 09-0318	2,613	1,989	(624)	(171,221)
22/03/2018	Insurance	E108610	Council Resolution 09-0318	530	529	(1)	(149,498)
22/03/2018	Toilet Block Kennedy St Carpark	E108903	Council Resolution 09-0318	32,494	38,543	6,049	(165,172)
22/03/2018	Toilet Block Bonefish Carpark	E108904	Council Resolution 09-0318	28,224	30,332	2,108	(147,390)
22/03/2018	Administration Overheads	E108950	Council Resolution 09-0318	5,535	6,249	714	(164,458)
22/03/2018	Depreciation	E108990	Council Resolution 09-0318	10,138	6,186	(3,952)	(151,342)
22/03/2018	Urban Storm Water Mtce	E110450	Council Resolution 09-0318	53,421	54,081	660	(163,798)
22/03/2018	Administration Overheads	E110950	Council Resolution 09-0318	4,020	4,539	519	(150,823)
22/03/2018	Depreciation	E110990	Council Resolution 09-0318	103,121	103,846	725	(163,073)
22/03/2018	Shire Hall Bldg/Grounds Mtce	E111450	Council Resolution 09-0318	27,046	25,100	(1,946)	(152,769)
22/03/2018	General Consumables	E111585	Council Resolution 09-0318	500	492	(8)	(163,081)
22/03/2018	Utilities	E111620	Council Resolution 09-0318	14,564	14,554	(10)	(152,779)
22/03/2018	Administration Overheads	E111950	Council Resolution 09-0318	2,339	2,640	301	(162,780)
22/03/2018	Depreciation	E111990	Council Resolution 09-0318	33,928	77,144	43,216	(109,563)
22/03/2018	Maintenance	E112450	Council Resolution 09-0318	0	69	69	(162,711)
22/03/2018	General Consumables	E112585	Council Resolution 09-0318	500	492	(8)	(109,571)
22/03/2018	Insurance	E112610	Council Resolution 09-0318	42,450	42,446	(4)	(162,715)
22/03/2018	Utilities	E112620	Council Resolution 09-0318	41,098	40,906	(192)	(109,763)
22/03/2018	Rec Centre Grounds Mtce	E112900	Council Resolution 09-0318	76,940	61,107	(15,833)	(178,548)
22/03/2018	Rec Centre Bldg Mtce	E112901	Council Resolution 09-0318	10,867	16,967	6,100	(103,663)
22/03/2018	Other Clubs Grounds/Bldgs	E112902	Council Resolution 09-0318	10,784	4,745	(6,039)	(184,587)
22/03/2018	Administration Overheads	E112950	Council Resolution 09-0318	7,222	8,154	932	(102,731)
22/03/2018	Depreciation	E112990	Council Resolution 09-0318	98,129	121,762	23,633	(160,954)
22/03/2018	Salaries	E113340	Council Resolution 09-0318	172,490	178,397	5,907	(96,824)

22/03/2018	Superannuation	E113345	Council Resolution 09-0318	18,611	19,292	681	(160,273)
22/03/2018	Protective Clothing/Uniforms	E113350	Council Resolution 09-0318	1,800	1,803	3	(96,821)
22/03/2018	Training	E113355	Council Resolution 09-0318	2,600	5,422	2,822	(157,451)
22/03/2018	Staff Recruitment	E113367	Council Resolution 09-0318	250	1,006	756	(96,065)
22/03/2018	FBT	E113375	Council Resolution 09-0318	362	364	2	(157,449)
22/03/2018	Bldg/Grounds Mtce	E113450	Council Resolution 09-0318	25,128	24,492	(636)	(96,701)
22/03/2018	General Consumables	E113585	Council Resolution 09-0318	8,000	8,010	10	(157,439)
22/03/2018	Insurance	E113610	Council Resolution 09-0318	20,404	20,405	1	(96,700)
22/03/2018	Utilities	E113620	Council Resolution 09-0318	38,581	42,943	4,362	(153,077)
22/03/2018	IT Licences & Support	E113630	Council Resolution 09-0318	2,734	2,508	(226)	(96,926)
22/03/2018	Licences	E113635	Council Resolution 09-0318	1,334	932	(402)	(153,479)
22/03/2018	Administration Overheads	E113950	Council Resolution 09-0318	42,860	48,451	5,591	(91,335)
22/03/2018	Staff Housing Allocated	E113965	Council Resolution 09-0318	12,435	10,387	(2,048)	(155,527)
22/03/2018	Depreciation	E113990	Council Resolution 09-0318	50,358	52,161	1,803	(89,532)
22/03/2018	Insurance	E114610	Council Resolution 09-0318	8,432	8,427	(5)	(155,532)
22/03/2018	Cullen Park Grounds Maintenance	E114900	Council Resolution 09-0318	5,546	5,563	17	(89,515)
22/03/2018	Cycleway Maintenance	E114901	Council Resolution 09-0318	23,141	6,085	(17,056)	(172,588)
22/03/2018	Fall Street Park Maintenance	E114902	Council Resolution 09-0318	24,484	24,426	(58)	(89,573)
22/03/2018	Federation Park Maintenance	E114903	Council Resolution 09-0318	240,519	216,029	(24,490)	(197,078)
22/03/2018	Koobooroo Park Grounds Mtce	E114904	Council Resolution 09-0318	84,247	56,645	(27,602)	(117,175)
22/03/2018	Krait Street Park Mtce	E114905	Council Resolution 09-0318	34,686	34,664	(22)	(197,100)
22/03/2018	Lefroy Park Mtce	E114906	Council Resolution 09-0318	20,381	21,784	1,403	(115,772)
22/03/2018	Madaffari Dve Parks & Grounds Mtce	E114907	Council Resolution 09-0318	12,042	46,303	34,261	(162,839)
22/03/2018	Niblett Oval Grounds Mtce	E114908	Council Resolution 09-0318	24,898	15,997	(8,901)	(124,673)
22/03/2018	Nursery Arboretum Mtce	E114909	Council Resolution 09-0318	16,441	24,228	7,787	(155,052)
22/03/2018	Patterson Bore Mtce	E114910	Council Resolution 09-0318	18,360	17,078	(1,282)	(125,955)
22/03/2018	Sewerage Farm Mtce	E114911	Council Resolution 09-0318	13,657	46,125	32,468	(122,584)
22/03/2018	Snapper Loop Playground Mtce	E114912	Council Resolution 09-0318	24,574	22,249	(2,325)	(128,280)
22/03/2018	Super Lot B Gardens Mtce	E114913	Council Resolution 09-0318	22,155	15,343	(6,812)	(129,396)
22/03/2018	Z Force Memorial	E114914	Council Resolution 09-0318	9,476	9,319	(157)	(128,437)
22/03/2018	Super Lot A Gardens	E114915	Council Resolution 09-0318	12,668	10,677	(1,991)	(131,387)
22/03/2018	Horwood Quays Mtce	E114917	Council Resolution 09-0318	695	1,600	905	(127,532)
22/03/2018	Administration Overheads	E114950	Council Resolution 09-0318	37,597	42,445	4,848	(126,539)
22/03/2018	Depreciation	E114990	Council Resolution 09-0318	161,591	170,744	9,153	(118,379)
22/03/2018	Insurance	E115610	Council Resolution 09-0318	3,367	3,364	(3)	(126,542)
22/03/2018	Bundegi Boat Ramp & Toilets	E115900	Council Resolution 09-0318	79,968	77,927	(2,041)	(120,420)
22/03/2018	Learmonth Jetty & Toilets	E115901	Council Resolution 09-0318	30,803	27,549	(3,254)	(129,796)
22/03/2018	Tantabiddi Boat Ramp & Toilets	E115902	Council Resolution 09-0318	257,557	210,958	(46,599)	(167,019)
22/03/2018	Toilets - Pebble Beach	E115903	Council Resolution 09-0318	13,556	11,274	(2,282)	(132,078)
22/03/2018	Toilets - Surf Beach	E115904	Council Resolution 09-0318	14,275	11,920	(2,355)	(169,374)
22/03/2018	Toilets - Wubiri Access Rd	E115905	Council Resolution 09-0318	13,528	14,362	834	(131,244)
22/03/2018	Town Beach & Toilets	E115906	Council Resolution 09-0318	120,451	99,613	(20,838)	(190,212)
22/03/2018	Boat Harbour Mtce	E115907	Council Resolution 09-0318	22,144	20,252	(1,892)	(133,136)
22/03/2018	Beach Access Roads & Tracks	E115908	Council Resolution 09-0318	36,557	59,061	22,504	(167,708)
22/03/2018	Exmouth Marina Canal Mtce/Monitoring	E115909	Council Resolution 09-0318	46,349	46,347	(2)	(133,138)
22/03/2018	Fish Cleaning Station Marina	E115910	Council Resolution 09-0318	2,792	2,881	89	(167,619)
22/03/2018	Hunters Beach	E115911	Council Resolution 09-0318	13,595	12,753	(842)	(133,980)

22/03/2018	Administration Overheads	E115950	Council Resolution 09-0318	35,143	39,675	4,532	(163,087)
22/03/2018	Depreciation	E115990	Council Resolution 09-0318	253,409	253,555	146	(133,834)
22/03/2018	Salaries	E116340	Council Resolution 09-0318	169,459	162,775	(6,684)	(169,771)
22/03/2018	Superannuation	E116345	Council Resolution 09-0318	26,914	26,813	(101)	(133,935)
22/03/2018	Protective Clothing/Uniforms	E116350	Council Resolution 09-0318	1,200	1,093	(107)	(169,878)
22/03/2018	Training	E116355	Council Resolution 09-0318	1,500	576	(924)	(134,859)
22/03/2018	Bldg/Grounds Mtce	E116450	Council Resolution 09-0318	3,412	18,090	14,678	(155,200)
22/03/2018	Book Replacement	E116520	Council Resolution 09-0318	800	1,007	207	(134,652)
22/03/2018	General Consumables	E116585	Council Resolution 09-0318	1,500	1,267	(233)	(155,433)
22/03/2018	Printing & Stationery	E116590	Council Resolution 09-0318	10,333	9,062	(1,271)	(135,923)
22/03/2018	Postage and Freight	E116595	Council Resolution 09-0318	1,000	953	(47)	(155,480)
22/03/2018	Subscriptions	E116600	Council Resolution 09-0318	2,500	2,418	(82)	(136,005)
22/03/2018	Insurance	E116610	Council Resolution 09-0318	9,011	9,504	493	(154,987)
22/03/2018	Utilities	E116620	Council Resolution 09-0318	20,861	4,814	(16,047)	(152,052)
22/03/2018	IT Licences & Support	E116630	Council Resolution 09-0318	22,180	23,415	1,235	(153,752)
22/03/2018	Administration Overheads	E116950	Council Resolution 09-0318	41,893	53,161	11,268	(140,784)
22/03/2018	Depreciation	E116990	Council Resolution 09-0318	11,039	24,095	13,056	(140,696)
22/03/2018	Skate Park Expenses	E117530	Council Resolution 09-0318	37,303	36,452	(851)	(141,635)
22/03/2018	EDHS Hard Courts Expenses	E117559	Council Resolution 09-0318	5,453	5,332	(121)	(140,817)
22/03/2018	Trails Development	E117562	Council Resolution 09-0318	8,132	35,622	27,490	(114,145)
22/03/2018	Insurance	E117610	Council Resolution 09-0318	330	326	(4)	(140,821)
22/03/2018	Broadcasting Equipment Maintenance	E117636	Council Resolution 09-0318	1,716	1,717	1	(114,144)
22/03/2018	Community Purpose Precinct	E117637	Council Resolution 09-0318	1,716	1,799	83	(140,738)
22/03/2018	Mrs Mac's Shed	E117638	Council Resolution 09-0318	3,354	4,408	1,054	(113,090)
22/03/2018	Administration Overheads	E117950	Council Resolution 09-0318	3,388	3,825	437	(140,301)
22/03/2018	Depreciation	E117990	Council Resolution 09-0318	48,208	59,307	11,099	(101,991)
22/03/2018	Salaries	E119340	Council Resolution 09-0318	295,080	153,037	(142,043)	(282,344)
22/03/2018	Superannuation	E119345	Council Resolution 09-0318	44,778	26,277	(18,501)	(120,492)
22/03/2018	Protective Clothing/Uniforms	E119350	Council Resolution 09-0318	2,800	1,000	(1,800)	(284,144)
22/03/2018	Training	E119355	Council Resolution 09-0318	3,000	1,000	(2,000)	(122,492)
22/03/2018	Staff Recruitment	E119367	Council Resolution 09-0318	2,400	2,000	(400)	(284,544)
22/03/2018	FBT	E119375	Council Resolution 09-0318	1,475	1,476	1	(122,491)
22/03/2018	Ningaloo Centre Bldg/Grounds Mtce	E119450	Council Resolution 09-0318	88,451	88,954	503	(284,041)
22/03/2018	Maintenance Equipment	E119451	Council Resolution 09-0318	10,000	1,000	(9,000)	(131,491)
22/03/2018	Consultants	E119560	Council Resolution 09-0318	33,325	55,065	21,740	(262,301)
22/03/2018	Marketing & Advertising	E119582	Council Resolution 09-0318	50,000	49,999	(1)	(131,492)
22/03/2018	Consumables	E119585	Council Resolution 09-0318	27,000	4,897	(22,103)	(284,404)
22/03/2018	Printing & Stationery	E119590	Council Resolution 09-0318	1,443	1,106	(337)	(131,829)
22/03/2018	Minor Equipment	E119591	Council Resolution 09-0318	10,000	5,296	(4,704)	(289,108)
22/03/2018	Rent Expenses	E119605	Council Resolution 09-0318	0	3,943	3,943	(127,886)
22/03/2018	Insurance	E119610	Council Resolution 09-0318	82,081	97,245	15,164	(273,944)
22/03/2018	Utilities	E119620	Council Resolution 09-0318	251,124	209,514	(41,610)	(169,496)
22/03/2018	IT Licences & Support	E119630	Council Resolution 09-0318	4,254	11,876	7,622	(266,322)
22/03/2018	Agency Collection Fees	E119665	Council Resolution 09-0318	24,355	0	(24,355)	(193,851)
22/03/2018	Interest Expense	E119690	Council Resolution 09-0318	32,868	35,385	2,517	(263,805)
22/03/2018	Aquarium Costs	E119694	Council Resolution 09-0318	0	449	449	(193,402)
22/03/2018	Legal Expenses	E119695	Council Resolution 09-0318	5,000	15,919	10,919	(252,886)

22/03/2018	Administration Overheads	E119950	Council Resolution 09-0318	80,063	79,452	(611)	(194,013)
22/03/2018	Staff Housing Allocated	E119966	Council Resolution 09-0318	0	105	105	(252,781)
22/03/2018	Depreciation	E119990	Council Resolution 09-0318	630,000	848,847	218,847	24,834
22/03/2018	Crossover Maintenance	E120450	Council Resolution 09-0318	4,032	4,019	(13)	(252,794)
22/03/2018	Insurance	E120610	Council Resolution 09-0318	23	24	1	24,835
22/03/2018	Administration Overheads	E120950	Council Resolution 09-0318	245	276	31	(252,763)
22/03/2018	Footpath/Verge Mtce	E121450	Council Resolution 09-0318	200,060	191,553	(8,507)	16,328
22/03/2018	Administration Overheads	E121950	Council Resolution 09-0318	11,009	12,428	1,419	(251,344)
22/03/2018	Depreciation	E121990	Council Resolution 09-0318	540,692	544,490	3,798	20,126
22/03/2018	Gravel Rural Mtce	E122450	Council Resolution 09-0318	21,476	21,565	89	(251,255)
22/03/2018	Licences	E122630	Council Resolution 09-0318	25	0	(25)	20,101
22/03/2018	Administration Overheads	E122950	Council Resolution 09-0318	1,207	1,361	154	(251,101)
22/03/2018	Signs Maintenance	E123450	Council Resolution 09-0318	35,170	50,688	15,518	35,619
22/03/2018	Administration Overheads	E123950	Council Resolution 09-0318	1,558	1,758	200	(250,901)
22/03/2018	Street Lighting Mtce	E124450	Council Resolution 09-0318	5,559	3,566	(1,993)	33,626
22/03/2018	Insurance	E124610	Council Resolution 09-0318	6	5	(1)	(250,902)
22/03/2018	Utilities - Street Lighting	E124620	Council Resolution 09-0318	109,200	104,937	(4,263)	29,363
22/03/2018	Administration Overheads	E124950	Council Resolution 09-0318	65	83	18	(250,884)
22/03/2018	Vandalism Repairs	E125550	Council Resolution 09-0318	1,000	943	(57)	29,306
22/03/2018	Insurance	E125610	Council Resolution 09-0318	10,636	10,640	4	(250,880)
22/03/2018	Administration Overheads	E125950	Council Resolution 09-0318	15,691	17,787	2,096	31,402
22/03/2018	Streets/Rds/Bridges Maintenance	E125955	Council Resolution 09-0318	122,880	0	(122,880)	(373,760)
22/03/2018	Depreciation	E125990	Council Resolution 09-0318	1,474,616	1,537,623	63,007	94,409
22/03/2018	Salaries	E126340	Council Resolution 09-0318	1,290,624	1,290,980	356	(373,404)
22/03/2018	Superannuation	E126345	Council Resolution 09-0318	173,970	154,458	(19,512)	74,897
22/03/2018	Protective Clothing/Uniforms	E126350	Council Resolution 09-0318	8,240	8,498	258	(373,146)
22/03/2018	Training	E126355	Council Resolution 09-0318	15,000	14,993	(7)	74,890
22/03/2018	Staff Recruitment	E126367	Council Resolution 09-0318	1,500	2,244	744	(372,402)
22/03/2018	Maintenance Airport Grounds	E126449	Council Resolution 09-0318	23,820	19,557	(4,263)	70,627
22/03/2018	Maintenance Building	E126450	Council Resolution 09-0318	35,347	35,539	192	(372,210)
22/03/2018	Maintenance Equipment	E126451	Council Resolution 09-0318	43,000	43,099	99	70,726
22/03/2018	Apron Extension Works	E126452	Council Resolution 09-0318	30,000	0	(30,000)	(402,210)
22/03/2018	Motor Vehicle Expenses	E126505	Council Resolution 09-0318	48,914	48,951	37	70,763
22/03/2018	General Consumables	E126585	Council Resolution 09-0318	22,000	22,508	508	(401,702)
22/03/2018	Minor Equipment	E126591	Council Resolution 09-0318	5,000	5,062	62	70,825
22/03/2018	Postage & Freight	E126595	Council Resolution 09-0318	0	15	15	(401,687)
22/03/2018	Subscriptions	E126600	Council Resolution 09-0318	5,500	220	(5,280)	65,545
22/03/2018	Rent	E126605	Council Resolution 09-0318	200,596	200,593	(3)	(401,690)
22/03/2018	Insurance	E126610	Council Resolution 09-0318	87,240	87,043	(197)	65,348
22/03/2018	Security Costs	E126615	Council Resolution 09-0318	116,611	120,450	3,839	(397,851)
22/03/2018	Utilities	E126620	Council Resolution 09-0318	143,016	121,479	(21,537)	43,811
22/03/2018	Licences	E126629	Council Resolution 09-0318	700	668	(32)	(397,883)
22/03/2018	IT Licences & Support	E126630	Council Resolution 09-0318	24,482	42,537	18,055	61,866
22/03/2018	Agency Collection Fees	E126665	Council Resolution 09-0318	18,000	18,028	28	(397,855)
22/03/2018	Audit/Inspection Fees	E126670	Council Resolution 09-0318	7,000	6,000	(1,000)	60,866
22/03/2018	Printing & Stationery	E126690	Council Resolution 09-0318	18,166	16,025	(2,141)	(399,996)
22/03/2018	Waste Collection	E126696	Council Resolution 09-0318	24,887	24,789	(98)	60,768

22/03/2018	Administration Overheads	E126950	Council Resolution 09-0318	317,518	358,380	40,862	(359,134)
22/03/2018	Staff Housing Allocated	E126965	Council Resolution 09-0318	4,236	23,582	19,346	80,114
22/03/2018	Loss on Asset Disposal	E126985	Council Resolution 09-0318	6,875	0	(6,875)	(366,009)
22/03/2018	Depreciation	E126990	Council Resolution 09-0318	504,671	642,452	137,781	217,895
22/03/2018	Superannuation	E127345	Council Resolution 09-0318	5,118	3,295	(1,823)	(367,832)
22/03/2018	Aerodrome Grounds Mtce	E127450	Council Resolution 09-0318	116,698	56,234	(60,464)	157,431
22/03/2018	General Consumables	E127585	Council Resolution 09-0318	6,000	5,987	(13)	(367,845)
22/03/2018	Insurance	E127610	Council Resolution 09-0318	4,124	4,096	(28)	157,403
22/03/2018	Agency Collection Fees	E127665	Council Resolution 09-0318	10,000	6,500	(3,500)	(371,345)
22/03/2018	Audit Fees	E127670	Council Resolution 09-0318	0	1,450	1,450	158,853
22/03/2018	Legal Expenses	E127695	Council Resolution 09-0318	3,000	5,688	2,688	(368,657)
22/03/2018	Administration Overheads	E127950	Council Resolution 09-0318	13,635	15,399	1,764	160,617
22/03/2018	Depreciation	E127990	Council Resolution 09-0318	12,384	21,578	9,194	(359,463)
22/03/2018	Depot Bldg & Grounds Maintenance	E128450	Council Resolution 09-0318	31,500	52,007	20,507	181,124
22/03/2018	General Consumables	E128585	Council Resolution 09-0318	1,000	999	(1)	(359,464)
22/03/2018	Insurance	E128610	Council Resolution 09-0318	8,970	8,968	(2)	181,122
22/03/2018	Utilities	E128620	Council Resolution 09-0318	24,576	17,125	(7,451)	(366,915)
22/03/2018	Administration Overheads	E128950	Council Resolution 09-0318	2,073	2,340	267	181,389
22/03/2018	Depreciation	E128990	Council Resolution 09-0318	74,278	122,864	48,586	(318,329)
22/03/2018	Salaries	E134340	Council Resolution 09-0318	75,209	41,181	(34,028)	147,361
22/03/2018	Superannuation	E134345	Council Resolution 09-0318	12,478	6,764	(5,714)	(324,043)
22/03/2018	Visitors Ctre Bldg/Grounds Mtce	E134450	Council Resolution 09-0318	10,474	13,121	2,647	150,008
22/03/2018	Vlamingh Head Lighthouse Mtce	E134515	Council Resolution 09-0318	53,061	53,173	112	(323,931)
22/03/2018	Overflow Caravan Park	E134520	Council Resolution 09-0318	0	4,327	4,327	154,335
22/03/2018	Contribution to Visitor Centre	E134522	Council Resolution 09-0318	220,000	73,928	(146,072)	(470,003)
22/03/2018	Consultants	E134560	Council Resolution 09-0318	10,583	9,760	(823)	153,512
22/03/2018	Marketing & Advertising	E134582	Council Resolution 09-0318	5,000	5,078	78	(469,925)
22/03/2018	Insurance	E134610	Council Resolution 09-0318	2,739	2,716	(23)	153,489
22/03/2018	IT Licences & Support	E134630	Council Resolution 09-0318	893	0	(893)	(470,818)
22/03/2018	Walk Trail Maintenance	E134900	Council Resolution 09-0318	12,776	10,535	(2,241)	151,248
22/03/2018	Entrance Statement	E134901	Council Resolution 09-0318	5,283	5,420	137	(470,681)
22/03/2018	Administration Overheads	E134950	Council Resolution 09-0318	21,761	24,401	2,640	153,888
22/03/2018	Depreciation	E134990	Council Resolution 09-0318	120,731	206,865	86,134	(384,547)
22/03/2018	Salaries	E135340	Council Resolution 09-0318	136,012	129,275	(6,737)	147,151
22/03/2018	Superannuation	E135345	Council Resolution 09-0318	21,264	20,578	(686)	(385,233)
22/03/2018	Uniforms/Protective Clothing	E135350	Council Resolution 09-0318	600	595	(5)	147,146
22/03/2018	Training	E135355	Council Resolution 09-0318	3,000	0	(3,000)	(388,233)
22/03/2018	FBT	E135375	Council Resolution 09-0318	11,839	11,840	1	147,147
22/03/2018	Business Meetings & Travel	E135391	Council Resolution 09-0318	1,000	0	(1,000)	(389,233)
22/03/2018	Motor Vehicle Expenses	E135505	Council Resolution 09-0318	9,701	1,142	(8,559)	138,588
22/03/2018	Consultants	E135560	Council Resolution 09-0318	2,000	2,079	79	(389,154)
22/03/2018	Minor Equipment	E135591	Council Resolution 09-0318	500	0	(500)	138,088
22/03/2018	Subscriptions	E135600	Council Resolution 09-0318	700	1,537	837	(388,317)
22/03/2018	Insurance	E135610	Council Resolution 09-0318	4,371	4,270	(101)	137,987
22/03/2018	Utilities	E135620	Council Resolution 09-0318	1,620	1,088	(532)	(388,849)
22/03/2018	IT Licences & Support	E135630	Council Resolution 09-0318	6,041	10,492	4,451	142,438
22/03/2018	Administration Overheads	E135950	Council Resolution 09-0318	33,355	37,568	4,213	(384,636)

22/03/2018	Staff Housing Allocated	E135965	Council Resolution 09-0318	10,748	16,411	5,663	148,101
22/03/2018	Pindan Pit Management	E136561	Council Resolution 09-0318	0	1,784	1,784	(382,852)
22/03/2018	Licences	E136630	Council Resolution 09-0318	2,088	0	(2,088)	146,013
22/03/2018	Private Works - Various	E141420	Council Resolution 09-0318	15,000	10,000	(5,000)	(387,852)
22/03/2018	Salaries	E143340	Council Resolution 09-0318	424,436	424,244	(192)	145,821
22/03/2018	Protective Clothing/Uniforms	E143350	Council Resolution 09-0318	15,000	15,015	15	(387,837)
22/03/2018	Training	E143355	Council Resolution 09-0318	18,000	19,624	1,624	147,445
22/03/2018	Subsidies	E143360	Council Resolution 09-0318	2,800	1,501	(1,299)	(389,136)
22/03/2018	Staff Recruitment	E143367	Council Resolution 09-0318	1,500	3,688	2,188	149,633
22/03/2018	FBT	E143375	Council Resolution 09-0318	14,947	14,948	1	(389,135)
22/03/2018	Motor Vehicle Expenses	E143505	Council Resolution 09-0318	19,787	6,399	(13,388)	136,245
22/03/2018	General Consumables	E143585	Council Resolution 09-0318	2,500	2,519	19	(389,116)
22/03/2018	Printing & Stationery	E143590	Council Resolution 09-0318	12,333	9,451	(2,882)	133,363
22/03/2018	Minor Assets	E143591	Council Resolution 09-0318	0	2,477	2,477	(386,639)
22/03/2018	Insurance	E143610	Council Resolution 09-0318	11,019	10,917	(102)	133,261
22/03/2018	Utilities	E143620	Council Resolution 09-0318	4,680	4,570	(110)	(386,749)
22/03/2018	IT Licences & Support	E143630	Council Resolution 09-0318	24,730	46,366	21,636	154,897
22/03/2018	Administration Overheads	E143950	Council Resolution 09-0318	104,088	117,456	13,368	(373,381)
22/03/2018	LESS WOH ALLOCATED	E143956	Council Resolution 09-0318	(912,716)	(912,348)	368	155,265
22/03/2018	Staff Housing Allocated	E143965	Council Resolution 09-0318	84,308	60,633	(23,675)	(397,056)
22/03/2018	Depreciation	E143990	Council Resolution 09-0318	844	796	(48)	155,217
22/03/2018	Salaries	E144340	Council Resolution 09-0318	74,908	74,138	(770)	(397,826)
22/03/2018	Superannuation	E144345	Council Resolution 09-0318	11,594	11,689	95	155,312
22/03/2018	Protective Clothing/Uniforms	E144350	Council Resolution 09-0318	400	741	341	(397,485)
22/03/2018	Maintenance	E144450	Council Resolution 09-0318	150,000	150,513	513	155,825
22/03/2018	Motor Vehicle Expenses	E144505	Council Resolution 09-0318	0	2,035	2,035	(395,450)
22/03/2018	General Consumables	E144585	Council Resolution 09-0318	25,000	23,051	(1,949)	153,876
22/03/2018	Insurance	E144610	Council Resolution 09-0318	51,654	51,630	(24)	(395,474)
22/03/2018	Fuel & Oil	E144640	Council Resolution 09-0318	190,000	190,311	311	154,187
22/03/2018	Tyres	E144645	Council Resolution 09-0318	30,000	30,207	207	(395,267)
22/03/2018	Vehicle Registration	E144655	Council Resolution 09-0318	16,995	16,440	(555)	153,632
22/03/2018	Administration Overheads	E144950	Council Resolution 09-0318	24,796	27,989	3,193	(392,074)
22/03/2018	Internal Plant Maintenance	E144955	Council Resolution 09-0318	54,122	53,799	(323)	153,309
22/03/2018	LESS PLANT ALLOCATED	E144956	Council Resolution 09-0318	(1,180,918)	(1,202,337)	(21,419)	(413,493)
22/03/2018	Depreciation	E144990	Council Resolution 09-0318	566,949	569,794	2,845	156,154
22/03/2018	Salaries	E145340	Council Resolution 09-0318	424,296	504,236	79,940	(333,553)
22/03/2018	Protective Clothing/Uniforms	E145350	Council Resolution 09-0318	4,400	4,055	(345)	155,809
22/03/2018	Drug & Alcohol Testing	E145354	Council Resolution 09-0318	0	5,506	5,506	(328,047)
22/03/2018	Training	E145355	Council Resolution 09-0318	5,000	530	(4,470)	151,339
22/03/2018	Risk Management Expenses	E145357	Council Resolution 09-0318	10,000	5,507	(4,493)	(332,540)
22/03/2018	Staff Relocation	E145365	Council Resolution 09-0318	0	550	550	151,889
22/03/2018	Staff Recruitment	E145367	Council Resolution 09-0318	1,000	953	(47)	(332,587)
22/03/2018	FBT	E145375	Council Resolution 09-0318	13,079	6,540	(6,539)	145,350
22/03/2018	Valuation Expenses	E145410	Council Resolution 09-0318	20,000	35,781	15,781	(316,806)
22/03/2018	Equipment Maintenance	E145450	Council Resolution 09-0318	500	0	(500)	144,850
22/03/2018	Motor Vehicle Expenses	E145505	Council Resolution 09-0318	9,219	9,228	9	(316,797)
22/03/2018	Consultants	E145560	Council Resolution 09-0318	18,500	91,647	73,147	217,997

22/03/2018	General Consumables	E145585	Council Resolution 09-0318	8,000	5,771	(2,229)	(319,026)
22/03/2018	Printing & Stationery	E145590	Council Resolution 09-0318	41,000	29,465	(11,535)	206,462
22/03/2018	Minor Equipment	E145591	Council Resolution 09-0318	1,000	1,011	11	(319,015)
22/03/2018	Postage and Freight	E145595	Council Resolution 09-0318	8,800	3,624	(5,176)	201,286
22/03/2018	Subscriptions	E145600	Council Resolution 09-0318	20,339	19,888	(451)	(319,466)
22/03/2018	Insurance	E145610	Council Resolution 09-0318	25,902	25,835	(67)	201,219
22/03/2018	Utilities	E145620	Council Resolution 09-0318	53,745	57,745	4,000	(315,466)
22/03/2018	IT Licences & Support	E145630	Council Resolution 09-0318	61,362	60,995	(367)	200,852
22/03/2018	Website Development	E145631	Council Resolution 09-0318	13,181	4,545	(8,636)	(324,102)
22/03/2018	Audit Fees	E145670	Council Resolution 09-0318	33,000	33,500	500	201,352
22/03/2018	Doubtful Debt	E145675	Council Resolution 09-0318	500	0	(500)	(324,602)
22/03/2018	Bank Fees	E145680	Council Resolution 09-0318	11,000	11,013	13	201,365
22/03/2018	Interest Expense	E145690	Council Resolution 09-0318	14,090	14,081	(9)	(324,611)
22/03/2018	Admin Bldg/Grounds Mtce	E145900	Council Resolution 09-0318	90,997	109,108	18,111	219,476
22/03/2018	LESS AOH ALLOCATED	E145951	Council Resolution 09-0318	(1,138,574)	(1,314,740)	(176,166)	(500,777)
22/03/2018	Staff Housing Allocated	E145965	Council Resolution 09-0318	131,930	98,689	(33,241)	186,235
22/03/2018	Reimburse - Workers Comp.	E147390	Council Resolution 09-0318	0	214	214	(500,563)
22/03/2018	Utilities	E149620	Council Resolution 09-0318	2,260	0	(2,260)	183,975
22/03/2018	Depreciation - Admin	E149990	Council Resolution 09-0318	53,181	110,134	56,953	(443,610)
22/03/2018	Business Meetings/Travel	E170320	Council Resolution 09-0318	2,000	1,000	(1,000)	182,975
22/03/2018	Salaries	E170340	Council Resolution 09-0318	87,267	163,892	76,625	(366,985)
22/03/2018	Superannuation	E170345	Council Resolution 09-0318	14,574	29,695	15,121	198,096
22/03/2018	Training	E170355	Council Resolution 09-0318	4,500	1,500	(3,000)	(369,985)
22/03/2018	Staff Relocation	E170365	Council Resolution 09-0318	0	6,232	6,232	204,328
22/03/2018	Staff Recruitment	E170367	Council Resolution 09-0318	500	394	(106)	(370,091)
22/03/2018	FBT	E170375	Council Resolution 09-0318	11,774	11,772	(2)	204,326
22/03/2018	Equipment Maintenance	E170451	Council Resolution 09-0318	1,500	500	(1,000)	(371,091)
22/03/2018	Motor Vehicle Expenses	E170505	Council Resolution 09-0318	8,987	4,911	(4,076)	200,250
22/03/2018	General Consumables	E170585	Council Resolution 09-0318	1,500	1,763	263	(370,828)
22/03/2018	Minor Equipment	E170591	Council Resolution 09-0318	500	463	(37)	200,213
22/03/2018	Insurance	E170610	Council Resolution 09-0318	3,961	3,973	12	(370,816)
22/03/2018	Utilities	E170620	Council Resolution 09-0318	4,380	4,803	423	200,636
22/03/2018	IT Licences & Support	E170630	Council Resolution 09-0318	11,055	14,779	3,724	(367,092)
22/03/2018	Printing & Stationery	E170690	Council Resolution 09-0318	0	2,641	2,641	203,277
22/03/2018	Community Events	E170749	Council Resolution 09-0318	421,800	340,095	(81,705)	(448,797)
22/03/2018	Youth Programs	E170751	Council Resolution 09-0318	12,895	12,078	(817)	202,460
22/03/2018	Youth Action Exmouth	E170752	Council Resolution 09-0318	1,108	1,100	(8)	(448,805)
22/03/2018	Administration Overheads	E170950	Council Resolution 09-0318	21,401	15,140	(6,261)	196,199
22/03/2018	Staff Housing Allocated	E170965	Council Resolution 09-0318	48,690	63,171	14,481	(434,324)
22/03/2018	Depreciation	E170990	Council Resolution 09-0318	1,429	1,438	9	196,208
22/03/2018	Rates Levied	R031005	Council Resolution 09-0318	(3,290,498)	(3,192,652)	97,846	(336,478)
22/03/2018	Interim Rates	R031030	Council Resolution 09-0318	(6,000)	(5,716)	284	196,492
22/03/2018	Rate Concessions	R031042	Council Resolution 09-0318	94,762	3,290	(91,472)	(427,950)
22/03/2018	Non Payment Penalty	R031050	Council Resolution 09-0318	(35,000)	(42,050)	(7,050)	189,442
22/03/2018	Instalment Interest	R031054	Council Resolution 09-0318	(15,927)	(12,582)	3,345	(424,605)
22/03/2018	Instalments Admin Charge	R031055	Council Resolution 09-0318	(17,009)	(15,260)	1,749	191,191
22/03/2018	Legal Costs	R031060	Council Resolution 09-0318	(2,000)	(2,041)	(41)	(424,646)

22/03/2018	Rate Enquiry Fees GEN	R031146	Council Resolution 09-0318	(6,000)	(7,874)	(1,874)	189,317
22/03/2018	Interest - Municipal	R032070	Council Resolution 09-0318	(10,000)	(14,560)	(4,560)	(429,206)
22/03/2018	Interest - Reserves	R032075	Council Resolution 09-0318	(78,892)	(47,076)	31,816	221,133
22/03/2018	Grants Commission	R032275	Council Resolution 09-0318	(886,690)	(853,347)	33,343	(395,863)
22/03/2018	Reimbursements	R042090	Council Resolution 09-0318	0	(1,427)	(1,427)	219,706
22/03/2018	Fines - Bush Fire Infringement	R051170	Council Resolution 09-0318	(250)	250	500	(395,363)
22/03/2018	Fees - Impounding	R052160	Council Resolution 09-0318	(1,000)	(3,673)	(2,673)	217,033
22/03/2018	Daily Sustenance Fee	R052162	Council Resolution 09-0318	(500)	(369)	131	(395,232)
22/03/2018	Fees - Animal Control Equipment Hire	R052163	Council Resolution 09-0318	0	(12)	(12)	217,021
22/03/2018	Fees - Dog Registrations	R052165	Council Resolution 09-0318	(2,000)	(6,054)	(4,054)	(399,286)
22/03/2018	Fees - Cat Registrations	R052166	Council Resolution 09-0318	(500)	(300)	200	217,221
22/03/2018	Legal Costs GEN	R055060	Council Resolution 09-0318	0	(45)	(45)	(399,331)
22/03/2018	Fees - Fines	R055170	Council Resolution 09-0318	(500)	(590)	(90)	217,131
22/03/2018	Grant - ESL - SES	R057270	Council Resolution 09-0318	(28,875)	(38,500)	(9,625)	(408,956)
22/03/2018	Fees - Analytical Revenue	R074139	Council Resolution 09-0318	(16,000)	(8,517)	7,483	224,614
22/03/2018	Fees - Applications/Registrations	R074140	Council Resolution 09-0318	(700)	(825)	(125)	(409,081)
22/03/2018	Fees - Food & Businesses Inspections	R074144	Council Resolution 09-0318	(12,000)	(12,414)	(414)	224,200
22/03/2018	Fees - Local Laws	R074145	Council Resolution 09-0318	(5,200)	(5,044)	156	(408,925)
22/03/2018	Fees - Permits (Caravan Parks)	R074146	Council Resolution 09-0318	(5,000)	(4,896)	104	224,304
22/03/2018	Fines & Penalties	R074170	Council Resolution 09-0318	(250)	(500)	(250)	(409,175)
22/03/2018	Meeting Room Hire	R082250	Council Resolution 09-0318	(100)	(232)	(132)	224,172
22/03/2018	Centrelink Agency Contribution	R087090	Council Resolution 09-0318	(27,591)	(29,889)	(2,298)	(411,473)
22/03/2018	Reimbursement Utilities/Other	R087091	Council Resolution 09-0318	(500)	(895)	(395)	223,777
22/03/2018	Unit 24a Carr Way	R091000	Council Resolution 09-0318	(5,200)	(5,526)	(326)	(411,799)
22/03/2018	Unit 24b Carr Way	R091001	Council Resolution 09-0318	(5,200)	(5,433)	(233)	223,544
22/03/2018	Unit 34a Carr Way	R091002	Council Resolution 09-0318	(7,800)	(8,474)	(674)	(412,473)
22/03/2018	Unit 34b Carr Way	R091003	Council Resolution 09-0318	(5,200)	(10,682)	(5,482)	218,062
22/03/2018	20 Davidson St	R091004	Council Resolution 09-0318	(6,450)	(16,844)	(10,394)	(422,867)
22/03/2018	Unit 1 Lefroy St	R091007	Council Resolution 09-0318	(200)	(494)	(294)	217,768
22/03/2018	Unit 2 Lefroy St	R091008	Council Resolution 09-0318	(1,300)	(679)	621	(422,246)
22/03/2018	Unit 3 Lefroy St	R091009	Council Resolution 09-0318	(1,232)	(896)	336	218,104
22/03/2018	56 Nimitz St	R091010	Council Resolution 09-0318	(5,200)	(3,000)	2,200	(420,046)
22/03/2018	Payne St	R091011	Council Resolution 09-0318	(5,200)	(6,203)	(1,003)	217,101
22/03/2018	Welch St Depot House (Caretaker)	R091017	Council Resolution 09-0318	(2,600)	0	2,600	(417,446)
22/03/2018	19 Carpenter St	R091018	Council Resolution 09-0318	(7,800)	(3,905)	3,895	220,996
22/03/2018	17 Christie St	R091019	Council Resolution 09-0318	(13,442)	(15,811)	(2,369)	(419,815)
22/03/2018	27 Christie St	R091020	Council Resolution 09-0318	(13,442)	(15,733)	(2,291)	218,705
22/03/2018	31 Nimitz St	R091021	Council Resolution 09-0318	(7,800)	(4,734)	3,066	(416,749)
22/03/2018	5 Walters Way	R091024	Council Resolution 09-0318	(5,200)	(5,449)	(249)	218,456
22/03/2018	Reimbursements	R101090	Council Resolution 09-0318	0	(182)	(182)	(416,931)
22/03/2018	Fees - Refuse Commercial	R101205	Council Resolution 09-0318	(233,800)	(235,862)	(2,062)	216,394
22/03/2018	Fees - Refuse Contracts	R101210	Council Resolution 09-0318	(100,000)	(100,413)	(413)	(417,344)
22/03/2018	Fees - Refuse Domestic	R101215	Council Resolution 09-0318	(501,210)	(502,809)	(1,599)	214,795
22/03/2018	Fees - Sale of Rubbish Bins	R101225	Council Resolution 09-0318	(8,000)	(5,846)	2,154	(415,190)
22/03/2018	Sanitation Account Card	R101240	Council Resolution 09-0318	(20)	0	20	214,815
22/03/2018	Putrescible Waste (Food Pit)	R101246	Council Resolution 09-0318	(32,000)	(32,746)	(746)	(415,936)
22/03/2018	Liquid/Controlled Waste	R101247	Council Resolution 09-0318	(42,000)	(41,647)	353	215,168

22/03/2018	Mixed Waste	R101281	Council Resolution 09-0318	(30,000)	(23,790)	6,210	(409,726)
22/03/2018	Green Waste	R101282	Council Resolution 09-0318	(5,000)	0	5,000	220,168
22/03/2018	Inert Waste	R101283	Council Resolution 09-0318	(2,500)	(1,700)	800	(408,926)
22/03/2018	Special Burials	R101284	Council Resolution 09-0318	(2,250)	(1,700)	550	220,718
22/03/2018	Cardboard Waste	R101285	Council Resolution 09-0318	(1,500)	(5,000)	(3,500)	(412,426)
22/03/2018	Vehicle/s Waste	R101287	Council Resolution 09-0318	(4,000)	(6,000)	(2,000)	218,718
22/03/2018	Tyres Waste	R101288	Council Resolution 09-0318	(5,000)	(2,000)	3,000	(409,426)
22/03/2018	Batteries Waste	R101289	Council Resolution 09-0318	(500)	(100)	400	219,118
22/03/2018	Refrigerant Gasses	R101290	Council Resolution 09-0318	(2,700)	(1,500)	1,200	(408,226)
22/03/2018	Disposal Steel Drums	R101291	Council Resolution 09-0318	(600)	(200)	400	219,518
22/03/2018	Digital Display Notice Board	R104271	Council Resolution 09-0318	(50)	(16)	34	(408,192)
22/03/2018	Fees - Application	R106140	Council Resolution 09-0318	(55,000)	(55,783)	(783)	218,735
22/03/2018	Fees - Permits	R106145	Council Resolution 09-0318	(9,000)	(10,645)	(1,645)	(409,837)
22/03/2018	Scheme Amendment Fees	R106147	Council Resolution 09-0318	(100)	0	100	218,835
22/03/2018	Fees - Shire BAL Assessment	R106148	Council Resolution 09-0318	(1,800)	(1,775)	25	(409,812)
22/03/2018	Fees - Burials	R107150	Council Resolution 09-0318	(905)	(873)	32	218,867
22/03/2018	Fees - Niche Memorial	R107151	Council Resolution 09-0318	0	(79)	(79)	(409,891)
22/03/2018	Fees - Hire	R111175	Council Resolution 09-0318	(3,000)	(1,047)	1,953	220,820
22/03/2018	Reimbursement Utilities/Other	R112090	Council Resolution 09-0318	0	(1,674)	(1,674)	(411,565)
22/03/2018	Fees - Hire	R112175	Council Resolution 09-0318	(6,500)	(6,506)	(6)	220,814
22/03/2018	Fees - Pool Admission	R113190	Council Resolution 09-0318	(60,000)	(52,941)	7,059	(404,506)
22/03/2018	Grants (GDC)	R113704	Council Resolution 09-0318	(105,886)	(105,898)	(12)	220,802
22/03/2018	Marina Specified Area Rate	R115040	Council Resolution 09-0318	(46,213)	(46,471)	(258)	(404,764)
22/03/2018	Fees - Library	R116185	Council Resolution 09-0318	(50)	0	50	220,852
22/03/2018	Photocopying	R116186	Council Resolution 09-0318	(3,000)	(6,863)	(3,863)	(408,627)
22/03/2018	Internet Revenue	R116187	Council Resolution 09-0318	(4,000)	(4,008)	(8)	220,844
22/03/2018	Faxing/Laminating	R116188	Council Resolution 09-0318	(600)	(239)	361	(408,266)
22/03/2018	EDHS Hard Courts Hire	R117190	Council Resolution 09-0318	(400)	(15,969)	(15,569)	205,275
22/03/2018	Leases & Rentals	R117250	Council Resolution 09-0318	(15,680)	(17,490)	(1,810)	(410,076)
22/03/2018	Grant (Lotterywest)	R117251	Council Resolution 09-0318	(17,490)	0	17,490	222,765
22/03/2018	Leases & Rentals	R119250	Council Resolution 09-0318	(231,594)	(151,730)	79,864	(330,212)
22/03/2018	Exhibition Revenue	R119251	Council Resolution 09-0318	(162,364)	(86,670)	75,694	298,459
22/03/2018	Hire Charges	R119253	Council Resolution 09-0318	(22,200)	(21,462)	738	(329,474)
22/03/2018	Contributions	R119254	Council Resolution 09-0318	0	(766)	(766)	297,693
22/03/2018	Grants - Murat Road (MRWA) RRG	R122701	Council Resolution 09-0318	(1,366,700)	(1,366,680)	20	(329,454)
22/03/2018	Signage Income	R123190	Council Resolution 09-0318	(4,841)	(6,707)	(1,866)	295,827
22/03/2018	Profit on Asset Disposal	R123980	Council Resolution 09-0318	(26,312)	(15,000)	11,312	(318,142)
22/03/2018	Reimburse - Utilities	R126120	Council Resolution 09-0318	(17,510)	(15,539)	1,971	297,798
22/03/2018	Fees - RPT	R126179	Council Resolution 09-0318	(1,318,850)	0	1,318,850	1,000,708
22/03/2018	Fees - Landings	R126180	Council Resolution 09-0318	(581,150)	0	581,150	878,948
22/03/2018	Fees - Security	R126181	Council Resolution 09-0318	(730,000)	(729,293)	707	1,001,415
22/03/2018	Fees - Advertising	R126182	Council Resolution 09-0318	(9,000)	(8,123)	877	879,825
22/03/2018	Fees - RPT Flights	R126190	Council Resolution 09-0318	0	(1,897,177)	(1,897,177)	(895,762)
22/03/2018	Fees - Helicopter Flights	R126191	Council Resolution 09-0318	0	(105,283)	(105,283)	774,542
22/03/2018	Fees - Other Flights	R126192	Council Resolution 09-0318	0	(42,988)	(42,988)	(938,750)
22/03/2018	Leases & Rentals	R126250	Council Resolution 09-0318	(157,615)	(151,551)	6,064	780,606
22/03/2018	Fees - Landing	R127180	Council Resolution 09-0318	(90,000)	(68,386)	21,614	(917,136)

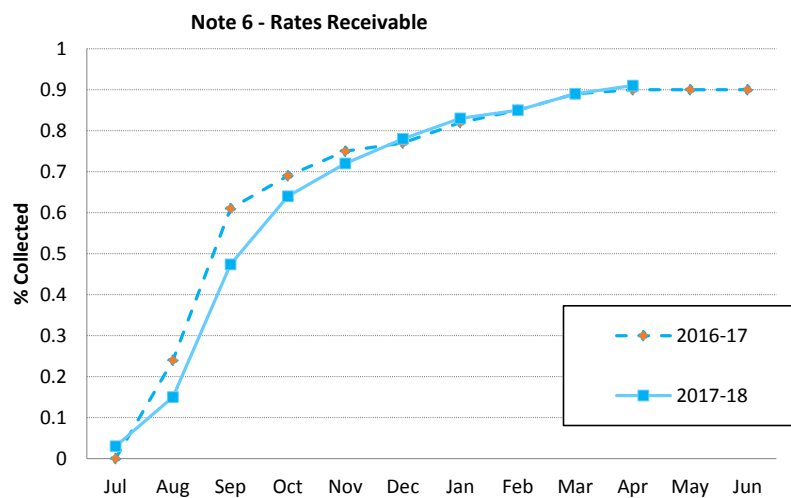
22/03/2018	Leases & Rentals	R127250	Council Resolution 09-0318	(26,173)	(16,770)	9,403	790,009
22/03/2018	Standpipe Revenue	R128090	Council Resolution 09-0318	(4,000)	(4,697)	(697)	(917,833)
22/03/2018	Heliport Processing Fee	R129180	Council Resolution 09-0318	(1,070,000)	(1,370,788)	(300,788)	489,221
22/03/2018	Heliport Passenger Levy	R129181	Council Resolution 09-0318	(116,000)	(88,690)	27,310	(890,523)
22/03/2018	Overflow Camping Fees	R134155	Council Resolution 09-0318	(3,000)	(6,924)	(3,924)	485,297
22/03/2018	Camping Infringements	R134156	Council Resolution 09-0318	(10,000)	(6,400)	3,600	(886,923)
22/03/2018	Fees - Applications	R135140	Council Resolution 09-0318	(40,000)	(40,080)	(80)	485,217
22/03/2018	Commissions	R135143	Council Resolution 09-0318	(700)	(667)	33	(886,890)
22/03/2018	Fees - Administration Fees	R135145	Council Resolution 09-0318	(330)	(3,794)	(3,464)	481,753
22/03/2018	Fees - Information Requests	R135146	Council Resolution 09-0318	(150)	0	150	(886,740)
22/03/2018	Fees - Engineered Plans	R135147	Council Resolution 09-0318	(700)	(640)	60	481,813
22/03/2018	Fees - Approval Overheight Fence	R135148	Council Resolution 09-0318	(90)	0	90	(886,650)
22/03/2018	Fees - Private Works	R141200	Council Resolution 09-0318	(20,000)	(12,126)	7,874	489,687
22/03/2018	Private Works - Pindan Pit	R141201	Council Resolution 09-0318	(5,000)	(10,321)	(5,321)	(891,971)
22/03/2018	Reimbursements	R143090	Council Resolution 09-0318	0	(4,973)	(4,973)	484,714
22/03/2018	Diesel Fuel Subsidy	R144110	Council Resolution 09-0318	(15,500)	(15,351)	149	(891,822)
22/03/2018	Fees & Charges	R145090	Council Resolution 09-0318	0	(214)	(214)	484,500
22/03/2018	Special Series Number Plates	R145091	Council Resolution 09-0318	(200)	(235)	(35)	(891,857)
22/03/2018	Fees Freedom of Information	R145171	Council Resolution 09-0318	(50)	0	50	484,550
22/03/2018	Fees - Sale of Scrap	R147230	Council Resolution 09-0318	(15,000)	(15,040)	(40)	(891,897)
22/03/2018	Reimbursements	R170090	Council Resolution 09-0318	0	(34)	(34)	484,516
22/03/2018	Fees - Noticeboard	R170187	Council Resolution 09-0318	(5,000)	(6,324)	(1,324)	(893,221)
22/03/2018	Events Income	R170188	Council Resolution 09-0318	(500)	(39,564)	(39,064)	445,452
22/03/2018	Fees - Community Loan	R170190	Council Resolution 09-0318	(182)	0	182	(893,039)
22/03/2018	Grants (BHP)	R170272	Council Resolution 09-0318	0	(50,000)	(50,000)	395,452
22/03/2018	Grants (Woodside)	R170277	Council Resolution 09-0318	(150,000)	(50,000)	100,000	(793,039)
22/03/2018	Grants (GDC)	R170280	Council Resolution 09-0318	0	(150,000)	(150,000)	245,452
				3,353,739	2,806,151	(547,587)	245,452

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

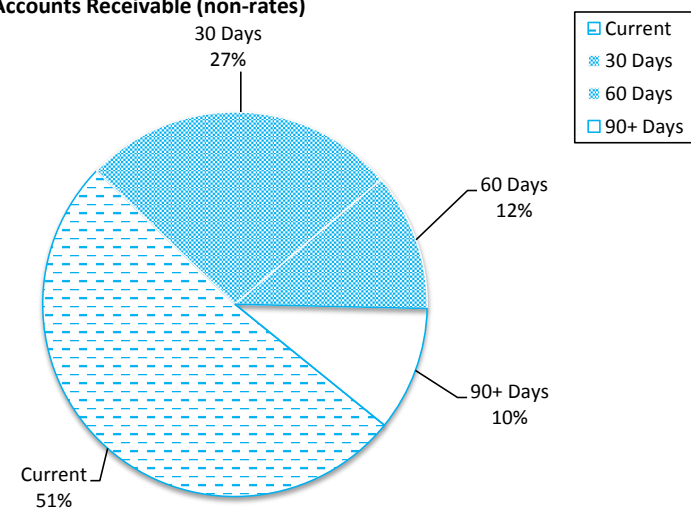
Note 6: Receivables

Receivables - Rates & Rubbish Charge Receivable	30 Apr 2018	30 June 2017
	\$	\$
Opening Arrears Previous Years	329,022	465,273
Levied this year	4,176,213	4,052,747
Plus Interim Rates	22,310	
Less Collections to date	(4,097,153)	(4,188,998)
Equals Current Outstanding	430,393	329,022
Less Deferred Pensioners	(38,333)	(38,333)
Net Rates Collectable	392,060	290,689
% Collected	90.94%	92.72%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	540,632	279,583	121,942	110,274	1,052,431
Balance per Trial Balance					
Sundry Debtors					1,052,431
Total Receivables General Outstanding					1,052,431



Note 6 - Accounts Receivable (non-rates)



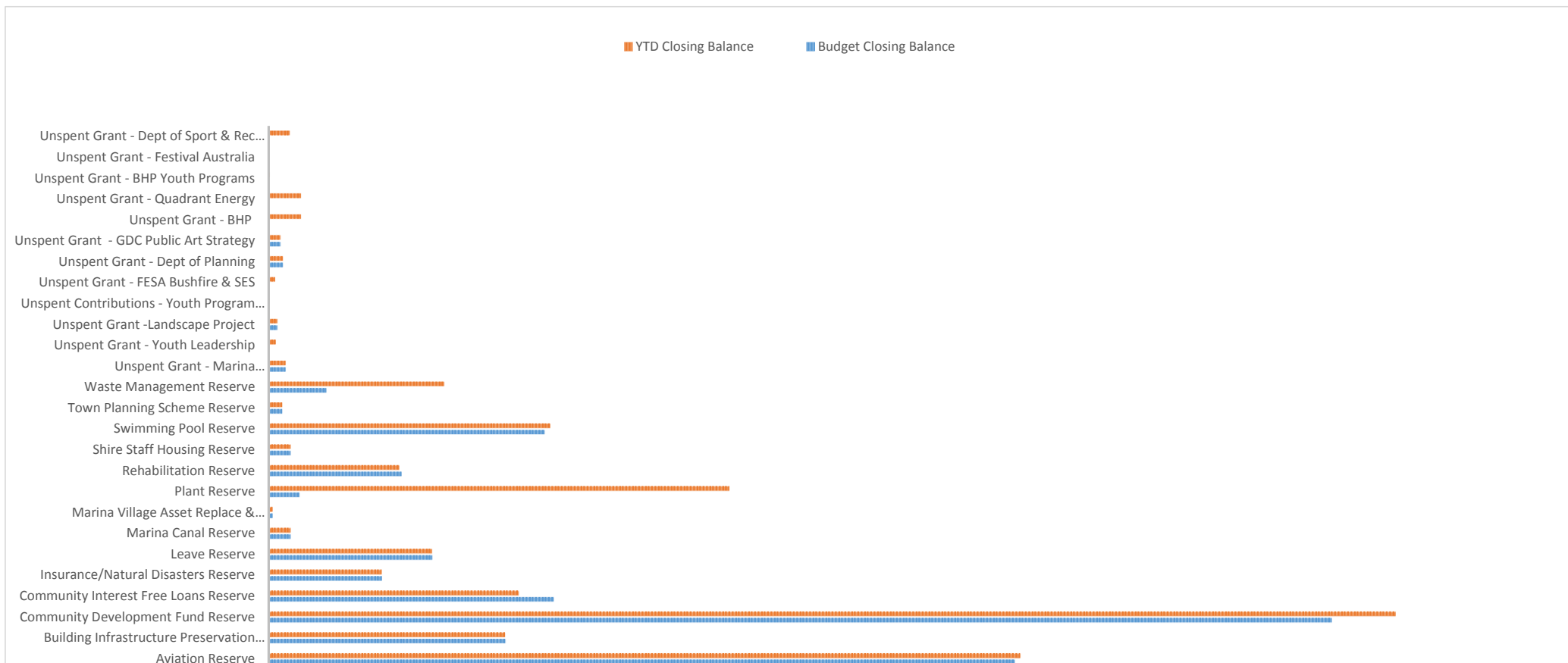
SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 7: Cash Backed Reserve

Name	Actual Year to Date					Amended Budget				
	Opening Balance	Interest Earned	Transfers In (+)	Transfers Out (-)	YTD Closing Balance	Opening Balance	Interest Earned	Transfers In (+)	Transfers Out (-)	Budget Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Aviation Reserve	1,153,526	16,141	0	0	1,169,667	1,153,526	0	17,153	(10,000)	1,160,679
Building Infrastructure Preservation Reserve	362,909	5,078	0	0	367,987	362,909	0	5,444	0	368,353
Community Development Fund Reserve	1,729,611	24,202	0	0	1,753,813	1,729,611	0	24,444	(100,000)	1,654,055
Community Interest Free Loans Reserve	383,675	5,369	0	0	389,044	383,675	0	59,937	0	443,612
Insurance/Natural Disasters Reserve	173,392	2,426	0	0	175,818	173,392	0	2,601	0	175,993
Leave Reserve	250,942	3,511	0	0	254,453	250,942	0	3,764	0	254,706
Marina Canal Reserve	33,617	470	0	0	34,087	33,617	0	504	0	34,121
Marina Village Asset Replace & Preservation Reserve	5,885	82	0	0	5,967	5,885	0	88	0	5,973
Plant Reserve	707,266	9,896	0	0	717,162	707,266	0	6,768	(666,074)	47,960
Rehabilitation Reserve	200,550	2,806	0	0	203,356	200,550	0	7,977	(2,088)	206,439
Shire Staff Housing Reserve	33,439	468	0	0	33,907	33,439	0	502	0	33,941
Swimming Pool Reserve	432,265	6,048	0	0	438,313	432,265	0	6,346	(9,166)	429,445
Town Planning Scheme Reserve	20,706	290	0	0	20,996	20,706	0	311	0	21,017
Waste Management Reserve	269,179	3,767	0	0	272,946	269,179	0	1,323	(181,000)	89,502
Unspent Grants & Contributions Reserve										
Unspent Grant - Marina Breakwater/NavAid	25,850	362	0	0	26,212	25,850	0	388	0	26,238
Unspent Grant - Youth Leadership	11,010	154	0	0	11,164	11,010	0	0	(11,010)	0
Unspent Grant -Landscape Project	13,217	185	0	0	13,402	13,217	0	198	0	13,415
Unspent Contributions - Youth Program (YAE)	1,112	16	0	0	1,128	1,112	0	0	(1,108)	4
Unspent Grant - FESA Bushfire & SES	9,625	135	0	0	9,760	9,625	0	0	(9,625)	0
Unspent Grant - Dept of Planning	21,761	305	0	0	22,066	21,761	0	326	0	22,087
Unspent Grant - GDC Public Art Strategy	18,387		0	0	18,387	18,387	0	0	0	18,387
Unspent Grant - BHP	50,000		0	0	50,000	50,000	0	0	(50,000)	0
Unspent Grant - Quadrant Energy	50,000		0	0	50,000	50,000	0	0	(50,000)	0
Unspent Grant - BHP Youth Programs	1,885		0	0	1,885	1,885	0	0	(1,885)	0
Unspent Grant - Festival Australia	36,800		0	0	36,800	36,800	0	0	(36,800)	0
Unspent Grant - Dept of Sport & Rec (S'Pool)	32,195	451	0	0	32,646	32,195	0	0	(32,119)	76
	6,028,804	82,161	0	0	6,110,965	6,028,804	0	138,074	(1,160,875)	5,006,003

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 7: Year To Date Reserve Balance to End of Year Estimate



SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 8: Disposal of Assets

		YTD Actual				Amended Budget			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
Asset Number	Asset Description	\$	\$	\$	\$	\$	\$	\$	\$
	Governance	0	0	0	0				
	Law, Order, Public Safety	0	0	0	0				
	Housing	0	0	0	0				
	Community Amenities	0	0	0	0				
	Recreation & Culture	0	0	0	0				
	Transport	0	0	0	0				
	Economic Services	0	0	0	0				
	Other Property & Services	0	0	0	0				
		0	0	0	0	0	0	0	0

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 9: Rating Information

	Rate in	Number of Properties	Rateable Value	YTD Actual			Total Revenue	Amended Budget			
				Rate Revenue	Interim Rates	Back Rates		Rate Revenue	Interim Rate	Back Rate	Total Revenue
RATE TYPE	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
Gross Rental Value (GRV)											
General	0.0715	1,156	29,875,651	2,063,926	13,069	745	2,077,740	0	0	0	0
Marina Developed	0.0983	90	3,196,100	315,283	5,881	1,132	322,296	0	0	0	0
Holiday Homes	0.1011	67	1,674,400	144,651	1,707	287	146,645	0	0	0	0
Vacant Land	0.1205	233	4,194,890	362,860	0	0	362,860	0	0	0	0
Unimproved Value (UV)											
Mining	0.1552	18	317,822	47,741	(826)	-23	46,892	0	0	0	0
Rural	0.7760	7	492,860	28,347	0	0	28,347	0	0	0	0
Sub-Totals		1,571	39,751,723	2,962,808	19,832	2,141	2,984,780	0	0	0	0
Minimum Payment	Minimum										
Gross Rental Value (GRV)	\$										
General	900.00	65		58,500	0	0	58,500	0	0	0	0
Marina Developed	900.00	1		900	0	0	900	0	0	0	0
Holiday Homes	900.00	0		0	0	0	0	0	0	0	0
Vacant Land	900.00	181		162,900	0	0	162,900	0	0	0	0
Unimproved Value (UV)											
Mining	284.00	13		3,692	0	0	3,692	0	0	0	0
Rural	900.00	1		900	0	0	900	0	0	0	0
Sub-Totals		261	0	226,892	0	0	226,892	0	0	0	0
		1,832	39,751,723	3,189,700	19,832	2,141	3,211,672	0	0	0	0
Amount from General Rates							3,211,672				0
Ex-Gratia Rates							0				0
Specified Area Rates				46,213	601		46,814				46,471
Totals							3,258,487				46,471

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 10: Information on Borrowings

(a) Debenture Repayments

Particulars	Principal as at 01 Jul 2017	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Amended		Amended		Amended	
			Actual	Budget	Actual	Budget	Actual	Budget
			\$	\$	\$	\$	\$	\$
Housing								
Loan 77 - Snapper Loop Land	136,209	0	45,356	42,898	90,853	93,311	4,640	7,579
Loan 80 - Staff Dwellings	793,627	0	49,513	56,901	744,114	736,726	28,704	37,301
Community Amenities								
Loan 81 - Rubbish Truck	410,000	0	38,826	78,119	410,000	331,881	6,081	9,413
Recreation & Culture								
Loan 82 - Ningaloo Centre	1,000,000	0	25,970	52,372	1,000,000	947,628	19,169	32,868
Other Property & Services								
Loan 76 - 1 Bennett St Exmouth	276,520	0	9,020	18,267	267,500	258,253	7,081	14,090
	2,616,356	0	168,684	248,557	2,512,467	2,367,799	65,675	101,251

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

New Debentures

Particulars	Borrowings	Institution	Loan Type	Term (Years)	Total Interest & Charges	Interest Rate	Amount Used	Balance Unspent
			\$	\$	\$	%	\$	\$
Nil			0	0	0	0.00	0	-

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 10: Information on Borrowings

Note 10: Information on Borrowings

(c) Unspent Borrowings

Purpose of Loan	Year Funded	Actual	2017/18 Budget	Unspent Amount as at 30/04/18
		\$	\$	\$
Community Amenities				
Purchase Rubbish Truck	2016/17	410,000	0	410,000

(d) Self Supporting Loans - Interest Free

Particulars	Purpose of Loan	Amount Borrowed	Principal O/S 1-Jul-17	New Loans	Principal Repayments		Principal Outstanding	
					Actual	Budget	Actual	Budget
					\$	\$	\$	\$
Recreation & Culture								
*SSL Bowling Club 2009	Installation of Air Conditioning	20,000	4,000		2,000	2,000	2,000	2,000
*SSL Squash Club 2010	Upgrade Toilet Facilities	25,000	8,500		1,000	2,500	7,500	6,000
*SSL Golf Club 2012	Storage Shed	30,000	15,000		10,000	5,000	5,000	10,000
*SSL Bowling Club 2012	Synthetic Greens	250,000	59,774		-	30,000	59,774	29,774
*SSL EGFC 2013	Gantry Upgrade	84,000	57,750		21,000	10,500	36,750	47,250
*SSL Golf Club 2016	Reticulation of Fairways	40,000	40,000		-	4,000	40,000	36,000
		409,000	185,024	-	34,000	54,000	151,024	131,024

* Self Supporting Loans were financed from Community Development Interest Free Loans Reserve account

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 11 (a) : Grants and Contributions

Program/Details		Source	Purpose of Grant	Type of Grant	Amount of Grant	Variations		Revised Grant Available	Recoup Status	
						Additional Grants Received	Variations to Grants + / -		Received	Not Received
					\$	\$	\$	\$	\$	\$
GENERAL PURPOSE INCOME										
R032275	General Purpose Grant	Grants Commission	General Purpose/Untied Road Grants	Operating	886,690				640,010	246,680
LAW, ORDER, PUBLIC SAFETY										
ESL Grant - Bushfire Brigade										
R056270	Grant	FESA	Bushfire Brigade Operations	Operating	14,841				11,496	3,345
ESL Grant - SES										
R057270	Grant	FESA	SES Operations	Operating	28,875				28,875	0
RECREATION & CULTURE										
Ningaloo Centre										
R119700	Grant	R4R Revitalisation Program	Ningaloo Centre	Non Operating	2,820,000				1,820,000	1,000,000
R119701	Grant	Regional Development Australia	Ningaloo Centre	Non Operating	300,000				0	300,000
Swimming Pool										
R113702	Grant	DSR	Meet the Pool's non operating costs	Non Operating	32,000				32,000	0
R113704	Grant	GDC	Multi-purpose Community room & Storage Facility	Non Operating	105,886				95,298	10,588
R113703	Grant	EASC	Multi-purpose Community room & Storage Facility	Non Operating	20,000		(1,818)	18,182	18,182	0
Beaches & Boat Ramps										
R115270	Grant	RBFS	Report for Tantabiddi and Bundegi Boat Ramps	Operating	52,500				0	52,500
R115702	Grant	RBFS	Upgrade Fender System	Non Operating	116,985				0	116,985
Other Recreation										
R117251	Grant	Lotterywest	Trails Development	Operating	17,490				7,000	10,490
Community Engagement										
R170270	Grant	Dept Sport & Rec	Club Development Officer	Operating	20,000				20,000	0
R170277	Grant	GDC	50 Years Celebration	Operating	150,000				135,000	15,000
R170277	Grant	Woodside	50 Years Celebration	Operating	50,000				50,000	0
TRANSPORT										
Road Maintenance/Town Streets										
R122280	Direct Grant	Main Roads	Direct Grant	Operating	55,980				55,980	0
R122700	Roads to Recovery	Dept of Transport	Roads to Recovery Program	Non Operating	387,354				387,354	0
R122701	Grant	Main Roads	Murat Road	Non Operating	1,366,700				26,680	1,340,020
R122705	Grant	Main Roads	Yardie Creek Road	Non Operating	180,000				72,000	108,000
R122706	Grant	Main Roads	Ningaloo Access Road	Non Operating	31,500				12,600	18,900
OTHER PROPERTY & SERVICES										
Plant Operation Costs										
R144110	Diesel Fuel Rebate	ATO	Diesel Fuel Rebate State Scheme	Operating	15,500				11,469	4,031
					6,652,301	0	(1,818)	18,182	3,423,943	3,226,539
								Budget	Actual	
								\$	\$	
Summary Type of Grant:										
Operating								1,291,876	959,830	
Non Operating								5,360,425	2,464,114	
								6,652,301	3,423,943	

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 11(b) : Additional Grants and Contributions Applied during 2017/18

Program/Details	Source	Amount of Grant	Purpose of Grant	Responsible Officer	Status of Application
Nil		\$			
		0			
<u>Summary of Additional Grants Applied for Status:</u>					
To be Submitted		-			
Partial Funds Received		-			
Funds Received		-			
Awaiting Approval		-			
Approval Rec'd awaiting funds		-			
Unsuccessful		-			
		-			

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 12: Trust Fund

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 01 Jul 2017	Amount Received	Amount Paid	Closing Balance 30 Apr 2018
	\$	\$	\$	\$
Hall & Rec Centre Bonds	4,750	8,150	(5,850)	7,050
Olma Funding	2,423			2,423
Forum Travel Fund	2,990			2,990
NADC	11,335			11,335
Council Nomination Fees	0	960	(880)	80
Cyclone Baptist Needy	2,800			2,800
Sundries	7,894	300	(150)	8,044
Building/Planning Bonds	73,400			73,400
Youth Affairs	1,401			1,401
Staff Housing Bonds	0			0
Jurabi Coastal Park	59,400			59,400
Unclaimed Monies	7,637			7,637
Key Bonds	850	850	(700)	1,000
Bond Deed Exmouth Marina Holdings	18,186			18,186
Cash in Lieu POS	169,420			169,420
Ingleton St Res 29086 (20A/152)	205,249			205,249
BCITF Levy	0	20,105	(20,005)	100
BSL Levy	0	15,723	(15,469)	253
Donations to Other Organisations	135	74		210
Exmouth Volunteer Fire & Rescue	50,000			50,000
	617,870	46,162	(43,054)	620,978

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 13: Capital Acquisitions

Program	Sub Program	a/c #	Description	Details	Asset Spend Type	YTD Actual 30/04/2018	YTD BUDGET	BUDGET	% of Budget	Forecast to 30 June 2018
						\$	\$	\$	%	\$
Land & Buildings										
LAW, ORDER, PUBLIC SAFETY	Animal Control	A052003	Dog Pound (New)	Relocation of Pound to Works Depot	NEW	0	(12,500)	(15,000)	0%	(15,000)
LAW, ORDER, PUBLIC SAFETY	Bush Fire Brigade	A056002	Land & Building Acquisition / Construction - VBFB		NEW	(2,033)	0	0		0
HOUSING	Staff Housing	A125001	Staff Housing Bldgs (Upgrades)		UPGRADE	(35,097)	(33,330)	(40,000)	88%	(40,000)
RECREATION & CULTURE	Ningaloo Centre	A119003	Ningaloo Centre Bldg (New)		NEW	(1,777,194)	(2,662,070)	(3,194,510)	56%	(3,194,510)
RECREATION & CULTURE	Swimming Pool	A113005	Swimming Pool Bldgs (New)	Multi-purpose Community Room and Multi-user Storage Facility	NEW	(169,604)	(165,970)	(199,171)	85%	(199,171)
RECREATION & CULTURE	Other Recreation	A117301	Buildings (New)	New Sea Container for Storage of sporting equipment at Hardcourts	NEW	0	(8,330)	(10,000)	0%	(10,000)
RECREATION & CULTURE	Public Halls	A125006	Shire Hall (Upgrade)		UPGRADE	(13,259)	(11,040)	(13,259)	100%	(13,259)
TRANSPORT	Learmonth Airport	A126800	Learmonth Buildings (Upgrades)	Upgrading from halogens to LED's (5 year program)	UPGRADE	0	(8,330)	(10,000)	0%	0
Sub Total						(1,997,188)	(2,901,570)	(3,481,940)	57%	(3,471,940)
Furniture & Equipment										
RECREATION & CULTURE	Library	A125132	Library Furniture/Equip (New)		NEW	(1,357)	(1,130)	(1,357)	100%	(1,357)
RECREATION & CULTURE	Ningaloo Centre	A119007	Furniture & Equipment (New)		NEW	(23,768)	(31,610)	(37,950)	63%	(37,950)
RECREATION & CULTURE	Ningaloo Centre	A119005	Software/Hardware (New)	\$40k Centreman Software	NEW	0	(217,570)	(261,091)	0%	(261,091)
				\$240K Marine & Terrestrial Upgrades						
Sub Total						(25,125)	(250,310)	(300,398)	163%	(300,398)
Infrastructure Other										
COMMUNITY AMENITIES	Sanitation	A101012	Waste Water Treatment Ponds	Construction of Septage Ponds	NEW	0	(139,070)	(166,884)	0%	(166,884)
RECREATION & CULTURE	Ningaloo Centre	A119010	Ningaloo Museum Memorabilia	Provision	NEW	(9,840)	(8,190)	(9,840)	100%	(9,840)
RECREATION & CULTURE	Parks & Gardens	A114100	Infrastructure (New)	New Bore & Casing at Sanctuary Bore	NEW	(7,952)	(24,960)	(29,952)	27%	(29,952)
RECREATION & CULTURE	Parks & Gardens	A114101	Infrastructure (Renew)	Replacement of Sanctuary Bore Tank	RENEWAL	0	(12,500)	(15,000)	0%	(15,000)
RECREATION & CULTURE	Foreshore, Beaches & Boat Ramps	A125315	Tantabiddi (Upgrades)	Non-slip surface to prevent slip and falls in zone next to boat ramp/walkways	UPGRADE	(15,732)	(14,160)	(17,000)	93%	(17,000)
RECREATION & CULTURE	Foreshore, Beaches & Boat Ramps	A115107	Bundegi Beach Infrastructure (Upgrades)	Upgrade to fender system and rust treatment	UPGRADE	(16,305)	0	(155,980)	10%	(155,980)
RECREATION & CULTURE	Other Recreation	A117502	Broadcasting Tower Improvements	Replace 2 x Guide Wires and Anchors	RENEWAL	0	0	0		0
RECREATION & CULTURE	Other Recreation	A125135	Water Playground	Renew Flooring	RENEWAL	(25,757)	(21,460)	(25,757)	100%	(25,757)
TRANSPORT	Footpaths/Verges	A125321	Footpath / Kerbing (Replace)		RENEWAL	0	(16,660)	(20,000)	0%	(20,000)
Sub Total						(75,587)	(237,000)	(440,413)	17%	(440,413)
Infrastructure Roads										
TRANSPORT	Road Maintenance/Town Streets	A125201	Murat Road (MRWA) SIF	Road widening, intersection redesign, lighting and flood mitigation, shared bike/pedestrian path	UPGRADE	(43,943)	(1,197,280)	(1,436,747)	3%	(1,436,747)
TRANSPORT	Road Maintenance/Town Streets	A125203	Yardie Creek Road (MRWA) RRG	Road shoulder and seal edge works	UPGRADE	(29,471)	(223,960)	(268,757)	11%	(268,757)
TRANSPORT	Road Maintenance/Town Streets	A125205	Ningaloo Access Road (MRWA) RRG	General Road Works	UPGRADE	0	0	0		0
TRANSPORT	Road Maintenance/Town Streets	A125213	RTR Road Sealing		UPGRADE	(30,151)	(322,790)	(387,354)	8%	(387,354)
Sub Total						(103,565)	(1,744,030)	(2,092,858)	5%	(2,092,858)

SHIRE OF EXMOUTH
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2018

Note 13: Capital Acquisitions

Program	Sub Program	a/c #	Description	Details	Asset Spend Type	YTD Actual 30/04/2018	YTD BUDGET	BUDGET	% of Budget	Forecast to 30 June 2018
						\$	\$	\$	%	\$
Plant & Equipment										
COMMUNITY AMENITIES	Sanitation	A125532	Rubbish Truck		RENEWAL	0	(341,660)	(410,000)	0%	(410,000)
COMMUNITY AMENITIES	Sanitation	A101015	Refuse Site Excavator/Loader		RENEWAL	0	(214,580)	(257,500)	0%	(257,500)
COMMUNITY AMENITIES	Sanitation	A125519	Hitachi Excavator		RENEWAL	0	(208,330)	(250,000)	0%	(250,000)
RECREATION & CULTURE	Community Engagement	A119200	EMCE Vehicle 3004EX	Replacement Vehicle	RENEWAL	0	0	0		0
TRANSPORT	Road Plant Purchases	A125516	Loaders/Bobcats/Mini Excavators		RENEWAL	(17,701)	(14,750)	(17,701)	100%	(17,701)
Sub Total						(17,701)	(779,320)	(935,201)	2%	(935,201)
TOTAL						(2,219,166)	(5,912,230)	(7,250,810)	31%	(7,240,810)

Summary of Asset Acquisition by Class:

Land & Buildings	(1,997,188)	(2,901,570)	(3,481,940)	57%	(3,471,940)
Furniture & Equipment	(25,125)	(250,310)	(300,398)	8%	(300,398)
Plant & Equipment	(17,701)	(779,320)	(935,201)	2%	(935,201)
Infrastructure Roads	(103,565)	(1,744,030)	(2,092,858)	5%	(2,092,858)
Infrastructure Other	(75,587)	(237,000)	(440,413)	17%	(440,413)
	(2,219,166)	(5,912,230)	(7,250,810)	31%	(7,240,810)

Summary of Asset Acquisition by Program:

Governance	0	0	0		0
Law, Order, Public Safety	(2,033)	(12,500)	(15,000)	14%	(15,000)
Health	0	0	0		0
Education & Welfare	0	0	0		0
Housing	(35,097)	(33,330)	(40,000)	88%	(40,000)
Community Amenities	0	(903,640)	(1,084,384)	0%	(1,084,384)
Recreation & Culture	(2,060,769)	(3,178,990)	(3,970,867)		(3,970,867)
Transport	(121,266)	(1,783,770)	(2,140,559)	6%	(2,130,559)
Economic Services	0	0	0		0
Other Property & Services	0	0	0		0
	(2,219,166)	(5,912,230)	(7,250,810)	31%	(7,240,810)

Summary of Asset by Spend Type

	RENEWAL	NEW	UPGRADE	TOTAL
	\$	\$	\$	\$
Land & Buildings	0	(1,948,832)	(48,356)	(1,997,188)
Furniture & Equipment	0	(25,125)	0	(25,125)
Land Held for Resale	0	0	0	0
Plant & Equipment	(17,701)	0	0	(17,701)
Infrastructure Roads	0	0	(103,565)	(103,565)
Infrastructure Other	(25,757)	(17,792)	(32,037)	(75,587)
	(43,459)	(1,991,749)	(183,958)	(2,219,166)

MONTHLY LIST OF PAYMENTS - APRIL 2018

The following schedule of accounts have been paid under delegation by the CEO since the previous Council meeting. Checks have been carried out to verify prices, computations and costing.

Municipal Account:

Cheque numbers 13519 - 13525	-\$	43,402.86
Direct Debits and EFT Payments EFT13025- EFT13140	-\$	1,199,604.86
Credit Card Purchases	-\$	3,362.98
Total Municipal Account	-\$	1,246,370.70

Trust Account:

Cheque numbers	\$	-
EFTPayments EFT 13020-EFT13024	-\$	5,620.47
Total Trust Account	-\$	5,620.47

TOTAL PAYMENTS - APRIL 2018-\$1,251,991.17

Method	Date	Name	Description	Municipal Account	Trust Account
13519	11/04/2018	MARY Bullock (creditor)	ADVERTISING REFUND	-\$27.95	
13520	16/04/2018	DEPARTMENT OF TRANSPORT	REGISTRATION DEPT TRANSPORT	-\$25.10	
13521	16/04/2018	COUNCILLOR	COUNCILLORS REMUNERATION 1 JAN TO 31 MAR	-\$1,925.00	
13522	16/04/2018	TELSTRA CORPORATION	PHONE ACCOUNT - MARCH 2018	-\$10,142.45	
13523	16/04/2018	WATER CORPORATION	UTILITIES	-\$30,029.47	
13524	20/04/2018	PIVOTEL SATELLITE PTY LTD	UTILITIES	-\$31.00	
13525	23/04/2018	TELSTRA CORPORATION	UTILITIES	-\$1,221.89	
			TOTAL CHEQUES	-\$43,402.86	
DD4356.1	03/04/2018	AVDATA	LANDING FEES AND CHARGES FOR LANDING FEES AT LEARMONGTH AIRPORT MARCH 2018	-\$3,407.36	
DD4358.1	08/04/2018	WESTNET PTY LTD	UTILITIES	-\$404.78	
DD4358.2	10/04/2018	WESTPAC BANKING CORPORATION	BANK FEES	-\$229.47	
DD4358.3	10/04/2018	MAIA FINACIAL PTY LIMITED (former ALLEASING PTY LTD)	LEASING COSTS FOR IT/COMPUTER EQUIPMENT	-\$52,433.52	
DD4358.4	17/04/2018	DEPARTMENT OF HOUSING	RENT FOR 31 NIMITZ	-\$2,576.60	
DD4374.1	11/04/2018	WA LOCAL GOVERNMENT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$27,695.43	
DD4374.2	11/04/2018	GUILD SUPER	SUPERANNUATION CONTRIBUTIONS	-\$126.19	
DD4374.3	11/04/2018	HOST PLUS	SUPERANNUATION CONTRIBUTIONS	-\$231.11	
DD4374.4	11/04/2018	AMP RETIREMENT SAVINGS ACCOUNTS	SUPERANNUATION CONTRIBUTIONS	-\$220.15	
DD4374.5	11/04/2018	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	-\$185.34	
DD4374.6	11/04/2018	ING DIRECT SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-\$231.11	
DD4374.7	11/04/2018	AMP SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$90.52	
DD4374.8	11/04/2018	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$917.62	
DD4374.9	11/04/2018	THE TRUSTEE OF RKW SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-\$242.07	
DD4377.1	30/04/2018	BBS DEBT COLLECTIONS	DEBT COLLECTION FEES	-\$5.50	
DD4396.1	25/04/2018	WESTNET PTY LTD	UTILITIES	-\$49.99	
DD4396.2	26/04/2018	TELSTRA CORPORATION	UTILITIES	-\$69.95	
DD4397.1	25/04/2018	WA LOCAL GOVERNMENT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$27,595.07	
DD4397.2	25/04/2018	GUILD SUPER	SUPERANNUATION CONTRIBUTIONS	-\$224.17	
DD4397.3	25/04/2018	HOST PLUS	SUPERANNUATION CONTRIBUTIONS	-\$60.82	
DD4397.4	25/04/2018	AMP RETIREMENT SAVINGS ACCOUNTS	SUPERANNUATION CONTRIBUTIONS	-\$219.06	
DD4397.5	25/04/2018	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	-\$220.15	
DD4397.6	25/04/2018	ING DIRECT SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-\$231.11	
DD4397.7	25/04/2018	AMP SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$189.01	
DD4397.8	25/04/2018	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$928.26	
DD4397.9	25/04/2018	THE TRUSTEE OF RKW SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-\$202.65	
DD4401.1	25/04/2018	WA LOCAL GOVERNMENT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$22.19	
DD4374.10	11/04/2018	STAFF SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-\$293.22	
DD4374.11	11/04/2018	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-\$216.49	
DD4374.12	11/04/2018	ASTERON LIFE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$242.07	
DD4374.13	11/04/2018	AMP LIFETIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$162.43	
DD4374.14	11/04/2018	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$220.15	
DD4374.15	11/04/2018	REST SUPER	SUPERANNUATION CONTRIBUTIONS	-\$277.62	
DD4397.10	25/04/2018	STAFF SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-\$293.22	
DD4397.11	25/04/2018	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-\$216.49	
DD4397.12	25/04/2018	ASTERON LIFE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$242.07	
DD4397.13	25/04/2018	AMP LIFETIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$211.44	
DD4397.14	25/04/2018	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-\$220.15	
DD4397.15	25/04/2018	REST SUPER	SUPERANNUATION CONTRIBUTIONS	-\$273.02	

Method	Date	Name	Description	Municipal Account	Trust Account
			TOTAL DIRECT DR PAYMENTS	-\$ 121,877.57	
EFT13020	06/04/2018	BARBARA JOY MCKAY	REFUND BOND - MEETING ROOM		-\$ 250.00
EFT13021	06/04/2018	BUILDING COMMISSION	BSL COMMISSION - MARCH 2018		-\$ 2,473.47
EFT13022	06/04/2018	CONSTRUCTION TRAINING FUND	BCITF LEVY COLLECTED MARCH 2018		-\$ 2,637.25
EFT13023	06/04/2018	STAFF	REFUND BOND - TRANSIT HOUSE		-\$ 200.00
EFT13024	06/04/2018	SHIRE OF EXMOUTH	BSL COMMISSION - MARCH 2018		-\$ 59.75
EFT13025	10/04/2018	CLIENT	COMPOST BIN REBATE	-\$ 14.55	
EFT13026	10/04/2018	AIRSAFE TRANSPORT TRAINING	DG ONLINE INDUCTION STAFF TRAINING	-\$ 320.00	
EFT13027	10/04/2018	AUSTRALIAN GOVERNMENT CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	-\$ 474.77	
EFT13028	10/04/2018	AUSTRALIAN TAX OFFICE (PAYG)	PAYROLL DEDUCTIONS	-\$ 42,215.00	
EFT13029	10/04/2018	COUNCILLOR	COUNCILLORS REMUNERATION JAN TO MAR	-\$ 1,925.00	
EFT13030	10/04/2018	STAFF	REIMBURSEMENT FOR TRAVEL PREFERRED CANDIDATE SENIOR ACCOMMODATION	-\$ 112.20	
EFT13031	10/04/2018	STAFF REIMBURSEMENT	REIMBURSEMENTS AS PER CONTRACT	-\$ 3,793.66	
EFT13032	10/04/2018	CBM PAINTING	R&M HOUSING	-\$ 13,090.00	
EFT13033	10/04/2018	COTTESLOE ELECTRICAL & AIR CONDITIONING	R&M HOUSING	-\$ 9,130.00	
EFT13034	10/04/2018	DEPARTMENT OF DEFENCE - TREASURY AND BANKING	RENT	-\$ 9,895.55	
EFT13035	10/04/2018	EXMOUTH IGA	STAFF AMENITIES	-\$ 282.94	
EFT13036	10/04/2018	EXMOUTH NEWSAGENCY & TOYWORLD	STATIONERY	-\$ 1,910.65	
EFT13037	10/04/2018	EXMOUTH QUARRIES & CONCRETE PTY LTD	MATERIALS	-\$ 970.40	
EFT13038	10/04/2018	COUNCILLOR	COUNCILLORS REMUNERATION JAN TO MAR	-\$ 2,726.88	
EFT13039	10/04/2018	COUNCILLOR	COUNCILLORS REMUNERATION JAN TO MAR	-\$ 1,925.00	
EFT13040	10/04/2018	GRONBEK SECURITY	MLJ5 KEY 6 PIN	-\$ 15.00	
EFT13041	10/04/2018	COUNCILLOR	COUNCILLORS REMUNERATION JAN TO MAR	-\$ 1,925.00	
EFT13042	10/04/2018	HOME TIMBER AND HARDWARE	CONSUMABLES	-\$ 3,046.44	
EFT13043	10/04/2018	HORIZON POWER - ACCOUNTS	UTILITIES	-\$ 306.88	
EFT13044	10/04/2018	JACKSON MCDONALD LAWYERS	LEGAL FEES	-\$ 385.00	
EFT13045	10/04/2018	MEDICAL REIMB FINANCE OFFICER	STAFF RECRUITMENT	-\$ 143.00	
EFT13046	10/04/2018	KCTT (KC TRAFFIC AND TRANSPORT PTY LTD)	MURAT ROAD UPGRADE ENGINEERING SERVICES	-\$ 44,210.03	
EFT13047	10/04/2018	LOCAL GOVT RACING & CEMETERIES EMP UNION	PAYROLL DEDUCTIONS	-\$ 19.40	
EFT13049	10/04/2018	COUNCILLOR	COUNCILLORS REMUNERATION JAN TO MAR	-\$ 5,132.50	
EFT13050	10/04/2018	MOORE STEPHENS (WA) P/L	TRAINING BUDGETING WORKSHOP 2018 FRIDAY 16TH MARCH EMCS	-\$ 907.50	
EFT13051	10/04/2018	MUMBY'S AUTO ELECTRICAL AND AIR CONDITIONING	BATTERIES, CONNECTOR, GLOBE FOR HELIPORT BUGGY	-\$ 2,504.00	
EFT13052	10/04/2018	McLEODS BARRISTERS AND SOLICITORS	LEGAL FEES VLAMINGH HEAD LIGHTHOUSE LEASE	-\$ 2,087.53	
EFT13053	10/04/2018	NETWORK POWER SOLUTIONS PTY LTD	AIRPORT A/C REPAIRS	-\$ 9,908.67	
EFT13054	10/04/2018	NGT LOGISTICS PTY LTD	FREIGHT	-\$ 5,259.38	
EFT13055	10/04/2018	NINGALOO CARAVAN & HOLIDAY RESORT	UTILITIES	-\$ 946.65	
EFT13056	10/04/2018	NINGALOO IGA	CONSUMABLES	-\$ 96.20	
EFT13057	10/04/2018	OFFICEWORKS	IT EQUIPMENT	-\$ 150.95	
EFT13058	10/04/2018	PATHWEST LABORATORY WA	TOXI KIT TEST	-\$ 35.00	
EFT13059	10/04/2018	PENNANT HOUSE	VINYL BANNER BLANK 3400 X 1500MM 2018 BANNERS IN THE TCE	-\$ 189.20	
EFT13060	10/04/2018	PUREWATER POOL SERVICES	CALIBRATION FLUIDS	-\$ 723.80	
EFT13061	10/04/2018	REPCO CARNARVON	M/V REPAIRS	-\$ 35.48	
EFT13062	10/04/2018	SEARLE CONSULTING PTY LTD	LEGAL FEES	-\$ 1,540.00	
EFT13063	10/04/2018	SKIPPER TRANSPORT PARTS	FREIGHT	-\$ 187.34	
EFT13064	10/04/2018	SPANDEX ASIA PACIFIC PTY LTD	PAINT FOR BANNERS 2018 TCE COMPETITION	-\$ 843.56	
EFT13065	10/04/2018	ST JOHN AMBULANCE EXMOUTH	STAFF TRAINING FIRST AID COURSE	-\$ 320.00	
EFT13066	10/04/2018	WA COUNTRY HEALTH SERVICE - MIDWEST	PRE-EMPLOYMENT MEDICAL	-\$ 198.00	
EFT13067	10/04/2018	WALGA	PROCUREMENT SERVICES - SERVICE CONTRACTS	-\$ 693.00	
EFT13068	10/04/2018	COMMONWEALTH BANK - LOCAL GOVERNMENT BANKING	NEW TRUST TERM DEPOSIT	-\$ 550,000.00	
EFT13069	17/04/2018	WESTERN AUSTRALIAN TREASURY CORP.	LOAN NO. 180 INTEREST PAYMENT - CONSTRUCT 2 STAFF DWELLINGS SNAPPER LOOP	-\$ 7,768.00	
EFT13070	23/04/2018	AERODROME MANAGEMENT SERVICES PTY LTD (AMS)	ASIC CARDS - STAFF RECRUITMENT	-\$ 220.00	
EFT13071	23/04/2018	STAFF	REIMBURSEMENT OF RECRUITMENT MEDICAL	-\$ 52.60	
EFT13072	23/04/2018	ART ON THE MOVE	MAN CAVE EXHIBITION CHARGE	-\$ 3,410.00	
EFT13073	23/04/2018	ATOM SUPPLY / GERALDTON INDUSTRIAL SUPPLIES	FREIGHT	-\$ 598.88	
EFT13074	23/04/2018	BIG FISH GRAPHICS NT	STAFF UNIFORMS	-\$ 5,070.22	
EFT13075	23/04/2018	BLACKWOODS (J.BLACKWOOD & SON PTY LTD)	MATERIALS	-\$ 648.73	
EFT13076	23/04/2018	BUNNINGS GROUP LIMITED	MATERIALS	-\$ 928.84	
EFT13077	23/04/2018	CANNON HYGIENE AUSTRALIA PTY LTD	AIRPORT MONTHLY SERVICE CHARGE	-\$ 2,283.64	
EFT13078	23/04/2018	CAPRICORN PEST CONTROL	SHIRE HALL PEST CONTROL	-\$ 528.00	
EFT13079	23/04/2018	CJ LORD BUILDING AND RENOVATION WA PTY LTD	TV INSTALLATIONS NINGALOO CENTRE	-\$ 880.00	

Method	Date	Name	Description	Municipal Account	Trust Account
EFT13080	23/04/2018	COCKBURN CEMENT LIMITED	DEPOT MATERIALS	-\$ 394.24	
EFT13081	23/04/2018	CRAIG JOHN REGAN T/a Exmouth Bitumen Services	ROLLER HIRE 5.2.18 TO 20.2.18	-\$ 1,050.00	
EFT13082	23/04/2018	CSP INDUSTRIES PTY LTD (STIHL SHOP)	EQUIPMENT R&M	-\$ 415.95	
EFT13083	23/04/2018	DAIMLER TRUCKS PERTH	M/V REPAIRS	-\$ 167.28	
EFT13084	23/04/2018	DANA JEANS COASTAL BLOOMS	WREATH FLOWERS FOR ANZAC DAY	-\$ 105.00	
EFT13085	23/04/2018	DEPARTMENT OF TRANSPORT	LICENCES	-\$ 40.10	
EFT13086	23/04/2018	ERA CONTRACTORS	TAFE BLOCK R&M	-\$ 446.36	
EFT13087	23/04/2018	POLICE CLEARANCE	STAFF RECRUITMENT	-\$ 52.60	
EFT13088	23/04/2018	EXMOUTH AUTO AND MARINE ELECTRICS	M/V REPAIRS	-\$ 279.00	
EFT13089	23/04/2018	EXMOUTH BETTA ELECTRICAL & GAS	DVD PLAYER FOR FUNCTION ROOM	-\$ 399.00	
EFT13090	23/04/2018	EXMOUTH DISTRICT HIGH SCHOOL.	2018 SHARED COMMUNITY COURTS - HIRE AGREEMENT WITH CPI FROM 2017	-\$ 6,836.02	
EFT13091	23/04/2018	EXMOUTH ENGINEERING	AIRPORT R&M	-\$ 360.00	
EFT13092	23/04/2018	EXMOUTH FUEL SUPPLIES	FUEL	-\$ 250.72	
EFT13093	23/04/2018	EXMOUTH WHOLESALERS	CONSUMABLES	-\$ 479.47	
EFT13094	23/04/2018	EXY PLUMBING & CONTRACTING	REC CENTRE R&M	-\$ 187.00	
EFT13095	23/04/2018	FUSION FABRICATION & MARINE	POOL R&M	-\$ 4,130.00	
EFT13096	23/04/2018	GREAT SOUTHERN FUEL SUPPLIES - GERALDTON	FUEL DEPOT	-\$ 25,247.20	
EFT13097	23/04/2018	GREY EAGLE HOLDINGS PTY LTD T/a Exmouth Tyre & Diesel Services	M/V REPAIRS	-\$ 708.00	
EFT13098	23/04/2018	HANSON CONSTRUCTION MATERIALS PTY LTD	MATERIALS	-\$ 825.00	
EFT13099	23/04/2018	HORIZON POWER - ACCOUNTS	STREET LIGHTING FOR MARCH 2018	-\$ 15,860.76	
EFT13100	23/04/2018	INMARSAT AUSTRALIA PTY LTD	SAT PHONE CHARGES	-\$ 117.19	
EFT13101	23/04/2018	IXOM OPERATIONS PTY LTD	CHLORINE	-\$ 787.03	
EFT13102	23/04/2018	JACKSON MCDONALD LAWYERS	LEGAL FEES FOR AERODROME LEASE	-\$ 694.90	
EFT13103	23/04/2018	JACKSON'S PLUMBING CONTRACTORS	HOUSING R&M	-\$ 6,815.54	
EFT13104	23/04/2018	JASON SIGNMAKERS	DIRECTIONAL STREET SIGN	-\$ 126.50	
EFT13105	23/04/2018	HORIZON POWER - ACCOUNTS	UTILITIES	-\$ 1,018.56	
EFT13106	23/04/2018	LANDGATE	TILTLE SEARCHES	-\$ 25.30	
EFT13107	23/04/2018	M P ROGERS & ASSOCIATES	TANTA BIDDI BOAT RAMP WORKS	-\$ 1,171.01	
EFT13108	23/04/2018	MATTERS ENTERPRISES PTY LTD T/A SURPLUS CONVEYORS	BELT FOR AIRPORT	-\$ 1,045.00	
EFT13109	23/04/2018	MOORE STEPHENS (WA) P/L	AUDIT FEES	-\$ 25,924.34	
EFT13110	23/04/2018	McLEODS BARRISTERS AND SOLICTORS	LEGAL FEES LIGHTHOUSE LEASE	-\$ 3,612.16	
EFT13111	23/04/2018	NETWORK POWER SOLUTIONS PTY LTD	AIRPORT A/C REPAIRS	-\$ 9,568.30	
EFT13112	23/04/2018	NINGALOO VISITOR CENTRE	REIMBURSEMENT OF HIRE FEES FOR SNORKEL EQUIPMENT 2 DAYS	-\$ 71.99	
EFT13113	23/04/2018	NORCAPE BUILDING COMPANY	HOUSING R&M	-\$ 12,876.60	
EFT13114	23/04/2018	OFFICEWORKS	IT EQUIPMENT	-\$ 182.95	
EFT13115	23/04/2018	PARKER BLACK & FORREST PTY LTD	STATIONERY	-\$ 112.20	
EFT13116	23/04/2018	PATHWEST LABORATORY WA	STAFF RECRUITMENT MEDICAL	-\$ 70.00	
EFT13117	23/04/2018	ROYAL LIFE SAVING SOCIETY WA INC.	STAFF RECRUITMENT - LIFESAVING COURSE	-\$ 275.00	
EFT13118	23/04/2018	STAFF	STAFF RECRUITMENT - MEDICAL	-\$ 339.30	
EFT13119	23/04/2018	SKIPPER TRANSPORT PARTS	M/V REPAIRS	-\$ 29.77	
EFT13120	23/04/2018	SML ENTERPRISES PTY LTD	MATERIALS	-\$ 242.00	
EFT13121	23/04/2018	SPYKER BUSINESS SOLUTIONS	FULLGUARD 12 MTH RENEWAL INCL FIREBLANKET	-\$ 3,770.77	
EFT13122	23/04/2018	ST JOHN AMBULANCE EXMOUTH	4 X FIRST AID KITS FOR AIRPORT	-\$ 579.92	
EFT13123	23/04/2018	T-QUIP	EQUIPMENT R&M	-\$ 45.60	
EFT13124	23/04/2018	THE HONDA SHOP	EQUIPMENT R&M	-\$ 141.95	
EFT13125	23/04/2018	THE WEST AUSTRALIAN NEWSPAPER	SUBSCRIPTIONS	-\$ 72.00	
EFT13126	23/04/2018	TOLL IPEC	FREIGHT	-\$ 252.13	
EFT13127	23/04/2018	TOTALLY WORKWEAR MIDLAND	STAFF UNIFORMS	-\$ 309.21	
EFT13128	23/04/2018	Techwest	GALLAGHER SOFTWARE IT FEES	-\$ 583.00	
EFT13129	23/04/2018	WA COUNTRY HEALTH SERVICE - MIDWEST	STAFF RECRUITMENT - MEDICAL	-\$ 396.00	
EFT13130	23/04/2018	WALGA	STAFF RECRUITMENT FEES	-\$ 4,743.88	
EFT13131	23/04/2018	WESTRAC PTY LTD	M/V REPAIRS	-\$ 578.23	
EFT13132	23/04/2018	WORKWEAR GROUP PTY LTD	STAFF UNIFORMS	-\$ 152.90	
EFT13133	23/04/2018	AUSTRALIAN TAXATION OFFICE	BAS & FBT JAN TO MARCH 2018	-\$ 50,476.00	
EFT13134	23/04/2018	TRC TOURISM PTY LTD	EXMOUTH TRAILS MASTERPLAN MILESTONE 4 SUBMISSION OF FINAL REPORT FINAL PAYMENT	-\$ 3,410.00	
EFT13135	27/04/2018	AUSTRALIAN GOVERNMENT CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	-\$ 1,045.54	
EFT13136	27/04/2018	AUSTRALIAN TAX OFFICE (PAYG)	PAYROLL DEDUCTIONS	-\$ 81,696.00	
EFT13137	27/04/2018	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	ESL QUARTER 3 FEES	-\$ 59,623.14	
EFT13138	27/04/2018	LOCAL GOVT RACING & CEMETERIES EMP UNION	SUPERANNUATION	-\$ 38.80	
EFT13139	27/04/2018	PILBARA HOLIDAY PARK	STAFF TRAINING ACCOMMODATION - FIRE ASSETT MANAGEMENT PLANNING	-\$ 395.00	
EFT13140	27/04/2018	UDLA	DEFECTS LIABILITY PERIOD CLAIM LANDSCAPING NINGALOO CENTRE	-\$ 3,092.86	

Method	Date	Name	Description	Municipal Account	Trust Account
			TOTAL EFT PAYMENTS	-\$ 1,077,727.29	-\$ 5,620.47
3255	23/04/2018	THE PENINSULA SOUTH PERTH AUS		-\$ 443.00	
3255	17/04/2018	QANTAS AIRWAYS LTD MASCOT AUS	FLIGHTS FOR SHIRE PRESIDENT TO ATTEND THE USA MEMORIAL DAY 28.5.18	-\$ 749.10	
3255	05/04/2018	QANTAS AIRWAYS LTD MASCOT AUS	FLIGHTS FOR TRAINING FOR EMC FINANCE WORKSHOPS	-\$ 508.22	
3255	05/04/2018	QANTAS AIRWAYS LTD MASCOT AUS	FLIGHTS FOR TRAINING FOR SFO FINANCE WORKSHOPS	-\$ 697.51	
3255	03/04/2018	QANTAS AIRWAYS LTD MASCOT AUS	FLIGHTS FOR TRAINING POOL LIFEGUARD POSITION	-\$ 810.90	
			TOTAL CREDIT CARD	-\$ 3,208.73	
503	03/04/2018	WW PETROL 4039 CARNARVON W AUS	FUEL - TRAVEL EXPENSES FOR DCEO	-\$ 90.26	
			TOTAL CREDIT CARD	-\$ 90.26	
981	26/04/2018	CELLARBRATIONS AT SAM EXMOUTH AUS	REFRESHMENTS FOR OPENING OF TRAVEL GALLERY EVENT	-\$ 52.00	
981	11/04/2018	Spotify P0591435C1 Sydney AUS	BACKGROUND MUSIC FOR NINGALOO CENTRE	-\$ 11.99	
			TOTAL CREDIT CARD	-\$ 63.99	
			TOTAL CREDIT CARD PURCHASES	-\$ 3,362.98	-\$ 5,620.47
			TOTAL PAYMENTS - APRIL 2018	-\$ 1,246,370.70	-\$ 5,620.47



Ningaloo Trails Master Plan (Shire of Exmouth)

Acknowledgements

The Ningaloo Trails Master Plan has been prepared by TRC Tourism Pty Ltd (www.trctourism.com) for the Shire of Exmouth.

Authors: Chris Halstead, Janet Mackay

The Shire of Exmouth gratefully acknowledges the support provided by Lotterywest for the purpose of developing the Ningaloo Trails Masterplan.

Disclaimer

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Executive Summary

The Shire of Exmouth is seeking to develop recreational trails to improve outdoor recreational opportunities and connections for residents and to showcase the area's unique environment and attract visitors.

The area's natural beauty and biological diversity was recognised in 2011 when the World Heritage Committee recognised the outstanding universal value of the area's diverse and abundant marine life, its amazing cave fauna and the spectacular contrast between the colourful underwater scenery and the arid and rugged land of the Cape Range and inscribed the Ningaloo Coast on the World Heritage List¹.

The Ningaloo Trails Master Plan is intended to address:

- ▶ the current situation of trails in the Shire of Exmouth
- ▶ the context, trends and markets in trails in Australia and internationally
- ▶ the appropriate mix and standard of trail experiences to be provided to meet market needs (both community and visitors)
- ▶ current events and opportunities for improvement
- ▶ sustainable management, maintenance and partnerships for trail networks
- ▶ investment needs and opportunities
- ▶ social and economic benefits from trails.

Trends in Trails Use and Development

There has been a global increase in the development, use and demand for trails reflecting growth and change in participation in outdoor activity and the trend to experience-based tourism in which visitors seek more immersive and authentic ways to experience people and places.

Benefits of Trails

Globally the provision of trails has been shown to lead to multiple health, lifestyle, social and economic benefits for communities.

Economic development

Trail development in the Shire of Exmouth is part of broader initiatives to diversify the economy and enhance quality of life in the Shire in a way that is sustainable and values the natural and built heritage. Tourism is a major contributor to the Shire's economy.

Tourism Planning

Tourism development in Exmouth is guided by regional tourism strategies² that seek to:

- ▶ Improve visitor products, experiences and infrastructure to encourage visitors to stay longer, travel more widely and spend more
- ▶ Provide a greater diversity of visitor opportunities
- ▶ Attract more high yielding visitors by providing experiences and packages that meet their expectations.

Trail Planning Considerations

Development of trails in the Shire of Exmouth needs to take into account the protection and showcasing of the area's significant natural and cultural assets, community needs and future sustainability of trails.

¹ <http://www.environment.gov.au/heritage/places/world/ningaloo>

² Gascoyne Development Commission (15 October 2014). *Gascoyne Regional Tourism Strategy*, prepared by Kadar Pearson & Partners Pty

Ltd; TRC Tourism (June 2014), *Ningaloo-Shark Bay National Landscape Experience Development Strategy*.

Depending on their location and the tenure of the area, trail opportunities, planning and development will be guided by the provisions of land use plans, protected area management plans and other land and sea management arrangements including:

- ▶ the Exmouth Townsite Structure Plan, Exmouth South Structure Plan and Town Centre and Foreshore Revitalisation Plan
- ▶ Water Source Protection Plans
- ▶ Cape Range National Park Management Plan
- ▶ Management Plan for the Ningaloo Marine Park.

State Strategic Trail Blueprint

The Ningaloo Trails Master Plan fits within a State-wide planning structure which guides consistent planning, development and management of trails throughout the State including the *Western Australian Strategic Trails Blueprint 2017-2021*.

Local Residents

Current and potential use of trails by the local community within the Shire of Exmouth includes:

- ▶ commuting to work, school and other local destinations on foot or bicycle
- ▶ trail-based recreation activities such as walking, running, cycling, mountain biking, kayaking, snorkelling and diving
- ▶ accessing and enjoying local parks, beaches and conservation areas
- ▶ outdoor activities by school, youth and health groups.

Exmouth Visitors

The town of Exmouth is a major visitor hub for the Gascoyne Region and a major gateway to the Ningaloo Coast World Heritage Area which includes the Ningaloo Marine Park and Cape Range National Park. Holiday visitation is concentrated between April and October.

Most visitors to the Shire of Exmouth and the Gascoyne Region are domestic visitors. The main purpose of visiting is for a holiday or leisure – 71% of domestic overnight visitors and 94% of international visitors are holiday or leisure visitors.

Current Trails and Trail Use

The community of Exmouth has a small but growing interest in trails and trail based activity including casual walkers, runners and horse riders and mountain bikers.

Strengths and Challenges

The distinctive features of the Exmouth area are its pristine reef, beach and marine environments and the rugged nature of the Cape Range – all of which are recognised through the Ningaloo World Heritage listing. The area's distinctive natural assets provide setting for some potentially unique trail experiences capable of attracting domestic and international visitors. However, due to the visitor focus on the reef, the climatic conditions (very hot summers) and distance from large population centres, the majority of future trail activities are likely to be focused on development of trails of local and regional trail significance. For most visitors to the area, it is likely that trails will form part of the experience rather than the core driver for visitation.

Exmouth faces a number of **CHALLENGES** in improving its trail offer, including:

- ▶ Remoteness
- ▶ Climate – Trails links in and near the town of Exmouth – Sustainability – Risk Management – Multiple Tenures
- ▶ Governance and Partnerships
- ▶ Investment and Funding
- ▶ Effective Promotion

Demand for trails in the Shire of Exmouth will come from a range of local and visitor markets each with differing motivations and expectations in relation to trail experiences. Current and potential trail markets for Exmouth and potential trail opportunities to suit market needs are explored.

Trail Vision

The Ningaloo Coast, Cape Range and the Shire of Exmouth will be recognised as the place where all people connect to the Ningaloo Coast World Heritage area and spectacular scenery through unique opportunities, experiencing adventure, contemplation and scenic beauty through popular and sustainable trails.

Exmouth will have ongoing development of a range of trails that focus on the uniquely Ningaloo Exmouth experience and encourage local participation, community benefit and wellbeing.

To achieve this vision, the Shire of Exmouth with other stakeholders will develop diverse trail opportunities including:

► Unique trails that compliment and showcase the Ningaloo World Heritage Coast

► A small number of short walks that add to the range of visitor experiences

► A cross range shared use trail experience that connects Exmouth with the Ningaloo Coast

► An Exmouth trail hub that connects people to events, places and activity

► Trails that represent the culture, landscape and biological diversity of the Ningaloo coast through art and sculpture.

Trail Development

The Exmouth trails are planned for local community benefit or as infrastructure that provides visitor experiences strongly linked to the Outback and Coast themes and associated with products that provide economic benefit by increasing demand for services including accommodation.

The trails recommended within the Ningaloo Trails Master Plan include:

Unique Trails Showcasing World Heritage

It is proposed to develop two new unique trail experiences that showcase the outstanding features of the Ningaloo World Heritage Coast and that have the potential to become iconic trails.

- ▶ Multi-Day Sea Kayaking trail providing 12 well positioned camping sites on the shoreline of the lagoons for 45 kilometres inside the fringing reef.
- ▶ Ningaloo Sculpture Trail incorporating the development of intertidal and sub tidal sculptures to provide a unique trail experience that promotes and celebrates World Heritage and cultural values.

Improved Ningaloo Coast Trail Opportunities

- ▶ North West Cape Short Walk to complement the seven existing short walks and provide locals and visitors with a scenic and heritage North West Cape experience.
- ▶ Cape Range Crossing Trail to provide walking and mountain bike experiences across the range from Exmouth to the Ningaloo Coast.

Mountain Bike Hub

- ▶ Combining with the Cape Range Crossing Trail for a shared use trail to the Ningaloo Coast.
- ▶ Developing trails close to Exmouth in the Exmouth Water Reserve outer catchment and on Unallotted Crown Land that provide for a range of skills.
- ▶ Linking trails to the Exmouth Recreation Area and the Ningaloo Centre.
- ▶ Develop a Mountain Bike Skills Park and cycling activity area including Skills, Pump and BMX Tracks.
- ▶ Providing level mountain bike trails area on Unallotted Crown Land to the south of the town.
- ▶ Expanding mountain biking opportunities in the Badjirrajirra Shared Use Trail area.

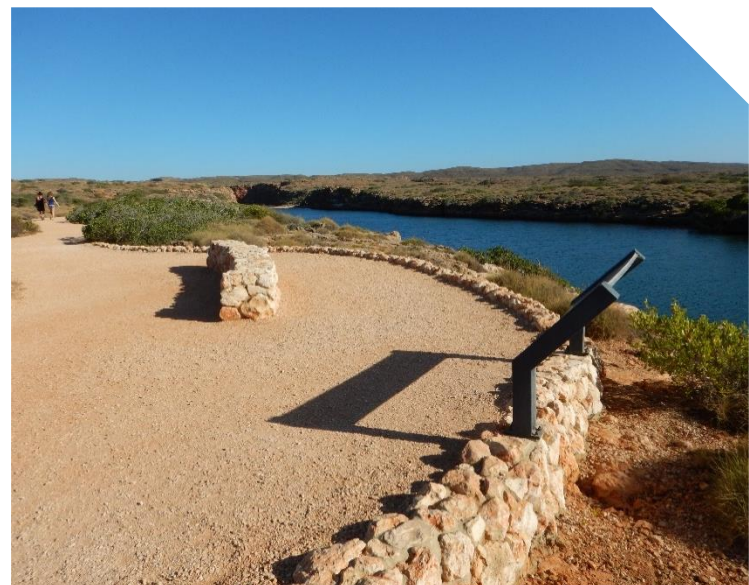
Ningaloo Centre Trail Hub

- ▶ Exmouth Town loops and connections to provide popular shared use trail access for locals and visitors to link to the Ningaloo Centre and other important destinations in the town such as the Recreation Area and the beach.
- ▶ Exmouth Gulf Trail to provide locals and visitors with a shared use trail from the Ningaloo Centre to the Exmouth Gulf beach and incorporating a Ningaloo Centre Trail Head and Exmouth Gulf lookout.

Four Wheel Driving

- ▶ Ningaloo Yardie Creek Road and the 4WD sandy track that follows the coast to Coral Bay provides a unique coastal driving experience.
- ▶ Sandy Bay Track proposed as a new land journey and regional drive loop which (subject to land transfers and approvals) links Learmonth to the Ningaloo Yardie Creek Road across the range. Experience for 4WD vehicles, motor bikes and other road registered off road vehicles. Also provides an alternative vehicle trail experience when access across Yardie Creek mouth is closed.

Image: 1 Yardie Nature Trail



Summary of Recommended Trail Projects

All trail projects proposed are considered vital to the Shire's future trail program. Priority trails recognise the importance of linkages with other trails and places, demonstrated trail user demand, community benefit and providing quality visitor experiences. Priority Trail Projects ✓✓ Secondary Trail Projects ✓

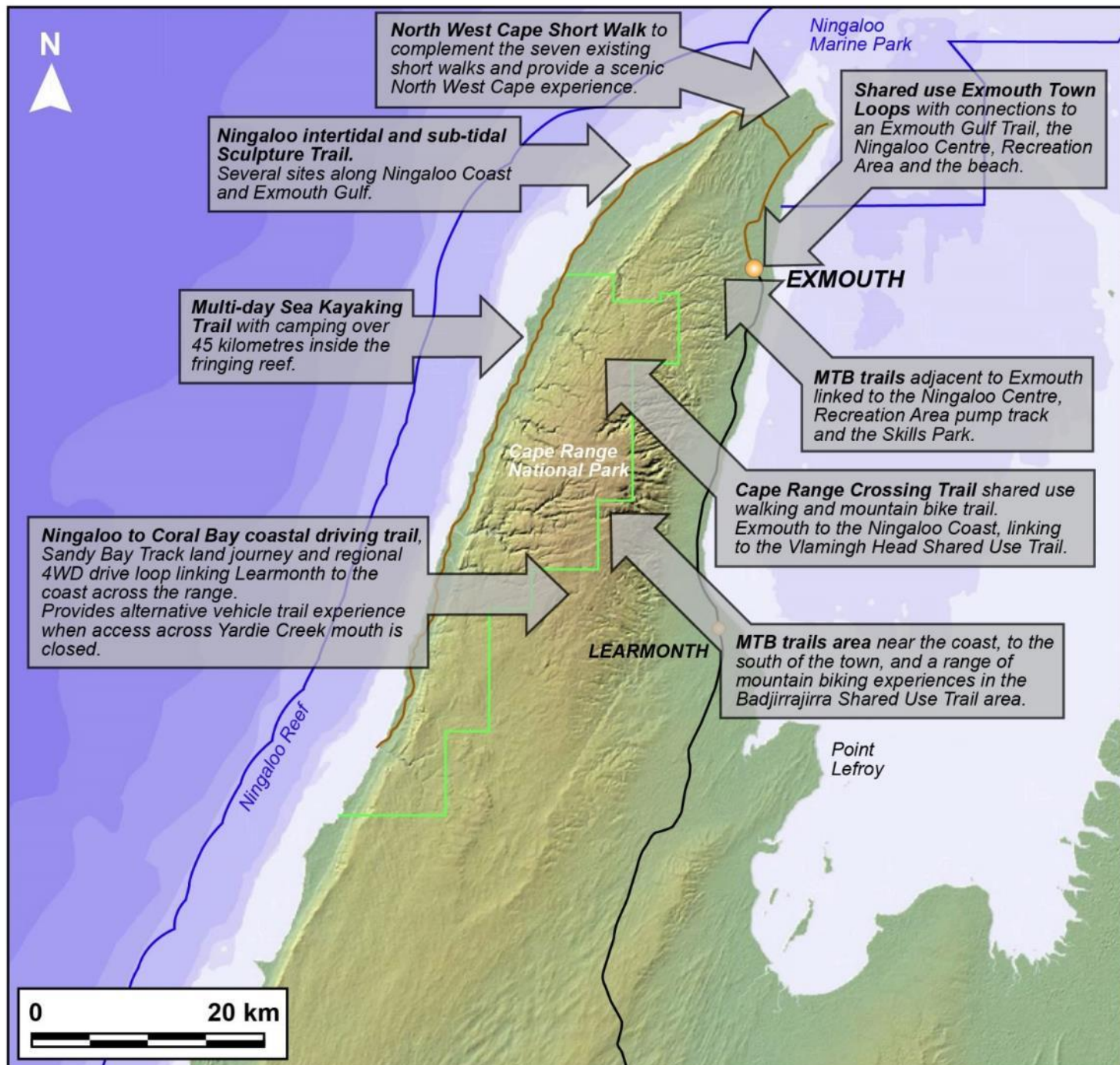
Implementation Short Term 1-3 years, Medium Term 3 - 5 years, Long Term 5 - 10 years

*cost estimates based on Perth contractor rates and for advice only, further assessments would be undertaken through the development of the implementation stage of the Trail Master Plan

Project	Priority Trails	Indicative Costs	Time Frame
Unique Trails Showcasing World Heritage			
Multi-Day Sea Kayaking trail <ul style="list-style-type: none">Overnight trail inside the fringing reef	✓✓	Total \$121,000 incl. \$31,000 for trail infrastructure and \$90,000 for upgrading of existing facilities	Short Term
Ningaloo Sculpture Trail <ul style="list-style-type: none">A unique intertidal and sub tidal sculpture trail experience that promotes and celebrates World Heritage and cultural values	✓✓	Visionary trail concept future costs yet to be determined	Long Term
Improved Ningaloo Coast Trail Opportunities			
North West Cape Short Walk <ul style="list-style-type: none">to complement the seven existing short walks and provide locals and visitors with a scenic and heritage North West Cape experience	✓	Trail head way marking signs and beach access \$3,000	Medium Term
Cape Range Crossing Trail <ul style="list-style-type: none">walking and mountain bike experiences across the range from Exmouth to the Ningaloo Coast	✓	Estimates under shared use scenario \$500,000	Medium Term
<ul style="list-style-type: none">future shared use trail along the range from the Cape Range Crossing Trail Head to Vlaming Head.	✓	Estimates under shared use scenario \$400,000	Medium Term
Mountain Bike Hub			
Develop a Mountain Bike Skills Park and cycling activity area including Pump, Jump and BMX Tracks.	✓✓		Short Term
Developing trails close to Exmouth in the Exmouth Water Reserve outer catchment and on Unallotted Crown Land	✓	Mountain bike trails by recognised builders varies for \$35,000 to \$65,000/km trails to be developed over time by the community	Medium Term
Providing level mountain bike trails area on Unallotted Crown Land to the south of the town	✓		
Linking trails to the Exmouth Recreation Area and the Ningaloo Centre	✓		Medium Term
Expanding mountain biking opportunities in the Badjirrajirra Shared Use Trail area	✓		Long Term
Ningaloo Centre Trail Hub			
Exmouth Town loops and connections <ul style="list-style-type: none">Exmouth Town loops and connections to provide popular shared use trail access for locals and visitors to link to the Ningaloo Centre, Recreation Area and the beach.	✓✓	\$686,000	Short Term
Exmouth Gulf Trail <ul style="list-style-type: none">shared use trail from the Ningaloo Centre to the Exmouth Gulf beach and incorporating a Ningaloo Centre Trail Head and Exmouth Gulf lookout.	✓✓	\$245,000	Medium Term
Four Wheel Driving			
Ningaloo Yardie Creek Road provides a significant contribution to iconic 4WD experiences along the Ningaloo Coast.	✓	Trail head sign, interpretation and way marking \$15,000	Short Term
Sandy Bay Track proposed as a new land journey Regional drive loop which (subject to land transfers and approvals) links Learmonth to the Ningaloo Yardie Creek Road across the range	✓	Upgrading of eroded sections of existing track and signs \$50,000	Short Term

Image: 2 Oyster Stacks Ningaloo Marine Park





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1 Introduction

1.1 Purpose of the Master Plan

The Shire of Exmouth is seeking to develop recreational trails to improve outdoor recreational opportunities and connections for residents, showcase the area's unique environment and attract visitors.

Occupying 6,261 square kilometres at the tip of North West Cape (1,270 kilometres north of Perth), the Shire of Exmouth has a current population of approximately 2,700 people, most living in the town of Exmouth. The population increases dramatically during the tourist season between April and October. Exmouth is a growing regional centre for tourism, the fishing industry and services for the off-shore oil and gas industry.

Economic expansion and town improvements under the Royalties for Regions program are expected to lead to population and tourism growth and increasing demand for recreation and tourism opportunities. The Ningaloo Centre at Exmouth is being developed to provide a focus point for the community, researchers and visitors.

The Shire's attractiveness as a place to live and visit centres around its pristine, unique and significant marine environments and spectacular arid landscapes. The natural beauty and biological diversity of the area was recognised in June 2011 when the World Heritage Committee inscribed the Ningaloo Coast on the World Heritage List.

World Heritage listing recognises the outstanding universal value of the area's diverse and abundant marine life, its amazing cave fauna and the spectacular contrast between the colourful underwater scenery and the arid and rugged land of the Cape Range.

The boundary encompasses what the World Heritage Committee considered to be the Ningaloo Coast's key marine and terrestrial values of outstanding universal value.

On-ground management of the Ningaloo Coast is principally undertaken by the Department of Biodiversity, Conservation and Attractions (DBCA)³.

The World Heritage listed Ningaloo Coast attracts visitors from around the world. The Ningaloo Marine Park contains a highly diverse sub-tropical coral reef (the longest fringing coral reef in the world) and spectacular marine life. The long beaches, spectacular cliffs and ancient gorges of Cape Range National Park are a stunning contrast to the area's turquoise waters.

There is a strong focus on marine activity including snorkelling and kayaking in the area. Rocky gorges and spectacular canyons offer hiking and walking, with several trails and 4WD tracks taking visitors to special places and lookouts offering spectacular views over the range, Ningaloo Reef and Exmouth Gulf.

The land and waters in the Exmouth area, including areas with potential for trail development, are held and managed under a range of tenures and management arrangements. Land tenure includes freehold, Crown Land, Department of Defence Land, historical sites, pastoral leases, Unallocated Crown Land, land under the care and control of the Shire of Exmouth, Water Reserves and substantial land within the Cape Range National Park and other Crown Reserves managed by the Department of Biodiversity, Conservation and Attractions (DBCA).

³ <http://www.environment.gov.au/heritage/places/world/ningaloo>

The Ningaloo Trails Master Plan is intended to address:

- ▶ the current situation of trails in the Shire of Exmouth
- ▶ the context, trends and markets in trails in Australia and internationally
- ▶ the appropriate mix and standard of trail experiences to be provided to meet market needs (both community and visitors)
- ▶ current events and opportunities for improvement
- ▶ sustainable management, maintenance and partnerships for trail networks
- ▶ investment needs and opportunities
- ▶ social and economic benefits from trails. What are Trails.

The Draft Western Australia Strategic Trails Blueprint defines trails as pathways or routes that are developed and/or used for commuting and travel, recreation, tourism and appreciation of natural and cultural values.

Trails may be:

- ▶ short or long
- ▶ part of a trail network or a single journey
- ▶ used for one activity or shared by several different uses
- ▶ primarily used by local residents or form a visitor attraction
- ▶ purpose-built paths or routes designated by signage and information.

Many trails are developed as local community infrastructure and as a visitor experience with associated products, services, accommodation and interpretation (TRC 2016)⁴.

Trails covered by the Ningaloo Trails Master Plan include non-motorised and motorised trails and have a strong connection between land and water reflecting the landscape and Exmouth experience.

1.2 Trends in Trails Use and Development

There has been a global increase in the development, use and demand for trails reflecting growth and change in participation in outdoor activity and the trend to experience-based tourism in which visitors seek more immersive and authentic ways to experience people and places. World-wide the development and use of trails for local leisure activities and tourism has been expanding. Trails are now an integral part of the lifestyle of many communities and of many tourism destinations.

Walking and bushwalking as ways of experiencing natural environments have been joined by mountain biking, horse riding and trail running, and the emerging trend of riding electric bikes. The growth of paddling and underwater sports has led to demand for water-based trail facilities, while the popularity of four-wheel driving and off-road trail biking has resulted in development of trails and routes for these activities. Trails also provide ways to experience and interpret cultural features in addition to the natural environment. Art and culture trails inspire the trail user through a progression of art works or cultural features that link to landscape, culture, history or people and can significantly add value to the trail experience.

Many of these new activities have a strong lifestyle and/or adventure focus and have motivated supporters who are closely involved in the development and maintenance of trails and trail events. The provision of well-constructed trails is vital to ensure that these activities are undertaken in a way that protects natural and cultural values and is environmentally and socially sustainable over the long term whilst offering excellent experiences for participants. Consumers are increasingly seeking trails that facilitate their overall enjoyment and appreciation of an area and now expect trails to provide 'total experiences' through the provision of supporting services, visitor products, interpretation and accessible information.

⁴TRC 2016. *Draft Western Australia Strategic Trails Blueprint 2016 -2021*, Draft Report for WA Trails Reference Group, TRC Australia.

The growth in the range of people seeking support to explore natural areas (including growth in the retiree generation) has resulted in development of 'soft adventure' trails and guided or self-guided experience packages that provide information, accommodation, transport and equipment.

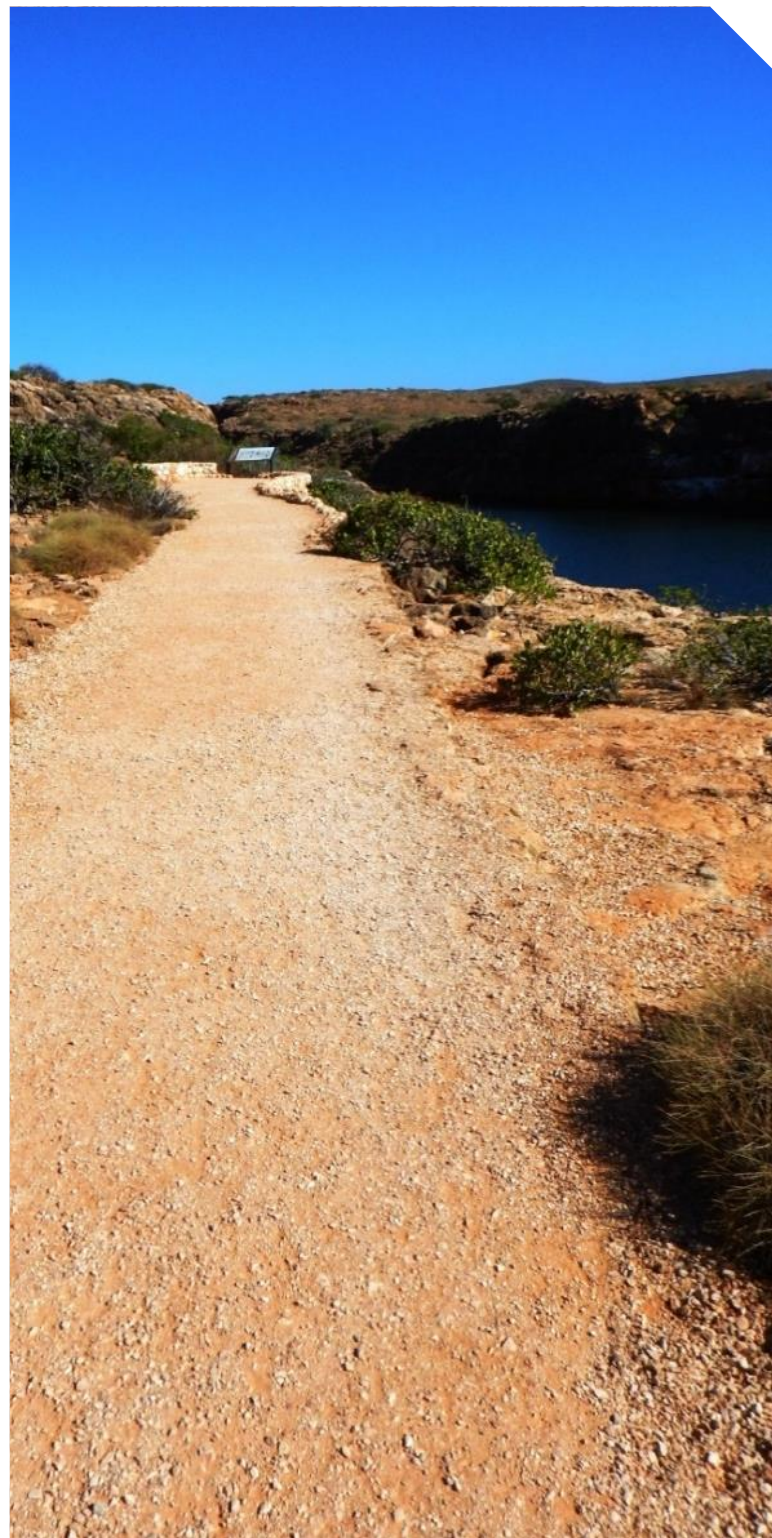
People are also using digital technologies (such as smartphones and apps) and social media to access information about trails and record their trail activities. There are increasing expectations for delivery of trail interpretation through digital sources.

1.3 Benefits of Trails

Globally the provision of trails has been shown to lead to multiple health, lifestyle, social and economic benefits for communities, including:

- ▶ encouraging more outdoor physical activity leading to improved physical and mental wellbeing
- ▶ improved lifestyle opportunities
- ▶ low cost facilities for recreation accessible to many different groups in the community
- ▶ improved awareness of and appreciation of the natural environment and support for its protection
- ▶ economic benefits from employment and business opportunities in trail development, management, maintenance, events and supporting products and services
- ▶ tourism growth to trail destinations with resulting economic stimulus of local economies
- ▶ protection and showcasing of natural, cultural and historic areas by providing sustainable access
- ▶ improved sustainability of local communities by making them more attractive places to live
- ▶ opportunities for social interaction and development of community identity through participation in trail activities, maintenance and conservation⁵.

Image: 3 Yardie Nature Trail



⁵ TRC 2016. *Draft Western Australia Strategic Trails Blueprint 2016 -2021*, Draft Report for WA Trails Reference Group, TRC Australia

1.4 Trail Classification

As a tool to understanding the roles and functions performed by different types of trails, in this Master Plan trails are classified according to their state, regional and local significance.

Table 1. Trail Classification

Classification	Attributes
State trail	<ul style="list-style-type: none">▶ An extended trail or trail network that is of sufficient quality and with appropriate facilities, products and services to be recognised beyond the State and to attract visitors to WA.▶ Significant intrastate and interstate (and some international) visitation, interest and appeal.▶ Showcases the State's significant natural and cultural landscapes.▶ High standard of management and promotion.▶ Government priority support at the state and regional level.▶ Some trails of State significance have the potential to be developed as world-class trail experiences uniquely representative of Australia's natural and cultural landscape values and attracting international visitation. Such trails (for example Tasmania's Overland Track and Victoria's Great Ocean Walk) are destinations in their own right. They have a high standard of infrastructure and facilities and are supported by high-yield tourism products, accommodation and services.
Regional trail	<ul style="list-style-type: none">▶ A major trail or trail network that services a population centre or large regional community, with facilities and services of a standard and appeal that could attract visitors from outside the region.▶ Quality infrastructure and facilities appropriate to the type of trail and use.▶ Supported by viable trail-based and associated regional tourism facilities, products and services.▶ Representative of a region's natural and cultural landscape values.▶ Well managed and promoted.▶ Regional government priority support.
Local trails	<ul style="list-style-type: none">▶ A trail or trail network that services the local community and provides facilities suited to local use.▶ May also be used by visitors.▶ Infrastructure, facilities, services and programs appropriate to the type of trail and use.▶ Some local trails may have potential for development to regional status.

2 Planning context

2.1 Economic development

Trail development in the Shire of Exmouth is part of broader initiatives to diversify the economy and enhance quality of life in the Shire in a way that is sustainable and values the natural and built heritage. Tourism is a major contributor to the Shire's economy. Outcomes sought in the Shire's **10+ year Strategic Community Plan**⁶ related to trail development are:

- ▶ Diverse tourism opportunities
- ▶ To maintain and improve access and connectivity to our natural assets
- ▶ To be a leader in eco-friendly initiatives and innovations
- ▶ To make Exmouth an attractive town that is a comfortable and welcoming place to live and visit, and reflects our lifestyle values and unique natural environment
- ▶ Excellent lifestyle, recreational and cultural facilities
- ▶ Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing.

Land use, environmental, infrastructure, economic and community planning in Exmouth comes within the broader goals and strategies set for the wider Gascoyne Region. In the **Gascoyne Regional Planning and Infrastructure Framework 2015**⁷ Exmouth is recognised as a growing regional centre for tourism, the fishing industry, marine services and services for the offshore oil and gas industry that will require investment in infrastructure.

The **Gascoyne Regional Investment Blueprint**⁸ outlines current, proposed and possible tourism, infrastructure and service developments in Exmouth that are expected to stimulate tourism, economic and population growth. Improvements to the town centre, recreational facilities, the foreshore and airport have been carried out with contributions from the Royalties for Regions program. The Ningaloo Centre - an eco-friendly multipurpose centre which will include facilities for environmental research, education, exhibitions, visitors and the community - is under construction.

The purchase in August 2017 of the Ningaloo lighthouse Holiday Park at Vlaming Head by Mining magnate Andrew Forrest is likely to see new investment in accommodation range and capacity with linked demand for new and innovative visitor experiences. A spokeswoman for Andrew and Nicola Forrest quoted in the West Australian newspaper their support for eco-tourism in the North West and promoting marine ecological awareness.

"We believe in promoting marine ecology awareness, while encouraging active, population-wide engagement and appreciation of our globally-unique coastal wilderness," she said.

"The biodiversity and sustainable beauty of our fragile North-West shorelines can be enjoyed by all, if we never take it for granted⁹.

⁶ Shire of Exmouth (2011). *10+ Year Strategic Community Plan 2011*.

⁷ Department of Planning and Western Australian Planning Commission (February 2015). *Gascoyne Regional Planning and Infrastructure Framework*.

⁸ Gascoyne Development Commission (2015). *Gascoyne Regional Investment Blueprint*.

⁹ The West Australian Wednesday, Tom Zaunmayr | Pilbara News, 23 August 2017

2.2 Tourism Planning

Tourism development in Exmouth is guided by two regional tourism strategies¹⁰ that seek to:

- ▶ Improve visitor products, experiences and infrastructure to encourage visitors to stay longer, travel more widely and spend more
- ▶ Provide a greater diversity of visitor opportunities
- ▶ Attract more high yielding visitors by providing experiences and packages that meet their expectations.

Improved trail infrastructure and trail-related experiences that showcase natural and cultural assets and provide opportunities for value-adding products and learning are potential elements in building the tourism offer for diverse markets. Development of this Ningaloo Trails Master Plan is identified as a priority in the 2014 *Gascoyne Tourism Strategy*. The *Ningaloo-Shark Bay National Landscape Experience Development Strategy* focusses on development of experiences for the global *Experience Seeker* market and similar domestic markets – people who seek new and authentic experiences of a destination and its people and associated learning opportunities through interpretation and storytelling. The Experience Development Strategy aims to deliver quality visitor experiences centred around three themes – *Unexpected Encounters* (with the region's people and places); *Outback and Ocean Discovery* (experiencing the region's juxtaposition of rugged, arid landscapes with the ocean); and *Conservation through Participation* (opportunities for learning and participation in conservation).

Recommended opportunities with potential implications for trail development are:



- ▶ Improved exposure to the environment and wildlife, such as through sea kayaking, snorkelling, scuba diving and exploring on foot



- ▶ Sea and land journeys by drive trail (such as a regional drive loop), 4WD, tag-a-long tours, sea kayak and foot



- ▶ Baiyungu Track (a proposed 320 km track along the coast from Quobba to Exmouth) that would provide opportunities for walking, mountain biking and sea kayaking.

¹⁰ Gascoyne Development Commission (15 October 2014). *Gascoyne Regional Tourism Strategy*, prepared by Kadar Pearson & Partners Pty

Ltd; TRC Tourism (June 2014), *Ningaloo-Shark Bay National Landscape Experience Development Strategy*.

2.3 Trail Planning Considerations

Development of trails in the Shire of Exmouth needs to take into account the protection and showcasing of the area's significant natural and cultural assets, community needs and future sustainability of trails. Depending on their location and the tenure of the area, trail opportunities, planning and development will be guided by the provisions of land use plans, protected area management plans and other land and sea management arrangements including:

- ▶ Exmouth Townsite Structure Plan¹¹, Exmouth South Structure Plan, Town Centre and Foreshore Revitalisation Plan¹² and the Shire of Exmouth Local Planning Scheme and Local Planning Strategy for Shire of Exmouth designate the uses and development controls for particular areas. The Strategy identifies the need for the improvements to the pedestrian/cycleway network particularly within the town centre, greater connectivity between the town centre and the Exmouth Gulf foreshore through pathway upgrades and maintenance and the introduction of signage and wayfinding elements given the prevalence of tourists in unfamiliar territory. The Strategy also recommends the use of natural drainage lines within the town centre as a safe pedestrian and cycleway movement corridor.¹³ Changes to the Local Planning Scheme are planned to take effect in 2017.
- ▶ Water Source Protection Plans produced by The Department of Water and implemented by the Water Corporation establish the level of protection required within Water Reserves. The *Exmouth Water Reserve Water Resource Protection Plan 2000* (reviewed in 2011) provides the basis for establishing compatible land use and ensuring the long term protection of the Exmouth community's groundwater resource. The current Exmouth Water Reserve includes Priority 1 (P1) source protection areas defined to ensure there is no degradation of the water source. Wellhead Protection Zones are defined as a 500 metre radius around each production bore in a P1 area. Recreation in these zones should be avoided to

protect water quality and public health. The area outside of the wellhead protection zones but still within the Exmouth Water Reserve is referred to as the outer catchment. Some recreation (such as activities by individuals and small groups) can occur in the outer catchment.¹⁴ The Exmouth Water Reserve is situated immediately west and south of the town and there is community interest in undertaking trail based recreation in parts of the outer catchment of the Exmouth Water Reserve.

- ▶ *Cape Range National Park Management Plan*¹⁵ is a statutory plan under the *Conservation and Land Management Act 1984*. The Plan provides for the protection and management of the park's natural and cultural values and appropriate and permissible visitor infrastructure and uses (including walking, cycling and driving and commercial operations) and provides guidance for trail management and future trail development
- ▶ *Management Plan for the Ningaloo Marine Park*¹⁶ is a statutory plan under the *Conservation and Land Management Act 1984* for the State marine park over the Ningaloo Reef and associated marine areas. It provides for protection and management of the marine environment and visitor use, including zoning of areas for different levels of permissible use. The provision of sea kayaking and dive trails is envisaged as a way to minimise visitor impacts on ecological values as visitation increases.
- ▶ Other land tenure and managements arrangements that may need to be taken into account in identification of trail opportunities and in trail development:
 - ▶ Giralia Station, former pastoral lease land proposed for addition to the conservation estate which is now managed by DBCA
 - ▶ Department of Defence Land – Including the Naval Communication Station Harold E. Holt at North West Cape and associated lands including a disused air defence radar site near Vlamingh Head and the Learmonth Air Weapons Range south of Cape Range National Park.

¹¹ Taylor Burrell Barnett (August 2011). *Exmouth Townsite Structure Plan*, prepared for Department of Planning and Shire of Exmouth.

¹² TME Town Planning Management Engineering Pty Ltd (October 2013). *Exmouth South Structure Plan*, prepared for the Shire of Exmouth.

¹³. *Local Planning Strategy for Shire of Exmouth*.

¹⁴ Water and Rivers Commission (2000). *Exmouth Water Reserve Water Catchment Source Protection Plan 0* (Reviewed 2011)

¹⁵ Department of Environment and Conservation and Conservation Commission Western Australia (2010). *Cape Range National Park Management Plan No 65*.

¹⁶ Marine Parks and Reserves Authority and Department of Conservation and Land Management (2005). *Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area, 2005-2015*.

2.4 State Strategic Trail Blueprint

The Ningaloo Trails Master Plan fits within a State-wide planning structure which guides consistent planning, development and management of trails throughout the State through:

- ▶ *Western Australian Strategic Trails Blueprint 2017-2021* (in preparation) which provides broad principles, guidelines and strategies for trail planning, development and management
- ▶ State-wide Activity-Based Trail strategies – to date for cycling, mountain biking, equestrian and trail bike riding activities
- ▶ regional trails master plans and localised trail plans.

Key strategies in the Blueprint are:

Effective governance to coordinate and facilitate trail development, management and promotion among the range of stakeholders

Consistent and collaborative planning at the state, local and regional levels

Sustainable trail design and maintenance

A sound knowledge base to assess trail demand, use and impacts; inform management and enable adaptation to changes over time

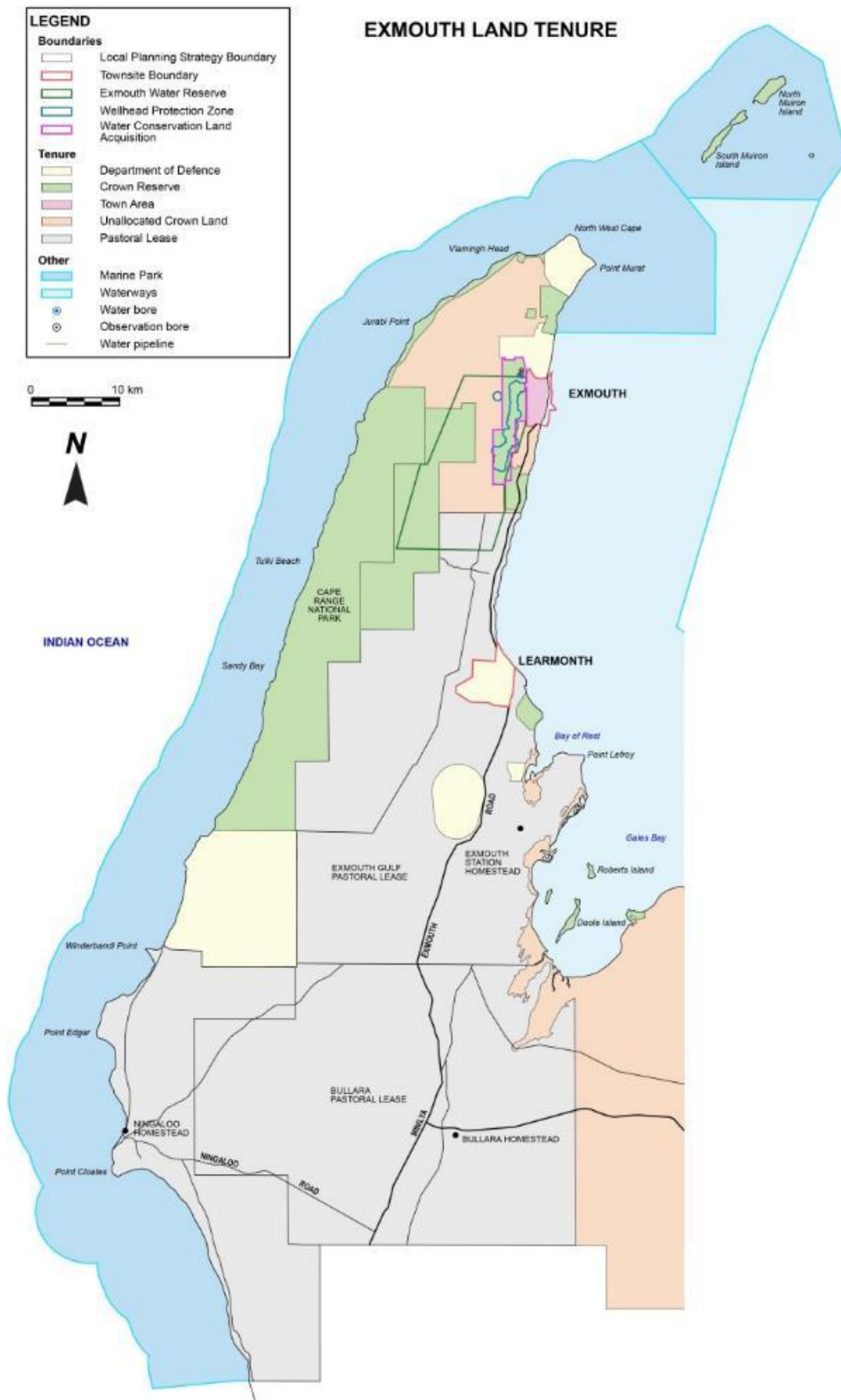
Community engagement to encourage community stewardship for trails and participation in management

Investment and financing sources to support trail development, management and maintenance

Building greater trail use and awareness through improved facilities, interpretation, events, promotion and marketing

Growing the visitor economy through high quality trail experiences that attract visitors and contribute to business and local economic development.

Map 2 Exmouth Land Tenure



3 Demand for Trails at Exmouth

3.1 Local Residents

Current and potential use of trails by the local community within the Shire of Exmouth includes:

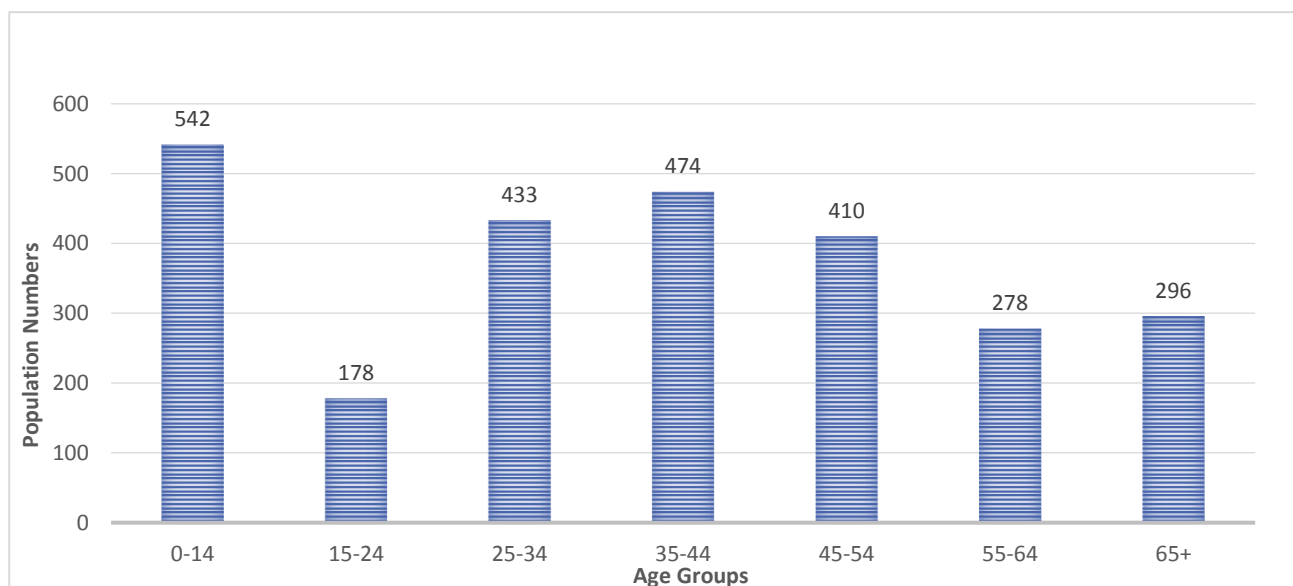
- ▶ commuting to work, school and other local destinations on foot or bicycle
- ▶ trail-based recreation activities such as walking, running, cycling, mountain biking, kayaking, snorkelling and diving
- ▶ accessing and enjoying local parks, beaches and conservation areas
- ▶ outdoor activities by school, youth and health groups.

The estimated resident population of the Shire of Exmouth in 2014 was 2,611 people, most of whom live in and round the town of Exmouth (see Figure 1). The relatively large number of children aged under 14 (20.8%) is likely to affect demand for trails and trail-based activities suitable for these age groups and families. On the other hand young adults (aged 15 to

Figure 1 Shire of Exmouth estimated resident population, 2014¹⁸

24) form only 6.8% of Exmouth's population as many in the age group leave the region for education and employment. About 50% of the population is between the ages of 25 and 54. The 11.3% of the population over 65 years is expected to increase in accordance with general aging population trends. With the trend to people living healthy lifestyles and exercising later in life, demand for trails could be expected among the older age groups.

With an anticipated increase in employment opportunities associated with economic expansion and infrastructure developments, the Gascoyne Development Commission considers that Exmouth's resident population could grow to 4,469 people in 2026 and 4,604 people in 2051¹⁷. This would entail an associated expansion in local demand for recreation.



¹⁷ Gascoyne Development Commission (2015), *Gascoyne Regional Investment Blueprint*.

¹⁸ Australian Bureau of Statistics, *Regional Profile for Exmouth LGA, 2014*, Regional Statistics by LGA, 2010-2014, 1379.0.55.001.

3.2 On line Survey

During development of this Master Plan an online survey was conducted of the views of local community members and stakeholders on trails use and development.

A total of 41 responses were received which is a relatively small sample size but does provide an indication of the thoughts of the local community.

The survey questions and summarised responses included:

1. What type of trails people would use and an idea of how often they would be used?

The top five trail activity responses were:

1. Short walks (up to 5km)
2. Easy Mountain Bike Trails
3. Intermediate Mountain Bike Trails
4. Snorkel/scuba trails
5. Four wheel driving

The respondents advised they would use short walks, easy, intermediate and difficult mountain bike trails and road cycling and horse riding daily whilst easy and difficult mountain bike, snorkel/scuba, and short walks would be undertaken weekly

Respondents considered occasionally using longer walks 5 km plus, kayaking, snorkel/scuba and short and overnight walks.

2. Does the draft vision for Exmouth trails reflect their views regarding the future for trails?

Most respondent agreed with the draft vision.

3. What contribution people could offer to trails?

Of the 41 respondents 29 out of 41 people were interested in contributing to trails in some way.

The types of contribution that people could offer to trails from most responses to lowest are:

- a) Trail promotion (24)
- b) Trail monitoring (23)
- c) Trail maintenance (17)
- d) Assistance with trail construction (16)

Respondents recognised the marine emphasis but were keen to see a focus on new land trails in the Exmouth region. Trails were discussed that could provide access to areas that showcase the rugged beauty of the terrestrial landscape and ocean including the cape to the gulf trails and links to Exmouth.

Several responses indicated the desire for a cross the range trail e.g. Yardie Creek Caravan Park to Town and further south from the top of Charles Knife Road with links to drop off and pick up for locals that could be popular for visitors.

Mountain biking or hiking experiences were sought across the Cape Range picking up on the gorges and links to existing trails in Cape Range National Park.

The comments identified a desire for a mountain bike hub, range crossing rides, skill based technical and flow trail rides, links to small trails and skills track, BMX and pump track close to town, notably near the ovals that could be the hub and information centre of the trail network system.

Links along the Exmouth town coast and links to Bundegi Beach for visitors and locals to enjoy the views and nature.

Respondents were keen to see a trail plan in place and as evidenced through this short survey they have great ideas to share and believe investment in land trails will be beneficial to residents and tourist alike.

A full summary of the online survey can be seen in Appendix A.

3.3 Exmouth Visitors

The town of Exmouth is a major visitor hub for the Gascoyne Region and a major gateway to the Ningaloo Coast World Heritage Area which includes the Ningaloo Marine Park and Cape Range National Park. Holiday visitation is concentrated between April and October when daytime maximum temperatures are between 30°C and 24°C compared with the extreme heat of the summer months when temperatures often exceeds 40°C or 50 °C. During the main holiday period the Shire of Exmouth's population is swelled by visitors and seasonal workers to reach an estimated 7,500 people at any one time¹⁹. Most visitors arrive by private vehicle.

Visitation to Exmouth and Gascoyne Region is summarised in Table 2. Estimation of Exmouth's visitation is limited by the small sample size of data obtained from the National and International Visitor Surveys²⁰. The Shire of Exmouth's total annual average overnight visitation between 2012 and 2015 was estimated as 97,000 visitors²¹. The Gascoyne Region (which in addition to Exmouth includes the Shire of Carnarvon and the Shark Bay World Heritage Area) received an average of 261,900 overnight visitors in the years ending December 2014 and 2015²².

Most visitors to the Shire of Exmouth and the Gascoyne Region are domestic visitors. The main purpose of visiting is for a holiday or leisure – 71% of domestic overnight visitors and 94% of international visitors are holiday or leisure visitors²³.

About 46% of domestic overnight visitors to the Gascoyne Region are aged between 25 and 44 years travelling as family groups or adult couples. Grey Nomads – older retired people travelling around Australia or from the south of Western Australia for the winter - are a major component of visitors and often stay in the area for extended periods²⁴.

The main sources of international visitors to the region are Germany, the UK, the US and other European countries– countries with strong trail sectors and whose travellers are among the most inclined to use trails. International visitors tend to be aged between 25 and 44 years and travel alone (46%) or as adult couples (33%). Some international visitors are on working visas and seek seasonal work.

Visitors stay relatively long periods in Exmouth and the Gascoyne Region and for this reason are likely to seek a variety of activities during their stay.

Table 2 Summary of visitation to Exmouth and Gascoyne region

Visitors	Shire of Exmouth (Annual average 2012 – 2015) ²⁵			Gascoyne Region (Annual average 2014 – 2015) ²⁶		
	Nos.	%	ALOS	Nos.	%	ALOS
International	24,000	24.7%	9 nights	42,900	84%	9.2 nights
Domestic Overnight	73,000	75.2%	8 nights	219,000	16%	7.1 nights
TOTAL	97,000			261,900		

¹⁹ Shire of Exmouth (2016), *Shire of Exmouth Budget 2015/16*.

²⁰ Gascoyne Development Commission (15 October 2014), *Gascoyne Regional Tourism Strategy*, prepared by Kadar Pearson & Partners Pty Ltd

²¹ Tourism Research Australia (2015), *Local Government Area Profiles, 2015 – Exmouth, Western Australia*

²² Tourism Western Australia (2015), *Gascoyne Development Commission Area – Overnight Visitor Fact Sheet 2015/2015-* Not that this visitor estimate is made over a different time period that the 2015

Exmouth visitor profile and the two estimates are not directly comparable

²³ This and the following information is obtained from Tourism Western Australia (2015)

²⁴ Tod Jones et al (2009), *Ningaloo coast region visitor statistics: collected for the Ningaloo destination modelling project*, Cooperative Research Centre for Sustainable Tourism

²⁵ Tourism Research Australia (2015)

²⁶ Tourism Western Australia (2015)

Camping and caravanning are major activities and modes of accommodation (used by over half of domestic and international visitors to the region). In the Shire of Exmouth the main camping destinations are Cape Range National Park, the North West Cape area and caravan parks and camping areas in the town of Exmouth.

Exmouth is also developing as a cruise ship destination with several visits annually from international and Australian cruises.

Exmouth has small (but potentially increasing) visitation from education and research visitors associated with conservation and research programs in the Ningaloo Coast World Heritage Area and conservation volunteers in the Ningaloo Turtle Program²⁷. This visitation may increase with the completion of the Ningaloo Centre at Exmouth which will provide research, education and training facilities.

Image: 4 Exmouth Water Catchment



A visitor survey²⁸ conducted in 2007 and 2008 provides some insight into the characteristics and activities of overnight visitors to the Shire of Exmouth and their potential interest in trail and trail products. The survey found:

- ▶ Cape Range National Park had the greatest concentration of interstate and international visitors who tended to travel as couples. They had a strong orientation to the natural environment and snorkelling, relaxing on the beach and sightseeing were their most popular activities (undertaken by over 70% of respondents). Smaller numbers undertook tours, scuba diving, swimming with whale sharks and surfing or windsurfing
- ▶ Visitors staying on the Northwest Cape tended to be older Western Australians camping or staying for long periods in camping areas or caravan parks. Their interests tended to lie in sightseeing, boat based fishing and snorkelling, with lesser interest in tours and other water-based activities
- ▶ Overnight visitors to the town of Exmouth tended to be younger, to travel in a mix of different groups and stay for shorter periods in the region. Sightseeing and snorkelling were important trip activities, followed by fishing, tours, scuba diving and swimming with whale sharks. Cape Range National Park was a major day destination for these visitors.

However interpretation of the study findings needs to take account of the opening of more accommodation, facilities and nature-based products since that time.

The trails and water-based experiences at Yardie Creek in Cape Range National Park receive strong ratings from TripAdvisor reviews due to the area's environment, gorge scenery, wildlife, geology and quality of the boat tour. The area received 88 reviews on TripAdvisor in 2016 of which 62% rated the Yardie Creek experience as excellent and 24% as very good²⁹.

²⁷ <http://www.ningalooturtles.org.au/jurabi.html>

²⁸ Tod Jones et al (2009).

²⁹ https://www.tripadvisor.com.au/Attraction_Review-g488342-d9718231-Reviews-Yardie_Creek-Exmouth_Western_Australia.html#REVIEWS



Image: 5 Shothole Canyon

4 Current Situation

4.1 Current Trails and Trail Use

The community of Exmouth has a small but growing interest in trails and trail based activity including casual walkers, runners and horse riders and mountain bikers. Non-motorised trail-based recreation occurs on fire trails, beaches, on trails in Cape Range National Park and on informal trails and routes. There are no formal mountain bike trails in the area, although mountain biking is being developed with the approval of DBCA on the Badjirrajirra Walk in Cape Range National Park. This trail will be developed as a shared use trail however at present the mountain biking experience requires a high skill level due to the level of difficulty. Exmouth's small enthusiastic mountain bike group is seeking the development of a range of mountain bike trails and a skills park. Four wheel driving occurs on the Yardie Ningaloo Track and some designated beaches.

Current trail experiences for visitors are focussed around the Cape Range National Park, on the Cape Range and day kayaking in Ningaloo Marine Park.

Trail activity is highest during the cooler winter months when there are more visitors around and conditions are much better for comfortable trail based activities. Local residents and some visitors still undertake activities on trails during the warmer months but participate in the cooler part of the day. Experienced walkers on the Cape Range avoid the gorges during warmer weather and stick to the exposed ridges to take advantage of the cooler breezes.

The current trails in the area are summarised in Table 3.

Map 3 Existing trail locations

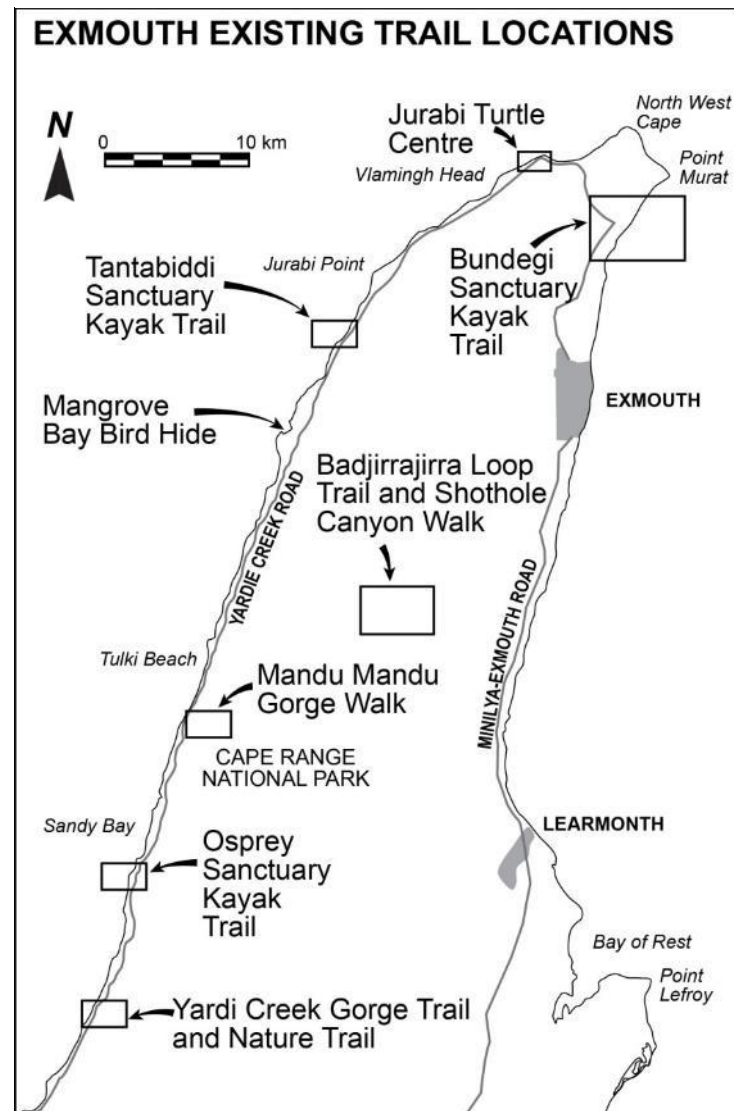













Table 3 Current Trails and Trail Activities in the Shire of Exmouth

Activity	Location	Trail Description	Experience	Significance
Walking, bushwalking and hiking 	Cape Range National Park	Mandu Mandu Gorge Walk Gorge Walk, 3 km loop, 2 hours return Class 4. Steep gradients, rough uneven surfaces. Provides access through and on top of the gorge on the western side of Cape Range.	Terrain features exposed ridges, major rock outcrops, vertical cliffs and overhanging rock walls.	Regional and local
		Yardie Creek Gorge Trail 800 meters linear trail, 1 hour 20 minutes, class 4. Steep gradients, rough uneven surfaces. Provides access through and on top of the Yardie Creek Gorge.	Short walk providing a unique arid zone water-filled gorge experience.	Regional and local
		Yardie Nature Walk 1.2 km linear trail, class 2. Short walk providing access to Yardie Creek Gorge and views.	Short walk suitable for a range of visitors and abilities. Views of exposed ridges, major rock outcrops, vertical cliffs and overhanging rock walls. Showcases rock pools and other permanent water features.	Regional and local
		Badjirrajirra Walk Top of the range 8 km loop walk, 3 hours, class 4. Steep gradients and rough uneven surfaces.	Views of deeply eroded canyons on the eastern side of Cape Range including deeply eroded canyons and well defined valleys with heavily dissected steep slopes and numerous lateral tributaries.	Regional and local
		Mangrove Bay Bird Hide Walk 100 metre, 10 minutes loop trail, class 3 Access to bird hide on formed surface with board walk sections.	Very short, easy walk providing bird watching opportunities and wading bird interpretation. Provides a coastal wetland experience with intermittent watercourses, saline mudflats and inundated tidal zones that contrast with surrounding terrestrial and vegetation features.	Regional and local
		Shothole Canyon Walk 100 metre, 15 minutes return trail, class 3. Steps to a lookout.	Very short lookout walk to a lookout with views down Shothole Canyon.	Regional and local

Activity	Location	Trail Description	Experience	Significance
	Town of Exmouth	Shared use Trails There are a number of shared use and fire trails that follow the coast generally behind the dunes and circuit the town on access tracks with some indistinct trails that follow water courses. The new developments around the marina include footpaths and crossings over the footbridge bridge at Horwood Quays. Beach Access Public access for vehicles is permitted other than between the Town Beach and the Yacht Club and the Marina area.	The town tracks are not marked or promoted and there is often little definition between the Water Reserve lands where access is restricted. The shared use trails behind the dunes are valuable for public access but these are again not well marked and do not provide direct access to the beach from the town centre and accommodation within the town. There is currently no access from the horse block area south of the Marina to the Pony Club or the beaches north of the Marina	Local
	Bundegi Coastal park	Bundegi Coastal Park Tracks The Coastal Park has a number of informal tracks that run behind the dunes and to the Murat Road. There is also a track behind the beach that leads to the boundary of the defence land.	Limited good trail experience with these tracks other than vehicle access	Local
Trail Running 	Fire Trails, Walking Trails	Running occurs on shared use and fire trails around Exmouth and existing walking trails.	Fire trails and informal trails are a valuable resource for casual running. However limited direct access to the beach and no defined access into Water Reserve	Local
Mountain Biking 	Fire Trails, Badjirrajirra Walk	There are no defined purpose-built mountain bike trails in the Shire. Existing mountain biking occurs on fire trails around Exmouth, on informal trails and on the Badjirrajirra Walk with the approval of DBCA in Cape Range National Park	Informal trail experience that is significant for the small but growing mountain biking community in the Exmouth area.	Currently informal use with local significance.
Cycling 	Exmouth to the Base	There is one purpose-built 4 km cycle trail to the Naval Communications Station Harold E Holt Base.	The cycle trail provides a small contribution to commuting and recreational cycling around Exmouth. It also and connects with a 1.5 kilometre sealed road access to the beach south of Bundegi.	Local

Activity	Location	Trail Description	Experience	Significance
Shared use Trails 		There are no defined shared-use trails in the Shire. Mountain Biking and walking occurs on existing Badjirrajirra Walking Trail within Cape Range National Park. The trail has not yet been formally identified as shared use but mountain biking has been approved by DBCA.	Badjirrajirra Walk provides Important contribution providing the only cycling and walking access to the Deeply eroded canyons and well defined valleys. Trail requires modification and maintenance as currently classed as difficult for mountain biking	Currently shared use with local significance.
Horse Riding 	North of Town Beach through to Bundegi to the boundary of the Defence Land north of Bundegi. South of Marina	<p>Horse riding occurs mainly on beaches.</p> <p>Beach access is provided for several horse owners on residential blocks on the south side of Exmouth.</p> <p>Horses are ridden or floated to beaches north of the Marina including Bunbegi.</p>	<p>Beach access trails are important but are not continuous due to development and structures</p> <p>Popular beach ride is from Bundegi Beach back to Exmouth.</p> <p>Horse riders have expressed a desire to access trails across Cape Range, horses are not permitted in the Water Reserve</p>	Local.
Four Wheel Driving 	<p>Ningaloo Coast</p> <p>North of Town Beach through to Bundegi to the boundary of the Defence Land north of Bundegi. South of Marina</p>	<p>Yardie Ningaloo Track</p> <p>This track traverses the Ningaloo Coast area between Cape Range National Park and the township of Coral Bay to the south. Access is subject to water depths which can affect the crossing of Yardie Creek at the northern end of the track.</p> <p>Other 4WD trail experiences are limited to some beaches on Exmouth Gulf.</p> <p>Four wheel driving is not permitted on Defence Land. Vehicle access to beaches is not permitted in Cape Range National Park.</p> <p>Sandy Bay Track</p> <p>Currently located on land proposed for addition to the public conservation estate and Cape Range National Park with limited off road vehicle use.</p>	<p>The Yardie Ningaloo Track is an iconic 4WD experience along the Ningaloo Coast. However, the experience is subject to the reliability of access across the mouth of Yardie Creek</p> <p>The 4WD access to beaches is generally for other beach recreation such as fishing and not a specific trail experience. Sandy Bay Track currently limited experience until land tenure arrangements are complete</p>	<p>Yardie Ningaloo track has the potential to be 4WD trail of state significance.</p> <p>Local</p>

Activity	Location	Trail Description	Experience	Significance
Motor Cycling 		There are no specific motor cycling trails in the Shire other than the Yardie Ningaloo Track for registered vehicles.	Trail experience defined to on beaches and the Yardie Ningaloo Track.	
Kayak Trails 	Ningaloo Marine Park	DBCA provides kayaking experiences of 1 to 3.5 kms short kayak trails to snorkelling sites where kayak mooring buoys are provided for kayak-based snorkelling.	The kayak trails are an important contribution to the Ningaloo and Exmouth experience by providing unique access to the reef and Yardie Creek. Kayaking experiences are served by kayak tour and hire business State, regional and local significant trails providing unique access inside the fringing reef and to Yardie Creek.	Regional and local
	Yardie Creek Gorge	A 1.2 km paddling trail along Yardie Creek Gorge. Landing is limited to the northern bank to protect the wildlife sanctuary for the Black-flanked Rock Wallaby.		
Underwater Activities (snorkelling, scuba diving) 	Various	Snorkelling and scuba diving is undertaken and promoted at a number of sites on the Ningaloo Coast. However, currently there are no defined trails.	Limited current significance as trail experience. However snorkelling is one of the iconic Ningaloo experiences.	
Art and Culture 		There are no trails specifically designed to showcase art and culture.		

4.2 Strengths and Challenges

The distinctive features of the Exmouth area are its pristine reef, beach and marine environments and the rugged nature of the Cape Range – all of which are recognised through the Ningaloo World Heritage listing. The area's distinctive natural assets provide setting for some potentially unique trail experiences capable of attracting domestic and international visitors. However, due to the visitor focus on the reef, the climatic conditions (very hot summers) and distance from large population centres, the majority of future trail activities are likely to be focused on development of trails of local and regional trail significance. For most visitors to the area, it is likely that trails will form part of the experience rather than the core driver for visitation.

STRENGTHS - Current & potential trails

- ▶ Outstanding natural qualities of the Ningaloo World Heritage Area which attracts a range of visitors focused around the marine and beach environments
 - ▶ Growth of kayaking as a way to experience the reef and marine environments, including through a unique kayaking and snorkelling experience and kayaking of Yardie Creek
 - ▶ Cape Range National Park which provides for camping, beach access and a range of walking trails and other nature based experiences and tours
 - ▶ Development of the Ningaloo Centre as a focus for visitor and community activities and research, learning about the Ningaloo Coast and as a the hub for Exmouth Gulf, local town and Cape Range Crossing Trails
 - ▶ Yardie Ningaloo Track as an established four wheel driving route with potential for further promotion
 - ▶ Inclusion in Ningaloo-Shark Bay National Landscape which has the potential to attract visitors and commercial investment if leveraged through effective promotion and appropriate product development
- Local community support and enthusiasm for trail development including mountain bike skill and experience development.

CHALLENGES - Current & potential trails

- ▶ Remoteness – To attract visitors any iconic trails would need to offer an outstanding experience showcasing the Ningaloo Coast's distinctive qualities. Other trails would need to be of high quality to provide a range of activities as part of the Ningaloo experience
 - ▶ Climate – Trails need to be designed and managed to cater for the hot climate, with a focus on water and beach-based activities and land-based trails as supporting experiences and for use during adverse weather and cooler parts of the day
 - ▶ Trails links in and near the town of Exmouth – Providing effective trail links through Exmouth and the Ningaloo Centre to recreational destinations in the town, on the Gulf of Exmouth and the Cape Range
 - ▶ Sustainability – Trails needs to be carefully designed and managed to be compatible with sensitive environments. Land-based trails need to be robust enough to cope with extreme weather and infrequent but heavy rainfall
 - ▶ Risk Management – Extreme weather conditions, water-based activities and rugged terrain pose risks to trail users. Trail design and management need to be tailored to users' ability and skill levels and users need to be informed of risks and appropriate behaviour and protocols on trails
 - ▶ Multiple Tenures – Additions to the Shire's trail offer need to take account of the variety of tenures and land and water managers whose commitment to and approval of trail development may be required
 - ▶ Governance and Partnerships – Development and management of a trail network in the Shire will require coordination and collaboration between the Shire Council, land and water managers, the tourism industry and community groups. An effective governance arrangement will assist implementation of the Trails Master Plan
 - ▶ Investment and Funding – Adequate financial and other resources will be needed for trail development and upgrading and investment from public and private sources encouraged to develop trail-related products
- Effective Promotion – Trail experiences will need to be effectively promoted to attract visitors.

4.3 Opportunities

Demand for trails in the Shire of Exmouth will come from a range of local and visitor markets each with differing motivations and expectations in relation to trail experiences. Current and potential trail markets for Exmouth and potential trail opportunities to suit market needs are explored in Table 4.

Table 4 Exmouth's Trail Markets

Market Segment	Characteristics	Preferences	Potential in Shire of Exmouth
LOCAL RESIDENTS			
Local Residents	<ul style="list-style-type: none"> People with an interest in outdoor activities for recreation, transport, exploring the natural environment and health purposes. Youth groups. Recreational and sporting groups. 	<ul style="list-style-type: none"> Pedestrian and cycling trails to destinations in the town of Exmouth and for exercise and fitness. A variety of trails for walking, horse-riding, water-based activities and four wheel driving for weekend and holiday activities in surrounding areas. 	<ul style="list-style-type: none"> Shared use trails that provide formalised access around the town, to recreation hubs and to Exmouth Gulf including Bundegi Coastal Park and Beach. Day walks and mountain bike trails across the range from Exmouth to the Ningaloo Coast. Formalised pathway from the town centre (Ningaloo Centre) to Exmouth Gulf that suits a range of abilities for locals and visitors. Route that enables horse riding between the McLeod Street area, the Pony Club and Town Beach. Kayaking trails utilising campsites and new experiences and facilities provided on the Ningaloo coast.
Local mountain bikers	<ul style="list-style-type: none"> Mountain bikers – growing and enthusiastic participation reflected in growing group membership with over 40 active members, some 50% being juniors and more than 1500 Facebook members. 	<ul style="list-style-type: none"> Access to sites for a range of mountain bike activities, skill development programs (beginners to advanced) and local and regional competitions. Single track, cross country trails and development of a cycling hub with a skills park and pump track with opportunity for kids and junior riders to be involved. 	<ul style="list-style-type: none"> The Shire is suited to local and regional mountain bike activity. Emerging mountain bike interest is contributing to community physical activity, fitness and wellbeing. Cycling trails on the range, adjacent to and within the town, pump and jump tracks and training facilities and would further contribute to skill development, fun, enjoyment and community fitness and wellbeing particularly for children and youth. Support from DBCA for mountain bike trail development and for further discussion and planning for trails within and through Exmouth Water Reserve.

Market Segment	Characteristics	Preferences	Potential in Shire of Exmouth
VISITORS			
Families	<ul style="list-style-type: none"> • WA families on beach or driving holidays, staying in Cape Range National Park or caravan parks. 	<ul style="list-style-type: none"> • Short trails for sightseeing and learning about natural, cultural features and new experiences including sub tidal and intertidal art work. • Trails from Exmouth to visitor destinations including Exmouth Gulf and more challenging walking across the range. • Alternative activities to the beach and sea during adverse weather conditions. • 4WD journeys. • Potential interest in mountain biking suited to children and family groups. • Cycling, kayaking equipment hire and pick up and drop off. 	<ul style="list-style-type: none"> • Short walks on Cape Range and the coast for post-beach activities and when the weather precludes beach and water activity. • Walking or cycling to beaches from accommodation in Exmouth. • Cross range walking and cycling on class 4 trails for more experienced trail users. Pick up and drop off service provision. • Trail links from the town to a range of mountain biking trails including introductory trails for beginners and children. Bike hire. • Sea kayaking on Exmouth Gulf and Ningaloo Coasts. Extended overnight inner reef experiences. Kayak hire. Guided products. • 4WD experience to Coral Bay and alternative options when beach closed via Sandy Bay Track.
Younger and Mid-life Couples	<ul style="list-style-type: none"> • A group with a varied demographic and income levels from WA and interstate. • May camp, stay in eco lodges or in hotel/motel accommodation. • Interested in discovering new places and learning about nature and the environment. • Some interested in adventure activities. 	<ul style="list-style-type: none"> • Short and medium length trails for exploring land and sea areas on day trips and new experiences including sub tidal and intertidal art work. • Guided tours at a range of price points from basic to luxury. • Potentially some interest in longer iconic land or sea trail journeys with self-guided or guided options. • 4WD journeys. • Some interest in mountain biking. • Equipment hire and pick up and drop off opportunity. 	<ul style="list-style-type: none"> • Short walks on Cape Range and the coast for post-beach activities and when the weather precludes beach and water activity. • Walking or cycling to beaches from accommodation in Exmouth. • Cross range walking and cycling on class 3 trails for more experienced trail users. • Trail links from the town to a range of mountain biking trails including introductory trails for beginners. Bike hire. • Sea kayaking on Exmouth Gulf and Ningaloo Coasts. Extended overnight inner reef experiences. Kayak hire. Guided products. • 4WD experience to Coral Bay and alternative options via Sandy Bay Track.

Market Segment	Characteristics	Preferences	Potential in Shire of Exmouth
Grey Nomads	<ul style="list-style-type: none"> Retired couples aged from around 60 years and over from WA travelling north during the winter or from interstate on extended camping and caravanning trips. May be on fixed incomes and therefore budget conscious. 	<ul style="list-style-type: none"> Short and medium length trails for sightseeing and exploring land and sea areas on day trips and new experiences including sub tidal and intertidal art work Trails suited for people with limited mobility. 4WD journeys accessible for camping rigs. 	<ul style="list-style-type: none"> Short walks on Cape Range and the coast for post-beach activities and when the weather precludes beach and water activity. 4WD experience to Coral Bay and alternative options via Sandy Bay Track. Walking or cycling to beaches from accommodation in Exmouth.
Cruise Visitors	<ul style="list-style-type: none"> Range of domestic and international visitors of various ages, including retired couples and singles. Many cruises along the WA coast have a strong nature-based focus and may attract passengers with this interest. 	<ul style="list-style-type: none"> Short trails and tours to and through points of interest that can be done in the time available on shore from the ship. Experiences including sub tidal and intertidal art work 	<ul style="list-style-type: none"> A range of shore tours are offered to passengers and include snorkelling, kayaking, vehicle and Cape Range National Park tours. New or enhanced trails may offer more options for shore tours. On shore opportunities at Exmouth are currently limited by the lack of vessel berthing. The need to ferry passengers ashore by boat affects the time available for activities and can lead to visit cancellation in adverse weather.
Education	<ul style="list-style-type: none"> Local and regional school groups on environmental or outdoor education excursions. Tertiary student groups on field trips or training courses. 	<ul style="list-style-type: none"> A range of interpreted land and sea trails that illustrate key features of the area at range of difficulty levels. Challenging activities for outdoor education – hiking, kayaking, mountain biking, abseiling. Equipment hire and skills tuition. 	<ul style="list-style-type: none"> Small market that may increase with the opening of the Ningaloo Centre. Guided sea kayaking on Exmouth Gulf and Ningaloo Coasts. Extended overnight inner reef experiences. Environment education and outdoor education opportunities on Cape Range National park trails and a potential cross range trail.
Conservation Volunteers	<ul style="list-style-type: none"> People in a range of ages travelling as couples or singles. Volunteers for turtle monitoring under the Ningaloo Turtle Program. Strong interest in the environment and learning about the local area. 	<ul style="list-style-type: none"> Activities for relaxing or learning during free time, accessible from accommodation in Cape Range National Park and Exmouth. Equipment hire. 	<ul style="list-style-type: none"> Small market for Exmouth that may grow if more volunteer programs are established particularly in relation to Ningaloo Coast World Heritage. A range of water and land based trails.

Market Segment	Characteristics	Preferences	Potential in Shire of Exmouth
International Visitors	<ul style="list-style-type: none"> • Young to middle aged couples and singles with varying incomes mainly from Europe, the UK and US. • <i>Experience Seekers</i> - interested in discovering new places, immersive learning experiences, adventure. 	<ul style="list-style-type: none"> • Short and medium length trails for exploring land and sea areas on day trips. • Guided trail tours. • Potentially some interest in longer iconic land or sea trail journeys with self-guided or guided options. • Guided 4WD journeys • Equipment hire. 	<ul style="list-style-type: none"> • Short walks on Cape Range and the coast for post beach activities and when the weather precludes beach and water activity. • Walking or cycling to beaches from accommodation in Exmouth. • Cross range walking and cycling on class 4 trails for more experienced trail users. • Trail links from the town to a range of mountain biking trails including introductory trails for beginners. Bike hire. • Sea kayaking on Exmouth Gulf and Ningaloo Coasts. Extended overnight inner reef experiences. Kayak hire. • 4WD experience to Coral Bay and alternative options via Sandy Bay Track.

Image: 7 Lookout location Exmouth Gulf Coast Trail



5 Vision for the Future

5.1 Trail Vision

Exmouth and the Ningaloo Coast WHA will be recognised as a destination that promotes engagement with the environment by promoting trails that encourage adventure, contemplation and education.

The ongoing development of a unique range of trails encourages local participation, community benefit and wellbeing.

To achieve this vision, the Shire of Exmouth with other stakeholders will develop diverse trail opportunities including:

Unique trails that compliment and showcase the Ningaloo World Heritage Coast

A small number of short walks that add to the range of visitor experiences

A cross range shared use trail experience that connects Exmouth with the Ningaloo Coast

An Exmouth trail hub that connects people to events, places and activity

Trails that represent the culture, landscape and biological diversity of the Ningaloo coast through art and sculpture

5.2 Guiding Principles

Delivering the Vision is guided by the following principles.

High Quality, and Diverse Trail Experiences

- Trails will contribute to a range of quality experiences through:
 - high quality sustainable trails, trailheads and information
 - consistency in trail standards and branding across tenures

Consistent design principles for sustainable high quality trails

- Trails that suit a range of skills and abilities and encourage community use and activity:
 - a small number of outstanding experiences, rather than a larger number of mediocre experiences
 - trails that compliment and encourage sustainable tourism activities
 - trails that provide alternative activity when conditions constrain water based and other activities.

Celebrate World Heritage and Cultural Values

- Exmouth is home to the Ningaloo Coast World Heritage area, Cape Range National Park and the Ningaloo Marine Park including one of the longest fringing coral reefs in the world, spectacular rugged beauty and historical significance. Trails will:
 - protect, reflect, promote and enrich the World Heritage values including traditional Aboriginal culture and European heritage
 - reflect the Range to Reef experience.

Sustainability

- Trails will be based on sound, realistic data and assumptions in relation to the long-term financial viability of building, managing and maintaining trails. Trails will be planned and built in a manner that:
 - contributes to environmental protection
 - meets the needs of the users
 - require little maintenance
 - minimise conflict between different user groups
 - provide the greatest return to the community, whilst recognising the limited resources available.

Accessible and well connected trails

- Trails will connect people and visitors and be accessible.
- Trails will have trail heads, pathway connections and will be well marked.
- The Ningaloo Centre will be a key trail hub for locals and visitors and Exmouth will be a trail-friendly community.

Good Governance and Strong Partnerships

- Good Governance arrangements that generate effective collaboration between the multiple land owners, partners and stakeholders will be required to ensure a high standard of trail management.
- Communication with stakeholders and the trail community will ensure great trail experiences continue to develop.

Community Benefits

- Trails well planned and built to:
 - encourage social interaction and participation and contribute to improved physical and mental wellbeing
 - provide and encourage frequent, low cost and popular physical activity.

6 Trail Development

The Exmouth trails are planned for local community benefit or as infrastructure that provides visitor experiences strongly linked to the Outback and Coast themes and associated with products that provide economic benefit by increasing demand for services including accommodation.

The visitor focus on the reef, the climatic conditions (very hot summers) and distance from large population centres implies that the majority of future trail activities are likely to be of local and regional trail significance. For most visitors to the area, it is likely that trails will form part of the experience rather than the core driver for visitation.

To attract visitors any iconic trail would need to offer an outstanding experience showcasing the Ningaloo Coast's distinctive qualities and would need to be of high quality and provide a range of activities that form a unique part of the Ningaloo experience. One of the key principles of the plan is to celebrate World Heritage and cultural values, to combine these principles in traditional trail activity would be unlikely to be a core driver for visitation.

The development of an intertidal and sub tidal sculpture trail was explored as a unique experience that would both promote and celebrate the World Heritage and cultural values. A sculpture trail on the Ningaloo Coast World Heritage area with strong links to other internationally renowned underwater sculpture trails would make Exmouth and the Ningaloo Coast a leader in diverse tourism opportunity. A classic sub tidal and intertidal sculpture trail was considered a trail experience that would be attractive to the global *Experience Seeker* market and similar domestic markets by providing a new and authentic experience linked to a destination and its people and through well-chosen themes the sculpture trail could provide associated learning opportunities through interpretation and storytelling.

The *Ningaloo-Shark Bay National Landscape Experience Development Strategy* theme of Outback and Ocean Discovery encourages exposure to the environment and wildlife through activities such as sea kayaking, snorkelling, scuba diving and exploring on foot. The plan aims to deliver quality visitor experiences that immerse the visitor in the region's rugged, arid landscapes and the ocean. The plan supports the work undertaken by DBCA in developing a multi-day sea kayak trail inside the fringing reef and linked to camp sites, the sea kayak trail will be the Ningaloo Coasts key ocean discovery experience.

The Outback and Ocean Discovery theme and the community's desire for discovery land journeys is the basis for the inclusion of the 4WD trail along the Ningaloo Coast to Coral Bay. The proposed transfer of land on the eastern side of Cape Range to the public conservation estate provides opportunity for a new land journey that will complement the Ningaloo Coast 4WD trail. A regional drive loop which links Learmonth to the Yardie Creek Road provides a cross the range experience for 4WD vehicles, motor bikes and other road registered off road vehicles and will provide an alternative vehicle trail experience when access across Yardie Creek mouth is closed.

New short walks radiating from Exmouth, on Cape Range and at North West Cape have been recommended to complement the existing short walks and to provide an appropriate local and regional mix of experiences for locals and visitors that link the rugged arid landscape to the ocean and Exmouth Gulf.

New investment in the Ningaloo Lighthouse Holiday Park is likely to see increase in visitors to this area who will seek short walks and unique experiences which will include trails.

These short trail experiences have also been developed from a clear desire from the community and tourism operators for new experiences on those days when conditions aren't suitable for the traditional beach and ocean activities.

The growth of kayaking and other water based trail activities together with mountain biking, horse riding and trail running and the popularity of four-wheel driving have joined the more traditional walking and bushwalking as ways of experiencing the natural environment and the Ningaloo Coast. The Trails Master Plan has sought to provide the best value trails by picking up on developing trends and to provide a diversity of trails that will contribute to multiple health, lifestyle, social and economic benefit for the community.

Community consultation demonstrated a strong desire for trail activities that involve kids; this compliments the evidence that Exmouth has a relatively large number of children under 14. The community has expressed a desire for a strategic progression of mountain bike experiences and skills from a centrally located skills park to a range of mountain bike trails close to the town and then further afield.

This strategy has been included in the plan and reflects the priority to focus on developing kids and providing popular activities that encourage community activity and fitness.

A clear direction for this plan is to improve access and connectivity to the natural features for a wide range of people including residents and visitors. Reflecting this the plan recommends a series of trail loops that connect the town to the surrounding natural areas including the Cape Range to the west and Exmouth Gulf to the east and including a long sought after trail from the centre of town to the Gulf coast for all residents and visitors.

The rugged Cape Range, the Ocean, North West Cape the sheltered Exmouth Gulf provide a great mix of trail opportunity as presented in this plan. The culture and spirit of the area will be reflected in the proposed iconic Ningaloo Sculpture Trail and the range of activities across the range and seas.

Connections and linkages between these trails is important both physically on the ground, through promotion and information, and culturally and spiritually. It is proposed to link these experiences through the existing Baiyungu Trail (a proposed 320 km track along the coast from Quobba to Exmouth) which can draw the range of existing and proposed trails together and include future trail information presentation through Apps and digital technology including the Barke Stefano Shipwreck Trail and other new initiatives.

Image: 8 Yardie Nature Trail



6.1 Unique Trails Showcasing World Heritage

It is proposed to develop two new unique trail experiences that showcase the outstanding features of the Ningaloo World Heritage Coast and that have the potential to become iconic trail.

6.1.1 Multi-Day Sea Kayaking

Description

The Ningaloo Coast World Heritage Area is a world-class sea kayaking destination offering shallow lagoons with extraordinary marine life sheltered behind one of the world's largest fringing reefs.

In 2005 DBCA commenced planning for a long distance sea kayaking trail in Ningaloo Marine Park. The purpose of the sea kayak trail is to provide an experience and challenge for user groups who appreciate the sea and for greater management of tourism activities within the park specifically the increasing numbers of recreational sea kayakers and commercial sea kayak operators.

The sea kayaking experience will build on the existing day use kayak trail experience by providing 12 well positioned camping sites on the shoreline of the lagoons for 45 kilometres inside the fringing reef³⁰. The trail will provide a kayak camping experience for all level of sea kayakers from beginner to experienced. The distance between the campsites reflects the skill levels and abilities of the targeted users, being from 5 km to 12 km with a total length of the trail being 45 km.

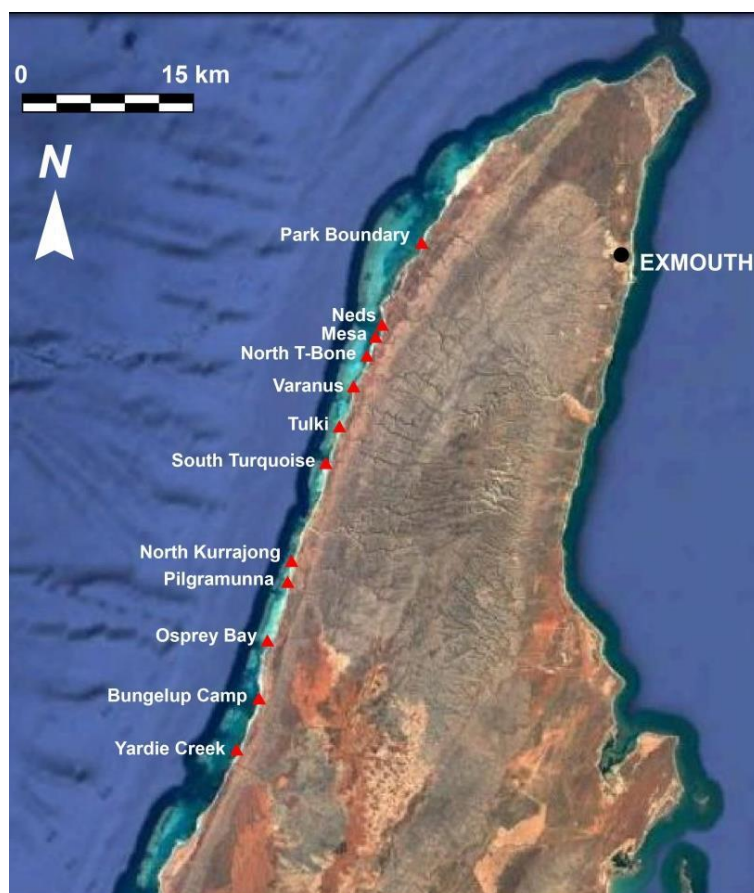
This multi-day sea kayaking experience has the potential to be an iconic trail that fits the Exmouth Ningaloo experience. Sea kayaking if managed correctly provides a low impact form of recreation suitable for sensitive wilderness areas.

Being totally within the Ningaloo Coast World Heritage Area the sea kayaking trail will provide opportunity to increase visitor appreciation and protection of marine park values by exploring and learning about the

Ningaloo Coast World Heritage Area. The trail will also provide increased opportunity for private sector involvement and commercial tour operators providing economic benefit to the community.

The proposed sea kayak trail is similar to other trails operating within Australia and overseas including Hinchinbrook Island in Queensland and the Te Ara Moana "Sea Going Pathway" in Auckland New Zealand.

The multi-day sea kayaking trail has been developed in a manner that integrates with other Exmouth experiences such as snorkelling and camping. There are also opportunities to integrate sea kayaking with other new and emerging experiences in the area including the Ningaloo Sculpture Trail (see section 6.1.2).



³⁰ DPaw (2016). *Overnight Sea Kayaking Trail for the Ningaloo Coast World Heritage Area – Yardi Creek to Tantabiddi*, internal DPAW document.

Demand

The *Ningaloo-Shark Bay National Landscape Experience Development Strategy* theme Outback and Ocean Discovery encourages exposure to the environment and wildlife through activities such as sea kayaking, snorkelling, scuba diving and exploring on foot. The plan aims to deliver quality visitor experiences that immerse the visitor in the region's rugged, arid landscapes and the ocean. The Ningaloo Sea Kayaking Trail clearly fits within the experience development priorities and themes of engaging the visitor in the unique Ningaloo Coast World Heritage area through quality visitor activities.

Demand for a multi-day sea kayaking trail will come from a range of local and visitor markets each of which seek distinctive Ningaloo experiences. Local people seek new experiences and access to new sections of the coast for camping and snorkelling. They are generally independent visitors with their own equipment whilst families with older children with some experience in kayaking will be attracted to this new multi-day experience because it takes place within lagoon area of Ningaloo Marine Park an area with minimal swell.

Younger and mid-life couples who are generally interested in discovering new places and learning about nature and the environment will be willing to try this activity within the safe access to lagoons and would provide their own equipment or hire equipment and may use guides.

School and educational groups would be active participants, particularly secondary and tertiary students that would use tour operators that provide guiding and equipment hire. International visitors, particularly back packers, will seek to undertake this adventure activity using hired equipment.

The Ningaloo Sea Kayak trail is similar to the Hinchinbrook Island sea kayaking experience being in the tropics, an overnight experience (Hinchinbrook approximately 7 nights), and located within a World Heritage area. Hinchinbrook Island sea kayaking is popular with independent and guided sea kayakers and there is a busy kayak hire business based around the peak cooler times of year May to October.

Exmouth however is constrained by remoteness, time and expense of travel whilst Hinchinbrook on the eastern seaboard is easier to visit.

The emphasis on the ocean and marine experience is the significant attraction for the Ningaloo Coast and the 12 day opportunity for sea kayaking will be a popular activity available across the range of kayaking experience.

Why is it important?

As a unique experience the sea kayaking trail will increase the appeal of the Ningaloo Exmouth area as a distinctive destination and provide an opportunity to increase visitor appreciation and protection of marine park values by exploring and learning about the Ningaloo Coast World Heritage Area.

The sea kayak trail will connect people with the Ningaloo Coast and to the existing experiences including the current kayak trails, park facilities and to other trails including the proposed Ningaloo Sculpture Trail. The sea kayak trail through interpretation, information technology and signs will connect the user to the unique Ningaloo Reef experience.

The sea kayak trail provides community benefit and opportunity primarily by providing new, unique and sustainable visitor experiences within the internationally recognised Ningaloo Coast World Heritage Area. The trail will provide increased opportunity for private sector involvement through commercial tour operators and equipment hire. Licensed tour operators strongly support this initiative and anticipate their business will grow with the sea kayak trail development

The multi-day sea kayaking trail reflects the Shire's philosophy to ensure development is sustainable, provides the greatest return to the community and ensures that future trail based tourism will be a feature.

What is required to deliver the project?

DBCA are responsible for this project.

An environmental impact assessment was carried out by DPaW in 2005 which included environmental and cultural heritage. This assessment was reviewed and in 2015 some of the sites were no longer suitable. New sites have now been identified where there is likely to be little or no impact or disturbance.

Leave no trace principles have been developed which will be adhered to including a focus on management of human waste, garbage disposal and vegetation damage. DBCA as the management authority for the project will implement a Code of Conduct for recreational sea kayakers to minimise impacts on the coastal environment and ensure this activity is delivered sustainably.

The trail lies within the lagoon area of Ningaloo Marine Park where the water is sheltered and there is minimal swell. DBCA will be the agency responsible for delivery of this project and will provide pre trip safety, navigation, code of conduct and emergency evacuation information.

Interpretive information including maps and mooring information will also be developed for public information.

DBCA have proposed further expansion of the trail to the north and south of this 12 site proposal. Monitoring to measure satisfaction levels and popularity of the sea kayaking trails will be required to assist in future objective decision making.

The sea kayaking trail initiative is underpinned by strong stakeholder and partnership arrangements with the Shire of Exmouth, Tourism Authorities and Government Departments through the development of the proposal. Implementation will include product development, promotion and provision of interpretive information and general information through visitor centres and the Ningaloo Centre in Exmouth.

Strong partnerships will develop with those groups that have been consulted in the development of this proposal including a number of commercial operators who are licenced by DBCA, education groups, clubs and associations. Licensed tour operators are currently conducting successful overnight sea kayak tours in Ningaloo Marine Park.

This initiative clearly fits within the themes and priorities of the *Ningaloo-Shark Bay National Landscape Experience Development Strategy*, has strong support from the existing water based tour operators, is likely to have support from existing and future visitor markets and the majority of the planning and development work, costing and financial approvals been completed by DBCA.

This project is ready to commence.

Estimated costs

DBCA have approved and allocated funds for the estimated costs of developing the sea kayak trail infrastructure including camp sites at \$31,000.

Future costs for further upgrades including decking for tent sites and further upgrading of existing facilities \$90,000.

6.1.2 Ningaloo Sculpture Trail



Image: 9 Sculpture Example / Musa Isla Mujeres – the most magnificent underwater museum in the world musaislamujeres.com

Description

The shallow and protected Ningaloo waters provide an ideal setting for the development of a special experience to celebrate Ningaloo Coast World Heritage. The clear protected waters of one of the longest fringing reefs in the world would benefit from a bold initiative to enrich the spirit, environment and cultural heritage of Ningaloo.

To attract visitors any iconic trail would need to offer an outstanding experience showcasing the Ningaloo Coast's distinctive qualities and would need to be of high quality and provide a range of activities that form a unique part of the Ningaloo experience. One of the key principles of the plan is to celebrate World Heritage and cultural values, to combine these principles in traditional trail activity would be unlikely to be a core driver for visitation.

The development of an intertidal and sub tidal sculpture trail was explored as a unique experience that would both promote and celebrate the World Heritage and cultural values. A sculpture trail on the Ningaloo Coast World Heritage area with strong links to other internationally renowned underwater sculpture trails would make Exmouth and the Ningaloo Coast a leader in diverse tourism opportunity.

A classic sub tidal and intertidal sculpture trail is a trail experience that would attract the global *Experience Seeker* market and similar domestic markets by providing new graphic and visually authentic experiences that are inked to a destination and its people and through well-chosen themes with strong connections to learning opportunities, interpretation and storytelling.

The proposal is for the placement of life-size sculptures that reflect the spirit of the Ningaloo Coast on the sea bed or in the intertidal zone of the shallow bays along the coast incorporated in a visually stunning sculpture trail.

Internationally renowned sculpture parks in aquatic settings have been developed at Grenada³¹, off the west coast of the Caribbean and Museo Subacuático de Arte (MUSA)³² with its collection of over 500 sculptural works, submerged off the coast of Cancun, Mexico. These sculpture parks and the 'Rising Tide' (temporary) intertidal feature that emerged from tide on the banks of the Thames have been designed by the acclaimed British underwater sculptor and passionate conservationist Jason deCaires Taylor³³. There is great opportunity to develop similar sculptures representing the Ningaloo Coast themes including environment, culture and history.

The sculptures are not only inspiring pieces of art they are able to represent key messages and they will assimilate with the ocean and over time develop into living coral reefs. If constructed from the correct material with a neutral pH, the structures would provide a substrate for coral and marine growth and provide the basis for coral reef ecosystems attracting a variety of marine species.

The Ningaloo Sculpture Trail features would be designed to be experienced on foot along the beach, on the water from kayaks and underwater by snorkelers and scuba divers.

The Ningaloo Sculpture Trail will by its nature connect with other trails, for example the Ningaloo Centre to the Exmouth Gulf Trail will have strong connections to sculptures with opportunity for terrestrial sculptures linking to the intertidal to subtidal and the Ningaloo Multi-Day Sea Kayak Trail will link to the sculptures providing attractions along the route.

It is proposed to establish three sculpture areas initially on the Ningaloo Coast, at North West Cape and on the Exmouth Gulf at the end of the Ningaloo Centre to Exmouth Gulf Walk. To get the most out of the sites it is proposed to have intertidal and subtidal features in the sheltered water sites and only intertidal at the North West Cape in the area of the SS Mildura Shipwreck. The themes will reflect the Ningaloo Reef, the culture of the Ningaloo Coast and the shipwreck theme at the SS Mildura site.

Demand

To attract visitors any iconic trail would need to offer an outstanding experience showcasing the Ningaloo Coast's distinctive qualities would need to be visually stunning and of national significance. One of the key principles of this plan is to celebrate World Heritage and cultural values, to combine these principles in traditional trail activity would be unlikely to be a core driver for significant visitation.

A sculpture trail on the Ningaloo Coast World Heritage area similar to other stunning internationally renowned underwater sculpture features would make Exmouth and the Ningaloo Coast a standout leader in diverse tourism opportunity.

The Sculpture Trail would be used by a whole range of visitors including locals who would watch the changing nature and succession of the subtidal marine growth. Visitors from all categories would be attracted to the trail including overseas visitors from backpackers to cruise visitors whether they dived or just observed from the shore.

Being totally within the Ningaloo Coast World Heritage Area the sculpture trail needs to celebrate World Heritage and cultural values and would need to demonstrate how this project would enrich and contribute to the World Heritage values and have no impact.

³¹ <http://grenadaunderwatersculpture.com/>

³² <http://musaislamujeres.com>

³³ <https://theculturetrip.com/europe/united-kingdom/england/london/articles/vauxhall-s-thames-horse-sculptures-make-a-statement-on-climate-change/>

Why is it important?

International recognition of an exceptional series of life size sculptures immersed in the Ningaloo Coast World Heritage Area has the potential to develop a world-class 'must see' attraction that adds to the appeal of the destination. A well-developed trail will provide increased opportunities for private sector involvement and commercial tour operators thus leading to growth in the local visitor economy.

The Sculpture Trail can be used to relieve pressure on nearby reefs from overuse by attracting visitors to less used sections of coast and can be used to attract visitors to the waters of Exmouth Gulf adjacent to Exmouth and places easily accessible from the Ningaloo Centre.

What is required to deliver the project?

The Shire of Exmouth is responsible for this project

The Ningaloo Sculpture Trail will require additional planning and design to attract investors and funding and suitable sculptures with the skills and the experience to successfully take on this visionary and ambitious project.

The delivery of this project will require planning and placement of the sculptures where they will:

- ▶ attract marine species to an area that is recovering
- ▶ be where the greatest number of people can experience the sculptures
- ▶ be located with qualities and stories that surprise and intrigue visitors.

Ideal locations would be in sandy bays where there is little existing substrate for coral attachments and on the Exmouth Gulf Coast on popular beaches such as Bundegi and the beaches adjacent to the town of Exmouth the end of the Ningaloo Centre to Exmouth Gulf Walk. Locations at existing shipwrecks such as the SS Mildura would provide intriguing intertidal historic and cultural representation.

The development of the sculpture trail would need to be of high quality and of a standard compatible with a unique, world-class experience in a World Heritage setting. To do this the best sculptors would need to be sourced to undertake the work.

Design of the sculptures will need to incorporate strategies to ensure long life span, robust construction and use of materials suitable to attract and allow coral and marine organisms to thrive.

The Shire of Exmouth would be the driver of this project with strong links to the Western Australian State Government through Tourism Western Australia. Funding for a significant project such as this could be obtained from a range of sources including grants, sponsorship and philanthropic organisations.

This is specialised art work and requires a high degree of further planning and public consultation to establish the themes and the exact location to ensure contribution to the reef environment is maximised.

An expert sculptor will need to be engaged to guide the process and ensure quality and the themes are well presented and the material is sustainable in the dynamic ocean and attracts and encourages reef and coral succession.

Estimated costs

In the first instance, it is recommended to develop sculptures at three sites with two being intertidal and sub tidal and one intertidal only.

Costs yet to be determined.

6.2 Improved Ningaloo Coast Trail Opportunities

6.2.1 Cape Range and North West Cape Short Walks

Map 5 Proposed North West Cape Walk



Description

Cape Range provides a remarkable back drop to the Ningaloo Coast and reef where the harsh, rugged landscape beckons the visitor to explore the numerous gorges, exposed escarpments and coasts. Short walks if they are designed appropriately can provide the best the Ningaloo Coast has to offer to a range of users across a range of abilities. The existing range of short walks in Cape Range National Park provide good access to gorges on the western side of the Cape Range whilst the Badjirrajirra Walk gives the walker an experience of the eastern aspect to Cape Range.

These short trail experiences reflect a desire by the community and tourism operators for experiences and activities to be undertaken on the days when conditions aren't suitable for traditional beach and ocean activities.

To complement the seven existing short walks which are predominantly gorge walking activities, it is

proposed to provide an additional walk that provides locals and visitors with a North West Cape experience. To compliment the gorge walks the North West Cape

Walk would be a short 4 km return beach walk that includes the wreck of SS Mildura, easy beach walking to the oyster stacks and close views of the communication towers of North West Cape. This walk is partially on Defence land and approval to access has been sought.

It is recommended that one additional short walk should be added to make the eight short walk offering on the Ningaloo Coast and Cape Range (see map 6.):

- ▶ Mangrove Bay Bird Hide – Class 1, 10 minute walk on a boardwalk to a bird hide over Mangrove Bay
- ▶ Mandu Mandu Walk – Class 4, 2 hour walk along the creek bed and gorge rim with views over Ningaloo Reef
- ▶ Yardie Creek Nature Walk – Class 2, 40 minute walk on defined path along the edge of Yardie Creek with views of the gorge

- ▶ Yardie Gorge Trail – Class 4, 1 hour walk to high above Yardie Creek with views over Ningaloo Reef and the mouth of Yardie Creek
- ▶ Shothole Canyon Walk – Class 4, 15 minute walk to lookout over views of the canyon
- ▶ Jurabi Beach Walk – Class 2, 15 minute walk to the Jurabi Turtle Centre and the beach
- ▶ Badjirrajirra Walk – Class 4, 3 hour walk through rocky gullies on the top of the range with views down Shothole Canyon (this trail has been approved by DBCA as a shared use trail for walkers and mountain bikes)
- ▶ New Trail Proposed – North West Cape Walk – Class 3, 1 hour walk from North West Cape to the oyster rocks on the attractive beach below the communication towers with views of the wreck of SS Mildura.

Limiting the number of walks to eight ensures that quality is maintained and the impact on resources is manageable. The eight walks would provide a diversity of opportunities within the Class 2 to 4 ranges and would complement the Cape Range Crossing Trail and proposed walks radiating out from the Ningaloo Centre Trail Hub (see 6.2.2 & 6.4 below).

The existing short walks are generally return or loop walks and represent different experiences on Cape Range and the coast. They are accessible off the Yardie Creek Road and the Minilya Exmouth Road.

Potentially the Badjirrajirra Walk could be connected with the Shot Hole Canyon. However the cost of engineering a safe and sustainable trail in the gorge country would be high and may have limited benefit considering the numbers of visitors that would use this link.

Demand

Demand for short walks will come primarily from visitors who wish to experience the features of Cape Range and those local people who seek exercise and outdoor recreation.

Families are likely to take up opportunities for short walks and Grey Nomads (one of the major visitors and campers on the Ningaloo Coast) are regular short walkers particularly those camping on the Ningaloo Coast. Short walks are likely to be attractive to international visitors particularly during the evening after water based activity or when the sea or beach is less attractive due to weather.

Investment and subsequent increase in numbers and the range of guests at the Ningaloo Lighthouse Holiday Park is likely to increase demand for short walks on the Ningaloo Coast and on Cape Range. There may be future demand for other experiences such as kayaking, and mountain biking with bike hire etc. on Cape Range trails.

There is some potential for short walk guided or self-guided experiences for cruise visitors if well-organised and linked to unique features such as the Ningaloo Sculpture Trail.

Why are the walks important?

The majority of visitors come to Exmouth and the Ningaloo Coast to experience the attractive beaches and marine environment for diving, fishing and swimming and trails are generally not the driving force behind their reason to visit. Short walks will provide the visitor with a sample of the Cape Range experience and are well placed for visitors following their beach experience and when the day cools down.

Combined with the kayaking and Sculpture Experiences, improved short walks will provide a package of activities that showcase the different aspects of the Ningaloo Coast World Heritage area. They also add to the range of experiences in Exmouth and provide another way to explore its landscapes.

Through the Ningaloo Visitor Centre and other places visitors have expressed a desire for something to do when their beach or marine activities are interrupted due to the weather, at times strong onshore winds can blow for days and rainfall can put a stop to usual beach activity.

What is required to deliver the project?

The Shire of Exmouth and DBCA are responsible for this project.

The majority of the existing walks have been developed by DBCA with appropriate and consistent way marking, trailhead signs and maintenance.

The trail alignment and rugged nature of the Badjirrajirra Walk has contributed to several eroded areas due to water running uncontrolled down the trail slope. Significant maintenance will be required to reroute sections of trail and incorporate grade reversals and other water management treatments to sustainably manage this trail and ensure the trail is fit for purpose and able to withstand the extremes of weather.

The future use of this trail as a solely walking experience changed with DBCA approving the use of the trail as a shared use walking and mountain bike trail. Changes will be required to ensure the trail is designed for the appropriate level of difficulty and that future mountain bike riders are clear as to the challenges and the level of difficulty (see 6.3 below). Walkers on this trail will also need to be informed that this trail will be shared use and to expect mountain bikes on the trail.

The North West Cape Trail is situated on land controlled by the Department of Defence and approval will need to be granted for trail access. The development and maintenance of this trail will be the responsibility of the Shire of Exmouth to develop and maintain.

The costs associated with the development of the North West Cape Trail will not be significant as there is already a formed car park and steps to the lookout and beach access. The main costs will be the purchase and placement of a trail head sign and way marking signs. Access to the beach will require a floating chained dune ladder or Dutch ladder to reduce erosion on the approach to the beach. The trail will follow the beach not requiring any trail construction other than the placement of way marking.

Estimated costs

North West Cape Trail

- ▶ Trail head way marking signs and beach access \$3,000

Badjirrajirra Walking Trail upgrade

Repair of eroded sections through reroute, installation of grade reversals and restoration of closed sections of trail approximately 850 metres (not including modification to trail for shared use and mountain bike Trail Difficulty Rating System see 6.4 below) contractor rates \$28,000.

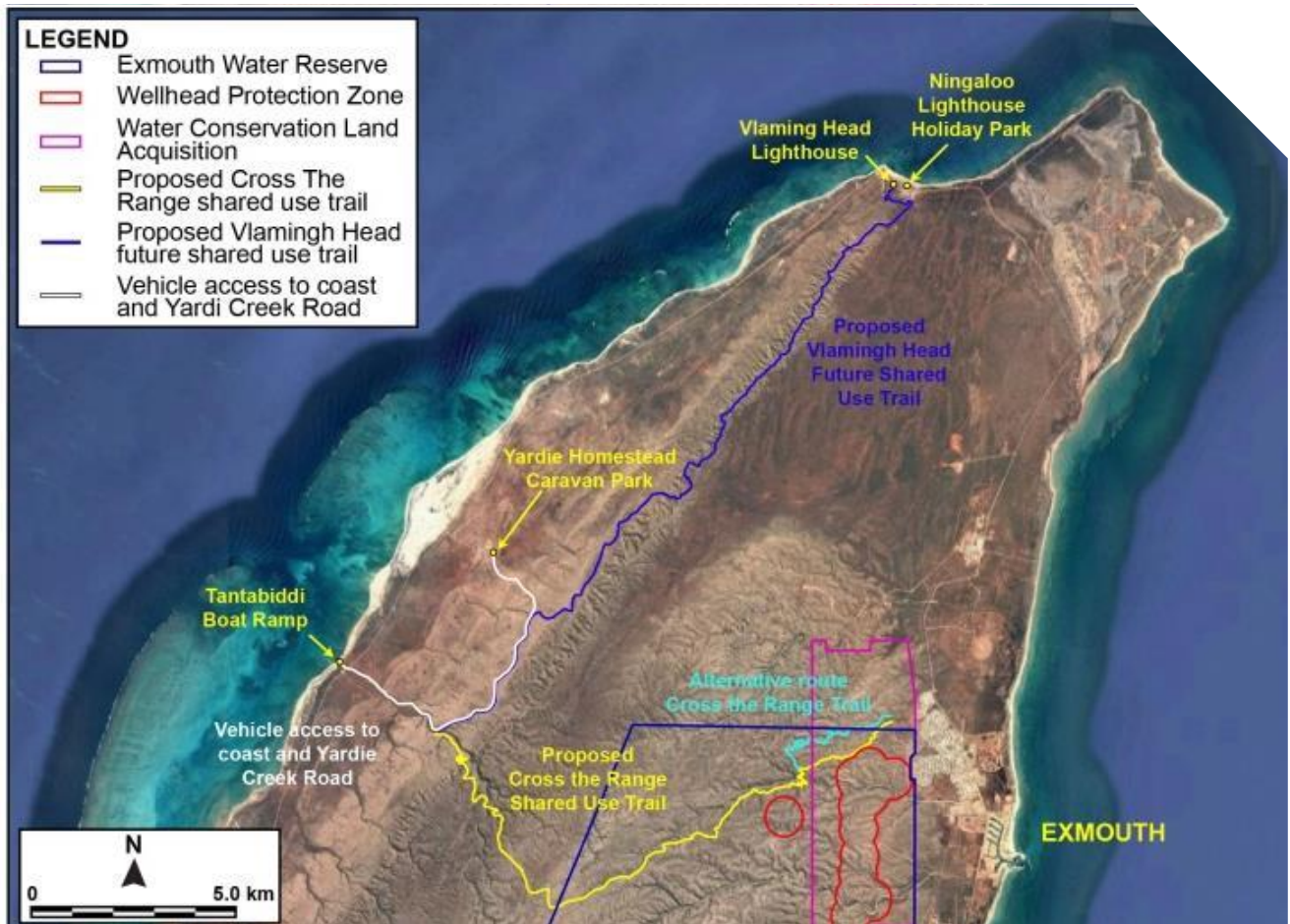
*cost estimates based on Perth contractor rates and for advice only, further assessments would be undertaken through the development of the implementation stage of the Trail Master Plan.

Image: 10 Proposed North West Cape Trail



6.2.2 Cape Range Crossing Trail

Map 6 Proposed Cape Range Shared Use Crossing Trail Including Vlamingh Head Shared Use Trail



Description

There is interest from the Exmouth community for a walking trail that crosses Cape Range starting in Exmouth and finishing at Tantabiddi on the west coast. There is no marked trail across this route although local people often walk it.

Interest is also apparent for a trail from the end of Charles Knife Road to the Yardie Creek Road (14 kilometres) and Milyering Discovery Centre (17 kilometres). Currently there are no marked trails across the rough terrain of the range; traditionally the crossing has been made by those with high level navigation and bushwalking skills – effectively a Class 5 bushwalking experience.

More recently there has been interest from the mountain bike community for a trail across Cape Range with connections to other mountain bike trails on the range. This will be discussed in the section Mountain Bike Hub (see 6.3 below) however there are advantages in developing a shared trail across the range (walking, mountain biking and in some areas horse riding).

Community consultation revealed a desire for an across-the-range trail to the north of the well protection zone (see map 4.).

A more direct route across the range and to North West Cape is influenced by the sand dune area that extends into Cape Range and makes the establishment of a trail directly across the range or to the north problematic. Therefore the Cape Range Crossing Trail needs to start on the northern end of Exmouth to avoid the Well Protection Zone and travel to the south west then west to avoid the sand dune area and exit Cape Range at the gorges east of Tantabiddi.

At the Exmouth start of the trail there is future opportunity to create a short loop trail utilising an existing vehicle track and the developed Cape Range Crossing Trail. This 5km loop could provide a popular short trail that will enable a people who do not have the skills or confidence to experience Cape Range from the town without doing the full trail.

The Cape Range Crossing Trail would finish in the area of Tantabiddi where drop off and pickups would be available. Pickups would be available for those with 4WD vehicles at the base of the range however it is recommended that this track be upgraded to allow a greater variety of vehicles in to pick up walkers and cyclists. The great attraction with this walk is the drop off and pick up opportunity including to and from the nearby Yardie Homestead Caravan Park.

The Vlaming Head Lighthouse and Ningaloo Lighthouse Holiday Park is a further 18 kilometres. Overnight trail users could utilise existing tracks on the range towards the lighthouse, this trail extension would suit experienced walker and would require some navigation skill (Class 5) the overnight trail users could stay at the Yardie Homestead Caravan Park. Increase in demand for this trail to Vlaming Head could see this shared use route developed to the equivalent of a Class 4 Standard walking trail with applicable way marking etc.

Further across the range options include from the end of Charles Knife Road to the Yardie Creek Road (14 kilometres) and Milyering Discovery Centre (17 kilometres). This option links to mountain biking experiences discussed for Charles Knife Road and Shot Hole Canyon. Walking is hard through this country and top of the range trail is described as the best option during warm weather where a breeze is welcome or a canyon walk when heat isn't an issue where the air is

still. Walking through this area is challenging and with minimal investment should be classed at Class 5 where there will be reliance on individual navigation skills as the trail would have limited or no way marking.

Demand

There is a small group of local people who walk across the range on informal paths. A Class 4 walking trail on its own would be used by local people and visitors. Young families are unlikely to use the full trail but may be interested in doing a short loop trail. The full trail will be attractive to families with older children who have some bush experience (both walking and mountain biking).

The trail would be used by younger and mid-life couples who would utilise the drop off and pick up options for accessing the trail and it is likely that school groups would use this trail as part of education and recreation school programs. It is also anticipated that there will be interest from international visitors particularly backpackers who would benefit from the drop off and pick up opportunity.

The Cape Range Crossing Trail as a stand-alone walking trail would have limited regional and local interest and would be limited to the cooler months of the year.

To build this trail as a Class 3 trail which would attract a broader range of user would require significant investment up to \$1 million based on current contractor rates and would require significant maintenance to ensure the trail is retained at the Class 3 standard.

To develop the Cape Range Crossing Trail as a shared use trail would attract a broader range of users and the local mountain bike group have expressed a strong interest in an across the range trail to access mountain bike spur trails into the ranges. They have an interest in being involved in the construction and future maintenance of a Cape Range Crossing Trail.

Considering the anticipated level of use by walkers and the estimated cost of construction it is recommended that this trail be developed as a shared use trail at the equivalent Class 4 walking trail

standard limiting its safe use to those with an increasing level of bushwalking skill and self-reliance.

The small but enthusiastic horse riding community have been seeking riding opportunities across the range unfortunately they will not be able to ride on the Cape Range Crossing Trail as animals such as horses are prohibited from riding through any part of the Water Reserve. There may be opportunities for horse riding from the west on sections of the trail within Unallotted Crown Land however they will not be able to enter the Water Reserve.

There will be some interest from local people particularly for mountain biking on a trail along the range to Vlaming Head from the Cape Range Crossing Trail. The new investment in the Ningaloo Lighthouse Holiday Park is likely to create interest in the Cape Range from visitors for short walks to Cape Range and future longer distance drop off and pick up cycling and walking may become popular.

Why is it important?

The cross the range experience if developed appropriately to a Class 4 walking standard would be a trail experience that showcases the Cape Range for locals and visitors. The gorges and views on the western end of the walk are special and contribute to the unique walking experience. However, this experience would be limited due to the skills required and because the walk is seasonal due to the risks associated with the heat of summer.

The Cape Range Crossing Trail adds to the visitor experience and provides opportunity for local people to recreate and to be active in the outdoors with health and wellbeing benefits.

The trail as a walking trail is unlikely to attract more visitors to the region but would be used by locals and visitors who would walk the trail as an activity whilst they are in the area attracted by the other Ningaloo Coast attractions.

The trail will provide limited opportunity for tour operators for trail guiding and there is more opportunity to be involved in drop off and pick up of trail walkers and cyclists.

What needs to be done to deliver the project?

The Shire of Exmouth and DBCA are responsible for this project.

The Cape Range Crossing Trail is subject to approval from authorities:

- ▶ the Water Corporation and the Department of Water in relation to crossing the outer catchment area of the Exmouth Water Reserve
- ▶ the Department of Defence where the section of trail north to Vlaming Head Lighthouse and Ningaloo Lighthouse Holiday Park crosses Defence land at Pap Hill and the RAAF Radar site.

The responsibility for trail management and maintenance will rest with the Shire of Exmouth in partnership with DBCA. It is proposed that the community will have strong involvement with the ongoing maintenance, promotion and stewardship of the trail.

As a stand-alone walking trail the benefit is limited however when combined as a shared use trail with the mountain bike community there is added value. The cost of developing this trail for a broader range of walkers is prohibitive however if combined as a shared use trail it would be cost effective to combine the Class 4 walking trail a mountain biking trail.

Even considering the above the trail will require substantial planning and construction to ensure it meets Class 4 standard, is resistant to the extremes of weather and to ensure trail alignments will be sustainable through the steep sections of the range. Appropriate way marking, trail head signs and maintenance schedules based on keeping the trails up to the standard appropriate to the trail Class will be required.

The first section of the trail from Exmouth is planned to avoid the Exmouth Water Reserve wellhead protection zone but will be within the Reserve's outer catchment area. It is important for the sustainability of the investment and experience that there is long term access for this trail on the Exmouth Water Reserve.

The trail will be linked to the Ningaloo Centre as the trail hub for all trails radiating out of Exmouth. It will also be linked to the trails that loop around the town and being shared use will be linked to the mountain bike hub at the Recreation Centre.

Linked products and services include pick up and drop off arrangement for trail users which could be linked to the accommodation providers on the western coast including the Yardie Homestead Caravan Park.

Estimated costs

Trail construction and maintenance costs correlate to the trail Classification. To construct this trail at a Class 3 walking standard (a formed trail suitable for most walkers) would cost from \$35,000 to \$65,000 per kilometre with total cost up to \$1million based on current specialised metropolitan trail construction contractor rates. Building the trail at the recommended Class 4 walking standard will reduce the establishment cost.

To produce this trail as shared use will require development of the trail to the appropriate mountain bike difficulty level for the targeted or anticipated users.

Construction as a shared use trail will have the benefit of combining the two trails but will still require trail building particularly close to Exmouth for beginner riders who will need to access the different spur trails close to town.

There may be opportunity for trail building skill development within the mountain bike community which will reduce costs of construction. It is common practice for mountain bike groups to develop trail building skills often from skilled contractors. Initial investment in trail construction should include an investment in training to enable future works to be undertaken on a staged and economical basis.

Cost estimates will vary based on the skills and level of involvement of the community in developing mountain bike trails. It is understood that there is a capacity within the Cape Range Riders to develop mountain bike trail within to IMBA standards. The building of mountain bike trails by recognised builders varies for \$35,000 to \$65,000 per kilometre depending on the terrain and location.

*Estimates under this scenario

► \$350,000 to \$500,000

Extending the trail from the Cape Range Crossing Trail Trail Head to Vlaming Head as a shared use trail to a Class 4 walking trail standard.

► \$450,000

*cost estimates based on Perth contractor rates and for advice only, further assessments will be undertaken through the development of the implementation stage of the Trail Master Plan.

6.3 Mountain Bike Hub

Description

The enthusiastic and growing Exmouth mountain bike community and the local club Cape Range Riders have expressed a commitment to developing mountain biking in Exmouth. They have a clear focus on training and development and seek facilities to make this happen including a Skills Park in the town with pump, jump and BMX tracks and trails outside of town in terrain that encourage the progression of skills from beginners on easy to moderate to more advance hard trails.



CASE STUDY

BEST PRACTISE MANAGEMENT: COBBLER CREEK RECREATION PARK

There is evidence that pump tracks and skills parks contribute to communities by providing a focus for family activity and reducing anti-social behaviour. Prior to the development of a pump track and mountain bike skills park, Cobbler Creek Recreation Park in South Australia was underutilised and often a focus for vandalism and antisocial activity. The new pump and jump tracks linked to mountain bike trails and playgrounds have attracted family groups and young people who use the facilities and the meeting area as a jumping off point for other trails throughout the park representing a remarkable turnaround in behaviour and support for the park.

Community consultation reflected a strong desire for trail activities that involve kids, this compliments the evidence that Exmouth has a relatively large number of children under 14. Trail based recreation encourages the involvement of children and youth in activity and the proposal from Cape Range Riders to establish a mountain bike Skills Park in the Recreation Area would provide a clear focus for developing Exmouth as an active mountain bike town.

Mountain biking is anticipated to grow from a local experiences to future regional significance once new areas are developed and regional events and competitions take place between regional groups.

Within the Exmouth town area and on the Water Reserve to the west there are excellent locations for the development of a range of mountain bike trails including single track, cross country and downhill. Mountain biking has been approved by DBCA on the Badjirrajirra Walking Trail where riders now share the trail with walkers. The trail is challenging for riders and is limited to skilled riders with technical ability, modification to the trail and new trail head signs will need to be installed to avoid any future conflict and erosion issues on the trail will need to be addressed.

As discussed (see 6.2.2 above) Cape Range Riders have expressed interest in developing two trails across Cape Range one from Exmouth and one from the Badjirrajirra Trail area. There are synergies with the Cape Range Crossing Trail and the trail is being considered as shared use walking and mountain biking as the level of demand for the individual activities is considered moderate and there is benefit in sharing investment for the two purposes.

Cycling would be developed as an easy or intermediate trail with opportunity for more challenging spur trails and the mountain bike community are looking to develop a mountain bike hub on the range for differing cycling challenges. The development of the cycling hub would ensure that the cross the range trail would not need to be developed with specific mountain bike challenges.

The development of mountain biking is a popular and sustainable recreational activity within the community with real benefits. Based on community consultation the plan recommends the development of four key areas (see map 5) for staged development of mountain biking which include.

1. Integrating with the Exmouth Recreation Area and develop a Mountain Bike Skills Park and cycling activity area including Pump, Jump and BMX Tracks.
2. Combining with the Cape Range Crossing Trail for a shared use trail to the Ningaloo Coast.
3. Developing trails close to Exmouth in the Exmouth Water Reserve outer catchment and on Unallotted Crown Land that provide a range of skills and easy trails that branch out progressively to harder trails further into the range. These trails may radiate out from the Cape Range Crossing Trail.
4. For ease of bike access for children and adults linking trails to the Exmouth Recreation Area and the Ningaloo Centre.
5. Providing within the Unallotted Crown Land to the south of the town a level mountain bike area connected by trails to the town and the Ningaloo Centre for the development of trails that are easier to ride and contribute to skill development.
6. Expanding mountain biking opportunities in the Badjirrajirra Shared Use Trail area to include an across the range trail, additional trails around to the west of the Badjirrajirra Trail and future development of some downhill trails to the east from the range to the flat land.
7. Longer trails that are currently used and are supported include across the range and north to the Vlaming Head Lighthouse. These trails use some existing tracks and in the area of the Air Defence Radar Site near Pap Hill require approval from the Department of Defence.

Demand

These future trails will be developed over several years in a staged manner and will be used by a small but growing mountain bike community and the Cape Range Riders Mountain Bike Club who will actively encourage the involvement of children and youth in activity.

Local people are likely to get involved for recreation and activity, with interest from the towns growing number of children in skill development. There are now over 40 members of the Cape Range Riders with half being juniors, further interest is evidenced by the over 1,500 followers on Facebook.

Individual riders from the town will cycle independently on the trails when established and parents will encourage children to undertake this activity particularly if it is safe and formalised. There will be a moderate interest from “Grey Nomads” who often carry their own bikes and there will be some interest for international visitors who may hire bikes and ride out from the Ningaloo Centre hire on established trails.

There is interest in mountain bike events within Exmouth from other mountain bike groups in the region and beyond. With suitable venues this is likely to grow.

It is anticipated that demand will increase in the early years and the resources of the mountain bike community will be initially limited, it is predicted that interest and demand will grow. It is important that trail and the mountain bike skills park areas are developed early to cater for demand, to encourage growth, to maintain interest and to encourage community stewardship and activity.

Image: 11 The Bowl Pump Track SA compacted gravel



Why is it important?

There is great community benefit in the establishment of a range of mountain bike trails that have an emphasis on skill development and introduction to the new riders particularly children to the sport. Promotion of outdoor activity is an essential component of healthy communities. Community pride is also a benefit from the development of mountain biking experiences in and around the town.

Small scale regional mountain bike events are currently proposed but the lack of suitable venues limits future growth.

Mountain biking is unlikely to become a major visitor draw to Exmouth and there will initially be a small economic benefit from mountain biking. This however is likely to grow and services such as bike hire, drop off and pick up may result from a number of initiatives in this plan.

As the regional interest grows there will be opportunities for visitors to be engaged and leverage from the other attractions that draw visitors to this area.

What needs to be done to deliver the project?

The Shire of Exmouth and DBCA are responsible for this project in partnership with Cape Range Riders Mountain Bike Club.

To ensure the roll out of the mountain bike activity and skill development initiative over a number of years approvals will be required (see map 5) including:

- ▶ The Shire of Exmouth and Department of Lands for trail access and future mountain bike access on Crown Land under the care and control of the Shire and Unallotted Crown Lands.
 - ▶ The Shire of Exmouth agreement in partnership with Cape Range Riders Mountain Bike Club for the establishment of a Mountain Bike Skills Park and cycling activity area including Pump, Jump and BMX Tracks within the Crown Reserve 50807 Exmouth Recreation Area.
 - ▶ Water Corporation and Department of Water for long term and sustainable access to sections of the outer catchment area of the Exmouth Water Reserve
 - ▶ The Department of Biodiversity, Conservation and Attractions (DBCA) for an expansion of the existing approval for access to Badjirrajirra Walking Trail to include areas to the west of the trail and areas within Cape Range National Park individual projects will be subject to environmental, social and cultural assessment
 - ▶ Department of Defence for access (walking and cycling) to the track that runs through the disused air defence radar site near Pap Hill
- The Mountain Bike Skills Park and cycling activity area including Pump, Jump and BMX Tracks within the Exmouth Recreation Area will require specific specialised design by a recognised and skilled trail builder.
- The most sustainable Pump Tracks are constructed as a minimum from clean compacted crushed rock but the very best are capped with bitumen/asphalt. The bitumen capped tracks also allow for a greater variety of use including scooters and skaters.
- The mountain bike trails will require substantial planning and skilled construction to ensure all trails come up to appropriate International Mountain Bicycling Association (IMBA) standards, that is, to be attractive, fun to use, be resistant to the extremes of weather and to ensure the trail alignments will be sustainable through the steep sections of the range.
- Shared use trails will require modification and visitor information to ensure there are no conflicts between users.
- Appropriate trail head signs, way marking (including difficulty ratings), and maintenance schedules based on keeping the trails up to the standard appropriate to the trail difficulty rating will be essential. Trail stewardship should be a responsibility of the mountain bike community and trail users encouraged to have an active involvement in management.

The first section of the trail from Exmouth is planned to avoid the Exmouth Water Reserve Wellhead Protection Zone but will be within the Reserves Outer Catchment Area. It is important for the sustainability of the investment and experience that there is long term access for this trail on the Exmouth Water Reserve.

The community will be expected to have a strong involvement with the ongoing maintenance of the trail and the shared use aspect of the trail includes a commitment from all partners in the trails maintenance, promotion and stewardship.

Initial trail construction should be undertaken by recognised and skilled trail building contractors with suitable tracked equipment. It is common practice that mountain bike groups develop trail building skills often from skilled contractors. Initial investment in trail construction should include an investment in training to enable future works to be undertaken on a staged and economical basis.

Mountain biking may not be initially recognised as an activity that celebrates World Heritage however the cross the range trail provides great opportunity for a range of people to be engaged in the spirit of this special place and further understanding can be developed through education and interpretation.

Estimated costs

Mountain Bike Skills Park and cycling activity area including Pump, Jump and BMX Tracks within the Exmouth Recreation Area will require specialised input to the design and construction in partnership with Cape Range Riders.

The site needs to be designed in a manner that provides protection, comfort, recognises the extremes of climate and encourage year round use in this extreme climate. Site design should include shelters, BBQs, car parks, bike racks, water supply, and revegetation including shade trees. The design should allow for growing activity and future focus on events. A suitable landscape architect would need to be engaged to ensure the site is attractive, encourages use and functions effectively with a focus on sustainable design.

Cost estimates vary depending on size of the facility and material used. It is recommended for pump tracks that clean quarry rubble capped with bitumen be used.

Design and construction of a pump tracks is estimated at \$250m² for quarry rubble capped with bitumen.

Image: 12 Cobbler Creek Pump Track South Australia, bitumen over compacted gravel. Popular with a wide range of kids and adults.



Indicative costs:

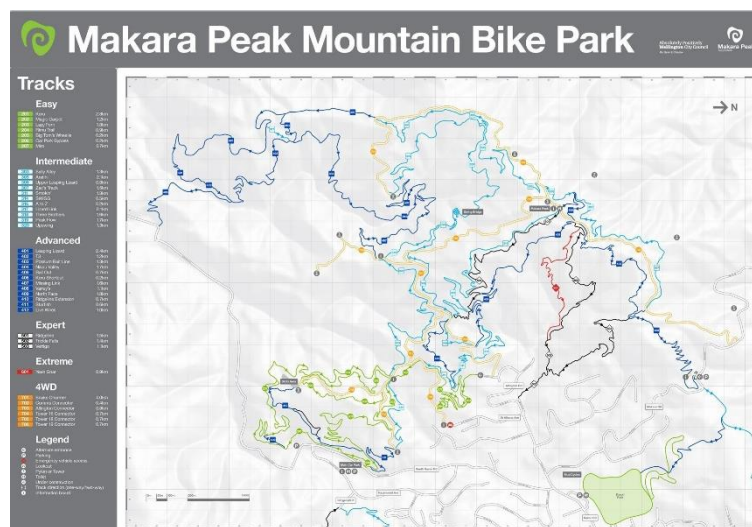
- ▶ Landscape design and engineering | \$40,000
- ▶ An average size pump track | \$100,000
- ▶ Linking, skills and jump tracks estimated 500m @ \$40per linear metre | \$20,000
- ▶ Site infrastructure shelters, car parks and facilities | \$100,000
- ▶ Landscaping, drainage and restoration | \$30,000
- ▶ Total Skills Park Pump and Jump Track \$290,000*
Plus contingencies for remote Total including 25% for remote mobilisation and contingency \$362,500
*based on capital city rates.
- ▶ Cost estimates will vary based on the skills and level of involvement of the community in developing mountain bike trails.

It is understood that there is a capacity within the Cape Range Riders to develop mountain bike trail within to IMBA standards. The building of mountain bike trails by recognised builders varies for \$35,000 to \$65,000 per kilometre depending on the terrain and location.

- ▶ Cape Range Crossing Trail – to be determined based on community contribution but estimated to be between \$350,000 and \$500,000
- ▶ Badjirrajirra Shared Use Trail – to be determined based on community contribution

*cost estimates based on Perth contractor rates and for advice only, further assessments will be undertaken through the development of the implementation stage of the Trail Master Plan.

Refer to Exmouth North and Central Loop Maps in Appendix A



BEST PRACTISE MANAGEMENT: MAKARA PEAK MTB PARK

Makara Peak Mountain Bike Park, which is located just outside Wellington, New Zealand, is a 250 hectare reserve with a trail network of over 40 kilometres. More than 80,000 visits are made to the park annually by mountain bikers of all ages and abilities as well as hikers and runners (who constitute around 30% of visits).

The park is situated on Wellington City Council land and managed under a partnership between the Council and a proactive membership-based community organisation known as Makara Peak MTB Park Supporters. The group contributes more than 4,500 volunteer hours annually to park projects including trail maintenance and development and conservation work. Since inception in 1998 the Makara Peak Supporters have developed more than 40 kilometres of predominantly hand-built single-track; planted over 35,000 native plant seedlings; and contributed to pest plant and animal control, waterway restoration and bushfire risk reduction activities.

The group is also very active in fundraising to support the park through both donations and grants. They host events including corporate work parties, and promote the park and its use through their website, social media platforms and regular newsletters.

The park has received numerous awards, including the Wellington Airport Regional Community Awards 2014 and New Zealand Recreation Association 'Most Outstanding Park' 2010. *Source: www.makarapeak.org*

6.4 Ningaloo Centre Trail Hub

6.4.1 Exmouth Town Loops and Connections

Description

A clear direction from the community is for improved trail access and connectivity to the town and natural features around the town for a wide range of people including residents and visitors.

Exmouth is fortunate in that it has large areas of open space and a number of informal tracks and trails on the boundaries of the town and ephemeral water courses that pass through the town from west to east providing natural pathways. The town and community now also have a splendid new Ningaloo Centre that provides an important central meeting and information hub for the town and for visitors.

The numerous tracks and trails currently provide a series of random trail loops with some providing recreational trail access and connections to the coast. Many of these trails are run down and are not effectively sign posted, promoted or maintained to encourage locals and visitor to get on the trails and be active.

These tracks have been assessed for priority linkages and appropriate corridors from the suburbs to the town, to Cape Range, to the coast and a long sought after trail from the centre of town to the Gulf Coast for all residents and visitors (see 6.4.2 below).

Community consultation provided a strong desire for trail activity that involves kids, this is reflected in the evidence that Exmouth has a relatively large number of children under 14. The development of mountain bike experiences and skills development proposed for the Recreation Centre will be an obvious outdoor attraction for kids who should be able to get there safely by bike or foot.

It is proposed to identify the right tracks, trails and water courses that will provide popular shared use trail access for locals and visitors to link to the Ningaloo Centre and other important destinations in the town

such as the Recreation Area and the beach. A northern and central town loop and a coastal loop is proposed by defining the best tracks that circuit the suburbs and building trails through the existing water course to meet at the Ningaloo Centre. From the Ningaloo Centre or the town centre it will be a simple process to link to other points in the town.

The coastal loop picks up on the existing trails from the Ningaloo Centre, pass through the Recreation Centre, follow Willersdorf Road and pass the golf course to link up with the existing coastal trail that runs behind the dunes and links to several access points to the beach. This informal trail will cross the Exmouth Gulf Coast Trail and lookout (see 6.4.2 below) and progress to Town Beach.

Some trails will require nothing more than signage depicting a common Exmouth trail brand, theme and direction way marking whilst others such as the water course trail alongside the High School will require further planning, design and construction to complement the existing north south pedestrian paths and bridges. Other water courses such as adjacent to Griffith Way will require less complexity with a formed pathway placed on the levee bank.

Most trails should be developed equivalent to Class 2 walking trail standards which will generally be a modified or hardened surface greater than 2.5 metres in width. Within the town areas Class 1 equivalent trails will be required with broad hard surfaces suitable for wheelchair use. All the trails will be shared use.

Given the range, fitness levels and number of users that are likely to be attracted to an urban trail, safety considerations take on greater importance. Similarly, access for a wider range of user groups, including those with mobility impairments, is likely to have a greater influence on the design of the trail than would be the case in remote area. It is important that the more urban trails are designed in accordance with recognised traffic engineering standards³⁴.

³⁴ TRC 2015, Guidelines for trail planning, design and management prepared for Barwon South West Region, Victoria

An important consideration is safety particularly as in three areas pedestrians or bike riders will be required to cross the busy Murat Road. Options include pedestrian bridges, underpasses, pedestrian lights or a combination of traffic warning signs, pedestrian islands and traffic calming devices. These alternatives will need to be designed in accordance with recognised traffic engineering standards.

Horse riders many who live to the south of the Town seek a safe and permanent route from the southern beaches and McLeod Street to the Pony Club on Madaffari Drive, the Town Beach and access for riding on the beaches north of the marina.

The widening of the road verge within the Murat Road road reserve south of the town has provided a safe pathway for horses on the western side of the road. It is proposed that the road verge be recognised as a horse riding route by providing horse trail signs, appropriate surface treatment and traffic warnings for horses crossing on Murat Road. This will provide a long term and safe trail pathway for horse riding to the Pony Club and the beaches north of the marina. The horse riding community support this route for horse riding access.

The mountain bike trails to the west of the town can be easily accessed on the existing tracks that leave the Recreation Area on easy shared use trails and follow the Highway before crossing and linking up with the more challenging trails to be developed across the range. It is recommended this trail be sealed to enable road riders to access the cycle path to the Base.

The importance of the Ningaloo Centre as the Exmouth trail hub should be recognised through the development of a Ningaloo Coast and Ranges Trail Head with information and direction provided for the town, coast and Cape Range trails. There is opportunity at the Ningaloo Coast and Ranges Trail Head for interactive digital technologies (such as for smartphones and apps) and social media to access information about trails and record their trail activities.

Demand

This mix of trails will be popular with locals and families who will get involved for recreation and activity and children will have safe access to the Recreation Centre and beach via the network of trails. Trail runners, bike riders and others will use the loop trails for exercise and to get to the beach and other locations around the town.

Visitors to Exmouth will be drawn to the Ningaloo Centre and to the Ningaloo Coast and Ranges Trail Head and be inspired to move around the town and the surrounding features on foot or bike.

Why is it important?

The Shire of Exmouth Local Planning *Scheme* and *Local Planning Strategy for the Shire of Exmouth* identify the need for improvements to the pedestrian/cycleway network particularly within the town centre. The strategies also recommend greater connectivity between the town centre and the Exmouth Gulf foreshore through pathway upgrades and maintenance and the introduction of signage and wayfinding elements given the prevalence of tourists in unfamiliar territory.

The development of the trail loops and the promotion of trail linkages through the town and to the coast will deliver a number of benefits provided by trails. Benefits include encouraging more outdoor physical activity leading to improved physical and mental wellbeing particularly for the relatively large numbers of children in the town. The children will be able to access the loop trail on their bikes or walking and develop a growing sense of confidence and independence.

The trails will provide low cost recreation for the community particularly when linked to other activities such as mountain biking and the trail experiences will provide opportunities for social interaction and contribute to community identity and pride. The trails will over time contribute to Exmouth becoming a trail friendly town and a more attractive place to live.

There are likely to be some modest economic benefits derived from the town trails and links to other trail activities which could include the hire of bikes and provision of products and services.

What needs to be done to deliver the project?

The Shire of Exmouth is responsible for this project.

The plan through discussion and mapping has identified alignments which may be suitable through the town (see map 5). These pathways have been checked against the draft Local Planning Strategy for *Shire of Exmouth*.

On the western side of the town on the central trail loop a small section of trail enters the Exmouth Water Reserve outer catchment area near Nimitz Street. This is only a small entry into the reserve on tracks that are regularly used by local people; approval for future access will be required from the Department of Water.

Access through sections of the town will require further technical assessment to ensure pedestrian and vehicle conflicts are minimised and the new alignments are as safe as they possibly can be. It is important that the more urban trails are designed in accordance with recognised traffic engineering standards particularly where the trail crosses the busy Murat Road.

Historical land use within the town boundaries may have included dumping of a range of materials in the proposed alignments. Assessment will be required to ensure the safety of contractors, residents and users and if potentially hazardous materials are found suitable mitigation strategies will need to be implemented.

The proposed shared use trails and trail hub will need to be developed of a high quality and reflecting the diversity of uses and sustainability. The coastal loop trail will utilise nominated existing tracks comprising compacted gravel, where trails enter the town centre and follow the water courses they should be developed to a Class 1 walking trail standard adjacent to the town centre with Broad, hard surfaced track suitable for wheelchair use and be well maintained.

*Estimated cost

North Town Trail Loop

- ▶ Around the western boundary Skipjack Circuit to Learmonth Street Reserve shared path 1.3 km 2.5 m width compacted crushed rock 3,250 m² = \$40,000
- ▶ From start of Base Cycling Trail to Ningaloo Centre via Recreation Centre base material and spray seal \$132,000 + \$220,000 = \$352,000

Coastal Loop

- ▶ Recreation Centre to Town Beach shared use path compacted crushed rock 2.8 km 2.5 m width compacted crushed rock 7000 m² = \$84,000

Central Town Trail Loop

- ▶ Learmonth Street Park to Griffin Way shared use path 3.2 km 2.5 m width compacted crushed rock 5,500 m² = \$66,000
- ▶ Griffin Way to Ningaloo Centre shared use path 1.3 km 2.5m width spray seal 3,250 m² \$39,000 + \$65,000 = \$104,000

Engineering and traffic advice

- ▶ \$40,000

Estimated Total Exmouth Town Loop Trails

- ▶ \$686,000

*cost estimates based on Perth contractor rates and for advice only, further assessments will be undertaken through the development of the implementation stage of the Trail Master Plan. Cost estimates do not include mitigation strategies if hazardous materials are found in the trail alignment.

Map 7 Exmouth Town loops and extension



6.4.2 Exmouth Gulf Coast Trail

Map 8 Proposed Exmouth Gulf Walk



Description

For some years there has been strong interest from local people and visitors for a walking trail from the town to the beach. Visitors who stay in the town at caravan parks, backpackers, hotels and other accommodation near the town centre have had to drive or walk along several roads to get the beaches of the Exmouth Gulf.

Local people who walk, run and cycle have expressed a desire for trail access to the beaches of Exmouth Gulf and to be able to move around the town on trails rather than being exposed on roads and the main highway through the town.

The development of the Exmouth Town Loops and Connections (see 6.4.1 above) will provide trail access around the town and to the beach via the Coastal Loop however there is still a need for a direct pathway to Exmouth Gulf from a central town location.

The Ningaloo Centre with its central location provides an important central meeting and information hub for the town and for visitors and it is located adjacent to caravan and camping parks, backpackers, hotel and next door to the Recreation Centre.

The Ningaloo Centre as the proposed Exmouth trail hub (see 6.4.1. above) provides a recognisable starting point for a pathway to the beach. Between the Ningaloo Centre site and the beach is a sizable section of Unallotted Crown Land covered with coastal bush and bounded by the Golf Course and Truscott Crescent. The bushland spreads to the coastal dunes and beyond that is a sandy beach. Further to the north of the bushland are the town's treatment ponds which potentially aren't the best outlook from a trail but with the contiguous coastal vegetation and sand dunes the ponds can be simply screened from view.

Historical land use may have included dumping of a range of materials within the proposed Exmouth Gulf Coast Trail alignments. Assessment will be required to ensure the safety of contractors, residents and users and if potentially hazardous materials are found suitable mitigation strategies will need to be implemented.

From the Ningaloo Centre to the coastal dunes the land is mostly flat which would enable a pathway to be developed that would cater for people with a range of abilities and could include wheelchair access. From the top of the coastal dunes there are views of the town, Cape Range and Exmouth Gulf where during the whale season Humpback Whales can be viewed.

It is important that those locals and visitors who do not have the ability to climb sand dunes are provided with the opportunity to take in the view at the end of the trail. It is also very important that a busy trail such as proposed does not damage the coastal environment and create instability in the dune system. It is proposed to provide ramped access with landings to a lookout on the top of the dunes where people with all abilities can take in the view. From the lookout a further ramp will be provided to access the beach.

In addition to the trail, lookout and the beach it is proposed to include this part of the beach as a location for placement of intertidal and underwater sculptures as part of the Ningaloo Sculpture Trail (see 6.1.2 above). The Exmouth Gulf Trail could also include art work and design with an Exmouth theme along the 1200 metre long trail which has the potential to make the trail a feature in its own right.

The trail would be designed as a linear return trail however there will be opportunity for a longer loop experience by walking back along the beach and linking up with coastal loop near the Golf Club or walking or riding along the coastal loop trail behind the dunes and returning to the Ningaloo Centre.

The Exmouth Gulf Trail will need to be developed to a high standard and similar to a Class 1 walking trail being suitable for people in wheelchairs. The ramps to the lookout would need to be at a maximum slope of 1:14 (7.14%) and the path would need to be a broad hard surface at least 1200 mm wide and well maintained. It is anticipated that this trail would be popular and a broad trail would encourage use and it is recommended the trail be at least 2.5 metres wide and with the other trails around the town this would be shared use.

The trail surface should be attractive and reflect the coastal theme and should be hard wearing, low maintenance and easy to use for a range of people. Options include spray seal bitumen concrete or a concrete boardwalk design. The concrete boardwalk design can be carried through to the ramps, landings and the lookout.

Demand

Visitors of all ages and abilities will have access from the Ningaloo Centre to the beach on the Exmouth Gulf Trail.

International visitors and potential new markets such as Cruise Visitors will benefit from the beach access trail with particular interest in the Exmouth Gulf lookout and the Ningaloo Sculpture Trail and to celebrate World Heritage and cultural values through art and a range of innovative interpretation.

The Ningaloo Centre and the proposed Ningaloo Coast and Ranges Trail Head are central to a range of accommodation and where the visitors are. The short 2.4 km return trail will be attractive to a range of people at all times of the day particularly during the morning and evening and during the cooler months.

The trail will be popular with locals and particularly kids who will be able to access the sea whilst avoiding roads.

Why is it important?

It is important that the Exmouth community and visitors to the town have access to the Exmouth Gulf Coast by means other than driving a car. Many visitors stay at the central accommodation areas without vehicle transport and seek alternative ways to get to the coast; this trail provides those people with a clear alternative.

The town has never had a clear link to the coast and roads and trails do not go directly to the coast and from the centre of town at the Ningaloo Centre the view to the coast is of coastal bushland with no apparent access.

What needs to be done to deliver the project?

The Shire of Exmouth is responsible for this project.

The access for the trail is through Unallotted Crown and this has been checked against the Draft Local Planning Strategy for any future development approvals or encumbrances.

Assessment will be required to ensure the safety of contractors, residents and users and if potentially hazardous materials are found on the proposed trail alignment suitable mitigation strategies will need to be implemented.

Image: 1 Example Lookout Using Concrete Boardwalks

Estimated cost

*The Exmouth Gulf Trail - From the Ningaloo Centre to the base of the coastal dunes shared path 1.0 km x 2.5 m width base material and spray seal bitumen \$40,000 + \$50,000 = \$90,000

- ▶ Ramped pathway with platforms and lookout, reinforced concrete decking 100 m x 2.0 m with deck and ramp to beach \$95,000
- ▶ Trail head sign, pathway art work, interpretation and way marking \$20,000

Engineering, survey and landscape architect advice

- ▶ \$40,000

Estimated Coast Exmouth Gulf Trail

- ▶ \$245,000

*cost estimates based on Perth contractor rates and for advice only, further assessments will be undertaken through the development of the implementation stage of the Trail Master Plan and during the shovel ready proposal. Cost estimates do not include mitigation strategies if hazardous materials are found in the trail alignment.



6.5 Four Wheel Driving

6.5.1 Ningaloo Yardie Creek Road

Description

The Ningaloo Yardie Creek Road provides a significant contribution to iconic 4WD experiences along the Ningaloo Coast. The bitumen road ends at Yardie Creek where the 4WD experience begins with the crossing of the sandy and tide influenced Yardie Creek mouth.

Once navigated the sandy track follows the coast to Coral Bay providing a unique coastal driving experience. The reliability of access across the mouth of Yardie Creek can be problematic for those using the trail requiring checks with DBCA and assessment of the river mouth to avoid a break in the journey or worse being stuck and vehicle damage.

This plan does not recommend any modification of the crossing at Yardie Creek due to the dynamic nature of the coast and estuary. The problems with the crossing are part of the challenges of undertaking a 4WD experience.

When the mouth of Yardie Creek is closed it is proposed that the Sandy Bay Track becomes an alternative 4WD option. The Sandy Bay Track is currently partially on park and lease hold land which is proposed for addition to the public conservation estate the track provides an alternative option to access the bitumen road to Coral Bay without returning to Exmouth.

Within Cape Range National Park off road vehicles use is permitted only in areas designated for this purpose and there are no other designated off road vehicle areas in Cape Range National Park.

Demand

The *Ningaloo-Shark Bay National Landscape Experience Development Strategy* focusses on development of experiences for the global *Experience Seeker* market and similar domestic markets – The Ningaloo Yardie Creek Road provides an authentic drive trail experience and is an important component of a regional drive loop between Coral Bay and North West Cape.

Grey Nomads and international visitors are potential user of the Ningaloo Yardie Creek Road 4WD experience and there is future potential for tag along tours.

Why is it important?

Visitors stay relatively long periods in Exmouth and the Gascoyne Region and for this reason are likely to seek a variety of activities during their stay. The promotion of the Ningaloo Yardie Creek Road 4WD experience provides an important regional experience linking the major attractions of the area Coral Bay and the Ningaloo Coast through an authentic 4WD experience.

What needs to be done to deliver the project?

- ▶ DBCA are responsible for this project.
- ▶ It is understood that all approvals including Defence have been received for the trail as it travels adjacent to Defence and near Bundera Coastal Protection Area.

Estimates Costs

- ▶ Trail head sign, interpretation and way marking \$15,000
- ▶ Ongoing maintenance

6.5.2 Sandy Bay Track

Description

The Sandy Bay Track is an over the range route from Learmonth to Sandy Bay. The track follows ridges up through the gorge country of the eastern side of Cape Range crosses the plateau and then navigates the western gorge country overlooking the Ningaloo Coast with spectacular views.

The proposed transfer of land on the eastern side of Cape Range to the public conservation estate provides opportunity for this new land journey that will complement the Ningaloo Coast 4WD trail. A regional drive loop which links Learmonth to the Ningaloo Yardie Creek Road provides a cross the range experience for 4WD vehicles, motor bikes and other road registered off road vehicles and will provide an alternative vehicle trail experience when access across Yardie Creek mouth is closed.

The track is rough in sections particularly on the west gorge country requiring high clearance 4WD or suitable registered off road vehicles. The track would be suitable for authentic and unique “off road” recreational experiences with opportunity for quad biking or similar activities subject to safety assessment and consideration.

Demand

As discussed with the Ningaloo Yardie Creek Road experience The Ningaloo-Shark Bay National Landscape Experience Development Strategy focusses on development of experiences for the global Experience Seeker market and similar domestic markets – The Sandy Bay Track provides the setting for authentic drive trail experience that compliments Ningaloo Yardie Creek Road experience and is an important component of a regional drive loop between Coral Bay and North West Cape.

Grey Nomads, international visitors, families and local people are potential user of the Sandy Bay Track 4WD experience and there is future potential for tag along tours, and quad bike tours along this track with its challenging driving conditions and spectacular views.

Why is it important?

This 4WD experience is an important component of the Regional 4WD experience it provides an alternative and complementary experience to the Ningaloo Yardie Creek Road 4WD experience. It will also provide the opportunity for the development of new experience including tag along tours and quad bike tours.

What needs to be done to deliver the project?

- ▶ DBCA are responsible for this project.
- ▶ Transfer of the land where the eastern portion of the track needs to take place prior to this project proceeding.
- ▶ Further assessment of the trail needs to take place prior to implementation for safety issues.
- ▶ Obtain consent and relevant approvals from the Department of Defence and the relevant pastoral lease holder.

Estimated Costs

Upgrading of eroded sections of track \$50,000

*cost estimates based on Perth contractor rates and for advice only, further assessments will be undertaken through the development of the implementation stage of the Trail Master Plan.

Other options being explored

Several other options were explored in the development of the plan including the extension of the sealed cycle track from Exmouth to the Base to include Bundegi Beach. The direct route across land under the control of the Department of Defence was not permitted leaving access on the existing public use tracks as the only cycling and walking options.

The Baiyunga Cultural Track and the Barke Stefano Trail shipwreck trail occur within the study area, these trails as they develop will link with existing trails and locations and should not require any physical trail construction.

7 Implementation Plan

This Implementation Plan contributes to the design, construction, management and promotion stages of the Shire of Exmouth Trails project and includes the Mountain Bike Skills Park and Pump and Jump Tracks within the Exmouth Recreation Area as a “shovel ready project”.

The Implementation Plan provides a number of stages (not necessarily placed in project timeline order) in the process to deliver the great trail experiences identified within the Trails Master Plan. The Implementation Plan should be considered together with the current policies and procedures of the Shire and trail partners and is backed up with more detailed implementation detail in Appendix A and B.

Stages	Rational	Implementation Actions
Trail Project Priorities	<p>Priority action for trails will be governed by the priorities of the Shire and linkages to other Shire initiatives such as activities of the Ningaloo Centre. It is proposed that the centre should include the Exmouth Trail Hub and the priority should focus on the trails that radiate out from and link to this hub. This would include the Mountain Bike Skills Park and Pump and Jump Tracks.</p> <p>All trail projects proposed are considered vital to the Shire’s future trail program. Priority should be based on how individual trails link with other trails, trail user demand, community benefit, visitor experiences and public risk. For example there is significant further planning required for the visionary trail concept, the Ningaloo Sculpture Trail therefore it is important that this initiative is developed early.</p>	<p>Recommended Primary Trail Projects:</p> <ul style="list-style-type: none"> • Mountain Bike Skills Park and Pump and Jump Tracks • The Exmouth Gulf Trail • Exmouth Town Loops and Connections • Ningaloo Sculpture Trail development planning • Multi-Day Sea Kayaking Trail
Business Case	<p>The Trails Master Plan includes information and analysis of trends and strategic context including economic development, tourism potential, demand for trails and recommended trail development. The Trails Master Plan also includes estimated investment, implementation and maintenance costs. This provides background for a more detailed business case that the Shire will undertake as part of the Shire’s policy and procedures and funding submissions.</p>	<p>The Shire to consider the development of a detailed business case based on the Shire’s asset procurement procedures and as a requirement of funding submissions process.</p>
Governance Approvals Partnerships	<p>The trail proposals cross a range of lands with the majority on Crown Land under the care and control of the Shire. The trails proposed across the Exmouth Water Reserve will however require approval from the Water Corporation (approval sought during 2017). A succinct Trails Management Plan (see below) and the development of a MOU between the land managers and the Shire would clarify the asset, risk and management responsibilities of partners.</p> <p>The Trails Master Plan recommends access across lands designated for residential and tourism development within the</p>	<p>Seek approval from land managers for trail access including the Water Corporation and clarify partnership arrangements including asset management, maintenance and risk responsibilities through MOU.</p>

Stages	Rational	Implementation Actions
	<p>Exmouth town area. Trails will enrich and contribute to the experiences and investment in these areas, further site specific planning will be required to integrate these activities including key initiatives such as the Mountain Bike Skills Park.</p> <p>Assessment will be also be required to identify and mitigate any hazards that lie within proposed trail alignments resulting from past land use practices.</p> <p>Development approval will be required for the access and development of the lookout associated with the Exmouth Gulf Trail and its proposed placement on the sand dunes and within the coastal zone.</p>	<p>Undertake further site specific planning in areas of future residential and tourism to ensure the best fit and to ensure the best benefit from trails.</p> <p>Undetake assessment of trail alignments during the design and construction phases to identify and mitigate hazards.</p> <p>Seek development approval for the Exmouth Gulf Lookout.</p>
Consultation Community Support	Community engagement should continue following the adoption of the Trails Master Plan to maintain enthusiasm and support for the plans actions and to ensure community stewardship and volunteer contribution for trails.	Continue community engagement beyond the adoption of the Trails Master Plan.
Funding Opportunities	<p>The Shire could potentially seek funds from a number of funding sources that may be available for promotion and capital and maintenance works for the trail projects. This list includes all levels of Government, corporate sponsors, community-government programs and the use of community volunteers. Trails must be recognised as a valuable investment for the future that will deliver a wide range of tangible benefits. The trail projects have potential to bring and retain tourists and money into the Shire of Exmouth if they are well planned, built and promoted.</p> <p>Lotterywest, Department of Sport and Recreation, Federal Government Department of Sustainability, Environment, Water, Population and Communities, Department of Culture & Arts and Department of Regional Development are some funding sources that are currently available. This list should not be taken to be full and final, as there are no doubt other sources.</p>	The Shire will investigate a range of sources to contribute to all aspects of the Shire of Exmouth Program including promotion, capital and maintenance works associated with the trail projects.
Landscape Design Engineering	<p>The proposed trail infrastructure is innovative by design to ensure a high level of sustainability, environmental protection and great visitor experiences including access from the town to the Ningaloo Coast and Exmouth Gulf. The prefabrication and construction of an Exmouth Gulf Lookout will require landscape, geotechnical and engineering design to successfully integrate with the coastal dunes, Exmouth Gulf and the potential for future sculptures (linked to development approvals above).</p> <p>Bitumen trails will require some further detailed trail alignment and specifications depending on soil type and drainage and will require integration into the existing and proposed footpath and road network.</p> <p>Across the range trails will require further alignment planning, excavation of mineral earth trails and grade reversal and drainage detail (good trail construction contractors can do this during construction phase).</p>	<p>Provide additional landscape, geotechnical and engineering assessment to integrate the Exmouth Gulf Trail and lookout into the sand dunes and coastal environment of Exmouth Gulf.</p> <p>Refine the trail alignment for all trails prior to construction to maximise visitor experiences and minimise impacts from water flow.</p>

Stages	Rational	Implementation Actions
Ningaloo Sculpture Trail	The Ningaloo Sculpture Trail concept will require focussed planning to take the initiative to the next stage including development of a shared vision, identification of themes and technical assessment including environmental assessment and artistic input from suitable sculptures. The progression of this initiative would benefit from philanthropic and sponsor support to both ease the approval process and generate interest in funding contribution. The whole process from initiative to implementation would benefit from the development of a specific project plan developed with seed funding.	Drive the Ningaloo Sculpture Trail initiative through seed funding and the development of a project plan focussing on vision and theme development, technical and environmental assessment, support, funding and development approvals.
The Mountain Bike Skills Park and Pump Track I	<p>The Mountain Bike Skills Park and Pump and Jump Tracks Project has been recommended as a priority due to its strong active community and health and wellbeing benefits. The implementation of this project overlaps with many of the aspects identified in this plan and a more detailed approach to implementation identified in Appendix A.</p> <p>Key steps to ensuring a great end product include”</p> <ul style="list-style-type: none"> ▶ Commitment to the project including clear identification of who has responsibility for park assets, risk, governance, operation and maintenance ▶ Sourcing budget and resources to project manage the process from inception to delivery ▶ Obtaining suitable budget to deliver the park and commitment to maintenance ▶ Commitment to ongoing engagement and review with users and stakeholders ▶ Procuring an expert in trail design and construction with experience in skills park and pump track construction to work in partnership with the Shire and Cape Range Riders with links to community needs and desires. <p>Detailed Mountain Bike Skills Park and Pump and Jump Tracks alignments and siting and and environmental approvals</p>	<p>Develop Project Management approach to the Bike Park and Tracks through Shire development and procurement process including focus on the users, community views, the environment and great design.</p> <p>*See next stage below for more information</p>
Design and – Construct The Mountain Bike Skills Park and Pump and Jump Tracks	<p><i>Shovel Ready Implementation see Appendix A below.</i></p> <p>Design and construction of a pump tracks is estimated at \$250m² for quarry rubble capped with bitumen.</p> <ul style="list-style-type: none"> ▶ An average size pump track will cost approximately \$100,000 ▶ Linking, skills and jump tracks estimated 500m @ \$40per linear metre = \$20,000 ▶ Landscape design and engineering \$40,000 ▶ Site infrastructure, shelters, car parks and facilities \$100,000 ▶ Landscaping, drainage and restoration \$30,000 ▶ Total Skills Park Pump and Jump Track \$290,000* ▶ Total including 25% for remote mobilisation and contingency <u>\$362,500</u> *based on capital city rates. <p>Cost estimates in the Trails Master Plan are based on Perth contractor rates. Mobilisation rates and 25% contingencies aproximately \$73,000 which is an additional project cost based on remote Exmouth site.</p>	<p>Investigate opportunities for local companies and employment providers to be involved.</p> <p>Consider opportunities to employ and train local workers and community groups in the development of all aspects of the trails program.</p> <p>Engage a skilled trail construction company to design and construct the Mountain Bike Skills Park and Pump Track.</p> <p>Consider engaging a skilled and qualified trail builder to induct and train local workers in the</p>

Stages	Rational	Implementation Actions
	Investigation should be undertaken to establish cost effective local prefabrication and bitume contractors and employment suppliers. Future maintenance demands will be reduced through careful planning and good construction.	construction and maintenance of the cross the range and mountain bike trails.
Trail Management Plans Maintenance Plan Water Reserve Water Quality Protection Stewardship Monitoring	A clear, concise Trail Management Plan is recommended to direct critical trail resources including trail maintenance. Defining the level of service required to maintain a trail is an important component of a Trail Management plan. The Level of Service is the defined service quality for a particular class of trail against which service performance may be measured. A risk assessment process should measure the condition of the trail against the walking trail or cycling classification and level of service to ensure the trail meets the expectation of the user and the duty of care of the trail manager. It should also reflect the trail vision and contribute to the protection of the trail and environmental values. In the case of the Water Reserve it may include agreements for water protection measures. Trail maintenance costs vary depending on conditions such as weather, soil types, construction standards, usage patterns, type of trail and whether the maintenance is outsourced at full professional trail contractor rates. The recommended use of reinforced concrete boardwalks for the ramp and lookout would reduce future maintenance costs considerably. The total trail project would involve the construction of some 30 kilometres of trails (not including mountain bike trails yet to be determined and sculpture trails) at an approximate establishment cost of \$1.8 million. Maintenance costs of new trails varies considerably depending on whether professional trail builders undertook the work or Shire or DBCA or volunteers undertook the work. Approximate annual maintenance cost could be in the order of \$40,000. The Trail Management Plan should include specific management requirements such as, monitoring of trail use and user satisfaction and community engagement to encourage and support community ownership, maintenance and stewardship.	Develop a Trails Management Plan with a key focus on trail monitoring and maintenance including site specific issues such as visitor safety in the extreme environments to ensure the trails meet users expectations, encourage use and are sustainable.
Trail Information Exmouth/Ningaloo Brand Trail Sign Plans Interpretation	<i>Trail Information and Interpretation Detail see Appendix B below.</i> Visitors to the trails will seek signs and other media to direct, inform and to help interpret the surroundings. Important that the signs reflect a consistent Exmouth Trails image or brand. Signs are the most common form of communication with trail users, other forms of information technology through smart phones are becoming more available for trail information and interpretation. Trail information will only be effective if it: <ul style="list-style-type: none"> ▶ is clearly written with a simple message ▶ meets the primary needs of the visitor ▶ is easily absorbed and understood ▶ is aesthetically sympathetic ▶ meets the needs of the Shire and the other land management agencies. 	Consider developing a Trail Sign and Information Plan to promote the Shire of Exmouth Trails, present a familiar image or brand and to provide a consistent approach for visitors and trail users. Consider with the Trail Sign and Information Plan an interpretation plan for the trails that integrates with the Shires Visitor Management Plans and reflects the special places and experiences on the range of Exmouth Trails.

Appendix A. Shovel Ready Implementation

Project Financing - Promotion, pitch and marketing – how to sell to government - what will change

Commitment to the project including clear identification of who has responsibility for park assets, risk, governance, operation and maintenance.

Sourcing budget and resources to project manage the process from inception to delivery.

Obtaining a suitable budget to deliver the Mountain Bike Skills Park and commitment to maintenance.

Primary outcomes

The Mountain Bike Skills Park will contribute to:

- ▶ Environmental, social and economic benefits through activity linked to skill development; locals, visitors, children and youth connecting with the unique environment of Cape Range, Ningaloo and beyond and becoming advocates for healthy activity and promoters of the Ningaloo Coast World Heritage area as a signature adventure experience.
- ▶ Increasing growth in Mountain Bike events and visitors staying longer to experience the park and the growing number of mountain bike trails. A positive and increasing benefit to the local economy is recognised together with a significant increase in community pride
- ▶ A high number of children under 14 and youth being involved in healthy activity in the park and through skills development becoming role models and taking the opportunity to experience the expanding mountain bike trails.
- ▶ Attracting visitors through skill development, fun and as a focus for mountain biking and encouraging small business activity including hire bikes, tours and shuttle services to Cape Range mountain bike trails.

- ▶ As the first of a series of significant trail based projects within the Ningaloo Coast World Heritage area The Mountain Bike Skills Park provides the opportunity for opening/launching and promoting the area and the experiences being developed within to a wide audience.
- ▶ The Shire exploring a number of funding sources available for promotion and capital and maintenance works for the trail projects including all levels of Government, corporate sponsors, community-government programs and the use of community volunteers.
- ▶ Lotterywest, Department of Sport and Recreation, Federal Government Department of Sustainability, Environment, Water, Population and Communities, Department of Culture & Arts and Department of Regional Development are explored by the Shire and partners for the Mountain Bike Skills Park.
- ▶ The partners active in seeking support from philanthropic sources and from the community increasing the profile of mountain biking as a healthy and sustainable activity that contributes to the building of stronger communities.

Governance benefit and agreements

The Shire of Exmouth in partnership with Cape Range Riders Mountain Bike Club will be responsible for this project. Arrangements will be required to clarify the asset, risk and management responsibilities of partners.

Approval will be required including lease or licence for access, permanent and non-permanent structures, development and operation of the Mountain Bike Skills Park and associated linking trails through the crown land Reserve 50807, within the recreation area and for semi-permanent facilities within the northern future tourism and tourism residential area 5.

The Cape Range Riders have arrangements including insurance for their members but this may not cover invitees and visitors to the Mountain Bike Skills Park. The success of this project will be measured on growing use by local people and visitors including events. Success will also be measured on riders using this facility as a jumping off point to experience riding elsewhere including on Cape Range.

Suitable insurance and public liability cover is important to enable this venture to grow, the partnership between the Shire and Cape Range Riders should include arrangement for reasonable insurance arrangements.

To ensure the roll out of the mountain bike activity and skill development initiative over a number of years approval will be required.

The Shire of Exmouth with Cape Range Riders Mountain Bike Club will need to come to an agreement through a memorandum of agreement or similarly establish the Mountain Bike Skills Park within the Exmouth Recreation Area to cover a range of responsibilities including and not limited to infrastructure and landscape planning, liability and insurance, services, asset maintenance and replacement, code of conduct and future use.

The Mountain Bike Skills Park will be well managed and all partners are aware of their responsibilities and liabilities.

Primary outcomes

This will contribute to:

- ▶ Good governance and partnerships established through agreement have ensured long term success, sustainability and unencumbered growth in the success of the Mountain Bike Skills Park and cycling in the area.
- ▶ The Shire and Cape Range Riders Mountain Bike Club are clear in their understanding of roles, responsibilities and commitments including public risk and liability, insurance, asset maintenance and replacement, services such as power and water, publicity, marketing and promotion, revenue from events and any fee for service, sub-letting and any other responsibilities relating to this site.

- ▶ The partnership and shared responsibility has encouraged a sense of trust and pride and a culture of good communication at all levels which is evident to all partners, neighbours and users of the facility and is a model for future arrangements.
- ▶ Revenue generated from events or activities is returned to the site and is reflected in quality facilities and services and the partners are experts at applying for and generating grants for the upgrading, maintenance and servicing of the facilities.

Detailed Mountain Bike Skills Park and Pump and Jump Tracks alignment and specifications

Procure an expert in trail design and construction with experience in Skills Park and pump track construction to work in partnership with the Cape Range Riders and with links to community needs and desires.

Consult on developing the concept and design with the partners Cape Range Riders, stakeholders and the community including local youth.

Primary outcomes

This will contribute to:

- ▶ Professionally detailed plans and specification for the Mountain Bike Skills Park track works, maintenance and risk management including costs and priorities.
- ▶ The Skills park being recognised as an exceptional signature experience for a wide range of users, including kids and youth, and these users are expanding their activity and skills through cycling and new recreational activity in the park and the greater Exmouth, Cape Range area.
- ▶ Visitors enjoying challenging cycling experiences whilst recognising a practical approach to their safety.
- ▶ Jobs ready skill development integrated through construction.
- ▶ Minimised maintenance and maximised trail and facility sustainability established through high quality best practice trail construction.

- ▶ Capacity for future growth in Mountain Bike Skills Park visitors and event participation.
- ▶ Clarity regarding governance and responsibilities for asset management, risk, promotion, maintenance and stewardship.

Environmental and cultural assessment and planning for Mountain Bike Skills Park footprint

Undertake assessment of the site to ensure infrastructure is positioned and placed with minimal disturbance to water flows, residue from previous land use, remnant vegetation, cultural sites and artefacts and conforms to Shire planning regulations.

Develop a professional landscape site plan that incorporate existing environmental features and introduce a revegetation strategy that provides shade, comfort and enriches the environment of the recreation area. Ensure the plan reflects wise use of space, flow, shade and facilities are appropriate, well used, reflect the Ningaloo Exmouth trails image, spirit and sustainability.

The development and future management of the Mountain Bike Skills Park will ensure environmental values are protected and enriched by following established Shire process for assessment and monitoring and the future of the site is designed to benefit the users, the recreation area, the town and the surrounding environment.

Primary outcomes

This will contribute to:

- ▶ Minimised impact and improved natural environment of the site and surrounding area.
- ▶ Protection of water courses and uninterrupted water flow across the site.
- ▶ Mitigation of threats and specifically flooding, wildfire, weeds, erosion and residual materials left over from previous land practices.
- ▶ Better capacity to sustainably cater for increases in visitor numbers and events.

Visitor, contractor risk assessment

Develop and document a risk assessment and mitigation process for Mountain Bike Skills Park visitors, volunteers, staff, contractors and assets linked to the parks maintenance plan.

Primary outcomes

This will contribute to:

- ▶ The development of a documented risk assessment and mitigation process for trail visitors, staff, volunteers, assets and contractors.
- ▶ Visitors undertaking activities with a spirit of adventure, challenge and enjoyment whilst experiencing few incidents or accidents.
- ▶ Programmed maintenance undertaken on a regular basis with those responsible having a clear understanding as to what is required. The tracks and facilities receive wear and tear that is anticipated and is reflected in ongoing monitoring. There are little or no surprises, incidents, unexpected costs or track closures resulting from poor maintenance.
- ▶ The numbers of visitors and use increasing and being commensurate with continued enjoyable recreation and learning experiences.
- ▶ Staff, volunteers and contractors enjoying safe working and welfare conditions reflected in a growing volunteer involvement.

Information promotion and signage will follow a trail style guide and design reflecting the Exmouth mountain biking brand

Visitors to the Mountain Bike Skills Park and other mountain bike trails will seek signs and other media to direct, inform and to help them get to the skills park and on to the surrounding trails. The information and signs need to be clearly linked to the Ningaloo Centre and reflect a consistent Exmouth Trails image or brand and link to the sport of mountain biking.

Primary outcomes

This will contribute to:

- ▶ Pre-trip, orientation and post-trip information and communication maximising enjoyment whether children, youth, mature people, locals or visitors and enabling them to find the growing mountain bike trail experiences and links to features and safe rewarding cycling experiences.
- ▶ A recognised information style and standard for the trails and the Mountain Bike Skills Park reflecting the landscape and culture of Exmouth and the Ningaloo World Heritage area.
- ▶ Riders understanding the trail hazards and the level of ability that is required to use the trails and the skills park. Riders are confident in extending their skills and abilities
- ▶ Trail managers maintaining the trail information to an appropriate standard and using the agreed sign and information styles and standard
- ▶ There are very few incidents involving trail users.

Image: 13 Proposed site for Mountain Bike Skills Park including Pump and Jump Track



Appendix B. Trail Management Plans

A clear, concise Trail Management Plan is recommended to direct critical trail resources including trail maintenance.

Defining the level of service required to maintain a trail is an important component of a Trail Management plan. The Level of Service is the defined service quality for a particular class of trail against which service performance may be measured.

A risk assessment process should measure the condition of the trail against the walking trail or cycling classification and level of service to ensure the trail meets the expectation of the user and the duty of care of the trail manager. It should also reflect the trail vision and contribute to the protection of the trail and environmental values. In the case of the Water Reserve it may include agreements for water protection measures.

Trail maintenance costs vary depending on conditions such as weather, soil types, construction standards, usage patterns, type of trail and whether the maintenance is outsourced at full professional trail contractor rates. The recommended use of reinforced concrete boardwalks for the ramp and lookout would reduce future maintenance costs considerably.

The total trail project would involve the construction of some 30 kilometres of trails (not including mountain bike trails yet to be determined and sculpture trails) at an approximate establishment cost of \$1.8 million. Maintenance costs of new trails varies considerably depending on whether professional trail builders undertook the work or Shire or DBCA or volunteers undertook the work.

Approximate annual maintenance cost could be in the order of \$40,000. The Trail Management Plan should include specific management requirements such as, monitoring of trail use and user satisfaction and community engagement to encourage and support community ownership, maintenance and stewardship. Future maintenance demands will be reduced through careful planning and good construction.

A maintenance plan for the cycling trail is an important consideration and should include as a minimum; maintenance programming and scheduling, resourcing, monitoring including risk assessments and reporting procedures.

Site establishment and transport logistics and costs for remote worksites require innovation and practical solutions. The majority of work sites will be remote from service trails however the majority of materials other than plant and equipment will be available on site such as rock and surface material. Heli-lifting may be required due to high and labour costs that may be involved in transporting plant and equipment.

Appendix C. Trail Information

Trail Sign Plans, Interpretation Implementation

The *trip cycle* is a useful way of placing the visitor in the visiting cycle when planning visitor information and interpretation.

The trip cycle consists of:

- ▶ Pre-trip – before leaving for the trail destination
- ▶ Orientation – while in the general area of the trail
- ▶ On-trail – while engaging in the trail activity
- ▶ Post-trip – after completing the activity.

Sign and information media classes include:

- ▶ Orientation
- ▶ Risk
- ▶ Management
- ▶ Interpretation

The provision of information and the consistent presentation of messages in a systematic way require a level of planning which should include the development of a sign plan for the range of Exmouth trails.

The general principles of a Trail Sign Plan include:

- ▶ **Major Trailheads** - located at central locations including visitor centres (e.g. Ningaloo Centre), car parks and visitor information centres. They communicate key trail information to visitors. Including trail grades, enabling selection of a trail best suited to the user's ability and interests and may provide interpretation.
- ▶ **Minor Trailheads** – are located to identify the start point for trails or can be used as sectional trail heads on long distance trails to signify and provide information for the forthcoming section. They communicate the distance, classification, duration, terrain and safety information to the user (as above for major trail head). The function of trailhead signs is to orientate visitors and help them select a suitable trail. They are not intended to be interpretive but should provide a guide to the challenges and expectations for the trail ahead.

- ▶ **Trail Markers** - provide the trail user with information about direction and occasionally include other information such as distance. Trail markers with trail information and direction signs across Australia need to comply with Australian Standards Walking Trail Classification and Signage (AS 2156.1). Mountain bike trail signs need to reflect level of difficulty and are detailed in the Draft Western Australian Mountain Bike Guidelines document.
<https://parks.DPaW.wa.gov.au/connect/mountain-bike-guidelines-draft>
- ▶ **Risk Management Signs** - The trail manager in consultation with risk managers should decide if there is a need for the risk sign to be placed on the trail and the decision will be influenced by the grading of the trail. Risk signs can be basic standard recreational warning symbols (presented by a yellow triangle with black symbols and borders) or with increasing risk can be a more detailed sign using danger and warning headers with three potential messages to mitigate risk which include:
 - a signal (DANGER or WARNING headers)
 - a statement of the exact nature of the risk
 - how to avoid the risk (optional)
- ▶ **Interpretive planning** - for the Exmouth Trails should fit within the Shire's business, marketing or visitor management plans. It is recommended that a Exmouth Trails interpretation plan should include:
 - What are the objectives or what the interpretation seeks to achieve?
 - Who should be involved in the interpretive process?
 - What are you interpreting?
 - Who are you interpreting for?
 - What stories do you want to tell?
 - What media will you use?
 - How will your interpretation be implemented?
 - How will it be monitored and evaluated?
 - How will it be maintained?

Appendix D. On Line Survey Summary

Survey Summary Details

- ▶ The survey was sent via email to 63 number of people by the Exmouth team
- ▶ 41 people completed the survey

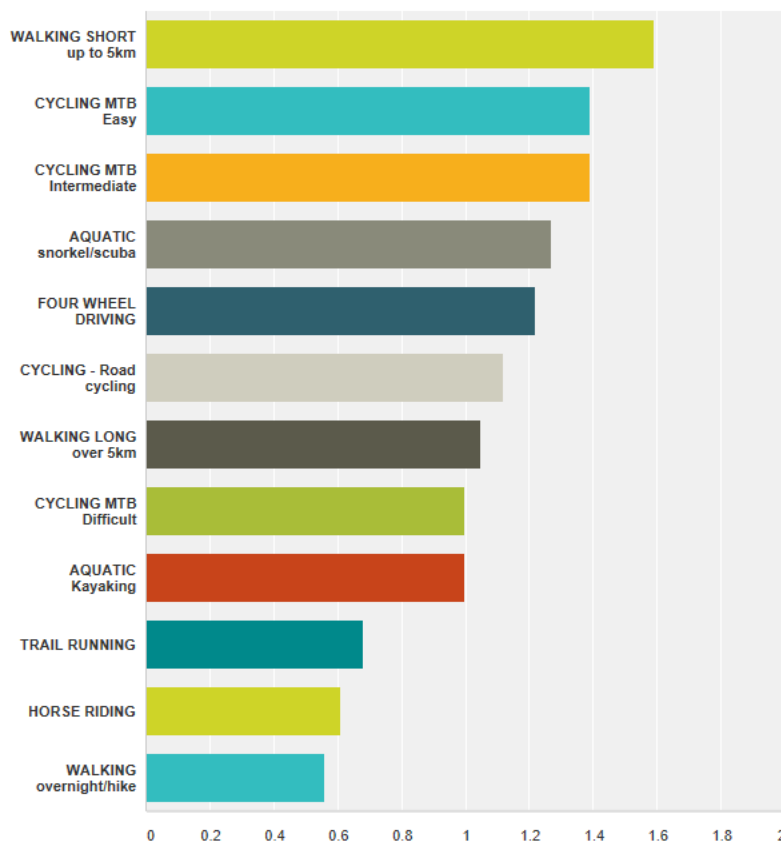
A summary of the results is below.

1. What types of trails and how often would you and members of your family use them if they existed in or near EXMOUTH?

As a weighted average where using the tracks daily for a particular activity scored 3 points, using them weekly scored 2, occasionally 1, with never scoring 0

The top five activities are

1. Short walks (up to 5km)
2. Easy MTB
3. Intermediate MTB
4. Snorkel/scuba
5. Four wheel driving



Daily top 5

1. Short walks
2. Intermediate MTB
3. Easy MTB
4. Difficult MTB
5. Road cycling/horse riding

Weekly top 5

1. Easy MTB
2. Snorkel/Scuba
3. Four wheel driving
4. Difficult MTB
5. Short walks

Occasional use top 5

1. Longer walks 5km plus
2. Kayaking
3. Snorkel/scuba
4. Overnight walks
5. Short walks

Never use top 5

1. Horse riding
2. Difficult MTB
3. Overnight walks
4. Trail running
5. Road cycling

The Vision

The Ningaloo Coast World Heritage area within the Shire of Exmouth will be recognised as a place where all people can connect to the spectacular scenic and natural beauty of the marine and terrestrial environments through a network of unique and sustainable trails.

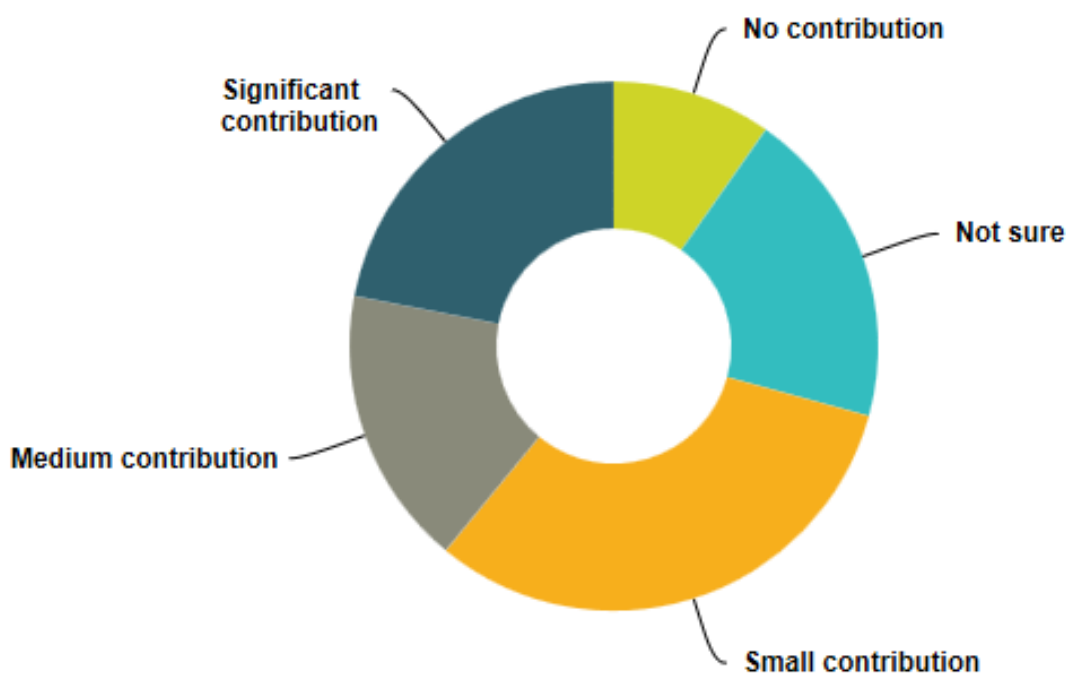
There will be ongoing development of a range of trails that offer distinctive Ningaloo Exmouth experiences that encourage participation resulting in community benefits and wellbeing.

When respondents were asked if the draft vision reflects their views regarding the future for trails with the Shire of Exmouth out of the 41 responses no one disagreed.

Most respondents agreed with some either strongly agreeing or moderately agreeing.

2. Contribution to trails

Of the 41 respondents 4 people could provide no contribution to trails with another 8 not sure. It is great to see that 29 out of 41 people were interested to contributing to trail in some way.



The types of contribution that people could offer to trails from most responses to lowest are:

1. Trail promotion (24)
2. Trail monitoring (23)
3. Trail maintenance (17)
4. Assistance with trail construction (16)

Other ideas for contributing to trails included trail planning and design, guiding or showing people trails and finding new trails.

3. Exmouth trails ideas and other trail experiences

Respondents are keen to see new land trails in the Exmouth region, ideas are listed below.

Experience/Idea	Summary
▶ Cape to Cape Walking Trail, Cape Naturaliste to Cape Leeuwin, Margaret River WA. Fantastic experience, breath taking scenery. Trail is well maintained by a group of volunteers and Parks & Wildlife. Trail info/maps are very helpful. Distances vary according to experience level. Margaret River also has a lot of other things to offer.	Experience other trail
▶ Walk on DofD land up behind lighthouse.	New land track idea
▶ Plenty of shelter stops/park bike/seats with fresh water to fill water bottles and toilet facilities. Location ID in case of emergency.	Facilities required
▶ As I have never done a trail in Exmouth or anywhere in the northwest my only suggestion would be to have seating with shade spread out through the trail.	Facilities required
▶ There are many trail sites around WA some have car parks, toilets etc and some have no facilities but are still fantastic trails to go on but you must be prepared yourself. When on my travels through NZ there are many exciting trails to go on and bike hire is readily available for travellers from around the globe. Horse trail businesses are doing well also.	Facilities required
▶ Kayak, Over the range trail.	New aquatic track idea
▶ Exmouth tourism is very marine focused but this is only half of our story. Trails could expose and provide access to areas the showcase the rugged beauty of the terrestrial landscape. The trail behind the lighthouse that runs south along the ridgeline provides great vistas over the ocean as well as back across the cape to the gulf. This trail could be extended to link back to town. The area around the Thomas Carter walk trail at the top of Charles Knife road also has potential for trails that would take in many points of interest. The gorges at the back of the watercorp allocated land offer some interesting views too. Developing land based trails will increase the options available to both locals and tourists and expose many hidden gems.	New land track idea
▶ Mountain biking or hiking through and across the Cape Range and gorges to untouched areas but also including existing trails within the National Park and water reserve.	New land track idea
▶ Mountain bike hub is a great idea.	
▶ Over the range walking and cycling trails.	New land track idea
▶ Range crossing rides plus skill based technical and flowing trail rides.	New land track idea
▶ East to West or West to East (Yardie Caravan to Town). Gets people to look around site seeing, towers, beach views (great for Whales jumping), sunrises, sunsets. Local bus company could do drop offs to Yardie for people to walk back to township (or vice versa). It could really work for Exmouth and tourists walking, riding etc. Could incorporate mountain bike riding at varying levels.	New land track idea
▶ Would be great to have a mountain bike trail in the national park along the range. Great outlook to the reef.	New land track idea
▶ Love boardwalks along the coast to enjoy the views and nature. Would love to see this done from Mantaray's Ningaloo Beach Resort to Bundegi Beach.	New land track idea
▶ Shelter/shade along trails.	Facilities required
▶ The Thomas Carter walking trail, with development to go to the west side around milering center. The west side trail which could start in town and go to the lighthouse and along ridge line to Wobirri and loop back to town. A small trail or skills track close to town, notably near the ovals that could be the hub and information centre of the trail network system.	New land track idea

▶ The Cape to Cape trail (Augusta to Dunsborough) The Bibbulmun Track Various trails in Tasmania.	Experience other trail
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There is support for good facilities along trails especially shade and seats, toilets and water fill stations.

4. Other comments from respondents

There is a general feel that Exmouth has a large marine focus and people are keen to see the shift or inclusion of the landscape and areas around the marine to be part of the attraction of Exmouth.

An interesting comment from one respondent is:

- ▶ Need 5 trails to add to the Big 5 marine promo

Other comments
▶ If a horse trail was provided some tie up rails would be awesome at a seating area.
▶ For Exmouth to grow as a destination it needs to diversify from the predominantly marine based tourism that it currently has. Land based trails will open up a new range of attractions to both tourists and locals alike. Providing certainty of land tenure for future trails that could develop as a part of this process is paramount.
▶ Its exciting to know things are happening in and around Exmouth which is landlocked by different land owners. A mountain bike hub, pump track and any walk trails will benefit the community and its visitors forever.
▶ An area in/near town for a mountain bike pump track/skills park would be great for the kids of the town too.
▶ It will be awesome to have some longer hiking trails across/through the ranges and to have some BMX tracks. Margaret River has some awesome tracks and a strong association that builds and maintains them - they may have some advice and good ideas.
▶ As a journalist for national magazines they are always interested in new and exciting places to ride and promote. Without a formal MTB trail network there is nothing to endorse or write an article about. I wish you luck as it would be great to see some new experiences for locals and tourist alike.
▶ Connections to event planning for long term races.
▶ We need to cater for beginners and advanced riders also a skills park close to town accessible to kids, close to amenities. This would be used without a doubt all year round.

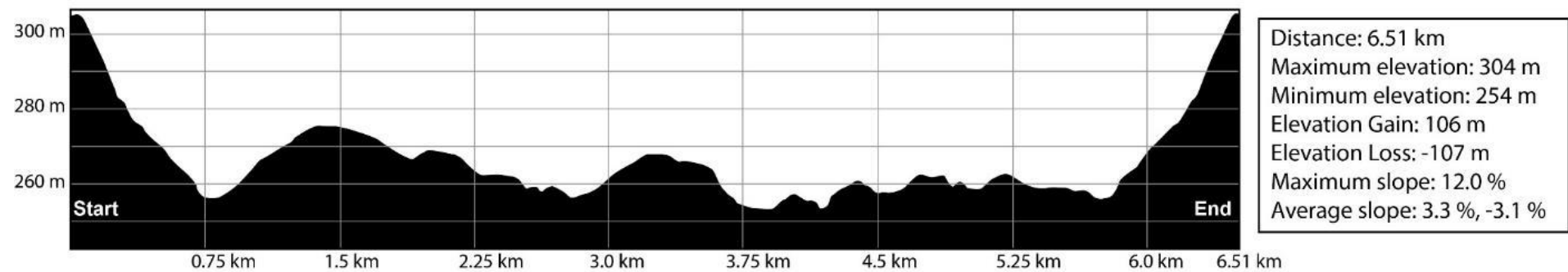
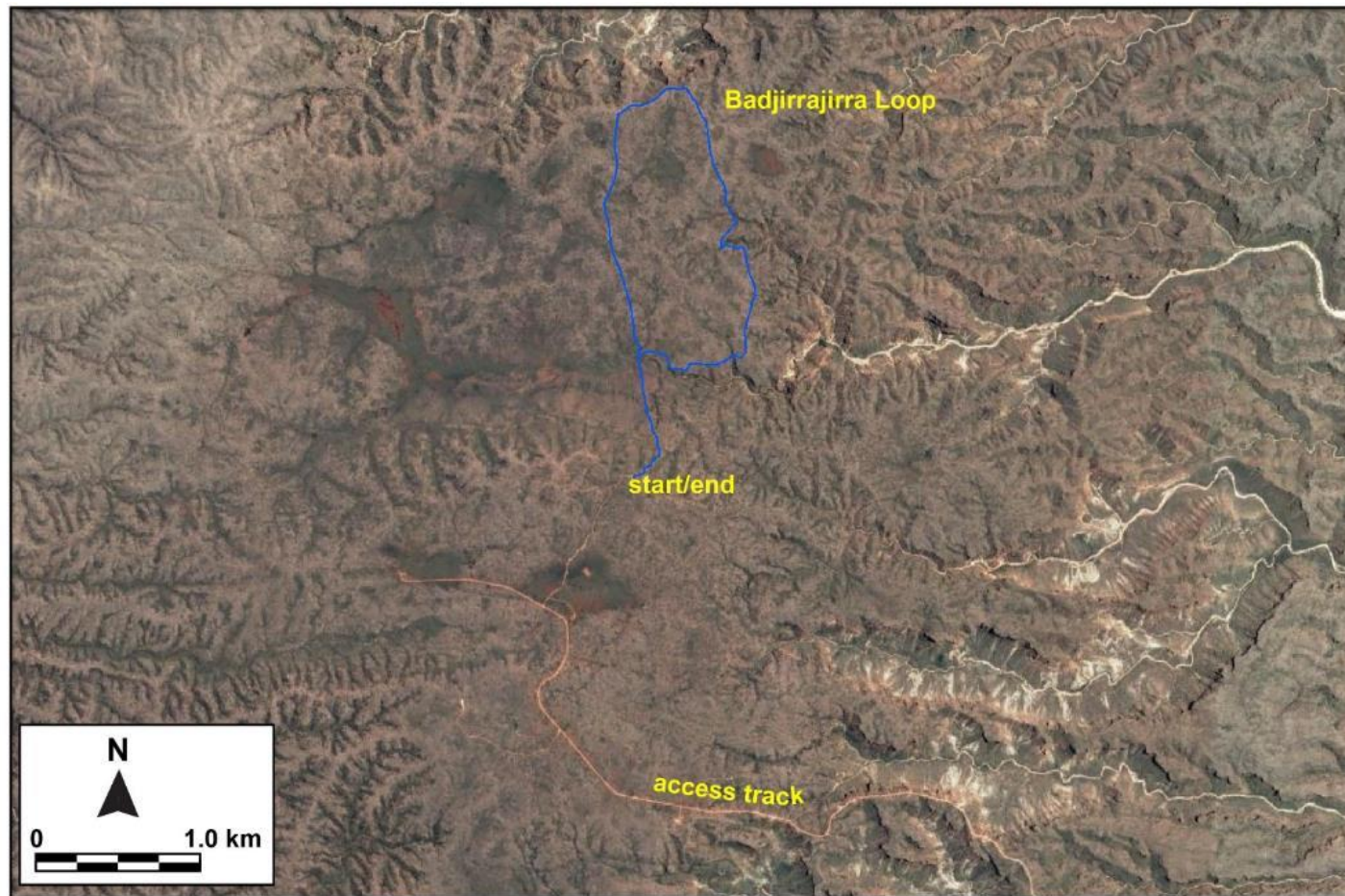
5. SUMMARY

The survey shows that the respondents have strong support for the improvement and inclusion of new land trails around Exmouth.

There is a strong backing from respondents to include land trails as another attraction of Exmouth in addition to the current marine based focus that Exmouth currently has.

Respondents are excited to see a trail plan in place and have great ideas to share and believe investment in land trails will be beneficial to residents and tourist alike.

Map 9 Badjirrajirra Trail and proposed share use trail





AUSTRALIA

Suite 5, 3/4 Gippsland Street
PO Box 837, Jindabyne NSW 2627

Phone: +61 2 64562722

Email: enquiries@trctourism.com

NEW ZEALAND

Level 5, EMC Building, 5-7 Willeston Street
PO Box 2515, Wellington 6140

Phone : +64 4 4723114

Email: info@trctourism.com

www.trctourism.com



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