



Shire of Exmouth

Local Planning Scheme No. 4

Amendment No. 12

Summary of Amendment Details

1. Deleting Restricted Use R1 from scheme text and re-numbering other Restricted Uses accordingly.
2. Rezoning portion of Lot 1030 (Reserve 28827), portion of Lot 913 (Reserve 33568), portion of Lot 1027 (Reserve 33569), and Lot 1364 (Reserve 41455) from 'Commercial Mixed Business – C3' to 'Commercial Retail Core – C1'."
3. Include in Schedule 2 – Additional uses, A13 as follows:

No	Description of the Land	Additional Use	Conditions
A13	Lot 1030 (Reserve 28827), portion of Lot 913 (Reserve 33568), portion of Lot 1027 (Reserve 33569), and Lot 1364 (Reserve 41455)	Discretionary land uses; <ul style="list-style-type: none">• residential building• workforce accommodation• grouped dwelling• multiple dwelling• hotel• tourist and visitor accommodation	1. It is a requirement for the lots to be amalgamated prior to development

4. Rezone portion of Lot 1027 (Reserve 33569), Lot 910 (Reserve 33566) and portion of Lot 913 (Reserve 33568) to Reserve local road.
5. Include in Schedule 1 – Terms used in Scheme, 'Tourist and visitor accommodation', and insert the following text before **'tourist development'**:
tourist and visitor accommodation —
 - (a) means a building, or a group of buildings forming a complex, that —
 - (i) is wholly managed by a single person or body; and
 - (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
 - (iii) may include on-site services and facilities for use by guests; and
 - (iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;
 - and
 - (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but
 - (c) does not include any of the following —
 - (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);
 - (ii) a caravan park;
 - (iii) hosted short-term rental accommodation;
 - (iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
 - (v) a park home park;
 - (vi) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
 - (vii) a road house;
 - (viii) workforce accommodation.
6. Amend scheme maps accordingly.

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT
TO LOCAL PLANNING SCHEME**

***Shire of Exmouth Local Planning Scheme No.4
Amendment Number 12***

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

1. *Deleting Restricted Use R1 from scheme text and re-numbering other Restricted Uses accordingly.*
2. *Rezoning portion of Lot 1030 (Reserve 28817), portion of Lot 913 (Reserve 33568), Lot 1027 (Reserve 33569), and Lot 1364 (Reserve 41455) from 'Commercial Mixed Business – C3' to 'Commercial Retail Core – C1'.*
3. *Adding Additional Use A13 to portion of Lot 1030 (Reserve 28817), portion of Lot 913 (Reserve 33568), Lot 1027 (Reserve 33569), and Lot 1364 (Reserve 41455) for Residential Building, Workforce Accommodation, Grouped Dwelling, Multiple Dwelling, Holiday Accommodation, Hotel, Motel and Serviced Apartment at Schedule 2 – Additional Uses.*
4. *Rezoning portion of Lot 1027 (Reserve 33569), Lot 910 (Reserve 33566) and portion of Lot 913 (Reserve 33568) to Reserve - local road.*
5. *Amending scheme maps accordingly.*

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

The Proposal supports the Objective in the Shire's Local Planning Strategy to consolidate retail and commercial activity within the Exmouth Town Centre and to maintain the Town Centre as the principal retails, commercial, civic and administrative activity centre for the Shire.

Dated this 16th day of May 2024


(Chief Executive Officer)

1.0 INTRODUCTION

The subject land is held by the Crown and is identified by a series of Reserves, of which are managed by the Shire of Exmouth, most with the ability to lease by virtue of such management order.

The land is strategically placed within the core of the town centre though currently identified as a commercial zone (C3) which places limitations on the full potential to develop the site. Additionally, the site is also a restricted use, in the Shire's Local Planning Scheme No.4 (LPS) whereby the predominant use of the land is restricted to a supermarket.

The Shire has liaised with the State Lands Divestment Team who has indicated that the land is more than likely suitable for divestment. The lots would be amalgamated to create one lot of approximately 5200 square metres. Development of the land would then be guided by a required Local Development Plan and a further Development Application to address certain design criteria, servicing, car parking, streetscape, density etc

The introduction of a more liberal planning approach that removes prohibitions on the site is considered an appropriate response to attract private investment in Exmouth and produce a plan that considers market factors for delivery of product.

The proposed scheme amendment seeks to remove restrictions by permitting mixed use development on the land. This will seek to assist to some degree to assist alleviate the housing and tourist accommodation shortage in the town by providing an additional opportunity to facilitate the possible development of tourist and visitor accommodation and/or residential land uses. Such a mixed use development would deliver much needed vitality, improved amenity and liveability into the Exmouth town centre as is experienced in most modern day town centre revitalisation projects.

The Shires Strategic Community Plan (SCP) highlights that the community see housing and accommodation as a major constraint. The Shire also experiences large numbers of visitors due to Exmouth and its environs being an international tourist destination. The SCP states that from March 2020 onwards, Exmouth experienced a heavy increase in visitation, with 517,318 visitors in the Cape Range National Park alone. This number is up from 218,000 in the 2018-19 financial year. Visitors bring benefits but also pose environmental risks. Further, the ratio of tourists to residents is one of the highest in the State, placing a major strain on the local government (and by extension, the local community) in providing infrastructure and services to cater for this additional population. While tourism is an essential and valued part of the local economy, tourists are not ratepayers and there is no other regular funding source which local government can apply or access to make up the shortfall.

2.0 BACKGROUND

Location

The town of Exmouth is located on the Eastern Side of the Cape Range. The town itself sites on the lower slopes of the range. The town experiences intermittent flooding as a result of rainfall events of which pass through some areas of the town. The subject site is situated just outside of the floodplain.

Site Area

Lot	Reserve ID	Area sqm	Address	Land Use permitted
1364	41455	674	44 Maidstone Cres, Exmouth	parking
1027	33569	2228.63	29 Payne St, Exmouth	Child care centre
913	33568	1480.59	25 Payne St, Exmouth	Child health centre
1030 (part)	28827	897	46 Maidstone Cres, Exmouth	Park
910	33566	201	42 Maidstone Cres, Exmouth	Drainage reserve zoned commercial

Table 1. Site Identification and Existing Permitted Land Uses

Onsite inspection however has confirmed that the drainage cannot in fact be rerouted and therefore it is required that the road reserve is in fact extended to a minimum of 12m by acquiring some of Lot 1027 and a portion of Lot 913. This includes a requirement to rezone Lot 910 from commercial and reinstate as road reserve. The land is presently serving as drainage site.

The land is considered as Retail Core area in the Hassell Report and offers an opportunity to be redeveloped and readdress the interaction and function of Maidstone Crescent as the "main street".

Ownership

All land is crown reserve with Management Order to the Shire of Exmouth for various permitted land uses. There are no active lease tenures on the land and it is envisaged that buildings will be dismantled by the private sector prior to redevelopment.

Further, as the land is Crown land, the Shire will receive no monetary funds from the sale of the land to the private sector and all land dealings will be undertaken by the state government or its agents for divestment.

The Shire of Exmouth, in this regard, is facilitating the strategic intent of the site to enable the redevelopment by amending the zoning to offer greater variety of land uses than present.

Current & Surrounding Land uses

The subject land has 2 buildings present. Both are unused and will be required to be demolished as a condition of subdivision. The south of the site sits adjacent to Federation Park which is public open space and a focal park for the town centre precinct. A portion of the POS is proposed to be included in the development footprint and reclassified as C1 Commercial Zone. That area is generally limited to the car park area, with additional shire car park area being available east of Payne Street if required to be used as cash in lieu and subject to Council permission.

The subject land has recently been considered for divestment by state government and this scheme amendment will facilitate a better planning outcome for the site. The land will also be amalgamated for development purposes prior to sale by the state.

Further it is proposed to extend, by widening the access between Maidstone and Payne Street to 12m for road reserve.



Figure 1: Surrounding land use



Figure 2: Hassell Report 2012 showing Town Centre Expansion Sites

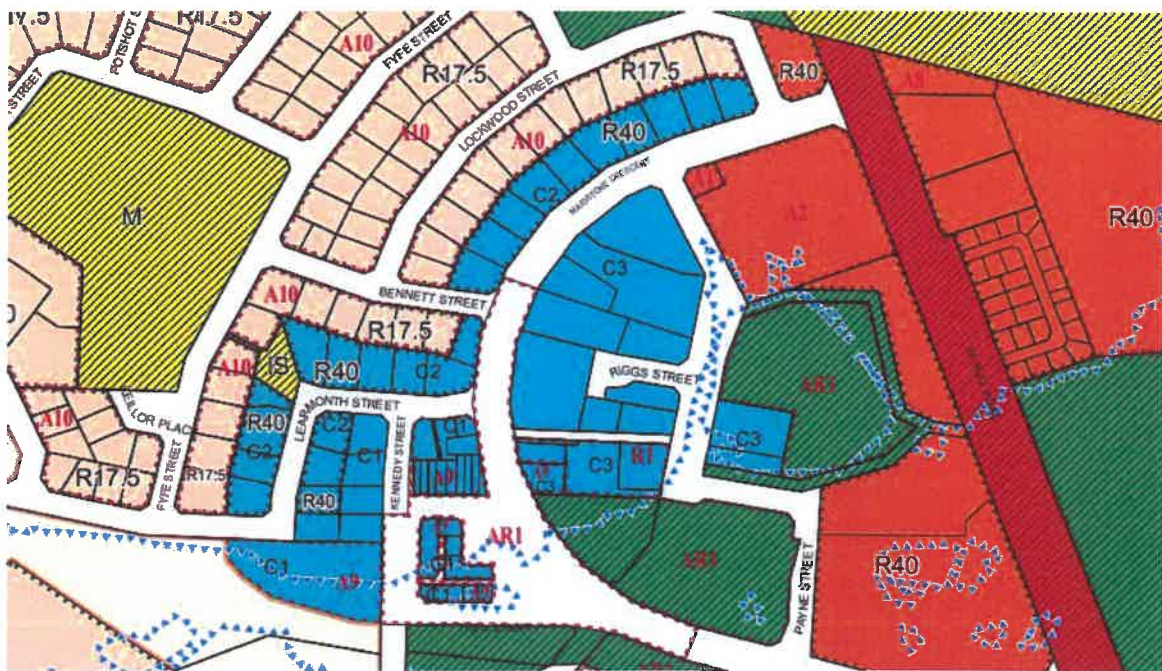


Figure 3: LPS Maps showing Commercial C3 zone, Additional Use 9 and Restricted Use R1 at the site

Physical Characteristics

Much of the land in the townsite comprises a thin layer of sand covering a limestone base (Hassell 2012). The site is generally flat and low lying with some floodplain surrounding the area. The Reserve 33567 serves as a drainage reserve with an open drain present, the flow of water coming in from the west of the site.

There are stands of Eucalyptus species at the site for which will be considered if they are to be retained once redevelopment occurs. There are several buildings that are now vacant and previously used for day care purposes for which will be removed in the future. The western side of the land is predominately car parking with hardstand, also to be removed in the redevelopment as the Hassell Report indicates that the façade of buildings should interact with Maidstone Crescent to result in a Main Streetscape for the Town.

Infrastructure

A servicing plan has not yet been undertaken for the land however will be required at the time of development. It is understood that there is limited water supply in Exmouth currently but the Water Corporation has identified that it will be expanding its supply for delivery in 2027 see <https://www.watercorporation.com.au/Outages-and-works/Ongoing-Works/Exmouth-water-source-planning>.

There may be various options for water-wise development which may propose water reuse/grey water reuse and treatment to deliver water solutions at the time of development. The development of the land will be assessed by water corporation at the time of the Servicing Report to be undertaken together with a water management strategy for the site.

Additionally, power upgrades will be required at the time of development and likely underground power will be required. Power is generated by privately owned by Horizon Power. It is also noted that the Hassell Report considered power servicing of this very site and concluded that at that time there were no constraints to staging the town centre development based on the power supply at that time. This was considered in the event the land use was limited to a retail power supply. It is however noted that a full modelling assessment would be needed to confirm such. The land was identified as "Site 7" for which, at a minimum, included the following;

- Install a new 2+1 HV Switchgear on Site 7 adjacent to Payne St
- Install 630kVA non MPS transformer on Site 7
- Install new contiguous site main switchboard on Site 7
- Remove overhead consumer connections
- Underground HV aerials on Payne St
- Remove LV aerials running through proposed link road of Payne St
- Install Uni-pillar on Federation Park.

Shire Engineering services has conducted onsite inspection and advise that the drainage at site must be accommodated on the existing road reserve. Further, that road reserve must be widened to a minimum of 12m at the time of subdivision/amalgamation but will be amended on scheme maps indicatively at this time.

3.0 LOCAL PLANNING CONTEXT

State & Regional Planning Context

State Planning Policy 4.2 Activity Centres

The intent of the SPP is to create vibrant liveable centres that tolerate and compliment land uses. One of the responding objectives of the policy includes

b) Promote activity centres as the focus of integrated and well-designed medium and high-density residential and mixed use development.

Other purposes of the policy include:

- *ensuring a diversity of employment opportunities and the promotion of business clustering*
- *providing for a choice of housing within and adjacent activity centres*
- *designing activity centres to be more walkable and better integrated with public transport*

Residential Design Codes

The R-Codes provide density codes for land in the state for specific areas, assign setbacks and ensure protection of amenity. Given this proposal is in the main commercial core of the town it is considered desirable that the LDP assign an appropriate R-Code if development for mixed use.

Importantly the R-Codes Policy – Apartments considers design elements for residential apartments and this provision is referred to in the proposed Schedule. The Local Development Plan will prescribe an R-Code, if residential apartments are contemplated in the development form.

Liveable Neighbourhoods

The development of this site for the intended purpose of commercial and accommodation responds well to the draft 2015 Liveable Neighbourhoods Policy. In particular, the site is located within the activity centre or town centre of Exmouth that results in all amenities being located within the prescribed 400m walking catchment. The Policy states:

Central to community design is the clustering of walkable neighbourhoods whose urban character and design fosters a sense of community, local identity and place. Neighbourhoods are clustered around main street-based mix-use centres that provide a local economic base, employment opportunities and encourage greater employment self-containment. The urban structure must facilitate walking, cycling and public transport - providing access to facilities for all users, opportunities for social interaction and promoting more active living. Active communities have healthier residents, are more connected, safer, cohesive and productive; and reduce the environmental impact of car dependence (Heart Foundation, 2012).

This aspect responds directly with Objective 2 in the Policy 2: To develop a coherent urban structure of compact walkable neighbourhoods which cluster around activity centres capable of facilitating a broad range of land uses, employment and social opportunities.

Objective 4 of the same Policy requires to: Promote mixed-use development and activity centres that optimise commercial opportunities, access to public transport and efficient street network connections. Short term land uses and development should not prejudice future long term development intentions, however should adapt to the future growth of the centre and surrounding catchment over time as circumstances change. The establishment of well-located activity centres is necessary to serve local community needs; facilitate local employment opportunities; and provide custom to support public transport services. Whilst limited public transport in Exmouth the principles of establishing vibrant centres are embraced by this Proposal.

State Planning Policy 6.3 Ningaloo Coast

The four key objectives of the policy are:

- 1. Provide state agencies, local government, community and proponents with clear guidance regarding acceptable and sustainable development on the Ningaloo coast.*
- 2. 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.*
- 3. Preserve and protect the natural environment and enhance and rehabilitate degraded areas within the environment.*
- 4. 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.*

Economic development of the region is one of the primary guiding principles which states that all planning and development should assist actively in the creation of regional wealth, support the development of new industries and encourage economic activity as long as these activities are in accordance with sustainable development principles. Planning and development must also support the provision and maintenance of infrastructure based on sustainability principles to service regional communities and develop and upgrade tourism infrastructure to improve the attractiveness of the region as a natural and remote place to visitors and residents alike.

Additionally, this Proposal to amend the land uses in this commercial zone considers and responds to the requirement of this SPP that requires that the determination of any such planning application includes the following consideration;

- a. no applications for higher impact tourism, residential, commercial or industrial*
- b. developments will be approved unless—*
- c. they are within the townsites of Carnarvon and Exmouth; and*
- d. consistent with this policy and the relevant structure plan components of the Ningaloo coast regional strategy Carnarvon to Exmouth; and*

- e. *consistent with the applicable local planning strategy policies and objectives and town planning scheme*

Exmouth Structure Plan (WAPC endorsed 2011)

Clause 7.1.3 of the Exmouth Structure Plan (ESP) considers that the town centre is generally framed by Murat Road, Maidstone Cres and Kennedy Street for which is the main focal point for retail and commercial activity for the local and visiting population. The ESP does discuss mixed use at cl 7.1.5 and considers that residential or short stay accommodation should not be prohibited in a mixed use area but not be developed as the principal use. This principle should also apply to the subject land and be controlled by the provisions as listed in the Restricted Use zone schedule.

At the time of the ESP, Tourism WA also mentioned that visitor accommodation was the most significant limiting factor to growth in the Exmouth Tourism Industry. This is still relevant given the swelling visitor numbers experienced in Exmouth in peak season.

The primary objective of the Exmouth Town Centre is to maintain the Town Centre as the principal retail, commercial, community, civic and administrative activity centre for the Shire.

Shire of Exmouth Local Planning Strategy

There are several strategies that are described to meet that objective and support the land being used for a Supermarket site. This is included in the following strategy;

- 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 being 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.*

In this regard, the proposal of this scheme amendment is generally consistent with the Strategy and its objectives. The subject site is already a commercial zone albeit C3 and it is proposed to amend the zone to same commercial however change the code to C1, giving the land a greater diversity of commercial and mixed business land use including accommodation and or residential in the Town Centre. What is being removed is the certainty that the land would be a supermarket site only, as the Shire is of the view that a commercial zone does offer same opportunity with the additional use included but does not prohibit alternate plans for the site. The primary difference is that site may incorporate accommodation/residential on upper storeys, for which height has not yet been determined).

Local Planning Policies

Not Applicable.

4.0 PROPOSAL

1. Deleting Restricted Use R1 from scheme text and re-numbering other Restricted Uses accordingly.
2. Rezoning portion of Lot 1030 (Reserve 28827), portion of Lot 913 (Reserve 33568), portion of Lot 1027 (Reserve 33569), and Lot 1364 (Reserve 41455) from 'Commercial Mixed Business – C3' to 'Commercial Retail Core – C1'."
3. Include in Schedule 2 – Additional uses, A13 as follows:

No	Description of the Land	Additional Use	Conditions
A13	Lot 1030 (Reserve 28827), portion of Lot 913 (Reserve 33568), portion of Lot 1027 (Reserve 33569), and Lot 1364 (Reserve 41455)	Discretionary land uses; <ul style="list-style-type: none">• residential building• workforce accommodation• grouped dwelling• multiple dwelling• hotel• tourist and visitor accommodation	1. It is a requirement for the lots to be amalgamated prior to development

4. Rezone portion of Lot 1027 (Reserve 33569), Lot 910 (Reserve 33566) and portion of Lot 913 (Reserve 33568) to Reserve local road.
5. Include in Schedule 1 – Terms used in Scheme, 'Tourist and visitor accommodation', and insert the following text before **'tourist development'**:
tourist and visitor accommodation —
(a) means a building, or a group of buildings forming a complex, that —

- (i) is wholly managed by a single person or body; and
 - (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
 - (iii) may include on-site services and facilities for use by guests; and
 - (iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;
- and
- (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but
 - (c) does not include any of the following —
 - (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);
 - (ii) a caravan park;
 - (iii) hosted short-term rental accommodation;
 - (iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
 - (v) a park home park;
 - (vi) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
 - (vii) a road house;
 - (viii) workforce accommodation.

6. Amend scheme maps accordingly.

Planning Justification

The current restrictions on the subject land do not provide the flexibility required to enable the land to be taken to the market.

The land is currently zoned Commercial-Mixed Business (C3) for which has limited land use options. A good example of this is that the land in the Zoning Table shows the following land uses are not permitted:

Shop, Consulting Rooms, Convenience store, fast food outlet, lunch bar, market, medical centre, supermarket, tavern, small bar.

Albeit the land as listed in the Restricted Uses Schedule only permits a supermarket as the predominant land use supported by discretionary land uses of convenience store, fast food outlet, liquor store, restaurant/café, shop, small bar, tavern, car park.

Rezoning the land to Commercial-Retail Core (C1) acknowledges the land is strategically placed in the Exmouth Town Centre and provides greater flexibility for town centre land uses. Such flexibility provides a greater consideration for commercial land uses in this location.

Additionally, the introduction of additional uses such as tourist and visitor accommodation and residential will assist increase the activity and revitalisation of Exmouth town centre by providing residents and tourists increased accommodation options which are currently not present within the town centre in Exmouth.

Opportunities, Constraints and Issues

There are perceived and anecdotal evidence to suggest that the current land use restrictions are not meeting the market for the development of commercial land in Exmouth. In this regard, the Shire is of the view that the land should be free of development constraints to enable a developer the autonomy to deliver commercial/mixed land use on the land as deemed by market factors.

There is good planning reasons to encourage mixed use development in this location which is in walking distance to many amenities and the town centre itself. The site offers developers the opportunity to diversify an investment by providing both commercial and residential/tourist accommodation opportunities.

The Exmouth Town Centre Revitalisation Plan (Hassell 2012) noted that despite the town centres prominence, its setting and design quality does not provide for a world class visitor experience. The town was built in the 1960's in response to defence presence and has not undergone significant redevelopment since. Section 3 of same Report comments that achieving world heritage status is a major step for the town, achieving an economically sustainable town centre will allow it to function at optimum capacity, all year round-making this happen is the real challenge for Exmouth.

Exmouth's local water supply is nearing full allocation, the site currently uses approximately 326kl of water annually and it is suggested that commercial land use (with low water use) could be serviced. It is evident that a development incorporating accommodation for short stay or residential would need to be designed in consultation with the Water Corporation as service provider and subject to water availability at the time. The Water Corporation are currently investigating additional water supplies for Exmouth, hence the issue should not stymie the amendment of the site for future planning in the opinion of Shire Staff.

Design of any development on the land will be guided by the LPS provisions including the newly inserted Schedule of Additional uses. It is intended that the Local Development Plan will prescribe an appropriate R-Code, if required. A Height Limit of three storeys has been imposed at this time given that previous community consultation for the Town Centre identified such.

Standard Scheme Amendment under the Planning and Development Regulations 2005

A standard amendment means any of the following amendments to a local planning scheme —

(a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;

Shire Response; all land is currently zoned commercial C3 in the Shires Local Planning Scheme

(b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;

Shire response; Again the land is commercial zone in the present LPS but is constrained by restricted use of supermarket.

(c) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;

Shire Response; Not applicable

(d) an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;

Shire Response; Generally consistent with the Exmouth Townsite Structure Plan

(e) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;

(f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;

(g) any other amendment that is not a complex or basic amendment.

CONCLUSION

The proposed scheme amendment would reclassify present commercial zone from C3 to C1 which expands its commercial land use opportunities. The inclusion of Additional uses will enable mixed use for accommodation to be placed on the land which will be guided by the implementation of a Local Development Plan. Essentially the planning of the town centre would not be compromised with the new zone but would enhance the Exmouth Town Centre to result in a contemporary revitalised town centre commensurate with Exmouth status as a world heritage tourism destination.

The Shire deems the proposal to be a standard scheme amendment due to the limitation of the proposed scheme variations and the commercial zone remaining albeit with an alternate code to promote core retail with accommodation opportunities.

Planning and Development Act 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

Shire of Exmouth Local Planning Scheme No.4

Scheme Amendment Number 12

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

1. *Deleting Restricted Use R1 from scheme text and re-numbering other Restricted Uses accordingly.*
2. *Rezoning portion of Lot 1030 (Reserve 28827), portion of Lot 913 (Reserve 33568), portion of Lot 1027 (Reserve 33569), and Lot 1364 (Reserve 41455) from 'Commercial Mixed Business – C3' to 'Commercial Retail Core – C1'."*
3. *Include in Schedule 2 – Additional uses, A13 as follows:*

No	Description of the Land	Additional Use	Conditions
A13	Lot 1030 (Reserve 28827), portion of Lot 913 (Reserve 33568), portion of Lot 1027 (Reserve 33569), and Lot 1364 (Reserve 41455)	Discretionary land uses; <ul style="list-style-type: none">• residential building• workforce accommodation• grouped dwelling• multiple dwelling• hotel• tourist and visitor accommodation	1. <i>It is a requirement for the lots to be amalgamated prior to development</i>

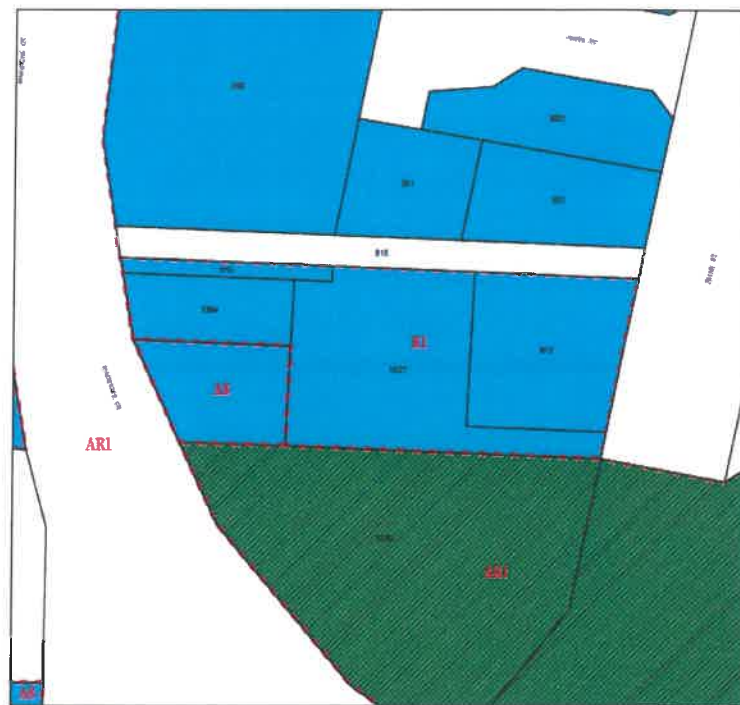
4. *Rezone portion of Lot 1027 (Reserve 33569), Lot 910 (Reserve 33566) and portion of Lot 913 (Reserve 33568) to Reserve local road.*
5. *Include in Schedule 1 – Terms used in Scheme, 'Tourist and visitor accommodation', and insert the following text before 'tourist development':*
tourist and visitor accommodation —
(a) means a building, or a group of buildings forming a complex, that —
(i) is wholly managed by a single person or body; and
(ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
(iii) may include on-site services and facilities for use by guests; and
(iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;
and
(b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but

(c) does not include any of the following —

- (i) an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);
- (ii) a caravan park;
- (iii) hosted short-term rental accommodation;
- (iv) a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);
- (v) a park home park;
- (vi) a retirement village as defined in the Retirement Villages Act 1992 section 3(1);
- (vii) a road house;
- (viii) workforce accommodation.


6. Amend scheme maps accordingly.

SCHEME MAPS



- Legend**
- Additional uses A1
 - Restricted uses R1/AR1
 - LPS Reserves**
 - Local Road
 - Public Open Space
 - LPS Zones**
 - Commercial

EXISTING SCHEME MAP




**Department of Planning,
Lands and Heritage**

Information on
this website is
provided by data providers.
Department of Planning, Lands and Heritage, State of
Victoria Information © 2024 Western Australian Land Information Authority
Information is provided as is. No warranty is made by the Western Australian
Land Information Authority (WALIA) regarding its accuracy.

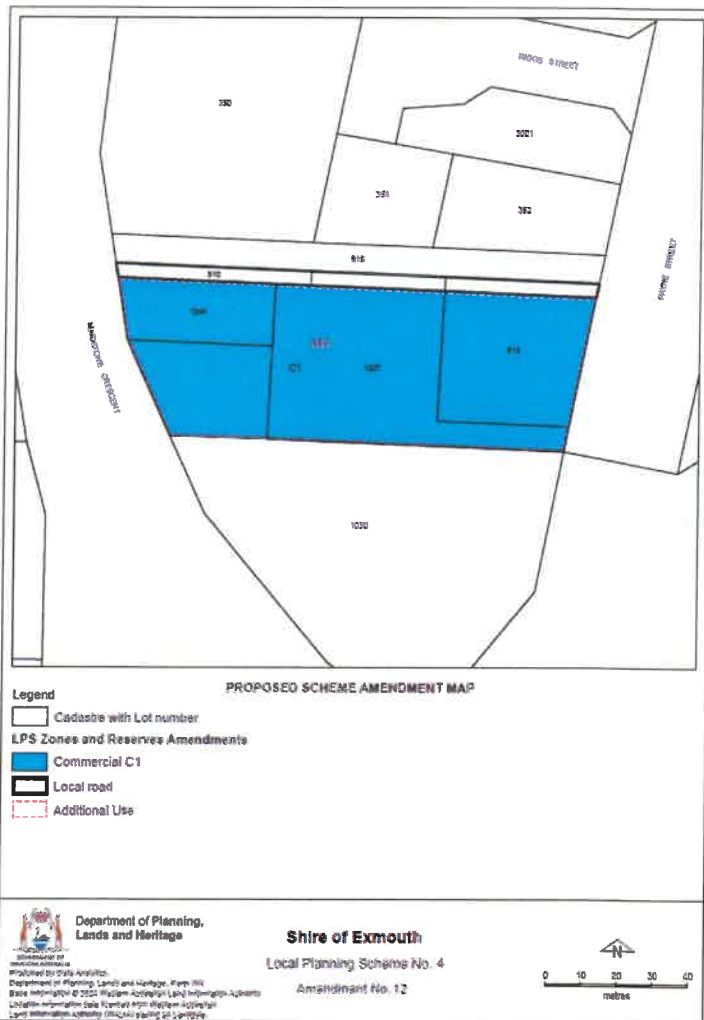
Shire of Exmouth

Local Planning Scheme No. 4

Amendment No. 12



0 10 20 30 40
metres



COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the 18th day of April 2024.



.....
MAYOR/SHIRE PRESIDENT




.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Shire of Exmouth at the Ordinary Meeting of the Council held on the 18th day of April 2024, proceed to advertise this Amendment.



.....
MAYOR/SHIRE PRESIDENT



.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the Shire of Exmouth at the Ordinary Meeting of the Council held on the 21st day of November 2024 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:



MAYOR/SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

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

12/03/2025
DATE.....

FORM 6A – CONTINUED

APPROVAL GRANTED

MINISTER FOR PLANNING

DATE.....

It is hereby certified that this is a true copy of the
~~Scheme~~ Amendment, final approval to which was
endorsed by the Minister for Planning on 26/3/2025

Certified by

Officer of the Commission Duty authorised pursuant
to Section 24 of the Planning and Development Act
2005 and Regulation 32(3) Scheme and Regulation
63(3) (Amendment) of the Planning and Development
(Local Planning Scheme) Regulations 2015.