The following is an extract of the Town of Cambridge Town Planning Scheme No.1 to show the modifications proposed under Scheme Amendment No.37. Please review the following in conjunction with the Town of Cambridge Town Planning Scheme No.1 and the Planning and Development (Local Planning Schemes) Regulations 2015 - Schedule 2 Deemed Provisions.

21 DWELLING DENSITIES

(1) The permitted dwelling density per hectare under the Residential Design Codes for any land is to be determined by reference to the Residential Design Codes dwelling density number, as illustrated on the Scheme Map.

(2) Subject to compliance with the procedures set out in the Residential Design Codes for notifying affected owners and occupiers, the Council may grant an increase in the permitted dwelling density by up to 50% if:

(a) the proposed development effects the discontinuance of a non-conforming use; or

(b) the proposed development conserves or enhances an existing building, buildings or place which is either:

(i) declared to be a conservation area or a conservation place, or

(ii) nominated on the Municipal Heritage Inventory, or

(iii) included on a Heritage List or Heritage Area prepared in accordance with this Scheme; or

(iv) included on the State Register of Heritage Places, the Register of the National Estate or listed by the National Trust; or

(v) entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990; or

(a) the proposed development would remove all vehicular access to and from the site from a road nominated by Council to be a primary or district distributor road.

(3) Where the Council allows an increase in the permitted dwelling density, the standards and provisions of the Residential Design Codes which relate to that higher density are to apply.

(4) Notwithstanding the provisions of the Zoning Table and sub clause (3) above, Multiple Dwelling use is not permitted on land where the residential density code is R30 or less.

33 EXEMPTION FROM PLANNING APPROVAL

(1) The planning approval of the Council is not required for the following development of land:

(a) The use of land in a Reserve, where such land is held by the Council or vested in a public authority:

(i) for the purpose for which the land is reserved under the Scheme; or
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(ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.

(b) The use of land which is a permitted ("P") use in the Zone in which that land is situated provided:-

(i) it does not involve the carrying out of any building or other works; and

(ii) it is in compliance with all the requirements prescribed by the Scheme, Council Planning Policies and the Residential Design Codes.

(c) The erection of a boundary fence, a communications antenna, an advertisement, the alteration of land levels, the construction of a retaining wall where listed as exempt from the requirement to obtain Planning Approval in a Planning Policy.

(d) Development of a minor nature where listed as exempt from the requirement to obtain Planning Approval in a Planning Policy.

(e) The erection on a lot of a single dwelling house, including ancillary outbuildings, in a zone where the proposed use is designated with the symbol "P" in the cross reference to that zone in the Zoning Table, except where otherwise provided by the Scheme.

(f) The carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act.

(g) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building, unless the building or structure is:-

(i) located in a place that has been entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990;

(ii) the subject of an Order under Part 6 of the Heritage of Western Australia Act 1990;

(iii) declared to be a conservation place under clause 25 of the Scheme; or

(iv) declared to be a conservation area under clause 24 of the Scheme and Planning Approval for internal works is required by a Planning Policy.

(g) Maintenance and Repair of any building or structure unless the building or structure is located in a place that is:-

(i) entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990;

(ii) the subject of an order under the Heritage of Western Australia Act 1990 Part 6; or

(iii) the subject of a heritage agreement entered into under the Heritage of Western Australia Act 1990 section 29.

(h) Alterations to any building or structure that do not materially affect the external appearance of the building, unless the building or structure is located in a place that is:-
(i) entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990;

(ii) included on a Heritage List or Heritage Area prepared in accordance with this Scheme;

(iii) declared to be a conservation area under clause 24 of the Scheme and development approval is required for the works by a Planning Policy;

(iv) the subject of an order under the Heritage of Western Australia Act 1990 Part 6; or

(v) the subject of a heritage agreement entered into under the Heritage of Western Australia Act 1990 section 29.

The carrying out of works urgently necessary in the interests of public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

(2) Notwithstanding that a single house or ancillary outbuilding does not require the prior approval of the Council pursuant to the Scheme, any person who wishes Council to exercise discretion under the Residential Design Codes or a Planning Policy relating to the erection of a single house or ancillary outbuilding shall, at the time of lodging an application for a building licence or earlier, apply in writing to Council, seeking Council's approval for the variation.

The Council may approve the variation with or without conditions or may refuse to approve the variation. The Council shall, before granting its approval, satisfy itself that:

(a) the discretion requested is one which the Council has the power to approve; and

(b) granting of that discretion would not compromise the objectives of the Residential Design Codes or Planning Policy.

(3) Notwithstanding that any development by reason of the preceding paragraphs does not require the approval of the Council, a planning application must nevertheless be submitted to the Council for referral to the Commission for determination in accordance with the Metropolitan Region Scheme or the Metropolitan Region Town Planning Scheme Act 1959 if the land the subject of the application is wholly or partly within an area duly declared by the Commission to be a planning control area pursuant to Section 35C of the Metropolitan Region Town Planning Scheme Act 1959.
SCHEDULE 1 - DEFINITIONS:

Maintenance and Repair: means minor works that are undertaken to fix, or prevent, a building, structure or place from deteriorating or falling into a state of disrepair. The works are to be undertaken to the same details, materials and specifications of the building, structure or place prior to the deterioration or disrepair occurring.

Minor Structures: means free standing structures located behind the street setback areas including, without limiting the generality of the foregoing, clothes drying lines, seating, children’s play structures, basketball and netball hoops, outdoor cooking and heating facilities but excluding flag poles.