

SCANNED

Denmark Survey & Mapping

LICENSED SURVEYORS & TOWN PLANNERS

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Our Ref: 1513

Shire of Denmark
Director of Planning & Sustainability
PO Box 183
DENMARK WA 6333

Attention: Mr Sam Williams

Dear Sam,

Re: Town Planning Scheme Amendment 121

Denmark Survey & Mapping act on behalf of Mr. Dave & Mrs. Gail Guthrie in relation to this matter.

Shire of Denmark IPA10596	
11 MAY 2010	
TP33/SA121	
DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	✓
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

Cindy,
Amy
Comm
Pls?
T
S.

Background

As is described in the amendment documentation, the site was zoned to "Tourist" by Amendment No. 91 to the Shire of Denmark Town Planning Scheme No.3. Amendment No. 91 was initiated by Council in September 2005 and published in the Government Gazette heralding final approval on 24th July 2007.

The Tourist development Guide Plan and the Tourist Provisions that related to this land marginally varied in content and terminology and a further revision of both the purposes and future possibilities for this land indicated that a broader range of future possibilities including the immediate provision of a tented camping ground would require that a Scheme Amendment be prepared.

Access to the existing development is via the existing driveway along a section of the South Coast Highway road reserve which is no longer in use for highway traffic. The use of this access was approved by Main Roads WA (MRWA) back in 2005/06 based on the level of development proposed in Amendment No. 91. When Council initiated

Amendment 121 at the OCM on the 27th October 2009 to include the revised land uses, zone area and a revised access site for any future caravan park, MRWA had already advised at that time that access should be a minimum of 50m from the centreline of the intersection with South Coast Highway and the Amendment Documentation had been prepared taking that into account.

In November 2009, a period of time after Council had initiated the amendment, Mr. Murray Flett of MRWA conducted a site assessment and advised that the department had revised the safest place to provide access to and from Tindale Road to the property. Mr Flett advised that for the safety of vehicles both entering and accessing the property, road users of Tindale Road and also allowing for adequate stacking distances from South Coast Highway for vehicles towing caravans in the future; that the access should be relocated approximately 200m to the north of the intersection of Tindale Road and South Coast Highway. With this as a new consideration, a revised zoning map and therefore boundary realignment is now proposed as a modification to the advertised Amendment plans and documentation (plans attached).

Revised Tourist Zone Boundary and Access to Tindale Road

The location of the zoning boundary runs approximately along the alignment of the existing fences at the property and would result in the cottage that was previously to be located on the larger rural portion of land now being aligned and contained within the tourist zone instead. It is submitted that this is a far better outcome for access arrangements and will not result in any material change in use of the land as additional tourist uses are not proposed for this area giving land uses separation from the rural uses on the adjoining land to the north. Please find attached the revised Tourist Development Plan for the site indicating the proposed changes to the plan that we seek to have considered and approved as a modification required by Council.

For the time being, it is proposed to continue to use the existing access for the current level of development and seasonal 'campers' anticipated at the site. Provisions have been included that requires that prior to hardstands being permitted at the site to cater for caravanning traffic, that road access upgrades in accordance with MRWA requirements will be implemented. The provisions read:

(xiv) Vehicular access to be restricted to the existing access track which joins Tindale Road with proposed Lot A and Lot B in the South Coast Highway road reserve until such time as access is upgraded to permit the access of caravans and/or the development of a reception centre.

✓(xv) Prior to Caravans being permitted to utilise the site or the development of a reception centre, vehicular access to Tindale Road and directly onto South Coast Highway is to be upgraded in accordance with MRWA requirements and specifications.

Internal Access Roadways

Whilst acknowledging that caravan traffic should be serviced by adequately constructed and sealed internal roads, it should be noted that the proponent seeks only to have campers in tents staying at the property and patrons in the chalets at this stage, with provision of caravan hardstands purely a future opportunity for the property itself and if ever likely will be installed by a successive owner. Mr. & Mrs. Guthrie have previously operated the Rest Point Caravan Park and are not keen to service the caravanning customer that frequents a traditional caravan park again and specifically at this site.

A special TPS provision requiring that internal roads be upgraded to a sealed standard at such time as the site is developed to its full potential has been included. And reads;

vi (xvi) Provision of any caravan hardstands and camping sites will require compliance with the Caravan and Camping Act (1995) and the relevant provisions of the Caravan Parks & Camping Ground Regulations (1997) or as amended from time to time.

The Caravan & Camping regulations have standards for internal access roads within a caravan park. Division 4 of that Schedule requires that the facility entry road is to be at least 6m wide. Internal roadways that are two way are to be a minimum width of 6m and single direction roads are to be a minimum width of 4m. Subclause (4) and (5) state;

(4.)'Subject to subclause (5), a facility road is to be *constructed* and maintained as *approved*'

(5.)A facility road in a transit park or nature based park need not be paved or sealed.

In considering subclause 4 it is requested that Council acknowledges that in this first instance this proposal seeks to limit traffic to motor vehicles and that even this traffic will

be seasonal. It is therefore proposed that as an interim measure Council approve the construction of internal roadways to a compacted gravel standard. This approach is considered appropriate in the first instance in response to the small scale of development and desire to retain the rural nature, setting and amenity of the site. The included provision gives Council both the power and the impetus to appropriately apply the condition for sealed internal roads (caravan park OR function centre but not chalets, camping ground or park internal facilities such as private recreation, craft shop or gallery).

We hope that Council looks favourably on the proposed suggested change to the alignment of the tourist zone and subsequent future tourist lot and can see the merits and benefits for the Denmark Tourist market in allowing a small scale tourist facility to operate in the mean time whilst allowing for a greater future development if and when the market defines and permits.

Should you have further queries, please do not hesitate to contact me on 9848 2262,

Yours faithfully
Denmark Survey & Mapping



Jennifer Dowling
BA CHS (Planning)
Senior Planner

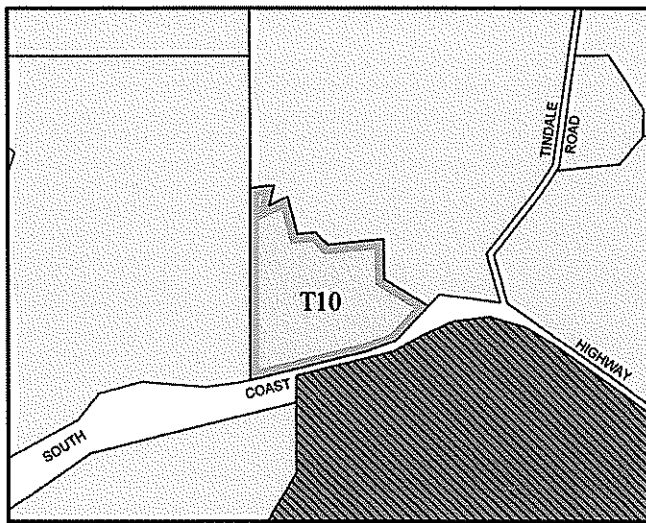
4th May 2010

C.C. MR MURRAY FLETT
MAIN ROADS WA
GREAT SOUTHERN

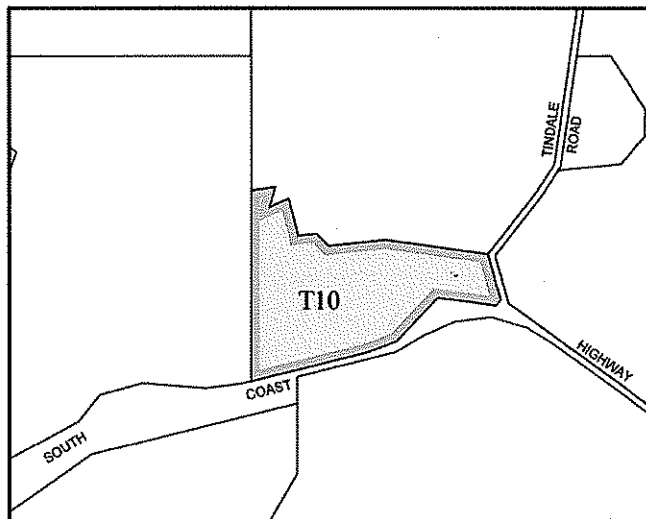
SHIRE OF DENMARK

TOWN PLANNING SCHEME No. 3

Amendment No. 121



EXISTING ZONING

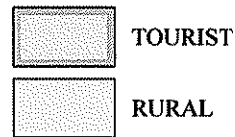


PROPOSED ZONING

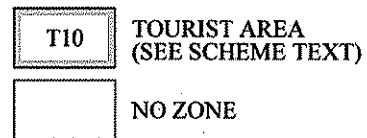
LOCAL SCHEME RESERVES



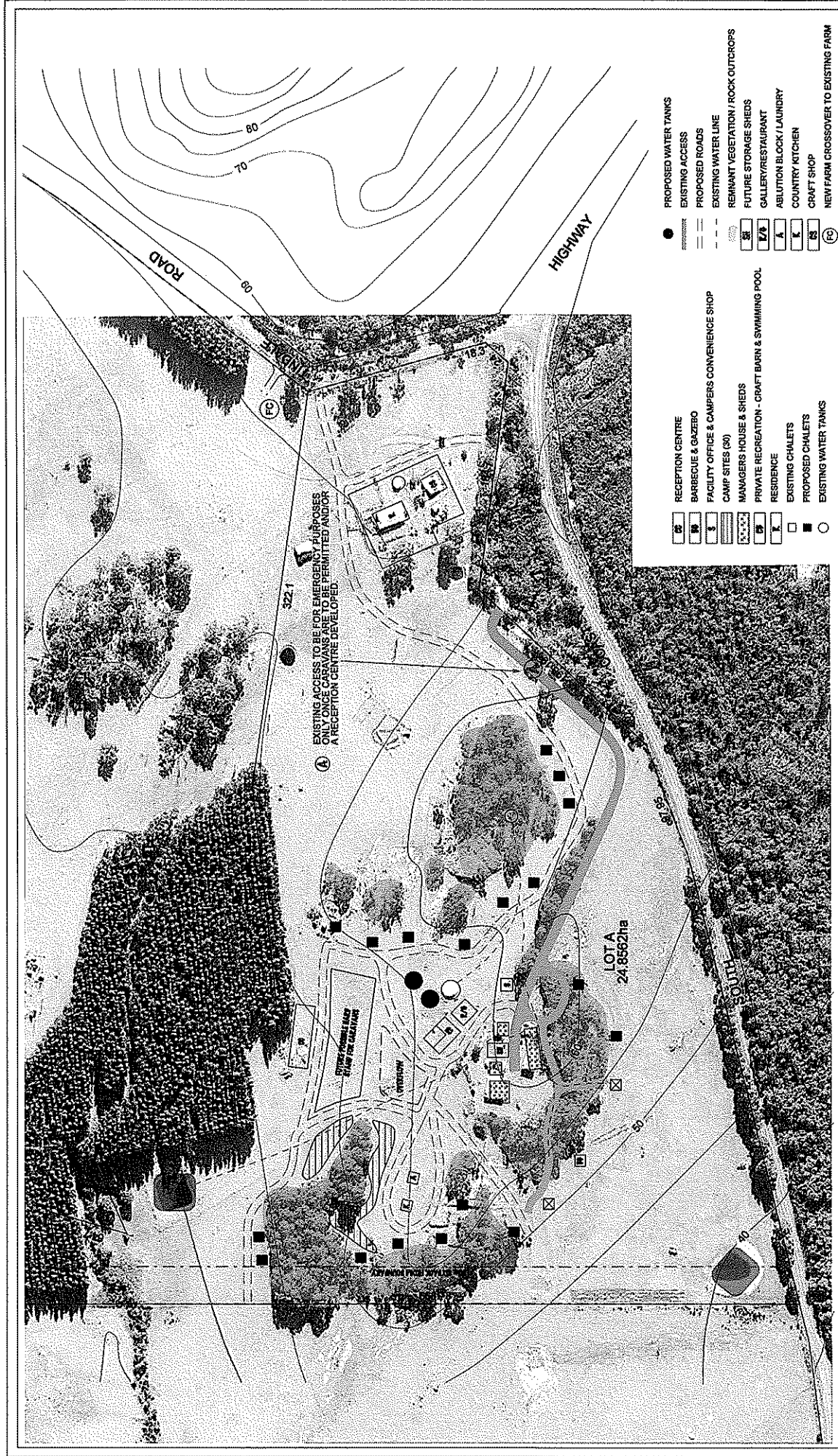
ZONES



OTHER



ref # 1513



- PROPOSED WATER TANKS
- EXISTING ACCESS
- PROPOSED ROADS
- EXISTING WATER LINE
- REMNANT VEGETATION / ROCK OUTCROPS
- FUTURE STORAGE SHEDS
- GALLERY/RESTAURANT
- COUNTRY KITCHEN
- CRAFT SHOP
- NEW FARM CROSSOVER TO EXISTING FARM

- RECEPTION CENTRE
- BARBEQUE & GAZERO
- FACILITY OFFICE & CAMPERS CONVENIENCE SHOP
- CAMP SITES (80)
- MANAGERS HOUSE & SHEDS
- PRIVATE RECREATION - CRAFT BARN & SWIMMING POOL
- RESIDENCE
- EXISTING CHALETS
- PROPOSED CHALETS
- EXISTING WATER TANKS



Drafting Completed by Thompson MacRobert Edgeclon Group Ref.# 10091
Ref: 1513
 Denmark Survey & Mapping
 PO Box 339
 1 / 55 Strickland St, Denmark 6333
 (08) 9848 22622

PERSON	DESCRIPTION	DRAWN	DATE
J			
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PERSON	DESCRIPTION	DRAWN	DATE
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- LEGEND**
- SUBJECT LAND
 - EXISTING CADASTRE
 - PROPOSED CADASTRE
 - LOT 14 133,46ha
 - EXISTING LOT DESCRIPTION
 - CONTOURS

TOURIST DEVELOPMENT PLAN

LOT 14 TINDALE RD, BOW BRIDGE

THIS PLAN HAS BEEN PREPARED FOR PLANNING PURPOSES.
 BOUNDARY LINES ARE REPRESENTATIONAL ONLY AND ARE SUBJECT TO SURVEY.

**Shire of Denmark Town Planning Scheme No. 3
Amendment No. 121
Schedule of Submissions**

No	Name/Address of Submitter	Summary of Submissions	Officer comment	Council Recommendations
1	Environmental Protection Authority Locked Bag 33 Cloisters Square Perth WA 6000	Advised that the proposed scheme amendment not be assessed under Part IV of the EP Act but provides the following advice and that it is not necessary to provide any advice or recommendations.	Noted	No changes to the amendment document required.
2	Water Corporation PO Box 100 Leederville WA 6902	<p>No objection to the rezoning proceeding and provides the following general comments and relation to water and wastewater servicing:</p> <p>All of the land contained within this development proposal is outside the Water Corporation's Water and Wastewater Operating Licence Areas, and as such, neither of the Corporation's water and wastewater services is available. The development will be required to be self-sufficient with respect to the provision of potable water and wastewater services.</p>	<p>Noted.</p> <p>The current development harvest rainwater which is proposed to be upgraded and/or extended where further development occurs. Any approvals for chalet development will be conditional upon the installation of an appropriate effluent disposal system to the satisfaction of the Director Community and Regulatory Services.</p>	No changes to the amendment document required

No	Name/Address of Submitter	Summary of Submissions	Officer comment	Council Recommendations
3	Fire and Emergency Services Authorities Great Southern Region 5 Hercules Crescent Albany WA 6330	No objection. Bush Fire risk must be considered in planning decisions at construction stages.	Any development on site will require planning approval under which Council will condition bush fire protection measures.	No changes to amendment document required.
4	Department of Environment and Conservation Locked Bag 2 Manjimup WA 6258	<p>DEC provides the following comments:</p> <p>DEC supports the protection of existing vegetation and if possible any developments should be carried out on already disturbed areas.</p> <p>Given the lots relative closeness to the Irwin Inlet, any future developments need to demonstrate that the waste water management and stormwater drainage design protects the natural environment, in particular the Irwin Inlet.</p>	<p>The proposed Tourist Development Plan shows future chalets and camping sites to be within already cleared areas.</p> <p>Any development on site will require planning approval under which Council will condition appropriate stormwater and waste water management measures.</p>	<p>No changes to the amendment document required.</p> <p>No changes to amendment document required.</p>

No	Name/Address of Submitter	Summary of Submissions	Officer comment	Council Recommendations
		<p>The lot adjoins the Mehniup Nature Reserve and some of the following activities may occur from time to time in the nature reserve as follows:</p> <ul style="list-style-type: none"> • Prescribed burning for conservation and/or fire hazard reduction purposes; • Bating with poison, shooting and trapping to control predators of native fauna; and • Application of chemicals for weed and plant disease control. 	<p>The Mehniup Nature Reserve is located south of South Coast Highway. South Coast Highway therefore forms a significant barrier and separation to the subject land. The activities listed will therefore have minimal affect on the subject land.</p>	<p>No changes to amendment document required.</p>
5	<p>Tourism WA GPO Box X2261 Perth WA 6847</p>	<p>No objection to the proposed amendment as the proposal will diversify the potential tourism uses on the subject site, increasing the various accommodation types on offer.</p>	<p>Noted</p>	<p>No changes to amendment document required.</p>
6	<p>Main Roads WA Great Southern Region 2-6 Kelly Street Albany WA 6330</p>	<p>Proposed condition (xv) refers to access directly to South Coast Highway. Main Roads requires that his reference be removed and for the condition be amended as follows: “Prior to caravans being permitted to utilise the site or the development</p>	<p>The condition currently reads as follows: “Prior to caravans being permitted to utilise the site of the development of a reception centre, vehicular access to Tindale Road and directly onto South Coast Highway is to be upgraded in accordance with</p>	<p>Uphold . Amend proposed condition (xxi) as follows: “Prior to caravans being permitted to utilise the site or the development of the reception centre, vehicular access to Tindale Road is to be upgraded in accordance with</p>

No	Name/Address of Submitter	Summary of Submissions	Officer comment	Council Recommendations
		of the reception centre, vehicular access to Tindale Road is to be upgraded in accordance with MRWA requirements and specifications.”	MRWA requirements and specifications. The deletion of the words ‘and directly onto South Coast Highway’ is supported.	MRWA requirements and specifications.” Amend the Tourist Development Plan to align the tourist zone with the access road proposed 200m from the junction of South Coast Highway and Tindale Road.
7	Telstra Locked Bag 2525 Perth WA 6001	No objection to the Amendment.	Noted	No changes to amendment document required.
8	Ratepayer	Object to the proposal as follows: The Bow Bridge Structure Plan has been approved by the Shire of Denmark. Other proposals have been denied approval under this Structure Plan and random approvals are not in line with any plan. There are at least 7 existing parks within a 35km radius. How many “bottom of the range” accommodation parks does the shire of Denmark require?	The subject land is not located within the Bow Bridge Structure Plan area and is unrelated to this proposal. The amendment will result in the provision of a range of accommodation types (chalets, caravan and camping) and activities which will contribute to the tourism industry in the Shire and help towards alleviating the shortage of accommodation during high tourism	No changes to the amendment document required. No changes to the amendment document required.

No	Name/Address of Submitter	Summary of Submissions	Officer comment	Council Recommendations
		<p>Clientele attracted to a caravan park are often budget transient visitors and the likelihood of inappropriate and criminal behaviour will increase.</p> <p>Ayr Sailean management are unable to keep their clients and their pets within the tourist zone area. People and pets pose a real threat to marron and sheep farmers in the vicinity.</p> <p>Presently there are 3 restaurants/cafes within 7km of proposed restaurant. To believe that only residents of the development will use this facility is unrealistic, adding to an existing traffic danger, and intersection with a bad corner on a crest.</p> <p>The power supply cannot cope with the present peak demands.</p>	<p>seasons.</p> <p>There is no information to support this claim.</p> <p>There is an onus on operators to ensure pets remain on site at all times.</p> <p>The labelling of a 'country kitchen' is incorrect and should read 'camp kitchen'.</p> <p>Western Power was invited to make a submission on the amendment and no comment was received.</p> <p>Current constraint on the power supply system does not preclude development from happening.</p>	<p>No changes to the amendment document required.</p> <p>No changes to the amendment document required.</p> <p>Amend the 'Tourist Development Plan' by deleting the reference to 'country kitchen' and replace with the wording 'camp kitchen'.</p> <p>No changes to the amendment document required.</p>

No	Name/Address of Submitter	Summary of Submissions	Officer comment	Council Recommendations
9	Ratepayer	<p>Raise some concern with the application and its wider ramifications:</p> <p>Description of the amendment is board and is a major diversion from chalets previously approved.</p> <p>Major concern relevant to caravan and/or camping trailers is one of safe ingress and egress. The Tindale Road junction to South Coast Highway occurs on dangerous bend.</p>	<p>The purpose of the amendment is to widen the range of tourist related uses.</p> <p>Main Road has considered the amendment and request changes to accommodate save future access when it is developed for caravan sites.</p>	<p>No changes to the amendment document required.</p> <p>Uphold Refer to recommendation under submission number 6.</p>



Environmental Protection Authority

The Atrium,
Level 8, 168 St Georges Terrace,
Perth, Western Australia 6000.
Telephone: (08) 6364 6500.
Facsimile: (08) 6467 5557.

Postal Address: Locked Bag 33,
Cloisters Square, Perth, Western Australia 6850.
Website: www.epa.wa.gov.au

Shire of Denmark	
2 DEC 2009 TPS3/A121	
DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	<input checked="" type="checkbox"/>
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

Chief Executive Officer
Shire of Denmark
PO Box 183
DENMARK WA 6333

Attn: Cindy Simpson

Your Ref
Our Ref
Enquiries

TPS3/A121 CS/RH
CRN222401
Karen Fearby 6467 5245

Dear Sir/Madam

DECISION UNDER SECTION 48A(1)(a) *Environmental Protection Act 1986*

SCHEME AMENDMENT TITLE: Shire of Denmark TPS 3 Amendment 121 Inserting additional uses

LOCATION: Lot 14 South Coast Highway

LOCALITY: Denmark

RESPONSIBLE AUTHORITY: Shire of Denmark

DECISION: Scheme Amendment Not Assessed (no appeals)

Thank you for your letter of 11 November 2009 referring the above scheme amendment to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) and that it is not necessary to provide any advice or recommendations.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision to not assess the scheme amendment.
- This letter will be made available to the public on request.

Yours faithfully

Colin Murray
Director
Assessment and Compliance Services

30 November 2009

Your Ref: TPS3/A121
 Our Ref: Grange 5148866
 Enquiries: G Wright
 Telephone: 98424230



Shire of Denmark 12104623	
20 APR 2010 TPS3/A121	
DATE	LP#
FILE REF	
COUNCILORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	<input checked="" type="checkbox"/>
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

*Cc's,
 Thanks,
 Sam.*

Great Southern Regional Office
 215 Lower Stirling Terrace
 ALBANY WA 6330
 PO Box 915
 ALBANY WA 6331
 Tel (08) 9842 4211
 Fax (08) 9842 4255
 www.watercorporation.com.au

April 19, 2010

Shire of Denmark
 PO Box 183
 DENMARK WA 6333

Attention: Sam Williams

**SHIRE OF DENMARK
 TOWN PLANNING SCHEME #3 AMENDMENT 121 – LOT 14 TINDALE ROAD,
 BOW BRIDGE**

Dear Sam,

Thank you for your letter dated March 30, 2010 regarding the above.

The Water Corporation has no objection to this proposal.

All of the land contained within this development proposal is outside the Water Corporation's Water and Wastewater Operating License Areas, and as such, neither of the Corporation's water or wastewater services is available. The development will be required to be self-sufficient with respect to the provision of potable water and wastewater services.

Yours sincerely

Graham Wright
 Senior Asset Planner
 Great Southern Region
 Asset Management Division

SCANNED



Government of Western Australia
Fire & Emergency Services Authority

Your Ref: TPS3/A121 SW/KR
Our Ref: AL01823 - 05
Contact: RUSSELL GOULD
Email: Russell.Gould@fesa.wa.gov.au

Chief Executive Officer
Shire of Denmark
PO Box 183
DENMARK WA 6333

Attention: Cindy Simpson

Dear Phil,

RE: Amendment No. 121 - Lot 14 (1) Cnr South Coast Highway and Tindale Road, Denmark

Thank you for your letter dated 30 March 2010 regarding the above referral. FESA has no objections to the rezoning of the subject land however the following comments should be noted.

In relation to the ongoing development of this application, Bush Fire Risk must be considered in planning decisions to avoid increasing the risk through inappropriately located or designed land use and development. The Planning for Bush Fire Protection document and WAPC Policy DC 3.7 cover the requirements for subdivisions to address on ground fire protection issues. Australian Standard 3959 cover the Standard for Construction of Buildings in Bushfire-Prone Areas. The requirements of all 3 documents need to be considered in total when dealing with any subdivision development.

Should you require further information please contact me on the above number.

Yours faithfully,

RUSSELL GOULD
DISTRICT MANAGER FESA OPERATIONAL SERVICES
GREAT SOUTHERN REGION

21 APRIL 2010



5 Hercules Crescent
Albany, Western Australia, 6330

Telephone (08) 9845 5000
Facsimile (08) 9841 6719
Email fesa@fesa.wa.gov.au
www.fesa.wa.gov.au

Shire of Denmark	
23 APR 2010	
TPS3/SA121	
DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	✓
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

Cindy



SCANNED

Shire of Denmark
ICP 1051163
A2202
24 MAY 2010
TPS2/A 121

DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	<input checked="" type="checkbox"/>
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

Cindy
Please action. s.

Mr Sam Williams
Director, Planning & Sustainability
Shire of Denmark
PO Box 183
DENMARK WA 6333

Dear Sam

SUBJECT: TOWN PLANNING SCHEME NO. 3 – AMENDMENT NO. 121 – LOT 14 (1) CNR SOUTH COAST HIGHWAY AND TINDALE ROAD

In response to your letter received on 6 April 2010 regarding the above proposed Scheme Amendment, the Department of Environment and Conservation (DEC) provide the following comments.

The remnant vegetation on the Lot contains habitat that is likely to be suitable for a number of priority flora and threatened fauna species that are known to occur near the application area. DEC support the protection of existing remnant vegetation and if possible any development(s) be carried out on already disturbed areas.

Clearing of native vegetation in WA is prohibited unless the clearing is authorized by a clearing permit obtained from DEC or is of a kind that is exempt in accordance with Schedule 6 Environmental Protection Regulations 2004.

Given the Lots relative closeness to the Irwin Inlet, any future developments need to demonstrate that the waste water management and stormwater drainage design protects the natural environment, in particular the Irwin Inlet.

This Lot adjoins the Mehniup Nature Reserve which is managed to maintain and restore the natural environment, and to protect, care for and promote the study of native flora and fauna, and to preserve any feature of archaeological, historic or scientific interest.

Some of the following activities may occur from time to time in the nature reserve:

- prescribed burning for conservation and/or fire hazard reduction purposes;
- baiting with poison, shooting and trapping to control predators of native fauna;
- application of chemicals for weed and plant disease control.

Planning for bushfire protection (FESA and WA Planning Commission 2001) requires rezoning, subdivision and development proposals to be accompanied by information on how the proposal will meet the requirements of this publication. This information should include bushfire hazard and land suitability assessment, subdivision and development design in terms of fire services access, hazard

separation and building protection zones, water supply, building envelopes locations and size. The plan should also outline fire protection measures.

If you have any queries please contact Peter Barness on 97 717 929.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Keppel', with a stylized flourish at the end.

Peter Keppel
Regional Manager
Warren Region

18 May 2010

Your Ref: TPS3/A121
Our Ref: D10/3672
Tourism WA File: IPD/1129

Chief Executive Officer
Shire of Denmark
Attention of: Cindy Simpson
PO Box 183
DENMARK WA 6333

ICP1051152

Shire of Denmark	
A220 WESTERN AUSTRALIA	
24 MAY 2010	
TPS3/A121	
DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	✓
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

2 Mill Street
PERTH WA 6000
GPO Box X2261
PERTH WA 6847
Telephone +61 8 9262 1700
Facsimile +61 8 9262 1702
info@tourism.wa.gov.au
tourism.wa.gov.au

Cindy, FH & action. S.

Dear Cindy

**LOT 14 CNR SOUTH COAST HIGHWAY & TINDALE ROAD, DENMARK
TOWN PLANNING SCHEME NO. 3 AMENDMENT NO. 121**

Thank you for your letter dated 30 March 2010 referring the Shire of Denmark Town Planning Scheme No. 3 Amendment No. 121 to Tourism Western Australia (Tourism WA) for comment.

The subject site has a total area of 133.4482 hectares, is zoned predominantly 'Tourist' under the Shire of Denmark Local Planning Scheme No. 3 and is identified for 'Chalet Development' within the Schedule of Tourist Zones. This application proposes to expand the permissible tourism uses within the Schedule to include Caravan Park, Private Recreation, Reception Centre, Gallery/Restaurant, Office and Shop.

Tourism WA identifies that the proposed amendment would diversify the potential tourism uses on the subject site, increasing the various accommodation types on offer. Given this, Tourism WA has no objection to the proposed Scheme Amendment.

I trust this information is of assistance. Please do not hesitate to contact Emma-Lee Groser on 9262 1923 should you wish to discuss any matters further.

Yours sincerely

MATT TURNBULL
A/Director Infrastructure and Investment

18 May 2010

cc. Mark Exeter – Regional Manager Australia's South West

SCANNED





Enquiries: Chris Grant on (08) 9892 0524
 Our Ref: 04/13075-04 D10#71864
 Your Ref: TPS3/A121

Chief Executive Officer
 Shire of Denmark
 PO Box 183
 DENMARK WA 6333

ATTENTION: SAM WILLIAMS



ABN: 50 860 676 021

7 May 2010

Shire of Denmark	
ICR105988	
12 MAY 2010	
TPS3/A121	
DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

*Cindy,
 please note and action accordingly
 S.
 P.S I've listed this
 to go in Synergy*

Dear Sir/Madam

**SHIRE OF DENMARK TOWN PLANNING SCHEME NO 3 - LOT 14 (1) INTERSECTION OF SOUTH COAST HIGHWAY & TINDALE ROAD
 MAIN ROAD REFERANCE: SOUTH WESTERN HIGHWAY H009 429.05 SLK LHS**

I refer to your correspondence dated 30 march 2010 requesting Main Roads comments concerning the proposed amendment (121) of Town Planning Scheme No 3 relating to the above location.

Main Roads has no objection to the proposed conditions of tourist use as detailed in Appendix XIII of the submitted Town Planning Scheme No 3 which incorporates amendment 121, subject to the following revision of condition xv.

Condition xv currently refers to access directly to South Coast Highway, Main Roads requires that this reference be removed and for the condition to be amended to the following:

- xv. Prior to Caravans being permitted to utilise the site or the development of the reception centre, vehicular access to Tindale Road is to be upgraded in accordance with MRWA requirements and specifications.

If you require any further information please contact Chris Grant on (08) 9892 0524. In reply please quote file reference 04/13075-04 D10#71864.

Yours faithfully

Andrew Duffield
 REGIONAL MANAGER

SCANNED



Australian Business Excellence Awards
 Bronze Award 2007

Peta Leiper

From: Walkerden, Norm F [Norman.F.Walkerden@team.telstra.com]
Sent: Tuesday, 27 April 2010 1:54 PM
To: Denmark Shire Enquiries
Subject: Town Planning Scheme 3 - Amendment Number 121 - Lot 14 (1) Cnr South Coast Highway And Tindale Road, Bow Bridge

Categories: FORWARDED TO DIR OF PLANNING

Ref: TPS3/A121 SW/KR

Attn: Cindy Simpson

Re TOWN PLANNING SCHEME 3 - AMENDMENT NUMBER 121 – Lot 14 (1) Cnr South Coast Highway and Tindale Road, Bow Bridge

Thank you for your early correspondence re above. At present Telstra has no objection to make regarding the proposed amendment.
We look forward to further documentation as the development progresses

Regards,

Norm Walkerden

Forecasting & Area Planning Western,
Integrated Network Planning, Network and Technology
Postal: Locked Bag 2525 Perth WA 6001
Phone: 08 9491 6272 Fax: 08 9221 5730
Email Norman.F.Walkerden@team.telstra.com

Shire of Denmark ICR104480	
30 APR 2010 TPS3/A121	
DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	✓
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

SHIRE OF DENMARK
SOUTH COAST HWY
DENMARK
WA 6333

SUBMISSION re AMMENDMENT @ LOT 14, SOUTH COAST HWY, DENMARK
20/05/10

To whom it may concern,

I do have objections to the proposed amendments as follows;

- a) the Rural Structure Plan, which I believe the Shire of Denmark has adopted, allows for the proposed facilities to be located in the Bow Bridge development area. Other proposals have been denied approval under this Rural Structure Plan, a couple examples being, a sandalwood factory at William Bay, & a caravan park at Boat Harbour. Random approvals are not in line with any plan.
- b) There are already at least 7 existing parks within a 35 km radius. How many "bottom of the range" accommodation parks does the shire of Denmark require?
- c) The clientele attracted to caravan park accommodation are often budget transient visitors, & unfortunately, the likelihood of inappropriate & criminal behaviour occurring in this area increases markedly. I own a commercial marron venture adjoining this property, & there are several others within a few kilometers on the road side. Presently we are blessed with none of this behaviour.
- d) Ayer Saleen management, with only 3 chalets are unable to keep their clients within the rezoned tourist area, & I believe encourage their clients & pets to use the whole farming property. On more than one occasion, I have encountered chalet clients & their unrestrained dogs, walking along our boundary. The people pose a real threat to my marron, secondly their dogs pose a direct threat to my, & neighbouring properties sheep enterprises, & indirectly increase the likelihood of ovis in the flock, through faeces transfer via foxes or should they enter my property. Ovis is the infection of the meat with tapeworm eggs, & downgrades the carcass value by 50%.
- e) Presently, there 3 restaurants/cafes within 7 km of proposed restaurant. To believe that only residents of the development will use this facility is unrealistic, adding to an existing traffic danger, an intersection on a bad corner with a crest.
- f) The power supply in the area cannot cope with the present peak demands.

In summary, the proposed amendments are inconsistent with the Rural Structure Plan, whilst these facilities are already present & abundant nearby. The surrounding farming area has a far greater farm security risk.

Yours sincerely,

21 May 2010

Shire of Denmark
South Coast Highway
DENMARK 6333
WESTERN AUSTRALIA

S.

COUNCILLORS	
CEO	
DIR of FINANCE	B.
DIR of PLANNING	✓
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

Dear Sir or Madam

**RE - PROPOSED AMENDMENTS LOT 14 (1) CORNER
SOUTH COAST HIGHWAY AND TINDALE ROAD
TOWN PLANNING SCHEME NO. 3 - AMENDMENT NO. 121**

Whilst in principle and not being negative about development in our pristine areas, we have some concern with this application and its wider ramifications.

Your description of the application is rather broad - "caravan park", "private recreation", "reception centre", "gallery/restaurant", "office and shop" - this would appear to be a major divergence from individual chalets previously approved, although my conform with the tourist description, additional chalets may compliment those existing if applied for.

Our major concern relevant to caravans and/or camping trailers is one of safe ingress and egress.

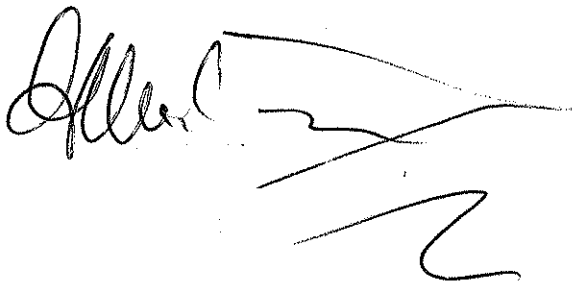
The Tindale Road junction to the South Coast Highway occurs on a difficult and potentially dangerous bend ie

- (a) from Walpole turning left into Tindale Road after sufficient signposting and no overtaking from following traffic, medium difficulty without a slip road;
- (b) from Tindale Road into South Coast Highway towards Denmark, least difficult but restricted vision of corner traffic from Walpole. Slip road could be introduced;
- (c) from Tindale Road into South Coast Highway towards Walpole reasonably difficult if major continuous traffic as approaching vehicles are likely to be traveling at 90 kms per hour and a vehicle towing a caravan would take some distance to raise its speed to the maximum and no overtaking is possible. Limited vision of vehicles on bend coming from Walpole;
- (d) Turning right into Tindale Road from South Coast Highway traveling from Denmark - possibly very dangerous - no slip road for following traffic, very limited vision of traffic on bend coming from Walpole, especially when roadside plant growth is not restricted.

Three deaths have occurred close to this bend in recent times. Vehicles not towing, whilst still needing to be very cautious, can accelerate quickly to avoid dangerous situations whereas most vehicles towing a caravan or loaded trailer cannot.

In summary, unless less dangerous access into Tindale Road from South Coast Highway is considered and improved, we would only support further chalets, reception centre, gallery and coffee lounge, swimming pool, but NOT caravans or camping trailers.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Allan', followed by several horizontal strokes that extend to the right, likely representing a name and a title or position.

