

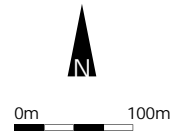
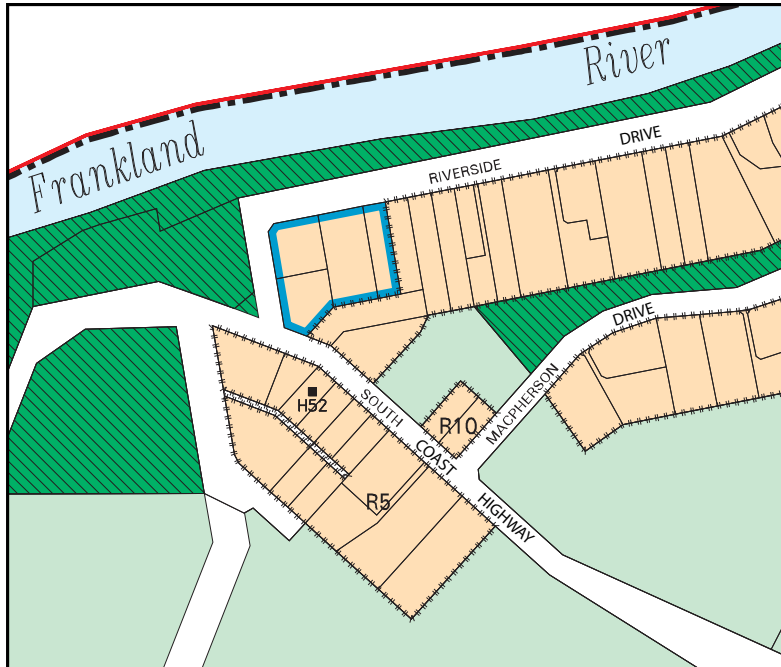
Planning and Development Act 2005
Shire of Denmark
Town Planning Scheme No.3
Amendment No. 143

The Council of the Shire of Denmark under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Local Planning Scheme by:

1. Rezoning No. 6676 (Lot 150) South Coast Highway, Nornalup, from 'Rural' to 'Residential (R5)' zone; and
2. Amending the Scheme Map accordingly.

SCHEME MAP

SHIRE OF DENMARK

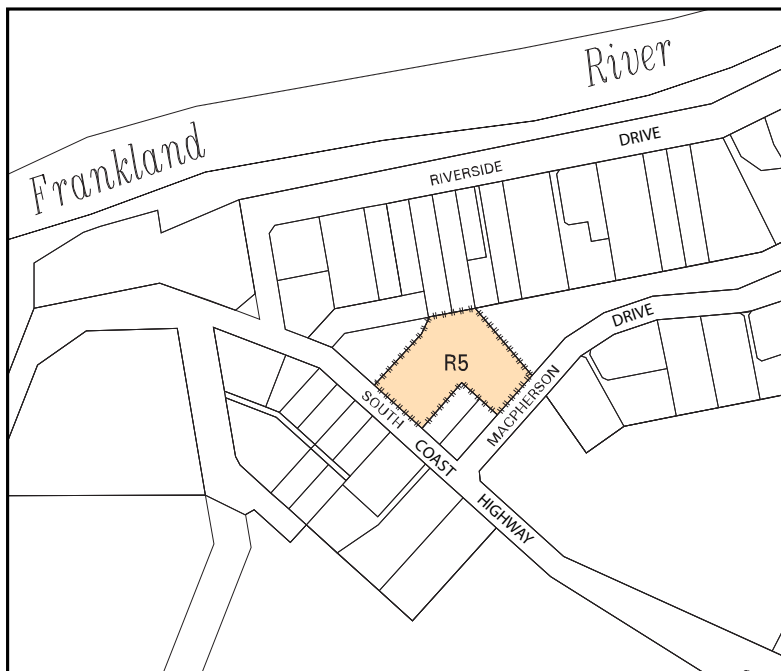


MAY 2015

TOWN PLANNING
SCHEME NO.3

AMENDMENT NO.143

EXISTING ZONING



LEGEND


LOCAL SCHEME RESERVES

-  PARKS AND RECREATION
-  DRAINAGE AND WATERBODIES

ZONES

-  RESIDENTIAL
-  TOURIST
-  RURAL

OTHER

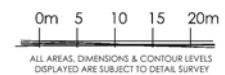
-  R CODES
-  LOCAL GOVERNMENT BOUNDARY
-  SCHEME BOUNDARY
-  PLACE OF HERITAGE VALUE

PROPOSED ZONING



CONCEPT PLAN
 LOT 150 SOUTH COAST HIGHWAY, NORNALUP

▲ N
 SAM WILLIAMS | TOWN PLANNER
 ph: 0418 116216 | email: samwilliams@westnet.com.au
 scale - 1:1000 @ A4 | date - 21 June 2016
 plan no.15-004-001C



**SCHEDULE OF SUBMISSIONS: AMENDMENT 143 –
PROPOSED REZONING OF NO. 6676 (LOT 150) SOUTH COAST HIGHWAY, NORNALUP FROM “RURAL” TO “RESIDENTIAL (R5)” ZONE**

Submission Number	Name & Address	Verbatim Submission	Planning Services Comment
S1	Gail Guthrie 106 Riverside Drive, Nornalup	I support the rezoning of the parcel from Rural to Residential as it is in the heart of Nornalup Townsite, and should be zoned accordingly. With the gazettal of the town all zoning for the area should be reassessed.	<ul style="list-style-type: none"> • Noted. • Review of all zonings will take place as part of Local Planning Scheme No. 4 considerations.
S2	Ben Patrick Wiseways Investments 8 Burt Street Cottesloe Affected property: Lot 83 Riverside Drive, Nornalup	We receive a lot of water that passes through this block and goes down a drain on the E side of the block. Please check this out. We are not against a single residence, but am concerned that septics in this wet block could be a real problem and it has to be addressed before a zoning change.	<ul style="list-style-type: none"> • The Shire is aware that there is natural drainage flow that traverses a number of private properties in Nornalup. A review of the drainage situation is proposed to be undertaken by Infrastructure Services in due course. • The Land Capability Assessment report included within the Scheme Amendment documentation has proven up capability for an effluent disposal system on-site associated with the additional lot that the rezoning proposal would facilitate. The concept plan identifies areas where development (including effluent disposal systems) are not to be located due to the existence of a waterlogged area in the north-east corner of the site and the natural drainage soak and channel that traverses the site.
S3	Geoffrey Nathan PO Box 1067 Nedlands Affected property: No. 24 (Lot 87) Riverside Drive, Nornalup	Our lot backs onto the Lot 2369 which is located at 27 McPherson Drive and which you propose to call “Kwakoorillup Park”. I am not opposed to the re-zoning of Lot 150 however I am still concerned about the lack of maintenance of Lot 2369 which regularly becomes a fire hazard.	The Shire acknowledges that in the past there has been very little maintenance undertaken on Reserve 41884 (Lot 2369); this situation has recently been addressed and regular maintenance is now occurring.
S4	Bette Beckingham PO Box 875 Subiaco Affected property: 96 Riverside Drive, Nornalup	The map shows the land concerned is in a central and strategic location in our small community. It seems logical to make this available for dwellings and new residents. In no way does it impinge on forest or viable farmland. The community would benefit from this amendment.	Noted.
S5	Jan Watson	The rezoning of this property and subsequent loss of a valuable wetland, is another	<ul style="list-style-type: none"> • A natural drainage soak and channel

16 May 2017 - Attachment 8.1.1b

	80 Macpherson Dve, Nornalup	<p>instance of environmental destruction, happening daily in Nornalup. Within this boggy, wet area, there is a small permanent and natural pond. This is a breeding place for wild ducks black moorhens and other water birdlife.</p> <p>The vegetation of river rush etc indicates permanent wetland, and makes this property highly unsuitable for development. Residential I fear for the stress upon the river – runoff is now absorbed in this low lying area. The river will receive waste, fertilizers etc unfiltered.</p> <p>The Shire should buy this property, add to Reserve: Feature the wetlands.</p>	<p>traverses the site, taking water off Macpherson Drive and directing it through other adjoining properties, eventually discharging into Frankland River.</p> <ul style="list-style-type: none"> • The Land Capability Assessment report included within the Scheme Amendment documentation has proven up capability for an effluent disposal system on-site associated with the additional lot that the rezoning proposal would facilitate. The concept plan identifies areas where development (including effluent disposal systems) are not to be located due to the existence of a waterlogged area in the north-east corner of the site and the natural drainage soak and channel that traverses the site. • The management and control of fertilizers and other pollutants impacting on the Frankland River from the adjoining urban development in Nornalup is an issue that the Department of Parks and Wildlife (being the responsible agency for the management of the Walpole and Nornalup Inlets Marine Park) and the Shire of Denmark need to educate the community on. • The Shire of Denmark does not consider there is a need to purchase the subject property.
Government Agencies			
G1	Telstra Corporation	Thank you for the above advice. At present, Telstra Corporation has no objection.	Noted.
G2	Water Corporation	<p>Thank you for your letter of 27 February 2017 inviting comments on the Shire's Amendment No. 143.</p> <p>The Water Corporation has no objections to the proposed rezoning. The Corporation does not own or operate any water or wastewater assets in the Nornalup townsite.</p>	Noted.
G3	Department of Environment Regulation	<p>I refer to the correspondence dated 2 March 2017 inviting comment from the Department of Environment Regulation (DER) on the above Scheme Amendment.</p> <p>DER has no comment on this matter in reference to regulatory responsibilities under</p>	Noted.

		the <i>Environmental Protection Act</i> 1986 and the <i>Contaminated Sites Act</i> 2003.	
G4	Department of Parks and Wildlife	<p>Thank you for your letter received on 3 March 2017 regarding the rezoning of No. 6676 (Lot 150) South Coast Highway, Nornalup from Rural to Residential.</p> <p>The Department of Parks and Wildlife has no comments or objections to this amendment.</p>	Noted.
G5	Department of Aboriginal Affairs	<p>Thank you for your letter dated 28 February 2017 regarding the proposed scheme amendment (the Proposal).</p> <p>The Department of Aboriginal Affairs (DAA) advises there are no reported Aboriginal sites or Aboriginal heritage places within the areas of the Proposal.</p> <p>The DAA recommends that developers take into consideration the DAA's Aboriginal Heritage Due Diligence Guidelines when planning specific developments associated with the Proposal. These have been developed to identify any risks to Aboriginal heritage and to mitigate risk where heritage sites may be present. The guidelines are available at: http://www.daa.wa.gov.au/globalassets/pdf-files/ddg .</p>	Noted.
G6	Department of Health	<p>Thank you for your letter of 27 February 2017 requesting comment from the Department of Health (DOH) on the above proposal.</p> <p>The DOH provides the following comment:</p> <p>1. Water Supply and Wastewater Disposal The proposed amendment is to ensure development is in accordance with the draft Country Sewerage Policy and is to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004.</p> <p>The DOH has no objection to the rezoning proposal subject to the site being demonstrated to be suitable for effluent disposal via a site specific geotechnical report of the site under winter conditions. Approval for any on-site waste water treatment process with such proposals being in accordance with DOH publications which may be referenced and downloaded from: http://ww2.health.wa.gov.au/Articles/N_R/Recycled-water http://ww2.health.wa.gov.au/Articles/U_Z/Water-legislations-and-guidelines http://ww2.health.wa.gov.au/Articles/S_T/Subdivisions-and-town-planning-approvals</p> <p>2. Land Use Planning for Natural Hazards A 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</p>	<ul style="list-style-type: none"> • The Land Capability Assessment report included within the Scheme Amendment documentation has proven up capability for an effluent disposal system on-site associated with the additional lot that the rezoning proposal would facilitate. The concept plan identifies areas where development (including effluent disposal systems) are not to be located due to the existence of a waterlogged area in the north-east corner of the site and the natural drainage soak and channel that traverses the site. • A bushfire management plan report has been included within the Scheme Amendment documentation as the property is identified as 'Bushfire Prone' as per the Map of Bushfire Prone Areas.

		erosion. Available for download from: https://www.ag.gov.au/EmergencyManagement/Tools-and-resources/Publications/Documents/Manual-series/manual-7-planning-safer-communities.pdf	
G7	Main Roads WA (Great Southern)	<p>I refer to your correspondence to this office dated 27 February 2017 concerning the above proposed Scheme Amendment, your reference TPS3/A143.</p> <p>Main Roads has no in principle objection to the proposed Scheme Amendment 143 to rezone Lot 150 South Coast Highway from Rural to Residential (R5). At the time of subdivision, Main Roads through WAPC Conditions of Approval shall seek to impose the following conditions:</p> <ol style="list-style-type: none"> 1. Pursuant to Section 150 of the Planning and Development Act 2005 and Division 3 of the Planning and Development Regulations 2009 a point to point restrictive covenant restricting vehicular access to South Coast Highway, being lodged on the certificate of title of the proposed lot (yet to be named) at the full expense of the land owner/applicant. The point to point covenant is to prevent additional access, to the benefit of Main Roads Western Australia. The covenant is to specify: “<u>No vehicular access from South Coast Highway.</u>” <u>Note:</u> The above restriction shall allow for the current single access from South Coast Highway to be retained. 2. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate of title of the proposed lot 110 advising the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows: “<u>The lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise, dust and vibration.</u>” 3. No stormwater from the proposed development shall be discharged into the South Coast Highway drainage system. 	Noted.

