

**Shire of Denmark  
Town Planning Scheme No. 3  
Scheme Amendment No. 154**



**Lot 1 (No. 23) Riverbend Lane, Scotsdale**

Prepared by Edge Planning & Property for Cultura Foundation Inc.

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November 2023

21 November 2023 - Attachment 9.1.1a

**PLANNING AND DEVELOPMENT ACT 2005  
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME**

**SHIRE OF DENMARK TOWN PLANNING SCHEME No. 3**

**AMENDMENT No. 154**

RESOLVED that the local government in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the above Town Planning Scheme by:

1. Replacing 'Pt Lot, 613 Scotsdale Road, Denmark' with 'Lot 110 on Plan 21633 (No. 222) Scotsdale Road, Scotsdale' and add 'and Lot 1 on Diagram 87539 (No. 23) Riverbend Lane, Scotsdale' in Additional Use Site No. 12 (A12) in the second column (Particulars of the Land) in Appendix 2 Schedule of Additional Use Sites.
2. Amending the Scheme Map accordingly.

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

- A) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- B) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this ..... day of .....20.....

.....  
CHIEF EXECUTIVE OFFICER

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## PROPOSAL TO AMEND A TOWN PLANNING SCHEME

1.	<b>LOCAL GOVERNMENT:</b>	Shire of Denmark
2.	<b>DESCRIPTION OF LOCAL PLANING SCHEME:</b>	Town Planning Scheme No. 3
3.	<b>TYPE OF SCHEME:</b>	District Scheme
4.	<b>SERIAL NUMBER OF AMENDMENT:</b>	154
5.	<b>PROPOSAL:</b>	<ol style="list-style-type: none"> <li>1. Replacing 'Pt Lot, 613 Scotsdale Road, Denmark' with 'Lot 110 on Plan 21633 (No. 222) Scotsdale Road, Scotsdale' and adding 'and Lot 1 on Diagram 87539 (No. 23) Riverbend Lane, Scotsdale' in Additional Use Site No. 12 (A12) in the second column (Particulars of the Land) in Appendix 2 Schedule of Additional Use Sites.</li> <li>2. Amending the Scheme Map accordingly.</li> </ol>

### 1. INTRODUCTION

The Shire of Denmark seeks the support of the Western Australian Planning Commission (WAPC) and the approval of the Hon. Minister for Planning to add Lot 1 (No. 23) Riverbend Lane, Scotsdale (the 'site') within Additional Use No. 12 to facilitate expanding the Golden Hill Steiner School (educational establishment).

The purpose of this report and associated plans are to explain and set out the planning merits of the Amendment. More detailed planning and investigations will occur at the Local Development Plan, Subdivision Application, Development Application and at the Building Permit stages.

The site is shown in **Attachment 1**. Based on its location, characteristics and context, the site is suitable for an expanded educational establishment. **Attachment 2** shows that the site has convenient access to the Denmark townsite.

### 2. BACKGROUND

#### 2.1 Property Address and Cadastral Details

Cadastral details for the site are summarised below in **Table 1**:

Lot and address	Lot 1 Riverbend Lane, Scotsdale
Diagram	37539
Volume/Folio	2023/688
Area	5.96ha
Owner	Shire of Denmark

#### 2.2 Regional Context

The site is situated in the Shire of Denmark. The Denmark townsite is located approximately 414 kilometres south-east of Perth and 50km west of Albany. Denmark is a sub-regional centre in the Great Southern and provides a range of services and facilities to residents and visitors.

The town adjoins the Denmark River and is within the Wilson Inlet catchment.

## 2.3 Local Context

The site is located at the northern edge of the Denmark townsite and is located approximately 1.75 km north of the Denmark town centre (see **Attachment 2**). The site is located on the north-eastern corner of the Riverbend Lane and Scotsdale Road intersection. **Attachment 3** shows the Opportunities and Constraints Plan which also outlines the site's context. The site adjoins and is generally surrounded by a school and residential development. There is also considerable recreation uses nearby along with tourist development.

The Golden Hill Steiner School is located at Lot 110 Scotsdale Road which adjoins Lot 1 Riverbend Lane to the north.

## 2.4 Physical Characteristics

The site is outlined in **Attachment 1** and has the following characteristics and features:

- It is generally cleared and contains remnant vegetation in the southern and eastern sections;
- It has a gentle gradient, having an elevation of between approximately 5 and 16 metres AHD (Australian Height Datum);
- It contains a single house constructed around 1940. The site is used for rural living purposes;
- There are no natural surface water or drainage features;
- It is not on the Department of Water and Environmental Regulation's Contaminated Site Database; and
- The property is bordered by Scotsdale Brook on its eastern boundary.

The site's physical features present minimal constraints to the Amendment.

## 2.5 Services

The site is provided with standard 'hard' infrastructure including reticulated (scheme) water, power, telecommunications, drainage and sealed roads. Vehicular access is from both Scotsdale Road and Riverbend Lane. The site is remote from the reticulated sewerage system.

## 2.6 Heritage

There is no registered Aboriginal heritage site on the subject land area as set out on the Department of Planning, Lands and Heritage Affairs heritage inquiry system. While noting this, land developers have an obligation under the *Aboriginal Culture Heritage Act 2021* to protect places and objects in Western Australia that are important to Aboriginal people because of the connections to their culture.

Additionally, the site does not contain any structure or place of non-indigenous heritage significance on the *Shire of Denmark Heritage Survey* or on the Shire's Heritage List.

## 2.7 Council Resolution

The Council at its Ordinary Meeting on 20 December 2022 resolved -

'That with respect to No. 23 (Lot 1) Riverbend Lane, Council:

1. NOTES the submission received in support of the disposal.
2. AUTHORISE the Chief Executive Officer to enter into a contract to dispose (sell) the property to Cultura Incorporated for \$900,000 (ex GST) subject to the following conditions prior to settlement:
  - a) Western Australian Planning Commission approves a revised structure plan providing a minimum of 2,500sq.m of the lot allocated for educational purposes.
  - b) The Minister for Planning approves a Scheme Amendment providing a minimum of 2,500sq.m of the lot allocated for educational purposes.
  - c) Cultura Incorporated to draft and cover all costs for planning documents required for a) and b).
3. REQUEST the Chief Executive officer to include the sale in the revised Long Term Financial Plan and draft 2023/24 Municipal Budget.'

The report to Council set out that there is no longer a requirement for a second bridge crossing near the site.

The report outlined the 2011 Local Planning Strategy (LPS) identifies the potential need for an additional bridge over the Denmark River to provide alternative access in an emergency. In 2017/2018, detailed investigations were undertaken, which concluded that current access (via South Coast Highway and alternatively via Churchill Road) was sufficient for the foreseeable future. While acknowledging that it is relevant to reassess this potential need periodically, the draft 2022 LPS endorsed by Council in September 2022 notes that:

- Based on anticipated traffic and freight volumes, an additional bridge is unlikely to be required during the life of this Strategy.
- It is, therefore, not appropriate to identify the location for the purposes of a future bridge at this time.
- As a means of supplementing the regional road network, the State should lead any potential future investigations into a new bridge.
- Further improvements to the existing road network may provide more cost-effective outcomes in the short to medium term.

Based on the above, the land parcel is not deemed strategically important and is therefore suitable for sale.

### **2.8 Cultura Foundation Incorporated**

Cultura Foundation Inc. is a not-for-profit, incorporated body whose board is comprised of founding members of Golden Hill Steiner School. Their purpose is to fund anthroposophical initiatives in Denmark, of which the school is one. Anthroposophy is the philosophy upon which a Steiner education is based. Cultura Foundation Inc. remains at-arms-length from the school and its operations and provides philanthropic support. It is proposed that Cultura Foundation Inc. will purchase the site with a view to transferring ownership to the Golden Hill Steiner School once the lots have been subdivided and appropriate

zoning and other relevant planning approvals are in place for the school to operate.

## **3. PLANNING FRAMEWORK**

### **3.1 Overview**

This section outlines how the Amendment suitably addresses relevant planning policies, strategies, plans and the *Shire of Denmark Town Planning Scheme No. 3*. In summary, the Amendment is consistent with the State, regional and local planning framework.

### **3.2 State Planning Framework**

The following strategies and policies are of relevance to the Amendment:

- *State Planning Strategy 2050* - sets a broad strategic plan for Western Australia built on sustained growth and prosperity. The Strategy supports educational and associated facilities and supports developing strong and resilient regions. An objective is 'To encourage active lifestyles, community interaction and betterment' (page 96) and it includes an aspiration of supporting 'More regional educational infrastructure through greater use of technology and e-learning'. The Amendment is consistent with the Strategy given it promotes education services and is located near an established sub-regional centre;
- *State Planning Policy 1 State Planning Framework Policy* - identifies that the primary aim of planning is to provide for the sustainable use and development of land;
- *State Planning Policy 2 Environment and Natural Resources*;
- *State Planning Policy 2.5 Rural Planning* - the objectives seek to protect rural land from incompatible uses, to promote regional development through provision of ongoing economic opportunities on rural land, to promote sustainable settlement in, and adjacent to, existing urban areas, to protect and improve environmental and landscape assets and to minimise



land use conflicts. The Policy supports opportunities for employment and diversification of economic activity related to primary production in rural areas. Previous versions of the Policy have been applied in the Shire's Local Planning Strategy and the associated Town Planning Scheme No. 3, through the Special Rural zoning;

- *State Planning Policy No. 2.9 Water Resources* - development is required to adopt water sensitive urban design principles;
- *State Planning Policy No. 3 – Urban Growth and Settlement*: relevant policy objectives include to build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities;
- *State Planning Policy 3.7 Planning in Bushfire Prone Areas* - the site is within a Bushfire Prone Area as shown at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>;
- *State Planning Policy 5.4 Road and Rail Noise* - the site is not within the 'trigger' area;
- *State Planning Policy 7.0 Design of Built Environment*; and
- *Guidelines for Planning in Bushfire Prone Areas* - further details relating to bushfire management are set out in section 5.10 and in **Attachment 4**.

### 3.3 Regional Planning Framework

#### 3.3.1 Great Southern Regional Planning and Infrastructure Framework

The Framework identifies Denmark as a sub-regional centre and a focus for growth, services and facilities. The Framework supports a diverse economic base, supports commercial development in appropriate locations and supports enhanced health services.

#### 3.3.2 Lower Great Southern Strategy

The Strategy notes there will be increased education demands and a need for improved facilities and support services.

#### 3.3.3 Great Southern Regional Investment Blueprint

The Blueprint establishes priorities for economic development and growth of the Great Southern region and provides an analysis of local, regional, national and global factors influencing the region. A strategic economic growth plan and proposed transformational projects are set out. The Blueprint also supports growing the region's population, promoting new educational facilities, development in key centres and a vibrant economy.

### 3.4 Local Planning Framework

#### 3.4.1 Shire of Denmark Local Planning Strategy (2011)

Strategy Plan 2 of the Local Planning Strategy identifies the site as 'Rural Residential' (**Attachment 5**).

The Strategy supports growing and diversifying the economy and encouraging enhanced educational facilities.

An objective of the Strategy, at section 4.5 is to 'provide a variety of educational options.' The Strategy further identifies strategies to achieve this objective as follows 'To identify and secure additional school sites through rezoning and structure plan process.'

#### 3.4.2 Draft Shire of Denmark Local Planning Strategy

The draft LPS supports the expansion of the Golden Hill Steiner School as outlined in **Attachment 6**. Page 111 of the draft LPS outlines the proposal to extend the 'educational establishment' use over Lot 1 Riverbend Lane. Page 111 in part states 'Should the school be able to acquire Lot 1 (or portion), the Strategy supports the use of this site for an Educational Establishment. Access and other relevant planning issues may be resolved at the development application stage.'

The identification of the site for educational establishment in the draft LPS means the proposal is 'seriously entertained'.

### 3.4.3 Shire of Denmark Town Planning Scheme No. 3

The *Shire of Denmark Town Planning Scheme No. 3* (TPS3) currently zones Lot 1 (No. 23) Riverbend Lane, Scotsdale as 'Special Rural (SR15)'.

**Attachment 7** sets out provisions relating to the site and proposal including from Special Rural Zone No. 15 (Golden Hill Special Rural Zone). A number of provisions relate to Special Rural (SR15) with some of the most applicable being the following:

- (i) Subdivision of Special Rural Zone No. 15 is to be generally in accordance with Plan of subdivision (Plan No. A94-17-1) dated May 1995 as signed by the Shire Clerk.
- (iii) The minimum lot size shall be 1 hectare.
- (v) (f) All buildings shall be constructed in accordance with Australian Standard 3959-1991 "Construction of Buildings in Bushfire Prone Areas".
- (vii) (c) The subdivider shall prepare a Foreshore Management Plan for Scotsdale Brook, dealing with stormwater drainage, erosion control and clearing and development within the Scotsdale Brook Foreshore.
- (d) The subdivider shall prepare a stormwater drainage plan that addresses the drainage requirements of the site and addresses impacts on local water regimes.
- (e) Building envelopes shall be located outside the 50 metre Creek line setback as shown on the Subdivision Guide Plan.
- (viii)(a) All buildings constructed within the zone shall be sympathetic to existing landscape elements (namely landform and vegetation) in terms of their location, scale, height, building materials and colour.

The Golden Hill Steiner School is located at No. 222 Scotsdale Road, within the SR15

zoning. There is an additional use for 'educational establishment', listed as A12 in TPS3 that allows the land use. However, this additional use of educational establishment does not apply to Lot 1 (No. 23) Riverbend Lane.

Additional use No. 12 (A12) provisions are outlined in **Attachment 7**.

Appendix 1 defines educational establishment.

Appendix 6 – Parking Standards requires 2 parking spaces per secondary school classroom.

In order for the Golden Hill Steiner School to expand the school onto a portion of Lot 1 Riverbend Lane, a scheme amendment to extend the additional use classification across Lot 1 is required. Approval of the Amendment will then enable a Development Application to be considered for an educational establishment largely based on the Master Plan (**Attachment 8**).

### 3.4.4 Subdivision Guide Plan

The Subdivision Guide Plan referred to in Special Rural Zone No. 15 (SR15) is provided in **Attachment 9**. This plan shows the site as having potential to be subdivided into three special rural (rural residential) lots (potential Lots 10, 11 and 12) which are all around 2 hectares in area.

Potential Lot 10 is the western most lot located on the corner of Riverbend Lane and Scotsdale Road and has an area of 2 hectares. Potential Lot 11 is the central lot and has an area of 2 hectares (contains the existing dwelling), while potential Lot 12 is the eastern most lot and adjoins Scotsdale Brook. The land area of Lot 12 is 1.92 hectares. All potential lots have frontage to Riverbend Lane.

Provision (iii) of SR15 states that a minimum lot size of 1 hectare is required.

Based on the approved Subdivision Guide Plan, the site could potentially be subdivided into three (3) lots subject to WAPC approval.



While noting the Subdivision Guide Plan, Cultura Foundation Inc. on behalf of the Golden Hill Steiner School, have arranged a Master Plan (see **Attachment 8**).

The Master Plan shows 2 rural residential lots (both 1 hectare in area) plus 3.96 hectares allocated for school expansion.

#### 3.4.5 Local Planning Policies

The Council has endorsed several Local Planning Policies, however the current adopted policies are not relevant to the Amendment. At the Local Development Plan or Development Application stage, relevant policies include signs and public art.

#### 3.4.6 Shire of Denmark Strategic Community Plan (Our Future 2023)

The Strategic Community Plan sets the community's vision for the future and it is the principal strategic guide for the Council's future planning and activities. The plan supports growth and progress locally and regionally. The Council seeks to promote sustainable development and to support enhanced community services.

The vision is 'A vibrant coastal community, connected to the environment, living the village lifestyle.'

A community priority relevant to the Amendment is 'Services and facilities for youth'.

### 3.5 Planning Framework Implications for the Amendment

Common themes of the planning framework and their implications for the Amendment include:

- Supporting enhanced community/education services;
- Supporting sustainable growth in Denmark which is a designated sub-regional centre;
- Addressing servicing including on-site wastewater design;
- Addressing traffic safety;
- Addressing bushfire risks and servicing;

- Addressing land use compatibility and amenity; and
- Ensuring future buildings are sensitively located and designed.

Based on the above, extending Additional Use No. 12 (A12) for educational establishment purposes over Lot 1 Riverbend Lane is consistent with the planning framework and consistent with the principles of orderly and proper planning.

## 4. AMENDMENT PROPOSAL

### 4.1 Overview

The Golden Hill Steiner School seek to grow the school and offer a secondary schooling option (years 7 to 12), in addition to the primary school (kindy to year 6) currently in operation. The school requires access to the adjoining land, Lot 1 Riverbend Lane, to achieve this growth objective.

The intent of the Amendment is to extend Additional Use No. 12 (A12) to enable educational establishment on Lot 1 Riverbend Lane. The base zoning of 'Special Rural' within SR15 will remain over Lot 1 Riverbend Lane.

The proposed additional use of educational establishment over Lot 1 Riverbend Lane will provide a flexible approach to land use planning on the site. By supporting educational establishment as an additional use, there is an opportunity for development to be undertaken for educational establishment (generally based on the Master Plan) plus special rural (rural residential) subdivision/development.

The expansion of the Golden Hill Steiner School will assist to accommodate growing education demands in Denmark.

Future development and uses on the site will be subject to gaining necessary approvals from the Shire including a Local Development Plan and development approval.

### 4.2 Master Plan and Design Considerations

In support of the Amendment, a Master Plan is provided in **Attachment 8** which

conceptually shows how the site could be developed. In addition to the existing development and uses, the proposal is to:

- Cluster new buildings with generous setbacks to Scotsdale Road and Riverbend Lane;
- Provide significant parking areas including for bus parking;
- Retain but reconfigure two crossovers to Scotsdale Road based on the Traffic Impact Assessment (**Attachment 10**). This will assist to promote safety for road users travelling on Scotsdale Road;
- Provide internal accessways to service the site and provide convenient carparking and loading areas;
- Limit vehicle access to/from Scotsdale Road for the school expansion (no vehicle access will occur from Riverbend Lane for the school expansion);
- Provide a generous amount of open space including an oval; and
- Upgrade landscaping and replanting.

The Master Plan will be refined at the Local Development Plan and Development Application stages.

The Master Plan is intended to be progressed following approval of the Amendment and following preparation/approval of a Local Development Plan (see section 4.3). The intent is to extend the Golden Hill Steiner School and to co-ordinate with existing development.

In terms of design considerations, proposed building materials will be sympathetic to and complement the site's setting. The Golden Hills Steiner School currently have and propose an environmentally friendly development which is serviced by a combination of off-grid sustainable power (likely solar) and connection to the grid power supply with progression to full off-grid as technology allows. The development will also use an alternative treatment unit(s) for on-site wastewater disposal.

#### **4.3 Local Development Plan**

The extension of Additional Use A12 over Lot 1 Riverbend Lane will require the

preparation of a Local Development Plan to address TPS3 requirements. The Local Development Plan will provide a framework for a future Development Application(s).

## **5. PLANNING CONSIDERATIONS AND PLANNING JUSTIFICATION**

### **5.1 Overview**

This section brings together an assessment of the site's attributes, the site's context and the planning framework in considering key planning matters and justifying the Amendment.

### **5.2 Appropriate Location for Educational Establishment**

The site is an appropriate location for an educational establishment (expanded Golden Hill Steiner School) for reasons including:

- The Golden Hill Steiner School adjoins the Amendment site with the school having operated for decades;
- It is consistent with the planning framework including the draft Local Planning Strategy and Community Strategic Plan;
- It adjoins the townsite and is located approximately 1.75 km from the town centre;
- It is a generous sized property (5.96 hectares);
- The locality contains a mix of land uses;
- The Master Plan respects the site's context and features;
- The development footprint is cleared;
- The site has modest environmental assets and future development will create manageable environmental impacts.
- It can be appropriately serviced including on-site wastewater disposal (see **Attachment 11**);
- The site has high levels of accessibility in Denmark;
- Traffic impacts can readily be accommodated on Scotsdale Road as evidenced by the Traffic Impact Assessment;
- Parking and vehicle manoeuvring will be contained on-site;

- Bushfire protection measures comply with *Guidelines for Planning for Bushfire* as set out in the Bushfire Management Plan (**Attachment 4**);
- The site is not subject to heritage constraints;
- The site is attractive and has a pleasant outlook. The mix of rural/forest settings make it desirable and suitable for educational purposes;
- Expanding the school will benefit Denmark and the district through having convenient access to expanded educational facilities;
- The Golden Hills Steiner School provides an important service to Denmark and the Great Southern and will enhance educational opportunities for the area's youth; and
- The development will provide various benefits to the district and the local community.

The Amendment proposes to extend the educational establishment use over Lot 1 Riverbend Lane. The Amendment site is appropriately located, considerate of its context and it addresses site opportunities and constraints.

The additional use of educational establishment (over Lot 1 Riverbend Lane) represents a good planning outcome.

Accordingly, the site is both suitable and capable of accommodating educational establishment purposes.

### **5.3 Compatibility with Adjoining and Nearby Land Uses**

Based on the Master Plan (see **Attachment 8**), the proposed educational establishment on Lot 1 Riverbend Lane has carefully considered its context, neighbouring properties, design and servicing.

The proposed expanded Golden Hill Steiner School will be compatible with adjoining and nearby land uses/development (see **Attachment 3**). This is evidenced through effective management of students at the long established Golden Hill Steiner School. There will be minimal risk of land use conflict

associated with the educational establishment use. It is also noted:

- The site is well buffered from residential properties to the south;
- There will be effective management of students with associated registration from the Department of Education;
- The school intends to be a 'good neighbour' including effective management of noise from students;
- The educational establishment will operate during the daytime, so will not cause disturbance to regular sleep patterns;
- Significant vegetation will buffer noise while there will be no school traffic on Riverbend Lane;
- There is a mix of land uses in the locality which suggests there is overall community acceptance of non-residential uses;
- All car parking will be contained on-site;
- The site is currently zoned Special Rural; and
- The development will maintain the existing character and amenity of the area.

Accordingly, the zoning will complement and not conflict with adjoining and nearby land uses. The proposed extension of Additional Use No. 12 (A12) represents a logical and sound planning outcome for the site.

### **5.4 Environmental Impact**

The Amendment will create minimal environmental impacts. For instance:

- The development footprint has been previously cleared of native vegetation;
- Existing mature trees will be retained where possible and additional trees and landscaping are proposed;
- There are appropriate buffers to sensitive land uses;
- There will be manageable noise (which will occur in daylight hours);
- The proposed development is expected to produce minimal noise impacts. While noting this, any development is required to address

the *Environmental Protection (Noise) Regulations 1997*. There are opportunities to reduce noise impacts through carefully locating and orientating development and promoting revegetation;

- The site can accommodate on-site sewage (refer to **Attachment 11** and section 5.5);
- Stormwater can be effectively managed;
- The site is appropriately serviced;
- Dust can be effectively managed;
- The site is not within the 'trigger' area associated with *State Planning Policy 5.4 Road and Rail Noise*; and
- It is not a contaminated site.

### 5.5 Sewage disposal

Reticulated sewerage is not available to this site.

The property is within a sewerage sensitive area as outlined at <https://espatial.dplh.wa.gov.au/PlanWA/index.html?viewer=PlanWA>.

A Site and Soil Evaluation (SSE) has been prepared by Aurora Environmental which is provided in **Attachment 11**. The SSE incorporates late winter testing, laboratory testing, photographic recording, logging of soil types and measuring the water table.

The SSE concludes that the proposed educational establishment will comply with the *Government Sewerage Policy*.

Investigation pits were excavated to ascertain the level of site capability for effluent disposal. The majority of the pits returned generally favourable results. Additionally:

- The site is generous in size (5.96 hectares). The on-site sewage disposal systems will be well separated from watercourses;
- The on-site sewage system will be located over 100 metres from Scotsdale Brook;
- The soils have appropriate capability for onsite effluent disposal; and

- There is a need to obtain an on-site wastewater disposal approval from the Shire and the Department of Health.

Any system connected to a building, other than a single dwelling, which produces more than 540 litres of waste per day is required to be approved by, and designed to the satisfaction of the Department of Health and the local government.

### 5.6 Stormwater management

The site is not classified as a flood prone area.

The landowner/operator is required to appropriately manage stormwater to the satisfaction of the local government. Development is required to ensure that stormwater is designed to ensure that post development run-off rates are no greater than pre-development run-off rates. This is expected to adopt a water sensitive design that seeks to detain, slow down and treat peak flows that especially addresses 'first flush' runoff treatment.

It is expected that:

- Stormwater will be managed through rainwater tanks, soakwells/bunding and swales;
- All stormwater from roofed and impervious areas will be collected and disposed of on-site other than in major storm events;
- Some clean fill will be added to assist in redirecting drainage flows;
- There is limited potential for erosion given the site is gently sloping;
- For major rainfall events, overflow drainage will flow towards Scotsdale Brook;
- The development will harvest the stormwater from the buildings for reuse within their operations. Additionally, there are various opportunities for other water sensitive initiatives such as utilising water-efficient fixtures and fittings and encouraging water wise practices; and
- The development will create manageable stormwater management implications and there is

the opportunity to revegetate where appropriate.

It is proposed to prepare and implement a stormwater management plan as a condition of development approval. The plan will demonstrate the site can appropriately accommodate the stormwater generated by the development in the context of site features and the amount of impervious/hardstand proposed.

### 5.7 Noise

The potential noise impacts are considered to be modest noting the location of the school buildings. Additionally, the hours of operation (during daylight hours), retaining mature trees and proposed replanting assist to act as a buffer will assist to limit noise impacts.

### 5.8 Recycling and Waste Management

It is expected that waste management will be addressed via a development condition to prepare and implement a Waste Management Plan.

### 5.9 Landscape Impact and Enhancement

The site and area are characterised by its high landscape qualities including the undulating countryside and the mix of rural, rural living uses and native vegetation. Scotsdale Road is a recognised key tourist route.

The site has filtered views from Scotsdale Road due to the native vegetation in the road reserve.

The Golden Hills Steiner School recognises the importance of maintaining a high-quality landscape. The Golden Hills Steiner School recognises there is merit in retaining most trees on the Scotsdale Road and Riverbend Lane frontage and which border the property to enhance amenity.

As set out in the Master Plan, proposed development will be clustered. There are opportunities for replanting which will further enhance the site's landscape character.

The proposal seeks to implement a high standard of design aesthetic.

The Golden Hills Steiner School proposes to plant a number of trees and shrubs on the property to improve the appearance of the site while still addressing bushfire attack level (BAL) ratings. The intention of the landscaping is to assist in enhancing the site's appearance, particularly when viewed from Scotsdale Road.

The proposal is a modest scale considering the size of the property and will not impact the amenity of the surrounding area. Development has been sited on the cleared areas of the site and will be low-key. Development will be partially screened by existing vegetation in the Scotsdale Road reserve, proposed planting as well as being constructed of materials, colours and finishes that will ensure it complements the forest palette. The planning rules for the site are outlined in **Attachment 7**.

The Amendment will have manageable impacts on the landscape values of Scotsdale Road.

It is recognised that the Shire may require the preparation and implementation of a landscape plan as a condition of development approval.

### 5.10 Managing Bushfire Risks

All of the site is within a Bushfire Prone Area as outlined at <https://maps.slip.wa.gov.au/landgate/bushfireprone>.

Bio Diverse Solutions have prepared a Bushfire Management Plan (BMP) to support the Amendment (see **Attachment 4**). In summary, the BMP concludes the proposal addresses *State Planning Policy 3.7 Planning in Bushfire Prone Areas* and the *Guidelines for Planning in Bushfire Prone Areas*. The BMP sets out the proposal is consistent with the acceptable solutions for Elements 1, 2, 3 and 4 of the Guidelines.

Bio Diverse Solutions set out that most of the property can readily achieve BAL-29 or below, however there are legacy

constraints near the existing dwelling on Riverbend Lane. Bio Diverse Solutions have outlined a works program to achieve BAL-29. It is suggested this works program is formalised as a condition of development approval.

The WA Planning Commission's *Guidelines for Planning in Bushfire Prone Areas* classifies education centres as a 'vulnerable land use'.

A Bushfire Emergency Evacuation Plan will be required to be prepared at the Development Application stage as part of an expanded school. This will require an assessment of risks, options along with evacuation procedures. The plan would be required to be periodically reviewed to ensure it remains current.

### 5.11 Servicing

The site is already appropriately serviced. It is not envisaged that upgrading of services is required to facilitate the Amendment. Other sections outline the approach to future servicing.

### 5.12 Vehicular Access and Car Parking

The site adjoins Scotsdale Road and Riverbend Lane. All vehicular access, for the expanded school, is proposed to be limited to/from Scotsdale Road. There will be no vehicular school traffic to/from Riverbend Lane.

The development adjoins the sealed Scotsdale Road.

The Traffic Impact Assessment from Stantec (**Attachment 10**) concludes the proposed development will create manageable traffic generation. The Traffic Impact Assessment sets out:

- The educational establishment will have manageable impacts on the surrounding road network, including on traffic flow, and can be accommodated in adjacent roads and intersections;
- Scotsdale Road and the nearby road network and intersections have sufficient capacity to address traffic

generation from the proposed development;

- There are appropriate sight distances from crossovers on Scotsdale Road in both directions;
- Golden Hills Steiner School also encourages 'kiss and ride' to be undertaken on-site to minimise the impacts on the road network and adjacent residents. Parents will be advised of the parking management guidelines; and
- The site is located on the edge of the townsite and is highly accessible. There are accordingly various opportunities to promote walking and cycling to/from the site given its location. This is facilitated through the dual use path on Scotsdale Road which connects the site to the Denmark town centre. There is considerable space on the site for bicycle parking.

Stantec outline anticipated parking requirements for the expanded educational establishment based on the Master Plan. Sufficient on-site car parking bays will meet the parking demands of the educational establishment. Accordingly, all parking associated with the educational establishment will be contained on-site.

As outlined in **Attachment 8**, the master plan shows generous vehicle parking areas. Sufficient car parking for student drop-off and pickup, and staff can be provided on site. The final number of carparking bays and associated design will be determined and set by the Shire through the development approval.

### 5.13 Foreshore Reserve

It is understood a Foreshore Management Plan was prepared decades ago at the subdivision stage.



### 5.14 Supporting the Local Community and Economy

As previously outlined, the proposed extension of Additional Use No. 12 (A12) over Lot 1 Riverbend Lane is consistent with the planning framework. Approval and implementation of the Amendment will The potential to offer secondary education, by expanding the Golden Hill Steiner School, provides a range of schooling options that will improve educational outcomes for the community and the social benefits that accompany it.

assist to provide enhanced educational services to Denmark. Additionally, it will have various community and economic benefits. This includes supporting local employment, assisting in a more sustainable local economy and adding to Denmark's overall viability, vitality and prosperity as a sub-regional centre.

The Amendment will facilitate positive social and economic outcomes for the community.

### 5.15 Planning Justification

The planning justification for the Amendment is summarised below in **Table 2**:

Table 2 – Summarised Planning Justification				
Strategic	Land Use Planning	Environment, Landscape and Heritage	Transport and Servicing	Economic and Community
<p>The Amendment is consistent with the State, regional and local planning framework including that it promotes enhanced education and community services and economic development.</p> <p>Future development will reinforce Denmark as a sub-regional centre.</p>	<p>The site is well located for an educational establishment including it is compatible with adjoining and nearby uses.</p> <p>The site is suitable and capable for an educational establishment.</p> <p>Development will be effectively controlled through TPS3 provisions.</p> <p>The required Local Development Plan will provide a co-ordinated approach with existing and proposed development.</p>	<p>The site contains modest environmental assets and will not create adverse environmental impacts.</p> <p>There are modest landscape impacts and there are opportunities to introduce revegetation and landscaping to enhance the area's amenity.</p> <p>The site has filtered views from Scotsdale Road.</p> <p>Bushfire protection measures comply with <i>Guidelines for Planning in Bushfire Prone Areas</i>.</p> <p>A range of measures will be adopted to lower bushfire risks.</p> <p>There are no heritage constraints nor is it located in a public drinking water source area.</p>	<p>Traffic impacts of the proposed development can readily be accommodated on Scotsdale Road.</p> <p>There will be no school traffic on Riverbend Lane.</p> <p>Car parking will be contained on-site.</p> <p>The site is appropriately serviced.</p> <p>Safe vehicular access can be achieved between the site and Scotsdale Road.</p>	<p>It will enhance education services in Denmark.</p> <p>It will promote job creation and assist to diversify and grow the local economy.</p> <p>The proposal will assist to enhance Denmark through adding to its overall viability, vitality and prosperity and adding to the range of services that can be provided.</p>

In view of the above, the Amendment is consistent with the planning framework and the principles of orderly and proper planning.

## 6. CONCLUSION

This report confirms that the Amendment is consistent with the planning framework, it respects the local context and the site is suitable to extend Additional Use No. 12 (A12) for educational establishment over Lot 1 Riverbend Lane.

The support of the WAPC and the Hon. Minister for Planning is requested to approve the Amendment by extending the Additional Use No. 12 (A12) of educational establishment to Lot 1 (No. 23) Riverbend Lane, Scotsdale.



**PLANNING AND DEVELOPMENT ACT 2005**

**SHIRE OF DENMARK**

**TOWN PLANNING SCHEME No. 3**

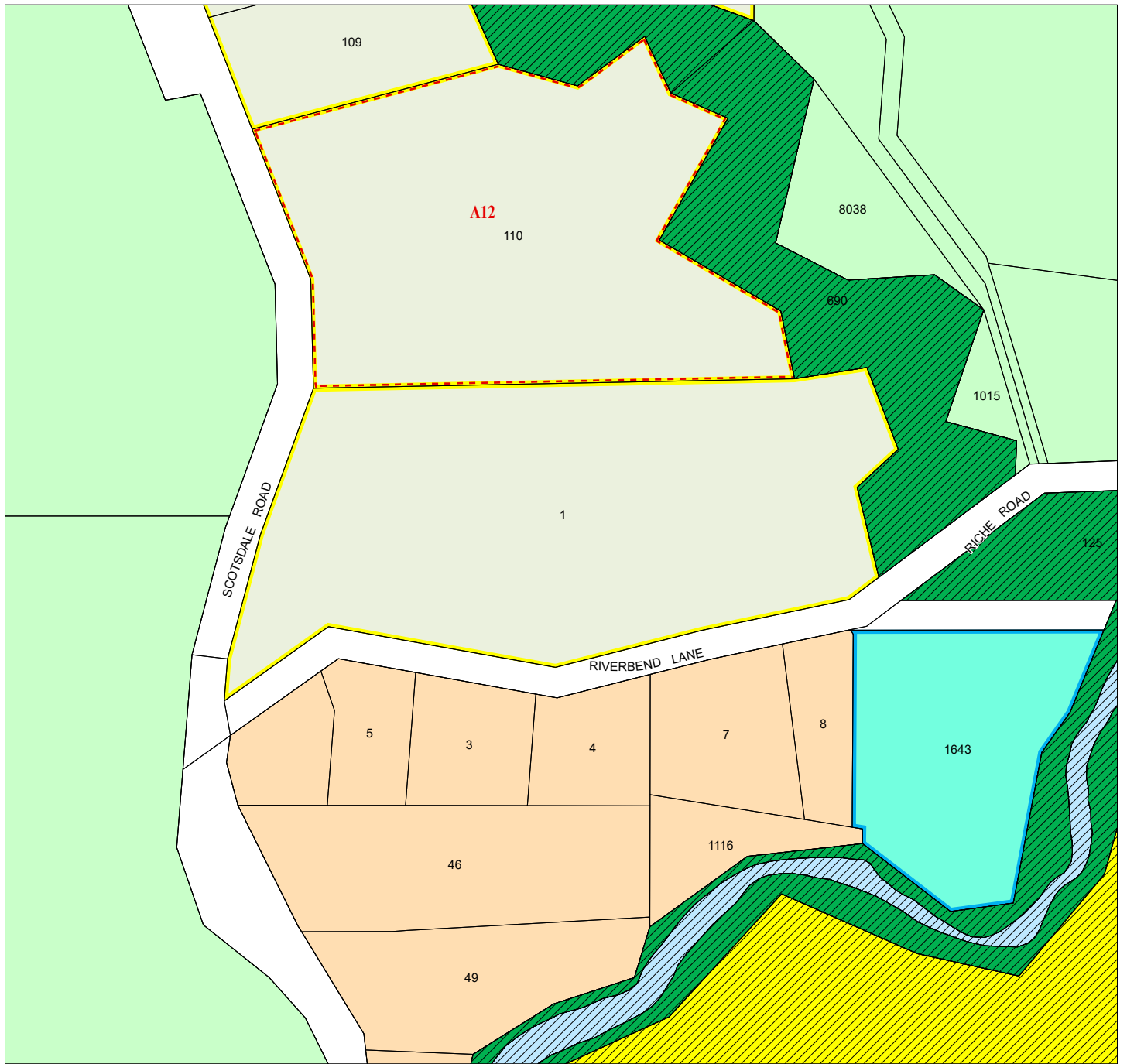
**AMENDMENT No. 154**

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 Town Planning Scheme by:

1. Replacing 'Pt Lot, 613 Scotsdale Road, Denmark' with 'Lot 110 on Plan 21633 (No. 222) Scotsdale Road, Scotsdale' and add 'and Lot 1 on Diagram 87539 (No. 23) Riverbend Lane, Scotsdale' in Additional Use Site No. 12 (A12) in the second column (Particulars of the Land) in Appendix 2 Schedule of Additional Use Sites.
2. Amending the Scheme Map accordingly.

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

- A) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- B) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.



**EXISTING SCHEME MAP**

**Legend**

- |                          |                          |
|--------------------------|--------------------------|
| Cadastre with Lot number | Tourist                  |
| <b>LPS Zones</b>         |                          |
| Residential              | Drainage and waterbodies |
| Rural                    | Parks and recreation     |
| Special rural            | Public use               |



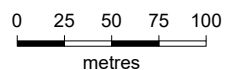
Department of **Planning,  
Lands and Heritage**

Produced by Data Analytics,  
Department of Planning, Lands and Heritage, Perth WA  
Base Information supplied by Western Australian  
Land Information Authority SLIP 1096-2018-1

**Shire of Denmark**

Town Planning Scheme No. 3

Amendment No. 154








**PROPOSED SCHEME AMENDMENT MAP**

**Legend**

 Cadastre with Lot number

**LPS Zones and Reserves Amendments**

 Special rural



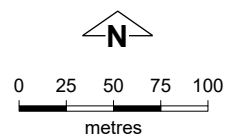
Department of Planning,  
Lands and Heritage

**Shire of Denmark**

Town Planning Scheme No. 3

Amendment No. 154

Produced by Data Analytics,  
Department of Planning, Lands and Heritage, Perth WA  
Base Information supplied by Western Australian  
Land Information Authority SLIP 1096-2018-1



**COUNCIL ADOPTION FOR ADVERTISING**

Adopted for advertising by resolution of the Council of the Shire of Denmark at the Ordinary Meeting of the Council held on the .....

.....  
SHIRE PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

**COUNCIL RECOMMENDED/SUBMITTED FOR APPROVAL**

This Standard Amendment was supported for submission to the Minister for Planning for approval by resolution of the Shire of Denmark at the Ordinary Meeting of the Council held on the ..... and the Common Seal of the Shire of Denmark was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....  
SHIRE PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

**WAPC RECOMMENDED/SUBMITTED FOR APPROVAL**

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

DATE.....

**APPROVAL GRANTED**

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

DATE.....



**LEGEND**

- Existing Buildings
- Current / Stage 1 Buildings
- Priority / Stage 2 Buildings
- Future / Stage 3 Buildings



preferred sewage land application area: 750m<sup>2</sup> (2700m<sup>2</sup> Total)

preferred sewage land application area: 1950m<sup>2</sup> (2700m<sup>2</sup> Total)  
note: to be installed to the satisfaction of the Department of Health



**MASTER PLAN**  
2116 Steiner School Master Plan  
222 Scotsdale Road, Scotsdale WA 6333

sk.04	rev
26/09/2023	L

**PTX**  
ARCHITECTS