

## ATTACHMENT A: SCHEDULE OF SUBMISSIONS ON DRAFT LOCAL PLANNING STRATEGY (2011)

### Submissions Received from Public

Ref No.	Name & Address Details	Verbatim Submission	Planning Services Comment
P1	Pamela Harman PO Box 39 DENMARK WA 6333	<p>I wish to object to the diabolical planning proposal suggested by the LPS for Denmark. One could safely say that people living along the proposed routes do so because of a lifestyle choice, for themselves, for their children, for their pets and livestock. If they wish to live alongside what will become a heavy haulage by-pass road, they would have done so. Ratepayers living along the proposed route have invested their savings to build a haven for themselves and done so in the knowledge that this lifestyle would be protected by good planning decisions by council.</p> <p>Not only is the proposed route planned with apparently no concept as to the terrain being traversed but no comprehension has been given to the gigantic environmental damage which will occur supposedly in the name of progress! One hears all the time of councils taking people to task for the removal of undergrowth alongside road verges or river systems, heavy fines being issued for those who do destroy bushland and yet council, intends to construct some monolith of a highway which will not only destroy magnificent old growth forest of many species but create a zone of ongoing pollution alongside the Denmark River which runs beside the East River Road. Accumulation of diesel fuels running off the bitumen road and drainage culverts, directly into the river will create dire consequences for not only the river but the already fragile Wilson's Inlet.</p> <p>The topography has been ignored, the route, passing through scenic drives disregarded, the devastating impact upon the environment blindly overlooked.</p> <p>My family property, on which we have lived for forty years, was for almost twenty years a wildlife recovery and rescue centre for native animals and birds. The south western boundary of our land which will border the new heavy haulage by-pass road has never been developed and remains a forested area abutting the Denmark River. It is an established colony for Brushtail Possums, Bandicoots, Kangaroos and a huge variety of birdlife and acts as a corridor for these creatures. What impact will heavy haulage trucks have on this sanctuary – total annihilation over a short period of time.</p> <p>The toll on not only landowners living in the direct path of the route will be monumental, many people living in the vicinity of East River Road, myself included, walk pets into town following the East River Road down to the river path and into town. I am not creating a carbon footprint by starting up my diesel four wheel drive just to</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .

		<p>collect my mail or shopping, how much walking will I do when I am confronted by heavy vehicles (or any increase in traffic) bearing down on me. I also ride my bike along this route that will also end because it will be 'safer' to use my large car! I have noticed that many people from town use the trail as a walking or cycling circuit, I can imagine that this will cease for the majority because the reason to get out into the open air and enjoy what Denmark and its lovely river have to offer, will be destroyed the minute construction starts on the Shire's latest folly. The impact on a school which is close to the proposed route will be devastating and extremely perilous to the young children going to and from school – what price is put on a young life?</p> <p>We have a thriving tourism industry, this has been created by forward thinking people who saw what the town and the countryside has to offer. When other established industries such as the timber mills, whaling, orchards, dairy and in some cases diversified farming disappeared. Tourism helped resurrect the town. The main scenic drives of Denmark will now be under threat with the proposed heavy haulage highway cutting a swathe through picturesque countryside.</p> <p>Last but not least cost. Many of the established roads in Denmark are sub standard, pathways inadequate, parking severely limited and lighting abysmal. Why is the Shire so intent to spend mega dollars on a heavy haulage road, when so many other facilities should be attended to? If a heavy haulage road is required, then why is it not placed further out on Churchill Road, a rural area, not affecting subdivisions or residential areas and then taken across to rejoin the South Coast Highway? Better still, why not improve the South Coast Highway, currently used by heavy haulage vehicles, people already living on this route do so because quite obviously they have accepted the noise, danger and impact on their lives? Lower the speed limit from the Denmark Agricultural College to the Denmark Tavern to forty. The heavy haulage route now used by trucks does impact on the local High School, but at least the older students are more aware of traffic dangers than the younger children attending The Steiner School. The cost of construction for two bridges on the East River Road, to carry the massive weight of freight laden trucks will be astronomical, the unsuitable and hazardous terrain in which this heavy haulage route is to be built will entail not only loss of environment, create dangerous conditions for those using the Mount Shadforth Road, Scotsdale Road, Cussons Road, East River Road, both east and west, but involve a debt of gigantic proportions to be carried by the ratepayers of Denmark for no sound reason for decades to come.</p> <p>I strongly urge the Councillors to reconsider and discard this detrimental proposal.</p>	
P2	Joss Harman PO Box 39 DENMARK WA 6333	<p>I wish to lodge an objection against the implementation of the "Northern Link Road", proposed under the Draft LPS for Denmark.</p> <p>Clearly, the term Northern Link Road is a politically more palatable title than Heavy</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .

Vehicle By-Pass – which is obviously the eventual purpose of the road. Although, as an affected land owner, my wife and I have a vested interest in the matter, the following are other reasons why I believe that construction of the road would be a very bad decision:

1. Unsuitability of terrain – looking at the plan, it seems clear that the proposal must have been based upon referral to maps rather than inspection of the terrain concerned. Any person who has operated vehicles ranging from motor cycles to road trains (as I have) would immediately know upon examination of the proposed route, that no amount of engineering and earthworks could ever make the route safe for all traffic because of gradient and tight turns.
2. Cost – the cost of attempting to make the route usable by heavy vehicles (which invited or not will use the road) would be enormous, to say nothing of the construction two new bridges over Denmark River, and an adjacent small creek, capable of carrying such weights. This cost can only be supported by ratepayers and taxpayers.
3. Tourism – Cussons Road, Mount Shadforth Road and Scotsdale Road have all been promoted as tourist drives. The intrusion of unavoidable heavy vehicles will not only detract from the tourism amenity of these roads but also dramatically increase danger to light traffic.
4. Environmental considerations – construction of the road would be an environmental disaster in terms of what most people love about Denmark. Both McLean Road and East River Road (including Riverbend Lane) support many magnificent old growth Karri, Jarrah, Marri, Tingle and other species. Much has been said (and done) to preserve a small number of such trees along Kearsley Street and elsewhere. Yet, with a stroke, enormous numbers will be lost along the proposed route.
5. Loss of value to landowners – no less than four residential subdivisions have been approved along the proposed route with many lots actually abutting it. In particular, the new owners of numerous 4,000 square metre lots along the eastern side of Cussons road will endure the noise of heavy vehicles struggling up Cussons Road and coming down it with jake-brakes in full force. As a Licensed Valuer, I know that all land owners will have the value of their properties significantly reduced.
6. Loss of amenity and character – the northern skyline, as viewed from the town centre, is characterized by the fine stands of Karri and other species which provide much of what Denmark represents to most people. This skyline will disappear and be replaced with hideous earthworks and the sight of passing vehicles – including trucks. It has been alleged by some that this will be avoided by the resumption of private land along the route. However, anyone who has walked along McLean Road from the west will know that the private land on either side is as heavily timbered as is the road reserve, so this is an inaccurate assertion.
7. Dangerous entry into Mount Barker Road from East River Road – this is an

		<p>almost blind entry because of slopes in the Mount Barker Road from both north and south. My family and I have used this intersection for almost forty years and have seen many “near misses” with light vehicles – let alone heavy trucks.</p> <p>The Northern Link Road is a bad, expensive, unsafe, damaging and intrusive planning suggestion and we urge the Council to abandon the idea and examine the numerous alternatives available (if indeed such a thing is genuinely needed).</p>	
P3	<p>Katrina &amp; Rodger Hithersay PO Box 532 DENMARK WA 6333</p>	<p>We are the ‘private landowner’ referred to in 4.3 Industry. We have concern regarding rezoning our entire property ‘Industrial’. The “possibility of supporting a mixed use of residences and workshops where visible from the South Coast Highway” would require a different zoning than Industrial surely. This is not an optional extra. And why is this all happening so slowly?</p>	<p>Part 4.3 Implementation Point 1 references the possibility of supporting mixed use of residences/workshops for the portion of land abutting South Coast Highway to retain the appearance of rural land and allow a graduating transition to industrial uses where not visible from the highway. Should this form of development be able to be accommodated, the final rezoning proposal for the site may introduce various ‘industrial’ zones to allow for such land-use mixes having regard to the intent of what is trying to be achieved for the site whilst having regard to provision of appropriate buffer setback distances.</p> <p>Business planning and scheme amendment processes have commenced.</p>
P4	<p>Donald Clarke 50 Buckley Street DENMARK WA 6333</p>	<p>Both as a home-owner and co-convenor of Transition Kwoorabup Denmark community group I am very concerned for the sustainability of the Denmark community and its obligations to the sustainability of the nation and the planet.</p> <p>The DLPS states in part 2, section 2 that the State Sustainability Strategy (2003) should underpin future planning for Denmark. But there is no evidence of this in the DLPS.</p> <p>The State Sustainability Strategy establishes a sustainability framework containing principles, visions and goals. It seeks to ensure that sustainability is considered and incorporated into decisions and actions for the future of Western Australia at all levels. Two areas outlined in the summary to that document are very pertinent to Denmark strategic planning, and are neglected...</p> <ul style="list-style-type: none"> <li>➤ Play our part in solving the global challenges of sustainability, in particular <ul style="list-style-type: none"> <li>• Implement a Western Australian Greenhouse Strategy and continue to develop innovative contributions to the global greenhouse issue</li> <li>• Short, medium and long-term transport goals for the transition from oil vulnerability.</li> </ul> </li> <li>➤ Plan and provide settlements that reduce the ecological footprint and enhance our quality of life; in particular <ul style="list-style-type: none"> <li>• Establish growth management to control urban sprawl.</li> <li>• Overcome car dependence.</li> </ul> </li> </ul>	<p>It is considered that the State Sustainability Strategy has been considered in the context of the LPS where appropriate (e.g. Liveable Neighbourhoods is an implementation action of the State Sustainability Strategy; supporting land-use planning outcomes that have regard to ensuring economic, environmental and social developments go hand in hand with the aim of providing for ‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs’).</p>

		<ul style="list-style-type: none"> <li>Encourage thermal efficiency, solar orientation, accessible design, affordable housing and other sustainable building practices in new and renovated homes.</li> </ul> <p>The planning document needs recasting to meet the sustainability responsibilities.</p>	
P5	Mr & Mrs Archer 10 Harewood Road DENMARK WA 6333	<ul style="list-style-type: none"> <li>If the character of town is to be maintained the ever increasing amount of heavy vehicles passing through the town centre will need to be addressed. A by-pass will be required.</li> <li>Similarly an ever increasing population will definitely compromise Denmark's character. The Shire should not fall over itself to approve more and more development. Most people who live here and visit here do so because they like it the way it is and not because they look forward to it turning into Busselton.</li> </ul>	<ul style="list-style-type: none"> <li>At this point in time it is considered that a 'heavy vehicle' by-pass is not required, noting that Muirs Highway is the key route for such traffic if not needing to access Denmark.</li> <li>The whole premise of the LPS is to support appropriate levels of development having regard to the character and values of Denmark in light of the numerous opportunities and constraints that exist.</li> </ul>
P6	Mike Neunuebel 16 Ravenhill Heights DENMARK WA 6333	<ul style="list-style-type: none"> <li>As a surfing business at Ocean Beach I support the walk trail off the Lookout Park to take pressure off the Surf Club corner. We have infrastructure in place with bike trails and parking at Ocean Bch so good that it's getting full. To take pressure off the environment and parking we need to support a walking trail/bike trail to the sand off the top car park on Lookout Corner. This would utilise the carpark at Prawn Rock better and a beautiful walk to Ocean Beach via a view &amp; pretty trees. Note - there is a natural gap in the limestone which assures a safe access for surfers &amp; families.</li> <li>We are deeply concerned about the split blocks of land on Mitchell St opposite the Primary School. How can you protect the lives of school children from traffic from a commercial zone? We feel that the increase in traffic along Mitchell St will increase the danger to the school children and parents who drop them off and pick them up.</li> </ul>	<ul style="list-style-type: none"> <li>This issue should be addressed as a separate proposal to the LPS process as it is a specific request for a walk trail to be provided in a Recreational Reserve that is managed by the Shire of Denmark.</li> </ul> <p>It should be noted that the Shire's recently adopted <i>Coastal Reserves Management Strategy and Action Plan 2010-2020</i> incorporates the following relevant actions:</p> <ul style="list-style-type: none"> <li>OB3: Maintain the formal dual use path which extends from Ocean Beach Surf Life Saving Club to Prawn Rock Channel;</li> <li>OB8: Improve fencing to close off the access track down the cliff and implement signage stating "Danger of Unstable Cliffs".</li> </ul> <p>Formalisation of the limestone track was considered, however was discounted for a number of reasons, including but not limited to the cliff being continually undercut by the river which increases the instability of the cliff and that parking at the lookout is limited and formalising the access would lead to increased parking pressures.</p> <p>It is therefore recommended that Sustainability Services liaise with the submitter further regarding progressing Council's consideration of the proposal.</p> <ul style="list-style-type: none"> <li>Noted – refer comments and associated recommendations in Officer's Report titled '<i>Commercial' Designation Over Rear of Mitchell Street Properties</i>.</li> </ul>
P7	BJ & MH Fleming PO Box 809 (22 Abernethy Court)	As a precursor to my submission I wish to make it clear that in our view the process that Council has followed is flawed in that public consultation has been grossly inadequate or non-existent and runs counter to the advice of the Minister for Local Government as	<ul style="list-style-type: none"> <li>The LPS has been the subject of extensive community consultation over many years, with the consultation methods varying throughout the process. The</li> </ul>

<p>DENMARK WA 6333</p>	<p>enunciated in his Integrated Planning and Reporting Framework and guidelines. The three public meeting were simply information sessions and void of public consultation per se.</p> <p>4.10 <u>Proposed East – West Link Road</u>          We have been requested to comment on this proposed link road as presented by Council even though Council by its own admission has not examined the feasibility of this link road, in other words it is at an embryonic stage and following proper and professional consideration may be discarded. Council has not tabled alternative routes, and following the first public meeting changed the proposed route clearly showing how embryonic it is. One can only wonder at the logic of the public commenting on what is an “indicative alignment”, a road that “could be used as a by-pass”, “is purely indicative”, and where” Council has <b>not</b> progressed with any specifics of the road such as design, parameters, cost of construction, likely staging and completion dates”.</p> <p>One wonders how Council can then state that this “indicative alignment” is Council’s “preferred alignment” when virtually no work has been done on the feasibility of such an alignment and no other alignments have been tabled. It defies logic!</p> <p>Our comments which follow, are not in any order of priority and each comment should be viewed in its own right.</p> <ul style="list-style-type: none"> <li>• The sealing of many of the existing dirt roads would assist with traffic calming. As an example we often travel along Churchill Rd, Mt Lindesay Rd, Walter Rd and Redman Rd to the sealed McNabb Rd and thence home, thus bypassing the town centre. We would do this more often if these roads were sealed (sealing makes them safer with less dust). Additionally, the sealing of these roads is relatively inexpensive (particularly when compared with Council’s “preferred alignment”). The use of existing roads avoids the need to cut down trees and clear native vegetation and neither is there the expensive requirements to upgrade fences, storm water culverts, etc.</li> <li>• Prior to implementing the east-west link road, we recommend that Council seal the dirt roads as Stage 1 and observe the improvement.</li> <li>• Council’s preferred alignment suffers from many weaknesses that planners would try to avoid in terms of the environment, public concerns, safety, functionality and cost. These include:             <ul style="list-style-type: none"> <li>○ Dangerous existing road junctions, such as McLean/Mt Shadforth junction which was the scene of a fatality in recent years. In order to make this junction work McNabb and McLean would likely need to meet Mt Shadforth Rd as a single entity, and my neighbours at Mt Lindesay B&amp;B would lose a significant portion of their land. The preferred alignment has many such junctions.</li> <li>○ The requirement to negotiate with land owners, State Gov’t, Developers, in relation to land acquisition, right of way, funding is significant and could be</li> </ul> </li> </ul>	<p>community consultation undertaken on the draft LPS complies with the statutory requirements provided for in the <i>Town Planning Regulations 1967</i>, noting that the Shire has undertaken consultation in excess of the requirements in terms of the advertising period timeframe and consultation mediums. The reference in the submission to the ‘Integrated Planning and Reporting Framework &amp; Guidelines’ pertains to the Community Strategic Plan process which has recently been legislated for under the <i>Local Government Act 1995</i>.</p> <ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Acknowledged – a review of the ‘Future Residential’ strategies and objectives identifies that specific consideration has not been given to aged housing. It is therefore recommended that an additional strategy and objective be included to address the issue of aged housing.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Add the following to Part 1 Section 4.1 Future Residential:             <ul style="list-style-type: none"> <li>○ Strategy: Support the development of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> <li>○ Objective: Council support private and public developments of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> </ul> </li> </ul>
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		<p>avoided with more pragmatic solutions.</p> <ul style="list-style-type: none"> <li>○ This week’s Bulletin is a precursor to what Council may expect in relation to the public’s concerns with this Council initiative. We have commented separately above on the lack of public consultation. The loss of native trees and vegetation is colossal with the proposal and could be avoided with more pragmatic planning.</li> <li>● Re functionality, the need for this link road has not been demonstrated in an analytical way by Council. It appears that Council think that they need it and overnight it becomes a fait accompli. Where is the logical argument supported by due process, agreed criteria and traffic modelling that justifies the need for this link road? The “preliminary assessment” by Council has not been tabled for public scrutiny and it should be. The question that needs to be explained is “Why and when do we need it?”</li> <li>● The proposed link road is a major consideration in the future planning for our town. Can Council please table the preliminary assessment that it has gone through to come to its conclusion?</li> <li>● In terms of public consultation can Council advise where the public has endorsed the Vision (page 2), the Objectives, and Strategies that have led Council to come up with their stated implementation Plan?</li> </ul> <p><u>4.5 Community</u> Council recognizes the higher percentage of “above 55” people as per Section 6.9.9 and the need to plan for this trend as per the fifth dot point in Section 6.9.10.</p> <p>Consideration needs to given to encouraging accommodation for the aged that lies between the functions of the Lions/Amaroo Village and the hospital. The old hospital site would be ideally positioned for such accommodation, which would ideally provide an intermediate care facility.</p>	
<p>P8</p>	<p>RP &amp; DA Feld PO Box 551 (6 McNabb Road) DENMARK WA 6333</p>	<p>We believe that Council has not taken the time required for public consultation to adequately assess the magnitude of this LPS and its future affect on the Denmark Village and its Community.</p> <p><u>4.10 Proposed East-West Link Road</u> The proposal refers to a road that links neighbourhoods and towns to reduce intersection loadings. We believe that it could be alternatively viewed as a vehicle “By Pass” now or in the future. Council states it is to link community with future northern development but it appears as a bypass road when referred to as a continuous link via McLean Road, Mt Shadforth Road, Cussons Road onto South Coast Hwy. This does not in our opinion link community East with West when Denmark Village is bypassed. The Council has by its own admission referred to this link road as an indicative alignment that it is also Councils preferred alignment, without tabling any other alignment options.</p>	<ul style="list-style-type: none"> <li>● The LPS has been the subject of extensive community consultation over many years, with the consultation methods varying throughout the process. The community consultation undertaken on the draft LPS complies with the statutory requirements provided for in the <i>Town Planning Regulations 1967</i>, noting that the Shire has undertaken consultation in excess of the requirements in terms of the advertising period timeframe and consultation mediums. The reference in the submission to the ‘Integrated Planning and Reporting Framework &amp; Guidelines’ pertains to the Community Strategic Plan process which has recently been legislated for under the <i>Local Government Act 1995</i>.</li> <li>● Noted – refer comments and associated</li> </ul>

		<p>We table this proposal with regard to this East – West link road and list our comments in no particular order as they are all important factors that we believe affect the Denmark Community.</p> <ol style="list-style-type: none"> <li>1. Road Safety Many main road junctions are shown on the proposal, but particular we refer to the junction of McLean, McNabb and Mt Shadforth Roads where an already unsafe junction has been demonstrated in the past by a fatality. We may lose a significant portion of our land, to affect some sort of alignment with this junction that would also certainly devalue and affect our B&amp;B business.</li> <li>2. Road Costing Costing would be gigantic in engineering earthworks, and this has not been assessed, as a feasibility study has not been carried out. There appears to be a short circuit approach without a feasibility study or proper consultation to allow preferred options to be tabled to the Denmark community. In our opinion there are many wider cleared roads that could be used to lessen the flow of traffic on the South Coast Hwy through the village of Denmark.</li> <li>3. Vegetation The Council is keen to state that it is seeking to protect and manage the natural environment in a responsible manner. With regard to remnant vegetation, to require value assessments in the structure planning process. This regard has been ignored when including the beautiful unspoilt nature of McLean Road where many old growth Karri trees (80 or more) would have to be felled and other native vegetation completely destroyed to facilitate widening the road to accept by pass traffic.</li> <li>4. Flora &amp; Fauna Habitat would be destroyed in particular along McLean Roads and continuing adjoining roads.</li> <li>5. Noise Pollution Noise pollution from earthworks and dust would severely affect all residents, and tourism in and around this peaceful rural part of Denmark, including noise pollution from re-routed traffic along the proposed link road. The link road would further attract vehicles, heavy or otherwise to use this link to access the Mt Barker Road effectively by passing the village of Denmark. This would also severely affect businesses in Denmark as has been noted in Mt Barker.</li> <li>6. Tourism Beautiful heritage walks would be destroyed to accommodate the link road. The damage this link could cause the tourism industry is immeasurable.</li> <li>7. Sealed Roads There are many wider roads that could be considered where native vegetation, trees and habitat would be far less affected. The local community and tourism industry would also benefit from sealing more gravel roads. Many hire car companies do not allow their hire cars to be driven on gravel roads. Many wineries</li> </ol>	<p>recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p>
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		<p>and other tourism venues are only accessible on unsealed roads.</p> <p>This road link, being a major consideration in the future town planning of Denmark, we ask that Council consider several alternative routes and table them after due assessment to the Denmark Community prior to inclusion in the Local Planning Strategy.</p>	
<p>P9</p>	<p>Ray &amp; Heather Wyle PO Box 843 DENMARK WA 6333</p>	<ul style="list-style-type: none"> <li>• East-West Road</li> </ul> <p>We don't understand your way of thinking. Council has received a grant to investigate Dieback problems and yet here you are wanting to spend astronomical amount of money destroying beautiful old growth trees and vegetation.</p> <p>We didn't move to this beautiful location of tranquillity and choosing a special rural block on the no thru road (East River Rd) to have it threatened by a needless unnecessary proposal for a link road in this location.</p> <p>Can you imagine the amount of birdlife and animals that frequent this area that will be killed, injured by vehicles or even disappear if the destruction of these trees and vegetation is allowed to go ahead to make East River Road, Riverbend Lane Rd, McLean Rd and Cussons Rd a LINK ROAD.</p> <p>Council should take note that the trees at the lower end of East River Rd are old growth and unique and must be retained so future generations can experience the enjoyment that we and previous generations have had exploring the river catchment and surrounds.</p> <p>As a suggestion if you would provide a footbridge and walk/cycle path at the old bridge site across the river up through the disused portion of East River Road and/or along the east bank of the river this would greatly increase the enjoyment of the patrons of the Riverbend Caravan Park and thus benefit the community as a whole.</p> <p>We don't know whether you realise that the amount of birdlife in this area is special. We have over the years and at present have counted at least 30 different varieties (list follows). Don't destroy the habitat that supports this diversity of birdlife as would happen if you go ahead with the bridge and link road proposal as currently indicated.</p> <p>Besides all of the above comments you have put residents involved in this link road project under considerable stress and anxiety worrying about the outcome consequences of your stupidity.</p> <p>BIRD LIST: Bronze Wing Pidgeons, Kookaburra, Kestrel, Firetail Finches, Golden Wattler, Ringneck Parrots, Blue Wrens, Magpies, Pt Lincoln Parrots, Red Wing Wrens, Cranes, Red Robins, Silvereyes, Yellow Rump Thornbill, White Robin, Western Rosella, Emu</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>'Future Urban' Designation Over Agricultural College Land</i>.</li> </ul>

	<p>Wren, Owls, Quails, Red Cap Rosella, Spinebill, Black Duck, Golden Whistler, Mudlark, Wood Duck, New Holland Honeyeater, Crow, Mountain Duck, Olivebacked Honeyeater, Crake, Eagle, Bats, Black Faced Cuckoo Shrike, Grass Bird, Willy Wagtail, Fantail, etc.</p> <ul style="list-style-type: none"> <li>• Denmark Agricultural College</li> </ul> <p>The Denmark Agricultural College must be retained in its entirety as a beautiful green belt on the eastern and northern approaches to town. It also acts as a significant fire protection zone for the town.</p> <p>When thinking longer term than the present 20 year LPS, where will further development occur when the College Land is gone? Why not think this far ahead and utilise that land and leave the Agricultural College as it is. It serves a vital role not just to our community but to agriculture in general for our State.</p> <p>Please do not ignore the public referendum that voted overwhelmingly to retain the Agricultural College as it is. It is a Denmark icon.</p> <p><u>Concluding Comments</u></p> <p>We are very concerned that if this LPS is adopted it will:</p> <ol style="list-style-type: none"> <li>1. Take from the Agricultural College prime land that is used by them to teach the students the practical aspects of classroom theory. We will still need a fully functional Ag College in 20 years time to help feed the people.</li> <li>2. The Northern Link Road in its proposed form would destroy a very beautiful and largely untouched portion of the Denmark River which must be preserved for future generations to enjoy the same as we and previous generations have.</li> <li>3. To plan the townsite east future urban expansion area within the airport buffer zone seems a reckless plan.</li> <li>4. The financial and environmental cost involved to provide an additional bridge over the Denmark River will be huge and hard to justify when there already exists the bridge over the river on Churchill Road, which would, due to its alignment would impact far less on the river if it were widened to two lanes, than the proposed Northern Link Road.</li> <li>5. The townsite east future urban expansion area proposal takes from the Agricultural College the direct access for farm implements, tractors and vehicles etc to the land they need to carry out their activities.</li> <li>6. When planning our move to Denmark we wanted a quiet location, reasonably close to town, with unspoiled natural beauty close by. Our Special Rural block ticked all these boxes and enables us to enjoy relaxing therapeutic walking and cycling along East River Road along the side of the river and into town. The section along the old portion of East River Road that has been closed to vehicle traffic since about the late 60's contains beautiful old growth trees that were spared from felling when the road was built originally but would now have to be removed to conform with road</li> </ol>	
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		<p>construction standards of today. This would be an environmental catastrophe for all the bird, animal and aquatic life that is supported by the current environment.</p> <p>7. I would respectfully ask that all the people involved in the LPS and approving process make the time to walk along the sections of the link road as it is proposed that are not accessible to vehicle traffic to gain more of an appreciation of the environment they may be about to consign to history.</p>	
P10	Adrian Hinds (No address other than email address supplied)	<p>I comment on the 'not so good' ideas.</p> <p>1. Commercial Zoning in Mitchell St Opposite the Primary School. To re-label half a residential block as commercial and that portion's most obvious entrance/exit be to a laneway seems stupid to me. It will make the management of the block difficult for the landholder and can be construed as a ploy to drive out householders in favour of nearby businesses which wish to expand. Also the school community sees commercial surroundings as less desirable because the safety of its students may be compromised in a number of ways.</p> <p>2. Eastern Cross River Expansion. Inevitably Denmark townsite will expand to the east, but this proposal is flawed. A) It is under a flight path from the Denmark airstrip, and this carries risks of physical danger for future inhabitants as well as storing up trouble from future complaints of noise nuisance and costly remedial action. If as in larger older urban areas there are legacy residential areas under flight paths, that is an historical accident. Denmark has choices. I am aware that aircraft landing at Sydney airport from the north deposit soot from partially burned fuel into suburbs well north of Chatswood. B) Land should not be taken from the Agricultural College The Ag. College is an economic asset to Denmark although we are not yet a 'University Town'. Actions to reduce it's viability as an Ag. College should be avoided. Of course it's pattern of educational services will evolve in response to society's needs but into the foreseeable future agricultural production will grow and needs a skilled workforce. Denmark Ag. College produces a product much sought after by employers. C) A substantial settlement in the proposed area will cause traffic problems at the town end of the Denmark River bridge and the L.P.S has no plan for dealing with this.</p> <p>3. Accommodation sites for the fast growing aged population are inadequate.</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>'Future Urban' Designation Over Agricultural College Land</i>.</li> <li>• Acknowledged – a review of the 'Future Residential' strategies and objectives identifies that specific consideration has not been given to aged housing. It is therefore recommended that an additional strategy and objective be included to address the issue of aged housing.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Add the following to Part 1 Section 4.1 Future Residential: <ul style="list-style-type: none"> <li>○ Strategy: Support the development of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> <li>○ Objective: Council support private and public developments of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> </ul> </li> </ul>
P11	Dr Clive Senior 20 Derby Street SWANBOURNE WA 6010	<p>Following advertising of the above document, we wish to make a submission in relation to Lot 7075 Lights Road. We request that this submission is put to Council for consideration prior to finalisation of the LPS.</p> <p>1.0 <u>Introduction</u></p>	<ul style="list-style-type: none"> <li>• Having regard to the points raised in the submission about land suitability and the rationale for rural smallholdings developments provided for in Section 6.12.2 of the draft LPS, it is considered appropriate that a designation of 'Rural Smallholdings' be applied to the site.</li> </ul>

	<p>Lot 7075 is 69.3613 ha in area and is located off Lights Road, some 14 kilometres from the Denmark town centre and 5 kilometres from the Minsterly Road urban area.</p> <p>Under the proposed LPS no changes to the current rural zoning of the land are proposed.</p> <p><u>2.0 Surrounding Land Use</u>  Lot 7075 is bounded to the west and south by the William Bay National Park, which runs down to Lights Beach some 900 metres due south. To the east are the Monkey Rock rural smallholding lots which were originally 10ha in size but are progressively being subdivided down to 5ha. To the north, two lots are zoned 'Rural' and a third 'Rural Multiple Occupancy'.</p> <p><u>3.0 Land Capability</u>  The entire property falls within the Hazelvale Soil Group 4 which is described as humus podzols on the crest of broad spurs while sandy yellow duplex soils are on adjacent slopes of minor incisions. Peaty podzols are found on the minor valley floors.</p> <p>The soil type has a medium to high capability for housing and road construction and a medium capability for on-site effluent disposal (subject to appropriate setback from the drainage lines).</p> <p>The land is not classified as High Quality Agriculture by the Lower Great Southern Strategy.</p> <p><u>4.0 Land Suitability</u>  It is submitted that the land is suitable for zoning 'Rural Smallholding' for the following reasons:</p> <ul style="list-style-type: none"> <li>• It is currently surrounded by rural smallholdings (5ha minimum) and rural multiple occupancy.</li> <li>• It is located in a prime location adjacent to the William Bay National Park and Lights Beach.</li> <li>• The property is well-screened from Lights Road by adjacent lots.</li> <li>• The land is predominantly cleared, consequently re-zoning would not entail clearing of bush.</li> <li>• The relatively large area will support some further subdivision into say, 3 or 4 lots of approximately 20ha each, without compromising the agricultural aspect of the land.</li> <li>• The land capability (refer above) will itself support some further subdivision.</li> <li>• The land has an abundance of water.</li> <li>• Rezoning will assist the current owners to further develop provisions they have already put in place to: <ul style="list-style-type: none"> <li>○ further revegetate the property, particularly adjacent to the drainage lines;</li> </ul> </li> </ul>	<p><u>Recommendation</u></p> <ul style="list-style-type: none"> <li>• Modify the designation over 7075 Lights Road, Denmark from 'General Agriculture' to 'Rural Smallholdings'.</li> </ul>
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- provide appropriate buffers (both fencing and plant screening) to the National Park;
- meet bushfire management requirements.
- Cleared land located so close to town which is not High Quality Agricultural land and which is surrounded by existing rural smallholdings should be put to more effective use.

5.0 General Observations on the LPS as it relates to Rural Smallholdings.

The current proposals in the LPS fly in the face of the previous draft LPS made in 2006 which – correctly in our view – designated Lot 7075 as ‘Rural smallholding’.

The proposal in the current LPS is to designate an area bounded by South Coast Highway, Cussons Road, Mt Shadforth Road and the eastern side of Sunrise Road as the only area ‘where the Shire will consider future Rural Smallholding applications’ (LPS section 6.12.2). Apart from being prescriptive and restricting the Shire’s future flexibility on such decisions, the designated area appears to have multiple drawbacks for Rural Smallholdings as being too steep, too heavily forested and having too many other development constraints.

It would appear to make more sense to give the Shire the flexibility to judge future applications for Rural Smallholdings on their individual merits, according to the provisions of State Planning Policy 3 Urban Growth and Settlement and State Planning Policy 2.5 Agricultural and Rural Land Use Planning. What the LPS does is to identify an area that it believes most nearly complies with those provisions (wrongly in our submission), on the grounds that ‘the Shire will have more power to refuse applications outside of the identified area’ in future. In other words the LPS proposes confining Rural Smallholdings to a designated area in order to avoid the problems of having to judge future applications on their merits!

The upshot of this is that land such as Lot 7075, which in our submission ‘ticks all the boxes’ for Rural Smallholdings, is proposed to be excluded from a zoning which, as the LPS acknowledges, ‘provides a legitimate form of lifestyle living’ which is so integral to the character of Denmark. In our view Lot 7075 has the advantage of being already mostly cleared, making it ready for appropriate planting and posing a low fire-risk. Contrast this to Rural Smallholdings that might be created out of the proposed ‘blanket area’ which includes wooded steeply-sloping land that will necessarily involve further tree clearance and which will continue to pose an increased fire risk for housing in the future.

The proposal to restrict Rural Smallholdings to a specific area are not only misguided in practical terms but, in our submission, are unsustainable in the long-term given the pressure for lifestyle living to which Denmark is likely to continue to be subject to.

		<p>6.0 <u>Conclusion</u> The landowners submit that Council change the proposed zoning of Lot 7075 from 'Rural' to 'Rural Smallholdings'. We also submit that future applications for Rural Smallholding under the proposed LPS should be judged on their merits and not restricted to a pre-determined area.</p> <p>Zoning Lot 7075 as Rural Residential would be more compatible with the surrounding land use and would make better use of the land for the reasons given above.</p>	
P12	Murray Thornton (No address other than email address supplied)	<p>I consider the overall document to be well balanced in meeting Denmark's requirements for the next 20 years. Individual items I have a comment on are as follows.</p> <p><u>Commercial</u></p> <ol style="list-style-type: none"> <li>1) The strategy shows commercial linking through a present reserve that links the future shopping centre site on Hardy Street to the existing commercial along South Coast Highway. One of the features of Denmark is the views of karri trees in reserves and on the skyline. That reserve and on the skyline. That reserve gives a break to stop development along South Coast Highway, especially as you enter the highway from Ocean Beach Road, and provides one of those iconic views of karri.</li> <li>2) The provision for the use of the rear of lots on Mitchell Street for commercial parking is sensible, as I have seen a number of commercial businesses walk away from projects on the highway as parking requirements could not be met. This is a good use of the laneway and the large rear lots on Mitchell Street.</li> <li>3) The two western most lots on Mitchell street not serviced by the laneway should be commercial but serviced from the north so as there is no impact on Mitchell Street. This would square off the commercial area, with the Seventh Day church lot being the buffer to residential.</li> <li>4) The Business Park on the corner of Mt Barker Road and South Coast Highway gives enterprises like our hardware store a logical path of growth and expansion, but I would request Shire to freehold some of the lots when it is developed so as it is all not leasehold.</li> </ol> <p><u>Residential</u></p> <ol style="list-style-type: none"> <li>1) The east town residential strategy is logical, as is the education precinct. The East River local feeder road is long overdue, as when it was lost in the late sixties excess traffic has been placed onto the CBD bridge and precinct.</li> <li>2) As the strategy shows consolidation of residential close to town, future areas of residential that have high landscape and outlook values and sit high on the landscape, such as the Weedon Hill Area H under the old residential strategy should be allowed to develop with larger lot sizes. As much of this area is high nutrient stripping value karri loam soil, modern maintained septic systems would have a</li> </ol>	<ul style="list-style-type: none"> <li>• Providing a 'commercial' designation over portion of the reserve abutting South Coast Highway provides for a consolidated commercial precinct effectively starting at the Hardy Way intersection (being the location of the approved shopping centre development) through to the Hollings Road intersection. It should be noted that some of this land may be required to be incorporated into the road reserve – this is dependent on the final design for the Ocean Beach Road/South Coast Highway intersection.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</li> <li>• Aside from Part 4.2 Strategy 10 referencing that Council should consider partnerships in relation to the subdivision and/or development of the 'Service Park' site, Council has not determined how the site(s) will be disposed at this point in time and this is outside of the role of the LPS.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road and 'Future Urban' Designation Over Agricultural College Land</i>.</li> <li>• Infill development provides a more sustainable form of development and should be encouraged as long as sewer can be provided. Disposal of effluent into the Wilson Inlet is a concern of the Shire's – refer Planning Services comments in response to Submission G7.</li> </ul>

		<p>lesser impact of Wilson inlet than the existing sewage system that dumps nutrients into the inlet. On R2 or R5 zonings sewage should not be a requirement of this area as it adds no environmental benefit. Historically shire and DPI have pushed for high density in this area as a means of helping get sewage to Minsterly road. This wastes the natural attributes of the area and turns all of Denmark's residential into boring mirror of suburbia.</p>	
P13	<p>I N Sinclair 75 Beatrice Road DALKEITH WA 6009</p>	<p>Our property (705 Lights Road) is zoned "High Quality Agriculture" in the Town Planning Scheme. We would like this property zoned "General Agricultural Resource" instead.</p> <p>Much of the land is hilltop and rather rocky and only a small portion, on the northern side, is highly productive. It appears from the Shire of Denmark Local Planning Strategy, Denmark Shire – Plan 3 that all our neighbours have land which is designated General Agriculture. We most certainly have no better quality land than they do.</p> <p>On these grounds, we would be grateful if our land could be zoned General Agricultural, rather than High Quality Agricultural.</p>	<p>Noted – having regard to the comments provided and the location of the site, it is considered that a 'General Agriculture' designation is more appropriate.</p> <p><u>Recommendation:</u> Amend the designation from 'High Quality Agriculture' to 'General Agriculture'.</p>
P14	<p>Janet Marsh PO Box 574 DENMARK WA 6333</p>	<p>After moving to Denmark 8 years ago I had driven out to Churchill Road to establish that was a satisfactory route north should Denmark bridge be out of order. The obvious route east-west from Mt Barker Highway is Churchill Road, Lindesay Road, Scotsdale Road, Walter Road, Turner Road to Mt Shadforth Road, then east-west as required. The roads are wide and good, the Churchill Road bridge in good condition, perhaps a little upgrading of the dirt roads – bitumising is costly and no good to the environment.</p> <p>Any development east of the Agricultural College could use either Churchill Road or Mt Barker Highway and South Coast Highway.</p> <p>The treasure of trees, that is McLean Road should be left as a secret treasure.</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p>
P15	<p>Julian and Sabrina Coster PO Box 313 (43 Cussons Road) DENMARK WA 6333</p>	<p>Having read through the draft LPS, we were impressed by the professional presentation and the amount of effort that had been put into the document but there was one particular aspect of the document that has caused us great concern and necessitated us to make this submission. This aspect relates to the "East-West Road Link".</p> <ul style="list-style-type: none"> <li>• Do We Really Need It? We firstly question the need for it. The strategy document cites two main reasons for the link: an alternative traffic route across the Denmark River and to serve as 'neighbourhood connector" road for future residential development north of the town. Both these reasons seem lack substance.</li> <li>• There are Better Alternative River Crossings There is already an alternative over the Churchill Rd Bridge plus reinstatement of the East River Rd bridge would provide another alternative. These routes already have road infrastructure and would avoid the need for additional very costly and disruptive road construction. If the intention of an alternative river crossing route is</li> </ul>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p>

		<p>as stated for a backup, then these two other routes seem highly appropriate and more suitable.</p> <ul style="list-style-type: none"> <li>• <b>Environmental Destruction</b> We are also concerned about the destruction of natural vegetation (and the fauna they support) that would be caused by the road link. Roads such as Mclean Rd are unique and beautiful and any significant road construction through areas such as this would be highly damaging and ugly. Such destruction would also seem to contradict the Shire’s stated intentions to preserve such natural aspects of Denmark.</li> <li>• <b>Is this Neighbourhood Connector Road Network Necessary?</b> We also question the draft LPS cited reason of serving as neighbourhood connect road. There are already so many presently unsold developed vacant lots in Denmark and there are so many more vacant blocks approved for development. This very large number of blocks seems to go a long way to soaking up projected demand for the next 20 years and most of these existing blocks would not benefit from the indicative route of the road link.</li> <li>• <b>Steep Roads are Environmentally Unfriendly, Noisy and Dangerous</b> We are also concerned about the indicative route because many of the roads are relatively steep and undulating. Steep inclines and steep declines are fuel inefficient, cause additional noise problems (cars, buses and trucks braking and accelerating) and create pedestrian and residential driveway-use hazards, particularly when vehicles will naturally tend to accelerate on the declines. Also many of the roads are heavily wooded and have frequent bends which, with increased traffic use, will increase vehicle and pedestrian accident risk, particularly for people living along these roads.</li> <li>• <b>It Could Become Defacto Heavy Haulage By Pass</b> The Shire has given assurances that the link will not be allowed to become a heavy haulage bypass but it is likely that this could happen even if not intended. It would be easy for the link to become a defacto bypass if trucks and heavier vehicles find it more convenient to access e.g. trucks coming to and from the Denmark – Mt Barker Rd. It would be difficult for the Shire to really stop this and would exacerbate many of the other problems mentioned above.</li> <li>• <b>The Financial Cost</b> Even though the Shire intends to try and get developers to pay for upgrading the roads on the indicative link route, there would still be considerable cost that would fall to the Shire and thus the ratepayers. There is likely to be sections of the road and other road infrastructure where the cost of the development would not be met by prospective developers. This cost could be considerable and a major financial impost on the Shire’s finances and as a result the ratepayers. With the need for the road network being questionable and in our view unfounded, we as ratepayers resent the financial burden this may cause us.</li> </ul>	
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		<p><u>In Summary</u></p> <p>We feel the need and route for the indicative East-West Road Link is ill-conceived and unnecessary and we urge the Shire and the Council to reconsider the proposal. In assessing this we ask that you give serious consideration to the reasons and arguments we have set out above. If the Shire and Council intend to proceed with the road link proposal, we feel it needs to provide sound reasons for the need for the link and to better substantiate why the indicative link is the best alternative and why it is worth the likely very considerable financial cost and adverse amenity and safety impact to ratepayers.</p>	
P16	Garry Proctor PO Box 102 DENMARK WA 6333	<p>I request that my property's land use designation' is changed from 'General Agriculture' to 'Rural Residential' or at worst 'Rural Small Holdings' consistent with adjacent land to the west (Property being 96 (Lot 7) Rudgyard Place).</p> <p>Supporting Comments:</p> <ol style="list-style-type: none"> <li>1. Since taking over ownership and management of the property in March 98 from my father, it has been necessary to work jobs off site to keep the farm running. My wife is a school teacher and I am a bricklayer. The farm has never run at a profit during this time, the acreage too small to make a living.</li> <li>2. My property is bordered on 2 sides with 'Seaview Estate' Rural Small Holdings subdivision. This has caused a land use conflict with our now numerous neighbours. Even though we have good relationships with all but 1 owner, this one person has on 3 occasions in the last couple of years, called the police in, about legal management practices on my land.</li> <li>3. My property is located on poor sandy soil necessitating fertilizer management. Given the winter stream that runs through the property and the proximity to Wilson Inlet this is a practice that is not sustainable for the environment.</li> <li>4. My property landscape and features lend itself towards a rural small holdings estate: <ul style="list-style-type: none"> <li>- Close to town, walk trails, inlet.</li> <li>- The power line runs straight through the centre, from South Coast Hwy south to Rudgyard.</li> <li>- Accessibility points from 3 roads: South Coast Hwy, Seachange Close and Rudgyard Place. (I own Lot 13 Seachange Close, 4.46ha and Location 7032, Lot 4, 2.21ha).</li> <li>- Cleared farm land ready to be landscaped.</li> </ul> </li> </ol>	Noted – refer comments and associated recommendations provided in the Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations.</i>
P17	Victor Veale PO Box 777 DENMARK WA 6333	<p>My/Our primary concern relates to the intention to use the rear portion of the lots in Mitchell Street properties west of Short Street for future commercial purposes. This would require commercial businesses and their clients to use the lane between Mitchell Street and South Coast Highway. The intensification of traffic to this lane will still pose a significant safety problem at pre- and post school times for many of our students, particularly, those who reside on the northern side of South Coast Highway. The increased commercial traffic and the associated increase in turning and reversing</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties.</i>

		<p>vehicles will undoubtedly create safety issues for Denmark Primary School children crossing roads, using and crossing this lane and associated paths.</p> <p>Surely the vulnerability of primary school aged children aged up to ten years (the vast majority of children who attend our school) must be taken into account by council. Our primary school aged children will be at significant risk because of a range of developmental factors which include their:</p> <ul style="list-style-type: none"> <li>• Less developed peripheral vision;</li> <li>• Less developed directional hearing;</li> <li>• Smaller stature (because of their height, it is often difficult for drivers to see children, especially when standing between parked cars);</li> <li>• Difficulty in judging how fast a vehicle is coming towards them or just how far away a vehicle is;</li> <li>• Less developed search behaviour. Often, they do not take sufficient time to look when crossing the road;</li> <li>• Tendency to be easily distracted; and</li> <li>• Unpredictable behaviour.</li> </ul> <p>The Department of Planning’s <i>Transport Assessment Guidelines for Developments</i> should surely apply. Specifically, the impact of increased commercial traffic on children crossing roads and driveways within 100 metres of the commercial zoning must be taken into account.</p> <p>In 2007 the Road Safety Council and WA Local Government Association produced and distributed a document called “Guidelines for Road Safety Around Schools”, in which it stated that ‘Local Government is concerned that a high level of safety is afforded all those who use schools and drive past them’. In particular, the document identifies a ‘safe school’ as one in which there is minimal potential conflict between children and vehicles. The proposed commercial development of rear of Mitchell Street lots will, over time, increase that potential conflict and make the area less safe for our children.</p> <p>In the interests of the safety of all children attending Denmark Primary School in the future, I/we urge you to withdraw this proposal from the Local Planning Strategy.</p>	
<p>P18</p>	<p>David and Sandra Gater PO Box 707 DENMARK WA 6333</p>	<p>We strongly object to Cussons Road being used as a haulage bypass road now or in the future or as a major East West Road Link. Our objections are based on current and approved future use of Cussons Road, safety and noise.</p> <p>Cussons Road is zoned special residential and tourism. Opposite Cussons Road on South Coast Highway it is designated Urban. The gradient of Cussons Road would make it highly undesirable from a noise pollution and safety perspective for local residents to have a substantial increase in traffic, and in particular trucks encouraged to use this road. As the town grows, to have the majority of trucks needing to slow down and turn</p>	<p>Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</p>

		<p>at the junction of Cussons and South coast Highway would be dangerous, noisy and require major infrastructure changes. It would also cause major difficulties on South Coast Highway we would strongly oppose any acquisition for road reserve.</p> <p>In the Shire’s addendum information sheet July 2011, we note the Shire’s assurance that this east-west road link will not be a heavy haulage bypass road and will be a local traffic connectivity road to disperse east west traffic. If it is not compulsory who would use the new road and once in place what assurance do we have that the highway through town or the bridge will not be altered to ensure the bigger trucks can’t go through there. The new map also just shows the indicative alignment from East River Road to McLean Road. We appreciate the need for an alternative river crossing from an emergency perspective and to disperse the traffic but if that is all that is required there is no need to put a new road through to McLeans Road. Traffic can disperse from Scotsdale Road using the existing network to get where ever they need to go.</p> <p>There is a big discrepancy between the Draft LPS and the addendum and what was said at the first and second shire information meetings and as such we feel legitimate concern as to what is really intended.</p> <p>Denmark is an iconic and unique environment and any plan that diminishes its natural beauty and village atmosphere should be fiercely opposed.</p>	
<p>P19</p>	<p>Ross Baldock &amp; David Baldock per Sherri Clarke 413 Mt Shadforth Road DENMARK WA 6333</p>	<p>Firstly congratulations are in order, for a generally well thought out and constructed strategy for the 20 year growth plan for the Denmark Shire. We believe the town planning committee’s vision is a logical, sensibly sustainable plan for long term growth.</p> <p>We would, however like to voice a concern for the positioning of the proposed East/West Link road, outlined in the LPS.</p> <p>As Celestine Retreat borders this proposed road (Cussons Road &amp; Mt Shadforth Road) our concern is for the increased flow of vehicular traffic, both light and articulated that will be naturally inclined to take advantage of this new route.</p> <p>Especially as the eastern end of this link, runs through the proposed new industrial area planned for the area along McIntosh Road, making it an attractive route from Albany &amp; Mt Barker, bypassing Denmark township, to all points west.</p> <p>As a high end accommodation facility on 32 acres of semi rural land, our guests enjoy, and in fact, our business is built on, a quiet, peaceful &amp; restful ambience &amp; experience. Naturally the noise of increased volume of traffic travelling along the boundary of the property will, we feel, seriously erode the very nature of our business.</p> <p>Add to that, the proposed residential development planned for the eastern portion of</p>	<p>Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</p>

		<p>Cussons Road, and we feel that this route is unsuitable.</p> <p>As has been stated by various locally elected officials, an alternative bridge and exit will go ahead in some form or other, we would like to have noted our objections and at the very least, request for major traffic calming measures to be put in place, to ensure our business &amp; quiet enjoyment of the property is not impeded.</p>	
P20	AJ Pedro 11 Sunny Glen Road DENMARK WA 6333	<p>I wish to make it clear these submissions represent my views only and in no way are the views of Dawn Pedro. Further I wish to make it clear that my involvement with Bart Lebbing in trying to avoid the destruction planned for our environment at McLean Road and the Denmark River crossing due to the planned access/bypass is solely an issue of mine. Our plan to endeavour to hold a public workshop/meeting inviting Council is designed to highlight this and other issues our community is frightened of and requires further explanation than gained from the LPS. Also this workshop would hope the Council help to lobby for other issues highlighted at this meeting.</p> <p><u>Rural Lifestyle Lots</u> Ever since Denmark's group settlement of the 1920's, small rural titles have been the character of our rural landscape and many of these smallholdings now help to hold populations in the farming community.</p> <p>Unfortunately since the inspiration of that period very little opportunity has been available to enable land holders of larger locations granted during the 1960's conditional purchase period of 500-700 acres and predominantly used for beef production to access title rights enabling them to sell a portion of their property (25 to 50 acres for instance).</p> <p>If this opportunity was provided and encouraged by our Shire, Denmark's rural landscape and social environment would flourish and help to establish some balance economically within our rural community.</p> <p><u>Aboriginal Cultural Heritage</u> Due to Denmark celebrating 100 years of self rule, Aboriginal Heritage is an issue I have been researching. I found the LPS interpretation of this issue extremely simplistic and incorrect in its interpretation of aboriginal and natural environment interaction.</p> <p>Having read A Hillman's <i>Expedition with Local Mopie to Nornalup From King George Sound in 1833 July</i> and noting descriptions of forest and woodlands, the summary in the LPS is pathetic and that expected from a Year 7 school student coping DEC propaganda on land management. There are many journals with detail description of a harmonious relationship the indigenous people had with the natural environment and I could direct yourselves to this information if interested.</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations provided in the Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations</i>.</li> <li>• The LPS is not the document to provide details on Aboriginal Cultural Heritage. The Department of Indigenous Affairs have considered the LPS (refer Submission G4) and apart from some minor modifications they were comfortable with the information provided.</li> <li>• Conservation lots have not been discounted by the draft LPS. They are currently provided for in the current <i>State Planning Policy 2.5: Agricultural and Rural Land Use Planning</i> and current <i>Development Control Policy 3.4: Subdivision of Rural Land</i> and draft <i>State Planning Policy 2.5: Land Use Planning in Rural Areas</i> and draft <i>Development Control Policy 3.4: Subdivision of Rural Land</i>, noting that Council generally supported both draft documents – refer Council resolution 120511 from the Ordinary (Decision Making) Meeting of 24 May 2011.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> <li>• The LPS does not reference this issue on the basis that it is not the appropriate document to do so.</li> <li>• The LPS has been the subject of extensive community consultation over many years, with the consultation methods varying throughout the process. The community consultation undertaken on the draft LPS complies with the statutory requirements provided for in the <i>Town Planning Regulations 1967</i>, noting that the Shire has undertaken consultation in excess of the requirements in terms of the advertising period timeframe and consultation mediums.</li> <li>• Acknowledged – a review of the 'Future Residential' strategies and objectives identifies that specific consideration has not been given to aged housing. It is therefore recommended that an additional strategy and objective be included to address the issue of aged housing.</li> </ul>

	<p><u>Conservation Title Opportunity</u> Farmers within the Shire who have displayed environmental leadership within our community have been told to f. off with this LPS.</p> <p>Land left uncleared, fenced, provided with bush fire security for many years (20–40) at considerable cost to them is now being given no value as a conservation asset for the community. In fact clearing permits may be applied for in some cases. If conservation titles were encouraged by our Shire this valuable private forested landscape would be protected forever to benefit all and provide many low income land owners desperately needed funds rather than having to sell the entire title or remain living on a shoe string.</p> <p><u>Access/By Pass Road</u> The planned route for this bypass is environmentally appalling, sending vehicles up Cussons Road (steep) and then smashing through McLean Road Reserve down another steep decline to another spectacular piece of Denmark’s environment at the river crossing to smash your way through to East River Road then accessing SC Hwy at a steep decline on McIntosh Road is stupid and extremely dangerous resulting in fatalities at this intersection for heavy vehicle brake failure and traffic on SC Hwy.</p> <p>The Bypass/Road Link plan must be removed from the LPS and thought out carefully with the community using workshops and presented later (2–5 years) in a sane manner that has community support.</p> <p><u>Natural Environment</u> Denmark is blessed with some of the most spectacular natural environment in our state, much of which under the management of the Denmark Council (Mt Hallowell for example). The prime reason these reserves are in excellent condition is that they have <u>not</u> been managed for the last 50 years or so. Many of the Shire’s vast number of reserves - some big, some small - have been left alone to manage themselves and have achieved a declining fuel or litter level the established decomposition process of long unburnt forests or bush lands achieved over this period mentioned (25–50–80 years). This is recommended by the LPS to be discarded by the approval of the reserves prescribed burn plan listing all shire reserves and their priority of firing over the next 5 years.</p> <p><u>Community Input</u> As Denmark’s image is one of an educated green culture, our LPS should encourage and allow this culture to develop. There appears to me very little support within this plan. It has been prepared without significant input from our community.</p> <p>Workshops need to be held to gain access to this perspective for planning officers to develop into a plan - not this structure where we have to try and modify with little confidence a plan already constructed. Prior to submission closing date I hope this can</p>	<p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Add the following to Part 1 Section 4.1 Future Residential:             <ul style="list-style-type: none"> <li>○ Strategy: Support the development of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> <li>○ Objective: Council support private and public developments of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> </ul> </li> </ul>
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		<p>be done and submissions taken note of and the LPS modified.</p> <p><u>Elderly Accommodation Access</u> I believe our community through the Council should take a leading role in this aspect of our community's well being.</p> <p>Many of these people have played a leading role in our community's development at great hardship to themselves and I believe we should provide them with comfortable and secure living environment in their final period on this world.</p> <p>More effort needs to be made by Council and community to achieve this. The building at the old hospital designed by Wallace Greenham for instance should be taken advantage of and others rented for this purpose.</p> <p><u>Carbon Farming Opportunities</u> Carbon farming is a topic of the 21st century and Denmark has a great potential to gain environmentally economically from this legislation just passed by our Federal Government.</p> <p>I believe there is opportunity for rural land owners within our shire if made aware of this potential in plantation and native vegetation carbon retention credits and would have an environmental and economic gain to our community. This should be investigated and encouraged by Council planning staff.</p>	
P21	Darryl Clarke 3 Helen Street DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P22	Sarah and Stephen Bondini 30 Riverbend Lane DENMARK WA 6333	<p><u>4.10 Transport</u> We would be against this link road for the following reasons:</p> <ul style="list-style-type: none"> <li>• The upgrade of Riverbend Lane and Richie Road It is common knowledge that Riverbend Lane is one of the more picturesque roads in Denmark and an upgrade would result in the removal of some, or most of the trees that make it what it is, a peaceful country lane.</li> <li>• Spoilt amenity We moved into Riverbend Lane 15 months ago, having lived in the town site prior to this for 15 years. The main attraction for this purchase was the lifestyle. A quiet lane with a couple of acres to grow our vegetables, to house animals, space for our children to kick a football and access to the river from our back boundary</li> </ul> <p>These things won't change, however what will change is the whole ambience of the lane if it is made into a 'link road'. The character and atmosphere of the whole lane will be altered, including;</p> <ul style="list-style-type: none"> <li>○ Natural flora in and around the trees</li> </ul>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .

		<ul style="list-style-type: none"> <li>○ Habitat for birdlife and other fauna</li> <li>● Loss of property value</li> </ul> <p>It is our opinion that a public link road (by-pass) would devalue our property. This lane, as it exists, is one of the most special places to live in Denmark – it ticks all the right boxes for an idyllic peaceful and non stressful existence for which we and others paid a premium and an upgrade as suggested would be a detrimental change to the current status.</p> <p><u>Questions</u></p> <ul style="list-style-type: none"> <li>● Have the residents who will be directly affected, been consulted?</li> <li>● Has a study been done to assess the viability of the road?</li> <li>● Has an environmental study been done for the river foreshore?</li> </ul> <p><u>Perhaps A Better Route</u></p> <p>Use McLean Road straight through to Scotsdale Road then cross the river at its narrowest point, then continue on through the town site east future urban area and on to the Mt Barker Road. This option would not be as detrimental to existing residents and future purchasers of the new urban blocks would have prior knowledge of the situation.</p>	
P23	Simon Coppock PO Box 189 DENMARK WA 6333	<p><u>Additional East-West Road Link</u></p> <p>I do not believe that this proposed road link will be an attractive proposition to most traffic (particularly caravans and heavy vehicles) as it is three sides of a rectangle compared to going through town. The steep hill sections at Cussons, McIntosh and down to the Denmark River will also provide more of a hurdle.</p> <p>The removal of large indigenous trees (Marri and Karri) by widening the road at the McLean section is not in line with Denmark's professed image of environmental protection and ecotourism either in spirit or intent and the inevitable traffic and disturbance is an unfair imposition of the residents who chose to live in this quiet and secluded area.</p> <p>However a second route and additional Denmark River crossing is desirable to bypass the CBD – consider Lights Road and the old railway track rejoining South Coast Highway near Beveridge or Springdale.</p> <p><u>Townsite East Future Urban</u></p> <p>How is it envisaged that this proposed urban expansion fits in with an education precinct of the CSL, Ag School and High school? Won't the ceding of Ag school land compromise it's function?</p>	<ul style="list-style-type: none"> <li>● Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> <li>● Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road and 'Future Urban' Designation Over Agricultural College Land</i>.</li> </ul>
P24	Tim Maisey 7 Harper Street DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .

P25	Basil Schur 21 Melaleuca Lane DENMARK WA 6333	<ul style="list-style-type: none"> <li>• Concern for lack of proper public consultation for this local planning strategy process by the Shire of Denmark regarding the future of public lands and Shire reserves in the Shire of Denmark.</li> <li>• Concern for proposed urban development of a major part of the WA College of Agriculture Farm. This area forms a vital part of the green belt around Denmark, is of high quality agricultural land, and is essential to maintain as part of the entry statement, character and heritage of Denmark. <ul style="list-style-type: none"> <li>○ The land in question is high value prime agricultural land, and utilized as such. The proposal to develop it contradicts planning policy to protect high value agricultural land.</li> <li>○ There has been no proper public consultation on this proposal by the Shire, either with the Agricultural College community or the broader community at large.</li> <li>○ The last time a proposal was put to remove the Agricultural College from its current location, a referendum of Shire residents overwhelmingly voted against it.</li> <li>○ The WA State and Australian Governments in the last decade or so have invested several millions of dollars in educational facilities at the College.</li> <li>○ The College farm provides a vital greenbelt around the eastern approaches to Denmark. The College and its farm is an essential part of the character of Denmark.</li> <li>○ The College is one of the biggest employers in town and is a very valuable part of the local economy.</li> <li>○ A future urban zoning over its farm will destabilize the future of the college, placing a guillotine over its operations and undermining its capacity to develop sustainably.</li> <li>○ Urbanization of the College farm would turn this part of Denmark into an ugly unattractive town not unlike the suburbs of Mandurah.</li> <li>○ It will also make the remaining portions of the 500 hectare farm unviable for agriculture, thus further opening the floodgates to urban encroachment on prime agricultural land.</li> <li>○ Urbanization of the Agricultural College will drive development of the controversial 'East West Link' road, also proposed by the draft Strategy, which will destroy valuable trees, bushland and river foreshore on Denmark's northern edge.</li> </ul> </li> <li>• Concern and opposition to the proposed 'mixed business' zoning and development for the Reserve(s) south of Zimmerman Street. This area has long been proposed as part of a Green Belt reserve for Denmark (Reference: Denmark Environment Centre and Mia Mia Housing Coop report, 1994). This area has been re-vegetated and bushland/weed management restoration work is ongoing. This area should be kept as an important environmental buffer and zoned as parks and conservation - see attached Green Belt Proposal (NB: Report titled "A Green Belt</li> </ul>	<ul style="list-style-type: none"> <li>• The draft LPS is out for public comment to gain the community's comments on all proposals provided for within the draft LPS.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road and 'Future Urban' Designation Over Agricultural College Land</i>.</li> <li>• Noted – as per Town Planning Scheme No. 3, Lot 139 (Reserve 13777 – purpose of 'Sanitary Depot') is currently zoned 'Industrial' and the adjoining Lot 1097 (unallocated crown land) has a reservation of 'Parks &amp; Recreation'. Designating the land as 'Mixed Business' is a better development outcome for the adjoining residential developments than what can currently be provided for under the 'Industrial' zoning.</li> <li>• Noted – although no structure planning has been done to date it is considered highly unlikely that a road would be provided connecting to Blackburn Street given the residential nature of the locality.</li> </ul>
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		<p>for Denmark” was attached to this submission – has been omitted at this stage but is available for Councillors upon request).</p> <ul style="list-style-type: none"> <li>This proposal will directly affect my home, as the new commercial development would likely involve extending Blackburn street, which would major impacts on this currently quiet and environmentally committed neighbourhood.</li> </ul> <p><i>NB: Draft Aboriginal Cultural Heritage Management Plan for Southern Section of Kwoorabup Beelia (Denmark River) and Draft Kwoorabup Walk Trail Cultural Heritage Management Plan were attached to this submission – have been omitted at this stage but are available for Councillors upon request.</i></p>	
P26	<p>Ayton Baesjou Planning 11 Duke Street ALBANY WA 6330</p>	<p>Following advertising of the Draft LPS, this submission is provided on behalf of the owners of Lot 554 Mount Shadforth Road.</p> <p><u>Background</u> In May 2007 a Scheme Amendment request was lodged for consideration by Council to rezone the property to the Rural Small Holding zone. The proposal was to create three rural smallholding lots ranging in size from 13.5ha, 14.5ha and 15.2ha.</p> <p>The proposal was submitted following the adoption of Council’s draft Local Planning Scheme in November 2006. The site was located within the proposed Rural Smallholding Unit 3.</p> <p>At its meeting in September 2007 Council resolved to defer the proposal pending completion of a further review of the LPS which was to have particular regard to rural small holdings and the identification of priority agricultural land. The proponent was advised that the review was likely to be completed by the end of 2007 for submission to the Western Australian Planning Commission.</p> <p>In July 2008 Council subsequently resolved to carry out a more comprehensive review of the LPS and following appointment of a consultant, recommended we lodge a submission for consideration by the planning consultant. A submission was lodged in December 2008 and Council advised in a letter dated 2009 that the proposal would be considered and that the strategy would be reported to Council in mid 2009 prior to formal public exhibition.</p> <p><u>Current Local Planning Strategy</u> The Local Planning Strategy as advertised designates Lot 554 as ‘High Quality Agriculture’ effectively suggesting that the land is of State significance in terms of its value as agricultural land.</p> <p>It is apparent that no detailed assessment and refinement of the quality of agricultural land in the Shire has been carried out despite this being a key component of the review. It is understood that preliminary work has been undertaken by the Department for Agriculture using a more sophisticated assessment and that the subject land was shown</p>	<p>Noted – refer comments and associated recommendations provided in the Officer’s Report titled <i>General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations.</i></p>

	<p>as have a low priority in terms of its agricultural significance. This report has not however been made available for public release or use in the strategy pending further refinement.</p> <p><u>Site Characteristics</u>          In the absence of the more detailed assessment of priority/high quality agricultural land by Department of Agriculture a site assessment has been undertaken using currently available information.</p> <p>Lot 554 is approximately 43ha in area and about one third (13ha) is covered in remnant vegetation which is associated with a drainage line. The vegetation runs north-south through the middle of the property, effectively fragmenting the remaining cleared area into three separate parcels of land. Refer Site Plan (NB: omitted – available for Councillors upon request). Based on soil mapping prepared by Mappin Butcher Marjoram, using soil mapping provided by the Department of Agriculture, between 30 to 50% of the site falls with the Keystone (ks) Soil Group 4, which is described as Podzols with a grey sandy surface, a bleached A2 horizon and a dark brown B horizon which usually forms a pan.</p> <p>Group 4 soils are considered to be of poor quality, have low productivity potential and are susceptible to nutrient leaching. They consist of poorly drained podzols in swampy terrains.</p> <p>The Balance of the property consists of Keystone (KB) Soil Group 1 which generally consists of brown and yellow duplex soils with yellow or red earth and can be found on plateaus and hilly terrain. Group 1 soils are considered to be the most productive soils in the shire.</p> <p>While the site has some soils suitable for more intensive forms or agriculture, its use for commercial purposes is further constrained by the steepness of the land in the southern cleared portions of the site where slopes are around 1:6. Slopes of this extent make it difficult to use machinery and consequently reduce the potential of the land for viable intensive farming.</p> <p>Given the fragmented nature of the site due to the presence of remnant vegetation and limited availability of relatively flat/gently sloping land with good quality soils, it appears that on close inspection there is no justification for designation of the property as ‘high quality agricultural land’</p> <p>Any assessment of the suitability of the property in question in terms of its future land use, needs to take into account its context, particularly in terms of surrounding land use, and opportunities and constraints.</p>	
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	<p>The property falls within a well defined precinct bounded by Cussons Road to the east, McLeod Road to the west, Mt Shadforth Road to the north and south Coast Highway to the south. The key characteristics of this precinct are readily apparent:</p> <ul style="list-style-type: none"> <li>• The bulk of the land is relatively steeply sloping, south facing land with spectacular views to the southern ocean over surrounding rural land</li> <li>• A significant proportion of the area is heavily vegetated with remnant vegetation which adds to the unique attractiveness of the area. (refer to aerial photo – NB: omitted; available for Councillor’s upon request)</li> <li>• Given its natural attributes the area has already been extensively developed for lifestyle and tourist orientated activity. The level of development is apparent from the attached zoning and land use plan. Special Rural, Landscape Protection zones, Rural Smallholding zones and Tourist zoning are present throughout. The balance of the precinct consists of defacto rural smallholdings based on existing lot size which rarely exceed 40ha. A rich mosaic of land use is developing with small scale tourist development such as the chocolate factory, Forest Hill vinery, restaurant and vineyard, Karri Mia, the old Mill site, Karma Chalets, Cinnamon Coloured Chalets and the Lakes Vineyard and Restaurant on the northern side of Mt Shadforth. Mt Shadforth Road and South Coast Highway have developed as strategic tourism routes which define the precinct and are complemented by the Railway Heritage Trail and Bibbulman Track which run through the area.</li> <li>• The strategic significance of the precinct in terms of Denmark’s tourist and lifestyle development is further emphasised by the important tourist destination of Greens Pool and Lights Road which provides a Link back to Ocean Beach Road.</li> <li>• While much of the precinct consist of high quality Group 1 soils, the lot sizes, value of the land, slope of the land, southern aspect, fragmentation of the land by remnant vegetation suggest that its designation as high quality /priority agricultural land is inappropriate, particularly given the availability of extensive areas of a less constrained land elsewhere in the Shire and particularly to the north in the Scotsdale catchment.</li> <li>• A decision to exclude the designation of high quality/priority agriculture land from the precinct does not mean the pockets of good agricultural land cannot be utilised for productive agriculture. Designation of land within the precinct for rural smallholdings is more likely to encourage investment in small scale intensive forms of agriculture. Appropriate management provisions and detailed design can ensure that the pockets of high quality agricultural land can be retained for productive use with tourist and lifestyle development directed to the less productive portions of a property.</li> </ul> <p><u>Recommended Modifications to Draft LPS</u></p> <p>Future Planning for Lot 554 Mount Shadforth Road needs to be considered within the context of the surrounding precinct, as discussed in the proceeding comments. It is suggested the precinct could be divided into two sub precincts. The eastern precinct</p>	
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	<p>covers the land from Cussons Road to Sunrise Road and is recommended for consolidation for predominantly rural residential and tourist orientated development. This reflects the existing character of development in the area.</p> <p>The western precinct covers the area from Sunrise Rd to McLeod Road. Within this precinct the emphasis should be on rural smallholding and tourist orientated development. Rural smallholdings range from 4ha to 40ha and detailed site assessment will determine the appropriate mix of lot sizes. Suitable provisions can be incorporated to identify productive portions of each property so that they can be protected and development such as housing tourist accommodation/uses directed to the less productive land. While this does not guarantee the resource will be utilised for productive purposes in the short term, it does provide for the gradual consolidation over time of more intensive niche activities which is already in evidence in the area.</p> <p>Based on its identified characteristics, it is considered Lot 554 is ideally suited to rural smallholding development and that such development will be compatible with appropriate guidelines for the western precinct.</p> <p><u>Conclusion</u>          Closer inspection of the site characteristics of Lot 554 Mount Shadforth Rd suggests that there is no basis for its designation as high quality/priority agricultural land. Furthermore it is suggested that the more productive portions of the property are more likely to be utilised if the land is designated for rural smallholding which combines the ability of the land to be utilised for lifestyle purposes with some productive use of the land.</p> <p>Such a designation is in keeping with the unique character of the surrounding precinct which typifies the essential character associated within Denmark.</p> <p>While the overall precinct from Cussons Road to McLeod Rd forms a significant parcel of land there are extensive areas of remnant vegetation which together with bush fire management setbacks significantly reduces the development potential of the area. It also, together with the topography, allows for discrete clusters of development which helps to maintain the essential landscape qualities so characteristic of Denmark.</p> <p>Consolidation of development based on a mix of rural residential, landscape protection, rural smallholding and tourism development is an essential component of Denmark's economic and tourism strategies. Consolidation will enable infrastructure to be gradually upgraded and used more efficiently and provide for Denmark's long term development while at the same time protecting more suitable land for priority and general agricultural purposes.</p>	
P27	Barbara Thayne	I wish to make my feelings known concerning the link road along McLean Rd proposed
		• Noted – refer comments and associated

	(No address other than email address supplied)	<p>in the Denmark Draft Planning document.</p> <p>I find it impossible to sanction the removal of trees some of which are 400 years old or even more. What a chainsaw and heavy machinery can remove in a matter of moments has taken 100's of years to arrive and is IRREPLACEABLE even in several of our human lifetimes. For this reason alone I am deeply opposed to the use of McLean Rd as a major road. This road is appreciated by many people for walking, horse-riding and cycling. It would indeed be a backward step to remove such trees, and degrade the natural environment irreparably.</p> <p>I would also like to comment about the desire of the shire to prevent rural multiple occupancy. Wouldn't it be wiser to leave this open as the future can bring changes which are presently unseen? In my opinion it is best to remain flexible in uncertain times.</p>	<p>recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p> <ul style="list-style-type: none"> <li>• Refer Planning Services comments provided in relation to Submission P94 regarding rural multiple occupancy.</li> </ul>
P28	Harley Global PO Box 778 BUNBURY WA 6231	<p>We are pleased to provide a submission on the draft Local Planning Strategy (LPS) for the Shire of Denmark. We recognise the Shire's effort to prepare and finally present a long term planning strategy for the Shire of Denmark for the next 20 years. This document and its supporting plans are currently being advertised, with the submission period closing on the 9<sup>th</sup> August 2011.</p> <p>This submission concerns the recommendations of the draft Local Planning Strategy (LPS) relating to the proposed Northern Link Road. We represent a number of land owners who wish to raise their concerns regarding the proposed Northern Link Road identified on <i>Urban Area – Plan 2</i>. The Northern Link Road is proposed to be constructed on an alignment following Cussons, Mt Shadforth, McLean, East River and Denmark-Mount Barker Roads.</p> <p>The intent of this submission is to recommend the removal of the proposed Northern Link Road from the draft LPS. Should Council feel that a Northern Link Road is necessary, it is respectfully requested that this road is shown indicatively in an alternative location, given the unique characteristics of the current alignment.</p> <p><u>The Landowners Impacted</u></p> <p>This submission has been prepared and lodged on behalf of the following parties:</p> <ul style="list-style-type: none"> <li>• Richard (Rick) Carter, Demandem Holdings P/L and Glenlea Enterprises P/L – Registered Proprietors Lot 374 Scotsdale Road, Scotsdale;</li> <li>• Jeff and Georgie Bayley – Registered Proprietors of Lot 371 Horsley Road, Denmark; and</li> <li>• Brian and Marjory Fleming – Registered Proprietors of Lot 3 Abernethy Court, Denmark.</li> </ul> <p><u>The Proposed Alignment</u></p> <p>As identified above, it is proposed to construct the Northern Link Road following existing roads and reserves, as described below:</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .

- South Coast Highway to Mt Shadforth Road along Cussons Road;
- Cussons Road to McLean Road along Mt Shadforth Road;
- Mt Shadforth Road to Scotsdale Road, via McLean Road, portions of which are constructed of narrow gravel, or are not constructed at present. A small road reserve connection is proposed across Lot 374 Scotsdale Road, to connect McLean Road to East River Road;
- Scotsdale Road to Denmark-Mount Barker Road along Riverbend Lane and East River Road; and
- East River Road to South Coast Highway along Denmark-Mount Barker Road.

It is believed that this route will be problematic to construct and is wrought with issues. We therefore recommend that the Shire of Denmark reconsiders the inclusion of the Northern Link Road within the LPS until such time that detailed investigations can be undertaken to determine the most appropriate link road for the Shire.

Problems with the Proposed Alignment

This section explains the likely environmental, social, engineering, economic and governance issues impacting the construction of the Northern Link Road, as is outlined in detail below.

*Environmental Impacts*

It is believed that the construction of the Northern Link Road will potentially have the following environmental impacts:

- It is likely that the road will require the construction of one bridge (Denmark River) and one large culvert (Lot 374). We have been informed by the proponents of the application that the proposed crossing of the Denmark River is located in a low lying area and will likely require substantial construction solutions to ensure that it complies with the relevant engineering requirements. To our knowledge, no technical studies have been undertaken to show the bridge can meet engineering and environmental requirements in this location;
- The owners of Lot 374 have advised that the road is located in a low-lying portion of the lot. As with the above bridge crossing, it will be required that substantial construction is implemented for the road to meet standard engineering requirement. As such, we do not believe the Northern Link Road should cross Lot 374 in this location;
- The owners of Lot 374 have advised that they have recently undertaken the re-vegetation of the creekline on the property with the assistance of the Wilson Inlet Catchment Committee and Green Skills Australia. The aim of re-vegetation is to improve nutrient management of the land and return the water course to a more natural form, given the close proximity to the Denmark River and the Wilson Inlet. The construction of the proposed Northern Link Road in the current alignment would require the removal of a substantial area of the revegetation that was

	<p>implemented at the owners expense;</p> <ul style="list-style-type: none"> <li>As is outlined in the newspaper article attached to this letter (Denmark Bulletin, No.786, 21 July – August 10th 2011 NB: omitted; available for Councillors upon request), the proposed road will require substantial clearing of the McLean Road road reserve. Up to 80 Karri trees with a trunk width greater than 0.5m will need to be cleared to facilitate the construction of a wider road surface required for a District Distributor. An image of McLean Road, viewed from Mt Shadforth Road, is shown overleaf – NB: omitted; available for Councillors upon request);</li> <li>Upon examination of the Riverbend Lane road reserve, it has become apparent that this road reserve will require substantial clearing to implement a wider road width. At present the width of the sealed surface is approximately 4m, with large trees of various species growing in close proximity to the road. These would require clearing to implement a wider road surface required for a District Distributor. An image of Riverbend Lane, looking east from No.22, is shown below – NB: omitted; available for Councillors upon request); and</li> <li>The construction of the Northern Link Road will lead to the widespread removal of vegetation, which directly contradicts Strategy B of Section 4.7 of the LPS which requires to “generally protect area of remnant vegetation from clearing”. It should also be noted that roadside vegetation is of particular importance to the character of Denmark.</li> </ul> <p><i>Social Impacts</i></p> <p>It is believed that the construction of the Northern Link Road will potentially have the following social impacts:</p> <ul style="list-style-type: none"> <li>Although it is understood that Council has followed existing road reserves in order to reduce its costs in road widening, it will still be required that the existing road reserves are widened to accommodate the Northern Link Road. It is unlikely that a 20m wide road reserve will be able to accommodate the District Distributor, given the need to construct drainage, a suitably wide sealed surface, shoulders and undertake cutting and filling. This will have a social impact on those lots fronting the Northern Link Road, by requiring that these lots cede land (or land is acquired);</li> <li>Although it is stated in the LPS text that the road is not intended to be a bypass of the Denmark townsite, it will perform the role of a District Distributor in the locality and will act as a bypass from Scotsdale and Shadforth Roads to South Coast Highway. Although this will take some load off the town centre, this will also result in the road having a high usage level, as it will act as a shortcut from Mt Shadforth Road and Scotsdale Road to Albany. This will also be the preferred route for heavy haulage trucks originating from Scotsdale Road and north of Denmark. This is likely to have an impact on tourists visiting the area to the north of Denmark, who will make the decision to bypass the Denmark townsite;</li> <li>The widening of existing roads, including Riverbend Lane and McLean Road is</li> </ul>	
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		<p>likely to impact the community by reducing the character of these areas. Many of the residents throughout Denmark purchase properties for their unique character values, which include retention of remnant vegetation and quiet nature of the urban landscape. The widening of these roads is likely to remove vegetation, increase traffic volume and compromise the character of existing homes; and</p> <ul style="list-style-type: none"> <li>• Whilst we understand that the road would have a benefit in emergencies for crossing the Denmark River, the social cost of the road far outweighs the benefits for emergency planning that are being achieved.</li> </ul> <p><i>Engineering Impacts</i></p> <p>Whilst it is understood that the road alignment is yet to be finalised, the current alignment is wrought with engineering problems, based on the terrain the road is proposed to cross. It is likely that substantial cutting and filling will be required, along with the construction of one bridge and an additional large culvert on Lot 374 Scotsdale Road, Scotsdale. We believe these engineering problems are insurmountable and will ultimately lead to the route of the Northern Link Road being changed. Furthermore, a detailed traffic impact assessment has not been completed, which would assist Council in determining if the road is required and whether its benefits will outweigh its environmental, social, engineering, economic and governance impacts.</p> <p><i>Economic Impacts</i></p> <p>It is believed that the construction of the Northern Link Road will potentially have the following economic impacts:</p> <ul style="list-style-type: none"> <li>• As is identified in the LPS, detailed planning and feasibility is yet to be undertaken for the Northern Link Road. The cost of road construction has not yet been determined as a final alignment is yet to be decided upon. This was made evident at a community workshop at which one of the proponents attended, where the route of the road was changed based on community input;</li> <li>• Prior to identifying the road within the LPS, it would be more suitable to obtain a more definite location and the likely costs of constructing such a road and whether it is within the means of the Shire of Denmark, or if funding would be forthcoming from the State or Federal Governments; and</li> <li>• The placement of the Northern Link Road is likely to impact the property values of those lots located in close proximity. Although the road is not proposed to be a bypass road at this stage, a number of lots will have increased vehicular traffic passing their properties. This, combined with clearing to facilitate the road, is likely to impact the character of properties in the vicinity of the road and lead to property value depreciation and resultant noise impacts.</li> </ul> <p><i>Governance Impacts</i></p> <p>It is believed that the construction of the Northern Link Road will potentially have the</p>	
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following governance impacts:

- As previously suggested it is likely that widening of existing road reserves or creation of new road reserves will be required to accommodate the Northern Link Road. Landowners impacted by this widening are likely to require compensation for the road widening. Given the large number of properties the Northern Link Road is likely to impact, it is believed that this will lead to governance issues;
- Residents are likely not too support the location of the Northern Link Road, given no detailed study has been undertaken to determine that this is the most appropriate route. Although it is identified as 'indicative only', it is likely that Council will use the LPS as justification for future planning decisions. If the Northern Link Road is identified in the current location, it is likely that land uses will be restricted in proximity to the road. As such, prior to the identification of the Northern Link Road, it is suggested that detailed alignment and feasibility studies are undertaken to determine if this route is suitable, as it will have direct impact on planning decisions for the life of the LPS; and
- The LPS recommends that the Shire of Denmark should establish a Infrastructure Developer Contribution Fund and should start seeking development contributions to fund the Northern Link Road. Firstly, this is an imposition on the developer. Secondly, such a contribution would not be justified until an estimated cost for the road is available. Thirdly and finally, it would be unfair to impose a condition requiring contribution to the Northern Link Road, given the final alignment is not finalised. It would be impossible to determine with accuracy if future residents of a development would use the road and how much a contribution to the road would amount to. We believe this will cause governance issues, as developers are unlikely to want to contribute to the construction of a road that is 'indicative only'.

*Conclusion*

As is evidenced above, it is believed that the Northern Link Road is located in an inappropriate location and would not benefit the community, given the high amount of impacts it is likely to have on landowners in the vicinity of the road and the community in general.

Timing

Upon detailed review of the Northern Link Road within the LPS, no detailed timings are provided as to when the Shire of Denmark will begin its investigations into the Northern Link Road, nor any estimated timeframe as to when such a road is likely to be constructed. The lack of specifics regarding this proposed road, which will have a major impact on neighbouring landowners and the community in general, gives the impression that the Shire of Denmark is non-committal about its construction. Therefore, should this be the case, the road should be excluded from the draft LPS, until such time as Council has reviewed the proposed road and alignment in detail and

		<p>determines to formally proceed.</p> <p><u>Alternatives</u>          It is recommended that Council pursue the following alternatives to the Northern Link Road:</p> <ul style="list-style-type: none"> <li>• Remove the possibility of a Northern Link Road from the LPS; or</li> <li>• Propose a Northern Link Road that has been subject to detailed feasibility and design to substantiate its preferred location (preferably not within this location).</li> </ul> <p><u>Conclusion</u>          It is believed that the proposed Northern Link Road of the LPS is unsuitable and highly risky. As the road is indicative only, it would be premature to include it within the LPS on a rigid alignment, given the premise that the proposed alignment is yet to be investigated. It is therefore respectfully requested that Council remove the proposed Northern Link Road from the draft Denmark Local Planning Strategy, unless appropriate investigations are undertaken prior to the final adoption of the LPS.</p> <p>It is respectfully requested that the recommendations of this submission relating to the proposed Northern Link Road are incorporated within the draft Denmark Local Planning Strategy.</p>	
<p>P29</p>	<p>Basil Powley          253 Pates Road          WILLIAM BAY WA          6333</p>	<p><u>East-West Road Link</u>          This is, without doubt, the most ill conceived idea that has ever been presented by Council.</p> <p>It is a thinly veiled name for HEAVY VEHICLE BYPASS ROAD and as such the route chosen for consideration is totally unsuitable.</p> <p>That aside, if one accepts that it is a Community Link Road (which I don't) the construction of this road would necessitate the removal of a considerable amount of flora and large trees to facilitate the widening of the roads in the areas effected by this proposal.</p> <p>In addition the proposal allows for private land acquisition which would adversely effect the landholders concerned.</p> <p>Is it just a co-incidence that the proposed road links South Coast Highway to the West with Denmark/Mt Barker Road to the East of Denmark? I don't think so, and the "assurance" we are expected to accept is that the road will be under the control of the Council, not Main Roads, and therefore will only ever be a Community Link Road. I suggest that very few people in the community would gain any benefit from having this road constructed as it adds to the distance between East and West of Denmark townsite, and the terrain one would need to traverse is far more challenging than the</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p>

		<p>existing route.</p> <p>Council also needs to consider the cost/benefit equation, and I maintain we as the rate payers would seriously be disadvantaged if this concept were to proceed. The cost of building this road along with the cost of constructing a bridge would be enormous. The benefits would be minimal by comparison.</p> <p>As with any decision the positives and negatives need to be put in balance, and I am at a loss to see <b>any</b> positives other than the short term employment opportunities for the contractors engaged to build the road. The negatives in this case far outweigh the positives and as such the idea should be abandoned and another route considered which does not have the same impact on landowners, flora and fauna.</p> <p>The old railway line is an excellent alternative in my opinion; the route is already established, is much easier to traverse and would cost much less to construct.</p> <p>One could be forgiven for questioning the motives behind the councillor/s supporting this concept.</p> <p>In conclusion, and considering the points mentioned above, I vehemently oppose this concept and suggest it should be removed from the Local Planning Strategy.</p>	
<p>P30</p>	<p>Mrs June Barry 23 Riverbend Lane DENMARK WA 6333</p>	<p>I have seen the plans that the Denmark Shire has put into a Local Planning Strategy Draft. These plans are very alarming for me, as there is a proposed by-pass road going through my property. How can the shire draw up a plan, which includes my property, and not have the common courtesy to inform me of what they have planned. I have lived here and owned this land for almost 56 years.</p> <p>If this road is for a by-pass or even just every day traffic, has the shire thought of the impact on the environment? I see turtles that come out of the soak at the bottom of my property each year and make their way across my paddock.</p> <p>The age and height of the Karri trees here must be protected. These trees have stood their test in time and have survived for hundreds of years. Please do not let the bull dozers destroy them for a road that does not need to be made.</p> <p>The Scotsdale Brook runs along the bottom of my land and it has flooded several times over the past years, when this happens the water floods onto my land and increases the size of the soak to almost double, if not more. The feasibility of trying to put in a road and you would need a large bridge as well, would be extensive. Where would the shire get these funds for such a large amount of work?</p> <p>I have always thought and heard that Churchill Road and Hamilton Road were for the</p>	<p>Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</p>

		<p>shire to use as a by-pass road if needed. I cannot understand why this has changed, and why the shire wants to make another road when these other roads already exist and are in good order.</p> <p>Please reconsider this new road in the Local Planning Strategy and not take my beloved land away from me and my family.</p>	
P31	Gareth Anderson 30 Mitchell Street DENMARK WA 6333	<p>Regarding the rezoning of the rear section of our property (30 Mitchell Street, Denmark) to commercial, I am very concerned of the effects this would have on our residential living.</p> <p>Already there is noise pollution from a few businesses &amp; air pollution from one of them.</p> <p>Also, the look of the town in this area would take away the village feel, an important asset of a tourist town.</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P32	Mia Joanne Sinclair PO Box 615 DENMARK WA 6333	<p>Me and my 4 year old sister and my 8 year old brother are not going to let you make a silly East West road link. We will not be able to ride our bikes and ponies, and not be able to take our dog and lambs for a walk up and down the road. We will not be able to play up at the road without getting run over and being in danger. We will not be able to walk to and from the bus stop safely. And the beloved trees on the river trail we ride and walk to town on will not let you knock them down and the nature around us will not let you do this either.</p> <p>Jimmy-Roy Sinclair - 8 years old; Ella Sinclair - 4 years old; Mia Joanne Sinclair - 10 years old</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .
P33	Tim Lyons – Forest Hill Winery PO Box 567 COTTESLOE WA 6011	<p><u>East West Road Link</u></p> <p>Firstly, I believe residents of Denmark are not properly informed of the concepts, detail and potential effects of many aspects of the Local Planning Strategy. It does not appear that there is any real transparency or serious attempt to inform the community of many aspects of what is being proposed. In addition, there has been virtually no attempt to seek from the community an understanding of how community members feel about the future of their town. I’m concerned that some aspects of the LPS are being forced through on the basis of a Shire belief that it knows best and that it will be good for people in the end. This view has been communicated by a number of councillors.</p> <p>We strongly object to the concept of a major town type of By-Pass road even when it is being promoted as a Neighbourhood Connector Road. It is not in keeping with Denmark as a country town and a country community. This road will produce the same type of result as we have seen in much larger towns in a number of West Australian regional centres where they have split the country community and produced a city type suburban result.</p> <p>Since this proposal was first initiated by the Shire the By-pass road has been downplayed as a Neighbourhood Connector road (after the initial community outcry) in</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .

an attempt to placate the community as to the significance and size of the proposal. This road classification is inappropriate and not transparent and honest with the community.

The WA Government Sustainable Cities Initiative defines two forms of Neighbourhood connectors both of which are similar proportions to St Georges Terrace with pavement in the centre of Perth. They are designed to be between 19.4m and 24.4m in width and to carrying the traffic loads of between 3000 and 7000 cars per day. These roads are designed for major cities not country towns. This is not the type of road that the community requires for Denmark. Such a proposal will have the following implications –

1. It will destroy the country nature of the Denmark community and clearly split the towns people from much of the rural community. It will cross, link in or juncture all three major tourist routes close to the town of Denmark.
2. It will pass through and denigrate some of the most beautiful and environmentally sensitive parts of Denmark which are close to town and form one of the major attractions of Denmark.
3. It will be potentially highly dangerous as it passes through many semi-rural developments, tourist routes and steep topography (horizontal and vertical geometry). There will need to be many crossroads and junctures. The road will be long and inefficient when consideration is given to the real distance travelled, so it will destroy a much larger area of the community amenity and natural areas.
4. It will be used by heavy vehicles which will be dangerous to housing, community members and children due to the steep nature of the environment. It will concentrate tourist traffic with trucks, heavy vehicles and buses and the local community. This is especially so along Cussons Road, parts of the Mount Shadforth tourist drive and parts of Scotsdale Road tourist drive. There will be the Steiner School children, school buses, tourists, the local residents and heavy haulage vehicles all sharing a major winding and steeply gradient road at the rate of 3000 – 7000 vehicles a day (Neighbourhood Connector estimates).
5. Many beautiful areas of large old tingle and karri trees will be destroyed leading to loss of amenity and character for the town. Consider the effects of road alignment on vegetation and community amenity.
6. The skyline of Denmark will also be degraded by loss of these large trees as the proposed route runs across the high side of the town and will be visible from the centre of Town and Wilson Inlet shores.
7. It will be an enormous engineering undertaking and construction cost to overcome the steep gradients along the proposed route and attempt to make it safe – it seems little thought and planning has gone into this.
8. It will have to be an ugly road as its size (potentially 24.4m) will require massive cutting and filling along one of Denmark's most picturesque routes – does Denmark really need a Mt Barker style By-Pass road.
9. It will decrease community attraction of a large area of Denmark. There are four

		<p>residential subdivisions directly abutting the proposed route and landowners will suffer immediate loss in value.</p> <p>The need for this By-Pass road has not been clearly demonstrated and it appears to be an attempt to protect a small number of the community who do not want to see their Town being disturbed. There is little detail, little thought and little planning that has gone into this proposal – and most of all, little consideration of other options and no planned and structured communication with the Denmark community to ensure all residents and land owners are informed. A couple of quickly flung together meetings occurred when the community reaction started to escalate. There are many property owners and residents who still have no idea of these proposals. Others are away for winter or live some of the year in Perth. How did the Shire communicate with all its constituents and rate payers? There was no transparency or open examination of other options. I wonder how many councillors have driven the proposed route of the By-Pass road and actually seen how impractical and sensitive to the community it really is.</p> <p>There appears to be absolutely no real planning in this By-Pass road proposal. There are so many other potential options which should be examined if the job was done properly. I do not believe this Link Road proposal has been properly investigated. There has been insufficient community consultation, no examination of other options. Why just throw it into the Local Planning Strategy before some level of work has been done?</p> <p>I strongly request the Link Road proposal be deleted from Local Planning Strategy and proper process take place.</p> <p>Should the Shire wish to pursue alternative routes and another crossing for the Denmark River then this could be included as an Action within the Strategy.</p>	
P34	Karen Andersson 30 Mitchell Street DENMARK WA 6333	<p>Rezoning to Commercial the rear section of our property (30 Mitchell Street, Denmark).</p> <ul style="list-style-type: none"> <li>Concerns re effects of same – had previous experience with noise &amp; air pollution with car wash on SCHWY &amp; it's effects on residential living.</li> <li>Loss of village look to entrance to Denmark, as a tourist town this would decrease attraction.</li> </ul>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P35	Albert Anthony Wilson PO Box 111 DENMARK WA 6333	<p><u>East West Road Link Proposal</u></p> <p>As a resident of many years (1964) I submit that the East West road link suggested is flawed on several accounts:-</p> <ol style="list-style-type: none"> <li>Environmentally it would have high impact on the Flora &amp; Fauna along its total length due to the clearing &amp; realignment required for road works &amp; bridge work.</li> <li>Economically the cost of would be much higher than that required for the recent "southern route – the Rail trail". There would also be a detrimental cost for land owners on East River Rd and River Bend Lane.</li> <li>Human (Social) impact would be detrimental.</li> </ol>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .

		<p>a) Present residents are impacted by being under the current area for landing and take off – any residential development to the south of East River Rd under the “take off &amp; landing zone would be impacted majorly.</p> <p>b) At present residents &amp; visitors are able to utilize East River Road as part of a walking trail into the CBD via the east bank of the Denmark River walk trail to the Community Park.</p> <p>c) Adults &amp; children especially are able to use East River Rd safely for walking, bicycle riding and horse riding due to it being a “No Through Rd” and having low traffic impact.</p> <p>I believe the “Southern – Rail Trail” route to be more able to meet the requirements of an Alternative East West Road Link.</p>	
P36	Carolina Moyser PO Box 326 DENMARK WA 6333	<p>The proposed NLR encroach private property further it would need upgrading the existing single lane Riche Rd bridge and another new bridge over the Denmark River - there must be a better solution.</p> <p>Riche Rd is a beautiful country lane with magic vegetation which for fire safety would have to be largely destroyed. Lots of tourists enjoy this so do the local residents who choose to buy property there for the pretty, magical trees, environment so close to town, and yet the very reason why they came to live there.</p> <p>I also wonder about the floodplains; if I remember correctly 2003 was one of those years that some areas were flooded.</p> <p>I also don't think it is wise to put down another intersection on Scotsdale Rd, drivers would then automatically turn into Scotsdale Rd to go into town.</p> <p>I do recognise the need for NRL in the future but believe there are other better options available with less vegetation loss. I was told that 22 councillors gave a verbal undertaking “to look at other options”. For me there are several:</p> <ol style="list-style-type: none"> <li>1. Extend the upgraded Jon Glade though the community park, linking the (future) development of Town side east installing a new traffic bridge on at the CSL/Tafe where currently the footbridge is.</li> <li>2. A more practical solution would be a route near McClean Rd and go over Scotsdale Rd, (flyover) where the river is at its narrowest point. No vegetation lost and there would be no impact on private property.</li> <li>3. To go north and as there are mainly private properties, and high steep slopes of the Scotsdale Brook, the best feasible way to go north, via Howe Rd, and have a river crossing to Church Rd.</li> </ol>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .
P37	Scott Smith PO Box 753 DENMARK WA 6333	I refer to the final adoption of November 2006 of the Denmark Local Planning Strategy (page 118 Planning unit C) which clearly outlines my property (being 168 Mount Shadforth Road, Denmark) as being in Planning Unit C, identifying it as suited to	Having regard to the provisions of Local Planning Policy 28: Settlement Strategy for Denmark, adjoining existing and approved developments and current & draft versions of State

		<p>residential land approx 1.5km of the town centre with potential for “reticulated sewer/water” with views of the inlet, subject to screening from Mt Shadforth and some retention of “remnant” vegetation.</p> <p>Without any consultation with myself, Council decided to exclude my property from Planning Unit C (approximately 2008), possibly so that a subdivision by Robertson/Plowman could be rezoned for urban residential and special residential development.</p> <p>It strikes me as strange, but to my knowledge there is no reference to this amendment in any of the council minutes. I understood in a meeting with Sam Williams (former manger of Planning), he gave me an assurance (in the presence of Councillor Kim Barrow in 2010) that the property was still in Planning Unit C and there must have been an oversight regarding its position in Planning Unit D. My property is next to the proposed subdivision (Kearsley Gardens) and constitutes nearly 28 acres opposite land being rezoned special residential and urban residential. Under the proposed draft local planning strategy, the property would fall under a General Agricultural Resource zone, which falls under SPP2.5 and appears to be almost a ‘non-use’ classification.</p> <p>I also note the proposed new link road, which has been earmarked to run straight past many of the blocks currently in Planning Unit D. It seems logical to include the whole of this unit within some form of residential zoning due to the close proximity to town as well as to the new link road.</p> <p>Essentially I am requesting council reconsider my land for ‘re-inclusion; (as per 2006 adopted version of local planning, page 118 attached – NB: omitted; available for Councillors upon request) in either residential or special residential zoning.</p>	<p>Planning Policy 2.5 and Development Control Policy 3.4, it is recommended that the subject land (and other lots to the west bordered by McLean Road and Mt Shadforth Road) designation of ‘General Agriculture’ be amended to ‘Rural Residential’.</p> <p><u>Recommendation:</u> Modify the designation over Lots 20, 21, 351, 353, 356, 631 and Pt Lot 355 from ‘General Agriculture’ to ‘Rural Residential’.</p>
P38	Trudy Obee 30 Mitchell Street DENMARK WA 6333	<p>I am writing to object to backyards in Mitchell St being rezoned to commercial use. I state several reasons</p> <ul style="list-style-type: none"> <li>• Increase in noise</li> <li>• Increase in traffic</li> <li>• Pollution to a residential area</li> <li>• Invasion of privacy</li> <li>• Loss of aesthetics</li> </ul>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P39	Annie Flockart & Sean Carley 22 Riverbend Lane DENMARK WA 6333	<p><u>Proposed Northern Link Road (NLR)</u> Is there a need for a bypass road (NLR) for the town of Denmark?</p> <p>I consider this to be a rather short-sighted idea from our council, as our town relies on tourism to keep our small economy alive. If not for tourism, how would our town survive?</p> <p>If the road is for use of heavy vehicles, then the indicative alignment as shown in the</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .



LPS has been placed with no thought for the natural terrain, or the height and gradient of the land, which would make a road impossible for a heavy vehicle to travel along.

As heavy vehicles are few and they predominantly enter and leave Denmark to the east, will a road specifically for their use ever be necessary for Denmark. At the meeting the Shire said the road was a neighbourhood connecting road. I find this a rather loose term to use, as there are no neighbourhoods that this proposed road is link too. The proposed road is on the northern and west sides of town, following the proposed present town boundary.

In the proposed LPS the major growth shown in Denmark Shire is to the south of town. A link road south of town would surely be needed to cater for this growth, and the safety of the community in the case of emergency. At present there is only one road direct to town and linking this area to South Coast Hwy.

The shire should undertake an expensive assessment of the proposed 'northern link road' (NRL) taking into account the following;

- Public input
- The erosive effect and pollution of our natural waterways
- Environmental impact
- Implications of land use
- Feasibility study
- The cost of construction
- Time frame
- Reclaiming of privately owned property
- The need for a new road.

#### Proposed Location Consequences

The indicative proposal for the NRL has been a line on a map without taking into account of any of the following facts;

- The floodplains of the Denmark River and Scotsdale Brook
- The natural contours of land
- The amount of water that the Scotsdale Brook carries,
- The natural creeks that flow down the hills,
- The heavily vegetated river foreshore,
- The construction of two bridges,
- The consequences of clearing the foreshore of the Denmark River and the Scotsdale Brook,
- The encroachment onto private property,
- The location of the Steiner School to proposed road,
- The felling of karri trees that have been standing for approx 600 years
- Destroying intimate flora and fauna.

		<p>The 100-year flood line of the Scotsdale Brook and the Denmark River lies just west of the bridge on Riverbend Lane. To my own knowledge the Scotsdale Brook crossing on Riche Road has been inundated twice in the past 25 years. A new bridge was installed after local flooding in 2003.</p> <p>For fire-escape purposes the NLR should avoid areas of heavy vegetation, which is impossible under this current proposal.</p> <p><u>Alternatives</u></p> <p>A more logical and practical route with less impact on the environment would be to use the existing Churchill Road, Mt Lindsay Road, Redman Road and then Cussons Road.</p> <p>This would be a far better option for fire escape reasons and the impact on the environment would be far better as this minimizes clearing of fragile bushland. There would be no need to build bridges and clear vegetated land along our waterways.</p> <p>There would be no encroachment on private property or the need for environmental studies.</p> <p>As the town of Denmark increases in size over the next 10 to 20 years, Churchill Rd and Mt Lindsay Rd will possibly be the town boundary roads to the north and west of Denmark.</p> <p>The present indicative alignment of the NLR poses many questions that need to be addressed by Council and the public.</p> <p>It would be imperative of the Council to disregard the present proposed indicative Northern Link Road in this Local Planning Strategy and a consultation group be formed, consisting of local persons, council members and planners, so this Local Planning Strategy can be addressed by the community as a whole.</p>	
P40	Brenden and Kylie Smith 185 Howe Road DENMARK WA 6333	<p>The Shire of Denmark Local Planning Strategy which is now open for Public Comment has Lot 611 cnr Howe &amp; Scotsdale Roads designated as 'High Quality Agricultural'. We object to this zoning on the following basis:</p> <ul style="list-style-type: none"> <li>• The attached aerial photo (NB: omitted – available to Councillors upon request) indicates that half of the block is natural bush (approximately 14 Ha), with at best only one third (approximately 9 Ha) usable grazing agricultural land. Of these 9 hectares available, approximately half is either subject to flooding by the Scotsdale Creek or is extremely wet and not well drained during wet months of the year.</li> <li>• The delineation of the high quality agricultural lands from this draft Local Planning Strategy, if transposed with the Denmark estate soil survey included in Landforms</li> </ul>	<p>Noted – having regard to the comments provided and the location of the site, it is considered that a 'General Agriculture' designation is more appropriate.</p> <p><u>Recommendation:</u> Amend the designation from 'High Quality Agriculture' to 'General Agriculture'.</p>

and Soils (Churchwood et al 1988), are indicative to the area surveyed as soil type 'Keystone Yellow', or locally known as karri loam.

Howe Rd, on the northern boundary of Lot 611, takes a general north east to south west direction and appears to be the absolute southern delineation of the keystone yellow soil type. (i.e. This soil type boundary falls outside of Lot 611).

Soil surveys on the property have previously indicated the soil type is black sand loam over laterite gravel, and visually this appears to be the case, with very little Keystone yellow or Denmark karri loam on the property.

- Anecdotally the property has been subject over the past 30 or more years to multiple horticultural and grazing pursuits that have been unsuccessful and at very best break even enterprises.
- The property is enveloped on a majority of all three sides (see attached aerial photo – NB: omitted – available to Councillors upon request) by either A class reserve, Timber reserve or privately owned land.

The privately owned land to the south is natural bush with a small building envelope. Of the two properties to the west, one has been shaded as general agriculture and the other is a 0.75 Ha block with a single residence.

Other adjacent properties surrounding the property namely 612 Scotsdale Rd, 370 Scotsdale Rd and 2071 Howe Rd are all shaded 'General Rural'.

It should also be noted that 379 Scotsdale Rd is closer to the town centre, has little to no remnant bush and less adjacent DEC bush reserve and yet is classified as General Rural.

- A potential Rural Living area has been created adjoining Lot 611 with the approval and subsequent and ongoing development of the Landscape protection subdivision development on Lot 2071 Pt 101 and Pt 103. The Shire and consequently WAPC have given approval for subdivision of 25 individual lots.

Lot 611 Scotsdale Rd will be complementary to this pre ordained subdivision on two important points;

- Firstly the fundamental residential access to this subdivision can be appeased with the use of part of Lot 611 to ameliorate the problem of degradation of the existing road reserve with respects to remnant trees and vegetation. This will then enable the proposal to comply with Denmark Shire constraints.
- Secondly due to fire regulations the use of part of Lot 611 as road access for the subdivision could be mutually beneficial in light of the fact that any other person would in most respects be potentially unavailable.

- Lot 611 lies extremely skewed being the most easterly property on the plan

		<p>shaded as High Quality Agricultural.</p> <p>It is our belief this property should definitely not be included as it does not have the textural soil attributes or cultural factors, i.e. it has not been traditionally cleared and utilized for grazing or horticulture and under current legislation can never be.</p> <p>Given the above facts I submit the subject property be classified as “General Rural” instead of the High Quality Agricultural zoning that has been proposed in the Draft local planning strategy.</p>	
<p>P41</p>	<p>Ann Howard for Climate Action Denmark PO Box 229 DENMARK WA 6333</p>	<p>In light of the concerns of Climate Action Denmark with regard to sustainable planning for the Shire we have some questions and comments to make about the Strategy. We appreciate the opportunity to do so and appreciate the work put into preparing the strategy by Shire staff and Councillors.</p> <p>Although conservation is mentioned frequently throughout the document, this plan is about more development and the inevitable increased impact on the environment. While clearing of remnant bush on private land is supposedly monitored, it is not clear who overseas decisions to clear and how the environmental biodiversity and carbon storage value of bush is assessed. It seems vegetation is assessed on a piecemeal basis. Surely it is time for Denmark to have an overall study of our fantastic biodiversity and how valuable it is. “Landscape values” are desirable, but maintaining our biodiversity is even more so.</p> <p>As the release of the federal government’s new Clean Energy Plan has coincided with the release of this DLPS, it is worth noting that funding will be available under that plan for protecting biodiversity and improving natural resource management.</p> <p>Climate change is given nodding recognition, but in light of our reduced rainfall since the 1970’s, it is not clear how water will be provided for a growing population. Each new development should have both energy and water conservation as top priorities. Again while efficiency measures do get a mention, it is not clear they are regarded as a priority in planning new developments.</p> <p>To reduce emissions and petrol costs, more thought should be given to enabling people to move around without using a motor vehicle. The creation of a Service Park some way out of town with no footpath or cycleway connecting it to the town will mean that for small purchases the customer will need to drive out of town to make the purchase.</p> <p><u>4.1 Future Residential</u> <i>Objective</i> Why has the townsite east been chosen as a node for long-term residential expansion</p>	<ul style="list-style-type: none"> <li>• Landscape and biodiversity values are important and through appropriate planning processes can co-exist with development.</li> <li>• Noted.</li> <li>• Securing scheme water supplies is paramount as well as looking at other water source avenues for potable and non-potable usage that may be available – i.e. rainwater tanks, grey-water usage etc. Council has a current Local Planning Policy that encourages such initiatives (i.e. is not a mandatory requirement at the moment).</li> <li>• Associated with future development at Springdale Beach, which is located further east of the proposed Service Park site, a footpath is proposed to be provided to link to the townsite.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>‘Future Urban’ Designation Over Agricultural College Land</i>.</li> <li>• Noted – infill and consolidation is promoted strongly in the draft LPS.</li> <li>• The ‘Mixed Business’ area, proposed Service Park and proposed Industrial Area east of town are all to serve different purposes/functions as referenced in the draft LPS.</li> <li>• Once the industrial area is established, businesses of this nature will be encouraged to relocate – noting some of these businesses have conditions on their current approvals referencing the need to relocate in due course.</li> <li>• Noted – site identified for industrial area has been the subject of extensive analysis, with the site chosen being the most suitable.</li> <li>• Reference to ‘promote partnerships in subdivision and development of the new industrial park’ means that the Shire is recognising it may have limited capability (staffing</li> </ul>

	<p>of the townsite? This area is some distance from the town and so will require many of the residents to use their cars to get into town.</p> <p><i>Strategies</i></p> <p>a) The townsite east site is listed first and will not be required during the twenty year period covered by this draft local plan. It would make more sense to concentrate on developing the areas closer to town. This would minimize the cost of services such as roads, water, power etc. Due to the proximity to existing serviced areas.</p> <p>e) Promoting the infill development of existing large lot residential zoned area close to town is a good policy. Why create more large lots that will need to be in filled in the future due to growth of the area close to town?</p> <p><u>4.2 Future Retail</u></p> <p><i>Objective</i></p> <p>Why have a separate Service Park and an Industrial Park? The proposed areas are located some distance from town and will require residents to use vehicles to reach these areas. Providing services such as roads etc. To areas this far from town will be expensive.</p> <p>b) What does this mean? Does this mean more car parks or does it mean more pedestrian areas, footpaths and cycle ways?</p> <p>h) Service Park Site to accommodate hardware shops and showrooms, nurseries etc. Under 4.3 Future Industry it is mentioned that the shire may relocate its depot to the new industrial area and encourage Main Roads dept. to relocate. It seems that we will end up with businesses in the area presently named the Light Industrial Area, the new Service Park and the new Industrial Area. What are the advantages of locating businesses in three widely separated locations? Albany is a bad example of sprawl of this type.</p> <p>9) It would be desirable for the Council to require the ‘Service Park’ to be self sufficient in water by requiring rainwater to be harvested and used by the businesses. Composting or biolitic toilets should be required so as to make sewerage unnecessary.</p> <p><u>4.3 Future Industry</u></p> <p><i>Strategies</i></p> <p>c) Does this mean that the earthmoving contractors on Inlet Drive and Ocean Beach Road will relocate to the new industrial area? If they relocate then will this mean that heavy truck use of major tourist and residential roads will be greatly reduced.</p> <p><i>Implementation</i></p> <p>3) It would be advisable for the shire to encourage the future industrial area to become self sufficient in water. Many of the building will have large roof areas</p>	<p>and finances) to be the developer of the new industrial park, however is keen to retain a development relationship to ensure the outcomes sought by the Shire are achieved.</p> <ul style="list-style-type: none"> <li>• Noted – however is also noted that the tourism profession cannot come up with a definitive definition themselves; that is they allow each proponent to demonstrate how they consider their development proposal and/or operations from an ‘eco-tourism’ perspective.</li> <li>• Noted – trails would be included within parks &amp; reserves and/or foreshore access references. Promotion of use of the Bibbulmun Track, Munda Bididi Trail, Mokare Walk Trail, the Heritage Rail Trail and other trails within the Shire is provided for in Part 1 Section 4.5 Community, Education, Cultural &amp; Heritage Strategy f).</li> <li>• Noted – recommend remove the words “with respect to the Denmark River Environs” from Strategy i).</li> <li>• Noted – DEC and/or the Shire are responsible for assessing and determining clearing applications dependent on the extent and nature of vegetation to be cleared. Planning Services are recommending amendments be made to this section for some clarity (refer Modification 22).</li> <li>• Structure plans, rezoning proposals and subdivisions approvals are considered by all relevant government departments having regard to respective interest areas, with the Shire and the WAPC being the determining bodies providing a balanced outcome.</li> <li>• Noted – recommend amend Strategy c) accordingly.</li> <li>• Noted.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Noted.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Delete the words “with respect to the Denmark River Environs” from Part 1 Section 4.5 Community, Education, Cultural &amp; Heritage Strategy j).</li> <li>• Modify Part 1 Section 4.9 Rural Land – Subdivision and Development Strategy c) to read “To require rural residential...”</li> </ul>
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which could be used to capture rainwater. The use of composting toilets would reduce water use and reduce the danger of polluted water entering Wilson Inlet.

Would it be better to locate the future industrial area north of the proposed service park? This would make it cheaper to connect to the power supply. By locating the industrial area under the flight path of the Denmark airfield, aircraft noise would be less disturbing in an industrial area than in the housing area proposed north of the service park.

4) What is meant by promoting partnerships in the subdivision and development of the new industrial park?

4.4 Tourism

*Objective*

What is meant by the term “Eco-Tourism”? Does it have a meaning or is it just a “buzz word” that can be used anywhere? It would be good if the Shire would decide on a definition of the term that can be a guide for proponents.

*Implementation*

3) Why are our scenic paths and trails not included in this list?

4.5 Community, Education, Cultural and Heritage

*Item i re Cultural Heritage:*

“Recognise indigenous cultural heritage – with respect to the Denmark River environs”  
Why are other indigenous cultural sites not covered?

4.7 Natural Resource Management

In general the objectives and strategies in this section are commendable. However it is not clear how remnant vegetation is assessed and who decides when it can be cleared.

*4.7 Strategies b, c and e Re remnant vegetation*

“Require detailed assessment of all areas of natural vegetation as part of rezoning and structure plans for proposed urban development” etc. Who assess natural vegetation and how is it vetted?

*4.7 Strategy r*

“Consider the retention of remnant vegetation on privately owned land where such protection is considered strategic within an identified area of visual landscape value”. What about its biodiversity value, which is the first objective on page 12 of Natural Resource Management.

*4.7 Implementation*

Item 1: “Council continue to require planning applications for clearing of remnant

	<p>vegetation over 5000sq m and consult with the Department of Environmental and Conservation in accordance with S38 of the Environmental Protection Act” etc. What is to stop someone who owns 6000sq meters from simply breaking into parcels say about 1000sq m to develop/clear one or two at a time, thereby sidestepping this requirement?</p> <p>Would it not be better to identify what is regarded as valuable vegetation on privately owned land based on the information in the Denmark Greening Plan, or as suggested in Strategy c, and then require permission to clear it?</p> <p><u>4.9 Rural land – Subdivision and Development</u>  <i>Strategies</i></p> <ul style="list-style-type: none"> <li>a. To identify future residential and rural small holding development in appropriate areas which balances the need for growth and the need to protect areas of significant environmental or agricultural values. Who decides what is significant? Will “need for growth” have a tendency to win out?</li> <li>c. To ALLOW rural residential and rural small holdings developments to utilise on-site rainwater tanks (92.000 litres) and not require connection to a reticulated water supply system. Should wording be changed to “REQUIRE” as in Implementation # 5?</li> <li>d. and Implementation #7 Bush fire clearing gone overboard? There will be no remnant veg left! Or perhaps some areas are simply not appropriate for development?</li> </ul> <p><u>4.10 - Transport</u>          Objectives first dot point. We highly commend the provision of shared paths but hope they are not only concentrated on ‘town centre’, but other urban nodes. For example, we appreciate the path to Ocean Beach, which is well used.</p> <p><i>Strategy a: re northern link road</i>          While we are not necessarily opposed to another bridge across the river, we are not convinced this road needs to take the route proposed, especially uphill along McIntosh Road. Perhaps this plan is more pain than gain.</p> <p><u>4.11 – Servicing Utilities</u>          Objective – Ensure the timely provision of new infrastructure which meets SUSTAINABLE principles to service the utility demands of the growing Denmark community and to PROTECT the water resources.</p> <p>The continuously expanding need for water resources doesn’t appear to be sustainable, especially in light of declining rainfall. Lobby State government to change the charter of the Water Corp so that residents can only expect a limited provision of scheme water and that they must be self-reliant beyond a given level of usage (except in dire</p>	
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		<p>situations such as fire).</p> <p><i>Strategies</i></p> <p>d. To support the extension of the reticulated sewer system to OPEN UP new residential development areas and to infill existing development areas.</p> <p>Concentrate on areas immediately around the river and inlet. Otherwise bring in provision for encouraging use of water-less toilets and other water saving strategies.</p> <p><u>Page 65 5.2.3 Rainfall and Climate Change</u></p> <p>Fails to note that Denmark Shire has already had a significant drop in annual rainfall since the mid 1970s. This is an important fact to be aware of when planning for future development and water conservation becomes a critical planning priority.</p>	
P42	<p>Timothy Sinclair PO Box 615 DENMARK WA 6333</p>	<p><u>East West Road Link</u></p> <p>The east west road link will negatively impact on our family's life here in Denmark (own/occupy 278 East River Road). We built our familys house ourself, over many years, and chose a quiet rural location with a no through road to raise our family. Our 3 children, at present safely walk and ride up and down East River Rd to and from the school bus, which they can't do with a road link! They regularly ride bicycles and ponies west along East River Rd safely, there they continue along the river trail to town safely. Our family regularly use this walk trail to town safely without having to be concerned about vehicles, which we won't be able to do with a road link! Our family's lifestyle and choices will be seriously, negatively impacted on. We believe our children's safety and lifestyle is at risk if you consider this road link. The walk trail along the river is a peaceful and beautiful experience, especially the west end of East River rd with some of the largest trees you will see this close to town.</p> <p>A lot of people use this trail from town and end up at the western end of East River Rd. They all say how beautiful and fortunate we are to have this asset. During peak tourist periods the walking traffic along this trail is significantly increased - what asset to lose to vehicles at a time when we are all encouraged to be more physically active, and socially aware of our environment. Surely there is a better solution than this.</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p>
P43	<p>Joanne Sinclair PO Box 615 DENMARK WA 6333</p>	<p><u>East West Rd Link</u></p> <p>My husband &amp; I started a family on East River Rd (property is 278 East River Road) with the knowing that it was a quiet place for the children to grow up. We have planted hundreds of trees on the southern boundary, my son lives up there in his own little dream world making cubbies and saving the world. My daughters have lots of farm animals in the southern paddock which they play with and take for walks on the road without have to worry about vehicles. We have put a lot of time &amp; money in over the past 10 years to make this lifestyle for us and our family. One road would make the world of difference to that!</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p>



		<p>There is a peaceful trail along the river at the end of our road. That trail you can walk to town, pony club &amp; picnic by the river, where kids play. There is a huge amount of beautiful trees in that natural bushland with wildlife. Maybe someone in your planning office should take the time to walk along.</p> <p>Putting a major intersection at East River/Mt Barker road you will have to look at the peaks in the road to your right &amp; left. Trucks and more traffic with a children's school bus stop sounds like an accident waiting to happen.</p> <p>The value of our property will decrease dramatically. Maybe you could look at putting it were already developed properties will not be affected.</p>	
P44	Sharon Jackson 16 Ravenhill Heights DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P45	Janet Perkins 7 Weedon Hill Road DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P46	Trent & Michelle Moore 9 Marlow Road DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P47	Joanne Svagelli 10 Jack Ricketts Drive DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P48	R Winter PO Box 607 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P49	Catherine & Bernard Martin 28 Wishart Place DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P50	Lesley Howells PO Box 610 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P51	Michelle van Ravenstein PO Box 572 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P52	Cherie Smith 10 Agnes Close DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P53	Elizabeth & Keith Da	Refer Submission P17	Noted – refer comments and associated recommendations in

	Silva PO Box 501 DENMARK WA 6333		Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P54	AB Rowland 623 Scotsdale Road DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P55	Jayne Taylor C/- Bowbridge Roadhouse DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P56	Alan & Liz Bennett 14 Dunskey Place DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P57	Gina Donnelly 5 Barrett Heights DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P58	Gavin & Karen Heseltine 53 Bracknell Cres DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P59	Neville Blampey 5 Jack Ricketts Drive DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P60	Dawn Barrington 13 Kemsley Place DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P61	Peter Campbell 33 Mt Shadforth Rd DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P62	Deborah Monaghan 4 Agnes Close DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P63	Martine MacDougall PO Box 475 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P64	Lisa Nicholson & Chris Surman 604 Ocean Beach Rd DENMARK WA 6333	<u>Use of Mitchell Street Properties for Commercial Purposes</u> Refer Submission P17  <u>Proposed Northern East – West Link Road</u> The preferred alignment discussed, if developed would change the inherent environmental and aesthetic values of McLean Rd, Mt Shadforth Rd and Cussons Rd as they currently exist.	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> </ul>

		An important part of the value of living in Denmark is that there is one main highway which passes through the town centre. This means that traffic flows through our retail hub (good for business) and leaves the more quieter more meandering back roads for the enjoyment of residents and tourist traffic which is happy to go slow and enjoy the view.	
P65	Julie Tulip 38 Bracknell Cst DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P66	Murray Brooker 283 Mt Lindesay Rd DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P67	Hayley Murphy PO Box 515 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P68	Ary Clarke 50 Buckley St DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P69	Pat Ricketts 53 Marlow Rd DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P70	Ann Richardson- Newton PO Box 699 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P71	Margaret Holmes PO Box 244 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P72	Jenni Harrison 27 Bambrey St DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P73	Stuart Klose 8 Rushton St DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P74	Simone Mitchell Po Box 452 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P75	Helen Leahy- Norwood 240 Ocean Beach Rd DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P76	Edith Lehmann	Refer Submission P17	Noted – refer comments and associated recommendations in

	6B Rushton St DENMARK WA 6333		Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P77	Gabrielle Cherry 21 Hardy Street DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P78	Rosalie Nekel 49 Gilge Rd LOWLANDS WA 6330	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P79	Emma-Lea McKay Lot 54 Happy Valley Road DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P80	Robert & Sophie Harrington PO Box 588 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P81	Fiona Prothero 9 Heather Rd DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P82	Steve & Gina Spencer 16 Harlequin St DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P83	Robyn Grey Principal Denmark Primary School c/- Mitchell St DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P84	Michelle Ryan 17 Clarke Close DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P85	Scott Smith PO Box 753 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P86	Maureen Collis 17 Coughlan Grove DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P87	Hollie Lindroth 3 Harlequin St DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P88	Steve Bookham 87 Scotsdale Rd DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .

P89	Michelle Pass 24 Bracknell Cres DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P90	Melinda Dodd 14 Mitchell St DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P91	Multi-signatory submission (32 signatories) – no details provided as to who organised submission	As a resident of Denmark I object to the rezoning of residential streets to commercial. <ul style="list-style-type: none"> <li>• The proposed rezoning of Mitchell and Brazier Streets will compromise the safety of the children attending the primary school. The Department of Planning’s Transport Assessment Guidelines for Developments clearly states that “The ability of children to assess dangers relating to vehicles’ speed and direction are significantly under-developed. They have extreme difficulty in crossing roads safely”. They do not recommend commercial developments near schools.</li> <li>• We will lose the village aesthetics.</li> <li>• We will lose Neighbourhood Watch.</li> <li>• We will lose much needed housing in the town centre for elderly and those who do not drive.</li> <li>• We will gain nothing.</li> </ul>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P92	Mrs Edith Amy Chandler PO Box 560 DENMARK WA 6333	I am writing to object to the back gardens in Mitchell Street being re-zoned to commercial use. I have several reasons for my objection: <ol style="list-style-type: none"> <li>1. There are 13 residents of Mitchell Street who regularly use the back lane thus providing neighbourhood watch for Tyre Power, the car wash and St Mary’s Church. This will be lost if the area is converted to commercial properties.</li> <li>2. By surrounding the Church with commercial businesses you will isolate the church from the community.</li> <li>3. The Local Planning Strategy mentions moving the hardware store, Tyre Power and the car wash to a service park. If the reason for wanting to rezone the Mitchell Street gardens is to allow a huge big development on this site it could potentially adversely affect the church. It could cause noise, rubbish on church land and compete with the church congregation for parking.</li> <li>4. The Mitchell Street land will not be subject to “strict design guidelines”, as the South Coast Highway is, it could be used for all sorts of commercial ventures which could be wholly unsuitable to have next to a church and over a fence from residents.</li> </ol> <p>I trust you will take my concerns into account when you decide on the Local Planning Strategy.</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P93	Monica Boyes 20A Rockford St DENMARK WA 6333	<u>Catholic &amp; Historic Precinct</u> It would be detrimental to change the present situation along the back of Mitchell St. Laneways are not meant to be roads for general public & because of the church & current businesses insitu we do not want to change the status quo.	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P94	Ian Conochie	Generally speaking, I support the Draft Planning Strategy. A great amount of thought	<ul style="list-style-type: none"> <li>• The recently advertised draft State Planning Policy 2.5 and</li> </ul>

<p>9 Bell Road DENMARK WA 6333</p>	<p>and work has gone into it with a view to coping with population increase yet endeavouring to preserve Denmark's village ambience. Congratulations!</p> <p>However, as a founding member of The Wolery Ecological Community Inc, a Multiple Occupancy (MO) development based on Loc 2005 Bell Road, Denmark since mid 1978 (that is 33 years ago), <u>I urge you to retain Multiple Occupancy Zoning as a land use option within the Planning Strategy.</u></p> <p>The sections of the Draft Planning Strategy which concern me are:-</p> <ul style="list-style-type: none"> <li>• <u>6.12.4</u> Rural – Multiple Occupancy Zone: The use of Multiple Occupancy lots has also lost favour with the Shire of Denmark as they have been known to cause administrative issues with property rates and lack of maintenance of common property (e.g. clearing of firebreaks and management of fuel loads).</li> <li>• <u>6.12.5</u> Planning Implications: Review the Multiple Occupancy zone with a view to removing the zoning from the Scheme.</li> </ul> <p>With regard to the complaints about MO listed in 6.12.4, I must point out that, since its establishment a third of a century ago, The Wolery has never defaulted on payment of Shire rates, has never received a complaint about management of its common property, has always maintained necessary firebreaks and has kept fuel loads low. In fact, some years ago we invited fire officers to our property for their advice and we carried out their suggestions. They pointed out that the private road that we have constructed through our land is now regarded as part of a regional firebreak. They were happy with our fire control organisation – our regular fire drills, our fire fighting trailer with tank, hose and pump, and especially our dedicated pipeline providing water under gravity from a dedicated dam to an upstand for rapid filling of tanker trucks. [Note: Over the years we have effectively participated in extinguishing two bushfires on a neighbouring rural property].</p> <p>I haven't visited any other MO in Denmark but I heard of one that broke up and which did give some concern to the Shire. When that MO failed, the four involved families applied for subdivision. It is understandable that the Shire Council might have seen this as a backdoor way of getting a subdivision on rural land.</p> <p>Rather than deleting Multiple Occupancy Zoning on the grounds of a few small failures (after all, Denmark has a very long history of failed rural enterprises, as well as fire break and fuel problems in rural areas, yet those land-use options are still retained), I suggest that the Shire's Councillors, CEO and Planners arrange to visit The Wolery and discuss with us our policies and organisation. It should then be possible for planners to <u>draw up appropriate guidelines and requirements</u> designed to ensure that Multiple Occupancy, if granted, is likely to succeed.</p> <p>In 1978, The Wolery MO was approved by Cyril Rushton, Minister for Planning , and</p>	<p>Development Control Policy 3.4 have proposed rural stratas – being defined as “a concept which involves subdividing a rural property into a number of residential strata lots, with the balance of the property being retained and operated as a farm. The farm is generally owned and operated by the owners of the residential lots”.</p> <ul style="list-style-type: none"> <li>• In light of this draft position by the WAPC and the submission comments received, it is recommended that the draft LPS be modified to recognise that support for this form of development is forthcoming from the Shire (noting Council's general support for the draft Policies as per Council resolution 120511 from the Ordinary (Decision Making) Meeting of 24 May 2011).</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Modify the draft LPS as required to reference support for Rural Multiple Occupancy proposals as per draft State Planning Policy 2.5 and Development Control Policy 3.4.</li> </ul>
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		<p>then, in the mid 1980s, the Wolery was visited by David Carr, Town Planning Commissioner, Margaret Feilman, Chairperson of the Town Planning Board and Planner of Kwinana New Town, plus several staff members. They were on a fact-finding mission prior to the introduction of Strata Titling on rural land. After a tour of our property, they came to Enid's and my house where, over afternoon tea, they asked lots of questions and perused our constitution. They left feeling very happy at what they had seen, as exemplified in the parting words of David Carr, "Don't ever consider strata titles as you would lose the wonderful community that you have here".</p> <p>Also in the 1980s, at our invitation, the whole Denmark Council inspected our property with its owner-built, Shire approved houses and they seemed quite happy with what they saw.</p> <p>The lifestyle here on The Wolery is akin to that of a large extended family, or a 15 dwelling hamlet where everyone knows each other and shares an environmental outlook. Our house and Community Centre sites, totalling about 4ha, are clustered so as to leave the remaining 56ha available for traditional rural pursuits. The value of our present production of timber, bamboos, fruit, vegies and poultry far exceeds what we used to get from cattle alone. However, we would consider reintroducing beef cattle should prices improve. There is a waiting list of families wanting to join.</p> <p>Apart from a few retirees, Wolery members are employed in Denmark. Also, many members have given freely of their time in voluntary organisations, such as Denmark Arts, Greenskills, Historical Society, meals on Wheels and Denmark Village Theatre. A number of our members were on the committee that saved the Old Agricultural College from demolition and our draftsman member designed its refurbishment. As well as being involved in the above-mentioned organisations, I have personally served on the Shire's Trails and Paths Advisory Committee, the Denmark Land and Conservation District Committee and the then Wilson Inlet Management Authority. It is fair to say that Wolery members are and have been an active asset to Denmark.</p> <p>Multiple Occupancies can and do function happily in all Australian states as in other countries such as England, Germany, France, Denmark (Europe), New Zealand and the USA – to name but a few. In The Wolery, Denmark has a shining example of one of the most successful MOs in Australia.</p> <p>In conclusion: I urge Council to retain Multiple Occupancy Zoning but with guidelines and requirements designed to their achieving stability.</p>	
<p>P95</p>	<p>Keith Simpson 6 Smith Street DENMARK WA 6333</p>	<p>I am a new resident of Denmark, although have been a frequent visitor due to my association with the Old Mill Development and the purchase and forthcoming development of our block/house (proposed Lot 4) and this development.</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> <li>• The LPS has been the subject of extensive community</li> </ul>

		<p>I must compliment the Shire and its officers for the preparation of a well presented Draft Planning Strategy.</p> <p>As in all such document there will always be elements one is not happy about. For us this is the East-West Link Road, particularly in reference to Cussons Road. There are a large number of residential properties along this road, upgrading this would have been a severe impact on these residents, which consider unjustified. I attend the first meeting at the Shire Office for the review/public comment, where feelings where high and volatile over this issue. At this meeting officers explained the rationale behind the 'suggested' route and its overall purpose. Despite comments by these officers, I fail to see how such a route can be seen as a link road as it circumnavigates the town not in fact linking areas whatever label is applied this is a by-pass road. If accepted as such should be located further away from residential areas. I understand that the suggested route was chosen with existing road gazettement and costs in mind. I have driven walked the section through East River Road/old bridge crossing/McLean Road. I am astounded that this route is being considered. The destruction of some of the finest old growth trees in the district is beyond comprehension. Throughout the DLP document there are numerous references to maintaining the integrity, essence and lifestyle of the town of Denmark. The proposed East-West link road is in total conflict of all these ideals.</p> <p>Lastly, I will comment of nature of the 'public comment' and consultation with the residents of Denmark. This has not happened, we are presented with a final document then asked to comment/consult, this should have happened prior to the issue of document. Comments at the Shire Meeting by officers stated an alternate route was received and discarded and commented on by all concerned. The DLP can only be seen as 'fait accompli' in respect of the East-West Road Link.</p> <p>I strongly object to this road alignment, for purely personal reasons particularly in regards to the Cussons Road location.</p>	<p>consultation over many years, with the consultation methods varying throughout the process. The community consultation undertaken on the draft LPS complies with the statutory requirements provided for in the <i>Town Planning Regulations 1967</i>, noting that the Shire has undertaken consultation in excess of the requirements in terms of the advertising period timeframe and consultation mediums.</p>
P96	John Maxwell PO Box 31 DENMARK WA 6333	<p>It was disappointing that there was no initial consultation with the ratepayers or private individuals throughout the Shire. It was also disappointing that the strategy was presented to the meetings in such a way which gave the feeling that this was "it" and there was minimal avenue for changing the draft.</p> <p>Why was there no initial consultation with interest groups under your headings?</p> <ol style="list-style-type: none"> <li>1. Future housing needs/locations &amp; type &amp; intensity of housing needs – affordable housing.</li> <li>2. Commercial Development – the need to spread out or retain the "Denmark Theme".</li> <li>3. Education – there was evidence during the meetings of confusion over the Ag College future/role.</li> <li>4. Road Link – one option only given. The Southern option was not indicated.</li> </ol>	<ul style="list-style-type: none"> <li>• The LPS has been the subject of extensive community consultation over many years, with the consultation methods varying throughout the process. The community consultation undertaken on the draft LPS complies with the statutory requirements provided for in the <i>Town Planning Regulations 1967</i>, noting that the Shire has undertaken consultation in excess of the requirements in terms of the advertising period timeframe and consultation mediums.</li> <li>• All advice about the community information sessions clearly referenced that they were to inform the community about the purpose and role of the draft LPS and the key issues.</li> </ul>
P97	Gerard Nice	<u>Additional East-West Link Road</u>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated</li> </ul>



	<p>PO Box 233 DENMARK WA 6333</p>	<p>I submit that McLean Road should not be used as the Link Road (By-Pass).</p> <p>McLean Road between the new Water Corporation access gate and my gate should be a Fire Strategic Access only Road. With reserves on the north and east sides making this an extreme fire risk area.</p> <p>The proposed Link Road would greatly increase the risk of fire danger and a potential life threatening situation to the entire town.</p> <p>With the Kearsley Road development connecting to Lanksi Road there is no reason for McLean Road to be used as I am the only resident who needs access to this area around the reserves.</p> <p><u>Residential Expansion Areas – Denmark Townsite</u> The current LPS Urban Area Plan 2 (June 2011) shows my property (82 McLean Road) as a general agricultural area. I submit that my property is included as a Special Residential Development as adopted by the Denmark Shire in 2006 LPS. Surrounding property owners are also planning to submit the same proposal.</p>	<p>recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</p> <ul style="list-style-type: none"> <li>Having regard to the provisions of Local Planning Policy 28: Settlement Strategy for Denmark, adjoining existing and approved developments and current &amp; draft versions of State Planning Policy 2.5 and Development Control Policy 3.4, it is recommended that the subject land (and other lots to the west bordered by McLean Road and Mt Shadforth Road) designation of ‘General Agriculture’ be amended to ‘Rural Residential’.</li> </ul> <p><u>Recommendation:</u> Modify the designation over Lots 20, 21, 351, 353, 356, 631 and Pt Lot 355 from ‘General Agriculture’ to ‘Rural Residential’.</p>
P98	<p>Owen Christopher Williams 192 Mt Shadforth Rd DENMARK WA 6333</p>	<p><u>Residential Expansion Areas - Denmark Townsite</u> I submit that my property (192 Mt Shadforth Rd) be included as a Special Development as per the Denmark Shire 2006 LPS.</p>	<p>Having regard to the provisions of Local Planning Policy 28: Settlement Strategy for Denmark, adjoining existing and approved developments and current &amp; draft versions of State Planning Policy 2.5 and Development Control Policy 3.4, it is recommended that the subject land (and other lots to the west bordered by McLean Road and Mt Shadforth Road) designation of ‘General Agriculture’ be amended to ‘Rural Residential’.</p> <p><u>Recommendation:</u> Modify the designation over Lots 20, 21, 351, 353, 356, 631 and Pt Lot 355 from ‘General Agriculture’ to ‘Rural Residential’.</p>
P99	<p>Terri Kebblewhite 26 Mitchell St DENMARK WA 6333</p>	<p>As a resident of Mitchell St I do not wish to lose my neighbours or neighbourhood. The idea of living in a commercial precinct is horrifying.</p> <p>Since I have been living here in this Homeswest house the area around Mitchell St has changed considerably – moved here Aug 2007. The car wash backs onto the Homeswest property I live in. We are impacted by the noise of pumps and vacuums. Impacted negatively by detergent filled spray drifting across our yards.</p> <p>Then the quaint historic Murphy’s shed has been taken over by Southern Streeters Car Club where they do repairs and sales of vehicles. The negative impact in our community from this mechanic/spray painting sales yard is high. Not only have I complained to Council previously about the loud revving of the motors late at night – 11pm some nights. There are environmental impacts being noticed by the spilling of motor oil on the paths and roads outside Murphy’s Shed. This building is opposite a Primary School</p>	<p>Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</p>

		<p>where the traffic, both pedestrian and vehicular is chaotic twice a day. At 9am &amp; 3pm there are cars, kids and parents on masse all over this area. The mechanics working in there cause much noise making it difficult for children crossing the road to hear traffic movement.</p> <p>The smell of the fumes is unfiltered and possibly dangerous and the drift from spray painting is not contained and is very dangerous. The vehicles that are advertised for sale are left on the corner of Short &amp; Mitchell St making vision on that corner difficult.</p> <p>Another change has been the big brown Mechanics shed in Mitchell St opp CWA hall. It is an ugly building with high fences. Both these mechanical businesses should be located in the industrial area.</p> <p>The parking in Mitchell St is at a premium - the shoppers have a hard time parking in town as it is. Council is considering moving heritage buildings to accommodate parking while at the same time allowing industrial sites to take up space in town. This does not make any sense.</p> <p>The other concern regarding this encroachment into our residential neighbourhood is the Mitre 10 store on the corner of Mitchell, Offer and Ocean Beach Rd. As the owners of this store and surrounding land have family currently being President of the Shire Council, I feel it is a conflict of interest and not a transparent process. The Thornton family to my knowledge owns Mitre 10, the house next door in Mitchell St, the land the Caltex is on and the land Tyrepower is on.</p> <p>Rumour has it that Caltex / Tyrepower will be moved to the corner of Denbarker Rd &amp; Hwy and that Bunnings may become the owners of that area where Mitre 10 is now.</p> <p>The house at the end of Mitchell St has already had its rear yard fenced off and Mitre 10 has extended its outside bay area. This has a big impact on the next house. The visual pollution from now looking into a commercial business is apart from awful, very devaluing of the owner's property values. The noise of forklifts, delivery vehicles and customers is a lot closer, so much noisier.</p> <p>I submit to the Council there be no commercial status put on this street. It is opposite a Primary School and has residential households with families living in Mitchell St. To have it commercial devalues our lifestyle, home values, safety of school students, staff and parents and residents.</p>	
P100	Stephen Cottam 28 Mitchell St DENMARK WA 6333	I am strongly against the rezoning of my land (28 Mitchell Street, Denmark) for commercial gain. It has been suggested that land included in this rezoning will be used for 'passive storage'! There is no such thing as passive storage - noise and disturbance generated by storage activities has already had a negative impact on residents of	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .

		<p>Mitchell Street which adjoin commercial ventures.</p> <p>Extra car parking space is another suggestion. Parking facilities could be found on commercial properties along the South Coast Hwy.</p> <p>Members of the Shire Council, and this includes the CEO, have already stated in a recent public meeting that the building of a car wash in close proximity to residential properties was a mistake. It took me 2 years of correspondence to the Shire to force the owner of the car wash to <u>reduce</u> spray drift from his commercial venture.</p> <p>I have no confidence that future commercial ventures, storage facilities, car parks etc will operate without having a negative impact on surrounding residential properties.</p> <p>I also fear that the Shire will make yet another irreversible mistake if this plan is allowed to go ahead.</p>	
P101	Dawn Cottam 28 Mitchell Street DENMARK WA 6333	<p>I am writing to object to the back gardens in Mitchell Street being re-zoned to commercial use. I do not know of another incidence anywhere where someone's back garden has been commandeered by the Council of the day. Considering the Shire President and his brother own three of the four commercial properties in the block that incorporates Mitchell Street and South Coast Highway I see this as a gross abuse of power. The Draft LPS (Local Planning Strategy) has misled both the Denmark community and the WA Planning Department. It shows the gardens as a sizable block when the reality is the first garden on Short Street is not subdividable due to its size and the third garden is in fact State Housing land with two dwellings on it. There are only two houses which have back gardens adjacent to each other. The other misleading comment in the Draft LPS is that the land is to be used for passive storage and car parking. The reality is the land would be zoned commercial and once that happens the Shire and the planning department will be unable to control what commercial venture will be installed on site as happened with the car wash. There is no mention of "strict design guidelines" so any commercial venture could use the land. Even with the "strict guidelines" you were unable to stop a car wash setting up which does not adhere to any of the guidelines.</p> <p>The Councillors and the planning department are very aware of the conflict that is caused when there are no buffer zones between residential and commercial properties. Take the example of Mr &amp; Mrs Blackman who live at 34 Mitchell Street, when Murray Thornton removed the fence and vegetation from his property 36 Mitchell Street, and exposed the full might of his hardware store on the Blackmans. He instantly destroyed their visual view, exposed the full extent of the forklift noise and has consistently stored goods next to their property despite being told he was not allowed to do this by Council officers. They are powerless to make him put the fence and screening vegetation back and will be powerless in assisting the Mitchell Street residents, if this plan goes ahead,</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .

		<p>with their inevitable problems with other commercial property owners. The back lane provides the rest of Mitchell Street residents a buffer between them and the commercial ventures.</p> <p>What happened to the vision statement of “Character and lifestyle sustained through careful planning” and “a caring, cohesive community”? There has been a negative lifestyle change for the Blackmans since Murray Thornton tore down his fence and not much caring. Do we all have to go through the same type of battles with the Shire that we had to go through with the car wash again? With new commercial ventures being over the fence we will undoubtedly have problems with noise, visual and light pollution? The Draft LPS comments on moving the hardware store, Tyre Power and the car wash to a service park. Has somebody already done a deal with some consortium on the assumption of gaining commercial zoning on my land? Why do you need my back garden if these commercial ventures are to be moved to a service park? Can you tell me of any other time that you have annexed someone’s back garden for commercial use in Denmark? Are we being made to pay because the hardware store has been allowed to expand without making proper provision for their parking needs? I have many questions and I hope you have suitable answers. I will pursue this matter further if Council goes ahead with their plan to re-zone my garden as I believe it stinks of corruption at the highest levels.</p>	
P102	Terence Quinn 27 Inlet Drive DENMARK WA 6333	<p>Address affected: St Mary’s Catholic Church, South Coast Highway. It would appear that the guidelines have not been enunciated or this proposal, as have been for South Coast Highway proposals.</p> <p>What in fact would we have? Sex shops – Barbagellos – Knock shop.</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P103	WP Chandler PO Box 560 DENMARK WA 6333	<p>I object to the proposed rezoning of land in Mitchell St for the following reasons:</p> <ol style="list-style-type: none"> <li>1. Churches and schools should not be mingled with unspecified business uses.</li> <li>2. Commercial and industrial uses should be separated from the main residential areas. Similar rezoning in other towns have resulted in the proliferation of brothels, massage parlours etc.</li> <li>3. Such development should be to the south in the vicinity of the Shire Office.</li> </ol>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P104	Sophia Sharpe 81 Scotsdale Road DENMARK WA 6333	<p>Whatever term is used to describe this road (e.g. Link Road) it will have traffic wishing to bypass our town. We are right to plan for the future needs of Denmark but the location of this road seems to ignore the beauty that will be lost with magnificent karris and bushland lost. Take the time to look at one of these giant trees, really look at it – how long it has been there growing strong. A symbol of our town, perhaps. There trees are unique to our region – any one of them lost, to be replaced by a road, is a tragedy. The powers that be need to respect our environment and the health benefits that flow from living here amongst it all. Our children, who are fortunate to go to school at Golden Hill Steiner School, would rather have a safe pathway on Scotsdale Road to walk to ride to school, not another unsafe heavy usage road to be mindful of. Please reconsider.</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .
P105	Bruce Smith	Overall this is a well written and informative document.	<ul style="list-style-type: none"> <li>• Acknowledged – a review of the ‘Future Residential’</li> </ul>

	<p>84 Scotsdale Road DENMARK WA 6333</p>	<p><u>Aged Care:</u> There is a lack of attention to this topic in the document, considering the number of retirees now living in the town. The inherent infrastructure required for nursing homes and the like does not excuse the Shire Planning omission.</p> <p><u>East West Link Road:</u> I support Mr Fleming’s submission regarding the lack of consultation (expressed at the recent meeting). I request that the planning document comments on proposals <u>be suspended</u> until a more detailed investigation of the Link Road is carried out and bounced off the public and ratepayers in a respectful manner.</p> <p>All alternatives should be listed with their benefits, side effects and costs, safety etc, noting that in the vicinity of my property (84 Scotsdale Road) it may become busier with the link road over East River Bridge.</p> <p>The basic premise that growth will mostly occur north and east of the town is not entirely true.</p>	<p>strategies and objectives identifies that specific consideration has not been given to aged housing. It is therefore recommended that an additional strategy and objective be included to address the issue of aged housing.</p> <ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Add the following to Part 1 Section 4.1 Future Residential: <ul style="list-style-type: none"> <li>○ Strategy: Support the development of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> <li>○ Objective: Council support private and public developments of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> </ul> </li> </ul>
<p>P106</p>	<p>John Schindler PO Box 574 DENMARK WA 6333</p>	<p><u>2.0 Vision</u> The Shire of Denmark’s 20 year vision for the Shire lists five items. The Natural Environment is not included in this list and I think that this is an omission which should be corrected.</p> <p><i>Environmental Planning and Management</i> It is true that Denmark environmental groups have been active and successful in creating greater awareness of environmental issues and this makes it important for the protection of the natural environment to be included in the vision statement. There is still a long way to go in creating greater awareness of environmental issues among shire councillors.</p> <p><u>4.1 Future Residential</u> <i>Objective</i> Why has the townsite east been chosen as a node for long-term residential expansion of the townsite? This area is some distance from the town and so will require many of the residents to use their cars to get into town.</p>	<ul style="list-style-type: none"> <li>• This is as per the Council’s current Strategic Plan which was adopted in 2006, thus cannot be amended</li> <li>• Noted.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>‘Future Urban’ Designation Over Agricultural College Land</i>.</li> <li>• Noted – infill and consolidation is promoted strongly in the draft LPS.</li> <li>• The ‘Mixed Business’ area, proposed Service Park and proposed Industrial Area east of town are all to serve different purposes/functions as referenced in the draft LPS.</li> <li>• Design guidelines should be provided to ensure appropriate development having regard to the character of Denmark whilst balancing commercial need and building requirements.</li> <li>• The ‘Mixed Business’ area, proposed Service Park and proposed Industrial Area east of town are all to serve</li> </ul>

	<p><i>Strategies</i></p> <p>a) The townsite east site is listed first and will not be required during the twenty year period covered by this draft local plan. It would make more sense to concentrate on developing the areas closer to town. This would minimize the cost of services such as roads, water, power etc. Due to the proximity to existing serviced areas.</p> <p>e) Promoting the infill development of existing large lot residential zoned area close to town is a good policy. Why create more large lots that will need to be in filled in the future due to growth of the area close to town?</p> <p><u>4.2 Future Retail</u></p> <p><i>Objective</i></p> <p>Why have a separate Service Park and an Industrial Park? The proposed areas are located some distance from town and will require residents to use vehicles to reach these areas. Providing services such as roads etc. To areas this far from town will be expensive.</p> <p>b) What does this mean? Does this mean more car parks or does it mean more pedestrian areas, footpaths and cycle ways?</p> <p>c) What is meant by traditional design ethics of the town centre? Hopefully it will mean that no buildings similar to the present Super IGA will be allowed.</p> <p>h) Service park Site to accommodate hardware shops and showrooms, nurseries etc. Under 4.3 Future Industry it is mentioned that the Shire may relocate its depot to the new industrial area and encourage Main Roads Dept. to relocate. It seems that we will end up with businesses in the area presently named the Light Industrial Area, the new Service Park and the new Industrial Area. What are the advantages of locating businesses in three widely separated locations?</p> <p>9) It would be desirable for the Council to require the ‘Service Park’ to be self sufficient in water by requiring rainwater to be harvested and used by the businesses. Rainfall in Denmark is sufficient to allow sufficient water to be collected from the roofs for the businesses in the park. Composting toilets should be required so as to make sewerage unnecessary.</p> <p><u>4.3 Future Industry</u></p> <p><i>Strategies</i></p> <p>c) Does this mean that the earthmoving contractors on Inlet Drive and Ocean Beach Road will relocate to the new industrial area? If they relocate then will this mean that heavy truck use of major tourist and residential roads will be greatly reduced.</p> <p><i>Implementation</i></p> <p>4.3.2 Is Council already engaged in negotiations with the State and the Board of the Ag College?</p> <p>3) It would be advisable for the shire to encourage the future industrial area to</p>	<p>different purposes/functions as referenced in the draft LPS.</p> <ul style="list-style-type: none"> <li>• Securing scheme water supplies is paramount as well as looking at other water source avenues for potable and non-potable usage that may be available – i.e. rainwater tanks, grey-water usage etc. Council has a current Local Planning Policy that encourages such initiatives (i.e. is not a mandatory requirement at the moment).</li> <li>• Once the industrial area is established, businesses of this nature will be encouraged to relocate – noting some of these businesses have conditions on their current approvals referencing the need to relocate in due course.</li> <li>• The Agricultural College has previously agreed to relinquish some land for the proposed Industrial area.</li> <li>• Reference to ‘promote partnerships in subdivision and development of the new industrial park’ means that the Shire is recognising it may have limited capability (staffing and finances) to be the developer of the new industrial park, however is keen to retain a development relationship to ensure the outcomes sought by the Shire are achieved.</li> <li>• Noted – site identified for industrial area has been the subject of extensive analysis, with the site chosen being the most suitable.</li> <li>• Noted – however is also noted that the tourism profession cannot come up with a definitive definition themselves; that is they allow each proponent to demonstrate how they consider their development proposal and/or operations from an ‘eco-tourism’ perspective.</li> <li>• Noted – to be managed through management plan and development plan processes, recognising the importance and value of the surrounding natural environment.</li> <li>• A sustainable approach from a landuse planning perspective is supporting land-use planning outcomes that have regard to ensuring economic, environmental and social developments go hand in hand with the aim of providing for ‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs’.</li> <li>• Noted – trails would be included within parks &amp; reserves and/or foreshore access references. Promotion of use of the Bibbulmun Track, Munda Bididi Trail, Mokare Walk Trail, the Heritage Rail Trail and other trails within the Shire is provided for in Part 1 Section 4.5 Community, Education,</li> </ul>
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		<p>become self sufficient in water. Many of the building will have large roof areas which could be used to capture rainwater. The use of composting toilets would reduce water use and reduce the danger of polluted water entering Wilson Inlet.</p> <p>4) What is meant by promoting partnerships in the subdivision and development of the new industrial park?</p> <p>Would it not be better to locate the future industrial area north of the proposed service park? This would make it cheaper to connect to the power supply. By locating the industrial area under the flight path of the Denmark airfield, aircraft noise would be less disturbing in an industrial area than in the housing area proposed north of the service park.</p> <p><u>4.4 Tourism</u> <i>Objective</i> What is meant by the term “Eco-Tourism”? Does it have a meaning or is it just a “buzz word” that can be used anywhere? It would be good if the Shire would decide on a definition of the term that would be understood in Denmark. How can the Shire propose to support eco-tourism if the term does not have a definable meaning?</p> <p><i>Strategies</i> Tourism development nearly always results in some destruction of the natural environment e.g. construction of roads, car parks, toilet blocks, paths, viewing platforms, steps, barbeques, fire breaks, fuel reduced buffer zones etc. How will this be managed to ensure that there is still enough of the natural environment remaining to attract tourists?</p> <p>c) There seems to be no definition of the term ‘Eco-tourist’ so how can the shire support this sort of development?</p> <p>d) Investigate us of small shuttle buses as used in parts of Tasmania (Cradle Lake), the UK and Europe. Their use greatly reduces the need for more roads and more parking areas. Tourists see more of the scenery as they are not driving, greenhouse gases are reduced and safety on the roads is increased as there are fewer vehicles.</p> <p>e) What is a sustainable approach? This term means different things to different people and has become meaningless; it is just another ‘Buzz’ term. How can the Shire encourage a development with a meaningless approach?</p> <p>How will the growing tourist industry protect the local community environment? (Does this mean the natural environment or some other environment?)</p> <p>h) Accommodation requires power, water, access roads, toilets etc? Provision of the above services will probably be done at the expense of the natural environment so there will be less reason for tourists to visit the area. Accommodation must be protected by fuel reduced buffer zones and fire breaks etc. which all require damage to the natural environment. How can this be called ‘low key’?</p>	<p>Cultural &amp; Heritage Strategy f).</p> <ul style="list-style-type: none"> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted – this was the purpose of designating an ‘Education Precinct’ recognising multiple education needs can be accommodated within a precinct.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled ‘<i>Future Urban’ Designation Over Agricultural College Land.</i></li> <li>• Redevelopment could mean alterations, additions and/or demolition.</li> <li>• Landscape and biodiversity values are important and through appropriate planning processes can co-exist with development.</li> <li>• Structure plans, rezoning proposals and subdivisions approvals are considered by all relevant government departments having regard to respective interest areas, with the Shire and the WAPC being the determining bodies providing a balanced outcome.</li> <li>• Refer comments provided above in relation to sustainability.</li> <li>• Impacts of climate change will be considered as required/relevant – i.e. impacts of sea level rise determine factors like minimum floor levels and coastal setbacks, thus as data comes to hand planning processes are to accommodate accordingly.</li> <li>• This strategy would generally refer to larger pockets of remnant vegetation and not indicate that every individual tree should be retained.</li> <li>• For those areas determined as being appropriate for vegetation retention, such retention could be addressed via a number of mechanisms – for example planning scheme provisions, delineating the area as public open space etc.</li> <li>• Noted – modification is proposed to change wording to ‘Use’ rather than ‘Consider’.</li> <li>• Noted.</li> <li>• It should be noted that DEC regulations have exemptions for isolated clearing proposals as long as they generally do not exceed 1ha over a period of 12 months.</li> <li>• Note.</li> </ul>
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	<p><i>Implementation</i></p> <p>3) Why are our scenic paths and trails not included in this list?</p> <p><u>4.5 Community, Education, Cultural and Heritage</u></p> <p><i>Objectives</i></p> <p>Supporting the establishment of Community Gardens has been proved to be a good way of encouraging residents to socialise in their area.</p> <p>A swimming pool and hydro-therapy pool would indeed be an appropriate facility for the aging population.</p> <p>Trees and forests have great heritage value and more measures should be taken to protect them. New roads, car parks and buildings cause permanent damage to these heritage values.</p> <p><i>Strategies</i></p> <p>a) and b) Why not encourage the sighting of a future primary school adjacent to the existing high school with a long term view of following the example of Mt Barker in having the school located in the same area?</p> <p>c) How does this fit in with the proposal to take over large areas of the Agricultural land for residential and commercial use?</p> <p>g) What does redevelopment mean?</p> <p><u>4.7 Natural Resource Management</u></p> <p>How will remnant vegetation and area of high value biodiversity be protected?</p> <p>Who will ensure that the impacts of development and human recreational activity on the environment be understood? Who will monitor the implications for the natural and built environment? What is meant by ‘Development’?</p> <p>The task of limiting the risk to life and property from bush fire should be carefully considered before any further ‘development’ in the shire. Destruction of large areas of the natural environment is often required in order to protect life and property. Who will decide if this is justified?</p> <p>The effect of bush fire protection will also impact on the visual amenity values.</p> <p>What is meant by long-term sustainability?</p> <p><i>Strategies</i></p> <p>a) How will this be done?</p> <p>b) Does this include protecting the tree on McLean road?</p> <p>e) What happens after the detailed assessment of natural vegetation is carried out?</p>	<ul style="list-style-type: none"> <li>• Refer comments provided above in relation to planning mechanisms available.</li> <li>• Greenfields urban proposals means development of large landholdings for urban purposes.</li> <li>• Implement water sensitive urban design practices means that the stormwater arrangements for new developments should incorporate water sensitive urban design practices.</li> <li>• Noted – refers to private landholdings, thus is relevant.</li> <li>• Refer comments provided in Submission P94.</li> <li>• Not supported – refer comments and associated recommendations provided in the Officer’s Report titled <i>General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations</i>.</li> <li>• Refer comments and associated recommendations provided in the Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Noted – is a reference provided for in Implementation Point 3.</li> <li>• Reference on plan shows support for a path in this vicinity in the future; detailed design work may result in deviations occurring to have regard to on-site conditions.</li> <li>• Noted – there is a modification proposed to designate the existing Primary School site as ‘education’.</li> <li>• Reference to pavement width is a reference to the amount of bitumen road.</li> <li>• Noted - securing scheme water supplies is paramount as well as looking at other water source avenues for potable and non-potable usage that may be available – i.e. rainwater tanks, grey-water usage etc. Council has a current Local Planning Policy that encourages such initiatives (i.e. is not a mandatory requirement at the moment).</li> <li>• Reference to adopting and supporting the buffer is that the area be designated in all planning documents (i.e. Local Planning Strategy and Town Planning Scheme) to ensure due regard is given to appropriate land uses in the general vicinity.</li> <li>• Council has a current Local Planning Policy that encourages the use of alternative energy systems.</li> <li>• Refer comments and associated recommendations in Officer’s Report titled <i>‘Future Urban’ Designation Over Agricultural College Land</i>.</li> </ul>
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	<p>g) I hope that the shire will do more than just consider land use controls.</p> <p>j) This sounds like a good idea, we very much need more people who understand the effects that humans have on our natural environment.</p> <p><i>Implementation</i></p> <ol style="list-style-type: none"> <li>1. Council to require planning applications for clearing of remnant vegetation over 5000 m2. Why set such a high figure on the area for which an application is necessary. Much remnant vegetation will be removed from much smaller areas.</li> <li>2. Management Plans are good, especially if the preparation of the plans is done in consultation with interested members of the community.</li> <li>4. What does facilitate the protection of remnant vegetation mean?</li> <li>7. What is meant by 'Greenfields urban proposals'?</li> <li>8. What is meant by implementing water sensitive urban design practise?</li> <li>17. I thought that much of this has already been completed over the past few years and that the eradication of the pest plants is mainly restricted by the level of funding by the Shire Council.</li> </ol> <p><u>4.9 Rural Land – Subdivision and Development</u></p> <p><i>Strategies</i></p> <p>d. Why will Multiple Occupancy zones no longer be supported?</p> <ol style="list-style-type: none"> <li>1. Rural residential zones should be excluded because they use a lot of resources in order to service a very spread out residential area of houses. The resources used to provide and maintain roads and power are much greater than urban residential sites. The type of lifestyle which involves mowing large areas of grass and which require vehicle use to travel to town should not be encouraged or catered for in the Local Planning Strategy.</li> </ol> <p><u>4.10 - Transport</u></p> <p><i>Strategies</i></p> <ol style="list-style-type: none"> <li>a) What is the problem with using Churchill Road and the bridge over the Denmark River? Churchill Road is well constructed and the bridge seems to be well made and in good repair.</li> <li>b) A cycle plan for the shire needs to be prepared. The existing plan is of very little use for any planning purposes.</li> <li>c) On LPS Plan 2 of the Urban Area is shown a shared path running from east of Poison Point to the mouth of the Denmark River. I think that you mean this is to be constructed sometime in the next twenty years. Has any member of the planning staff walked along this proposed route? If the route of this path is checked you may find that constructing the path will consume most of the shire's budget and cause a lot of damage to the foreshore vegetation.</li> <li>d) On LPS Plan 1 of the Town Centre the Denmark Primary School is shown as an area for Public Use. The High School and Ag College are shown as Educational Precincts.</li> </ol>	<ul style="list-style-type: none"> <li>• Submission points under Section 7.1 and the Conclusion are generally addressed in comments provided above so have not been repeated here.</li> </ul>
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New buildings are still being constructed at the Primary School so it seems unlikely that the Education Department will be willing to close the school in the next twenty years.

*Implementation*

- 3. What is the council overall policy for a network of shared paths and general purpose paths? Does the policy include an inspection and maintenance schedule for the paths?
- 4. What is meant by pavement width?

4.11 – Servicing Utilities

*Strategies*

- b) Why not encourage residents to make more efficient use of the available water by getting the Water Corporation and developers to provide Grey Water systems, Composting toilets and large rainwater tanks? Do not ask the Water Corporation to keep providing an ever increasing amount of reticulated water when we have an ever decreasing rainfall.
- f) What does it mean to adopt and support the buffer area? Does this mean that the shire will have to find the funds to maintain the buffer area?
- g) How will the Shire support the use of alternative energy systems?

6.0 - Monitoring And Review

If the LPS is to cover the future growth of Denmark to 2031 and the Denmark East subdivision is not included in this period then why is it mentioned so often during this draft?

7.0 - Summary of Strategy Recommendations

7.1 Implementation Recommendations

*Future Residential*

- 2. Townsite east mentioned again.
- 3. Townsite east again.
- 5. Townsite east again.
- 15. Require the service park to be self sufficient in water (by harvesting rainwater) and sewerage
- 21. Require the new industrial area to be self sufficient in water by capturing rainwater from each building.
- 54. What are Greenfields urban proposals?
- 76. The Denmark East proposal would seem to fragment a lot of agricultural land. Is this land considered High Quality Agricultural land?

*Transport*

- 92. Why is this included in this plan? The proposed Denmark east development is to

take place outside of the period covered by this plan.  
99. Please lobby the Water Corporation to fund means of reducing water consumption and so render the upgrade of the Denmark Waste Water Treatment Plant unnecessary.  
100. and 101. What is the difference between these two items?

Conclusion

This whole plan is about more of everything except conservation of the environment.

It is about more people, more houses, more shops and businesses, more land clearing, more water consumption, more sewerage connections, more electricity consumption, more roads and more use of the inlet, beaches and the ocean.

I think more thought should be given to allowing the encouraging people to move around without using a motor vehicle. The creation of a Service Park some way out of town and with no footpath or cycleway connecting it to the town will mean that even for small purchases as hand tools or safety equipment or even a tap washer the customer will need to drive out of town to make the purchase.

Why not consider locating the future Industrial Area just north of the proposed Service Park? This would at least avoid having industry spread over three locations; it would also locate the Industrial area under the flight path for aircraft using the Denmark airstrip.

I was very disappointed in the Draft Local Plan which is proposed. There is a great lack of a new way at looking at the problems which may well face Denmark in the future. There seems to be very little Recognition of the possible effects of Climate Change and Oil Depletion on our way of living in the future. We already have a rainfall which is declining at a rapid rate and yet we pass off the responsibility of providing us with water to the Water Corporation. No meaningful effort is made to plan for harvesting our own rainfall and in reducing our consumption of water. Our natural environment is already being destroyed with pressure of increasing human population numbers, and natural resources are being depleted at an ever increasing rate. Allowing the continued release of residential areas with large blocks and then encouraging the infill of these blocks in future years is very wasteful in resources and should no longer be permitted in the plan. Planning for the continued growth of private vehicle use and increasing reliance on imported fossil fuels instead of planning for alternative means of transport is very short sighted.

No steps have been taken in the plan to encourage Denmark to become more self-sufficient by the use and production of foodstuffs in the Denmark area. The plan seems to accept that we should continue to consume bottled water (some of which comes from overseas) although this has been found to be environmentally destructive and totally unsustainable. Provision should be made in the plan for the establishment of

		<p>community gardens to grow and to provide a place for meeting and socialising with others; tis has provided to be the case in Eastern States and in other countries.</p> <p>The frequent use throughout the plan of buzz words such as Eco-tourism and Sustainable Development should be remedied. It is not possible to plan or support words which have no meaning.</p> <p>Will Key Performance Indicators be set as to monitor progress on may proposals in the LPS?</p>	
P107	<p>Trudy Simpson 6 Smith Street DENMARK WA 6333</p>	<p><u>East – West Road Link</u> Although Council assures us that this is not a ‘by Pass Road’, I see no other reason for it’s existence. This road will not connect neighbourhoods anymore efficiently than those roads already in existence.</p> <p>The indicative alignment of the roads cuts through proposed and existing residential developments along Cussons Road, which will have a very negative impact of value on property, together with increased noise from vehicles, some heavy, accelerating up the hill off South Coast Highway, on to Cussons Road.</p> <p>I believe this road will become a heavy haulage route into the proposed light industrial area.</p> <p>The suggested route of Cussons, Mt Shadforth, McLean and East River Roads, will destroy some of the most picturesque scenery and trees in Denmark, impacting negatively on people’s quality of life and the environment.</p> <p>It is interesting to note that the public has not been given the opportunity to comment on the alternative ‘Southern Route’.</p> <p><u>Proposed Residential Expansion Areas</u> Whilst I am aware that expansion and an increase in population is inevitable, there appears to be a disproportionate mix of ‘urban’, and ‘special residential’ lots.</p> <p>Perhaps we should learn from our south west neighbours, Dunsborough and Margaret River and not be quite so ready to carve up our country side into small ‘urban’ building lots. The proposed residential expansion areas of land, are situated some distance from the Denmark Township and therefore should not be deemed ‘urban’, but ‘special residential’, allowing for expansion, but on larger building lots, thus keeping the country character of the areas outside the immediate Denmark township.</p> <p>People live in Denmark because it is such a beautiful place and its relaxed, ‘village’ feel is unique.</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>• The whole premise of the LPS is to support appropriate levels of development having regard to the character and values of Denmark in light of the numerous opportunities and constraints that exist.</li> </ul>

		<p>Let's not succumb to the impetus to, 'improve and make provision for the future', without thinking very carefully about whether in doing so, we destroy the very community that attracts people to live here.</p> <p>Large by-pass roads running through residential areas and beautiful countryside are not needed in our community.</p> <p>Small 'urban' building lots outside of Denmark Township precinct cannot be rationalized just to make way for expansion. It destroys the very essence of the place we live in.</p>	
<p>P108</p>	<p>Adele Adelphi PO Box 930 DENMARK WA 6333</p>	<p>I request that the Shire consider pedestrian movement in the town centre and close environs. In particular I would like to have a pedestrian only (or pedestrian/bicycle only) connection between the south eastern corner of Wattle Way and either Mt Shadforth Road or Scotsdale Road. I think I would prefer the connection to be to Mt Shadforth Road because this would facilitate ease of access into and out of town. This pedestrian connection would make walking to town much easier and walking to the Primary School much easier, for all the people living in that area north west of the town centre.</p> <p><u>East-West Road Link</u></p> <p>I strongly object to the planned East West Road Link using the current route. My particular concern is for the McLean Road section, although I find other sections undesirable also. The McLean Road section is currently a quiet lane and the residents there and all the people who use that road as a quiet walking route would be seriously adversely affected by a proper road. I am especially concerned because turning McLean Road into a two way road would require the felling of many mature and beautiful karri trees. These trees are along the ridge line of the hill and as such are part of the beautiful skyline of Denmark. Felling even half of these trees would seriously diminish this skyline. I would like to see any east west alternative route being much further away from town. I would see Parker, Scotsdale and Churchill Roads as being a potential route.</p> <p><u>Denmark Town Karri Skyline</u></p> <p>One of the many things that I love about Denmark is that as I am walking or driving around town, when I lift my eyes to the hills, I almost always see the signature Denmark karri skyline. How blessed I feel to live here.</p> <p>In and around the town of Denmark, the most significant karri skyline is in the north west quadrant. Photographs of some views of this skyline are on the following pages (NB: omitted – available to Councillors upon request). This beautiful skyline is produced by the mature karri trees along an extended ridgeline. The north west karri ridgeline</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p>

		<p>runs from approximately the intersection of Cussons Road and Mount Shadforth Road, eastwards along Mount Shadforth Road, from there along the full length of McLean Road, from there along the firebreak that extended from the end of McLean Road to the south end of Lantzke Road, and from there eastwards at least as far as an alignment with Horsley Road.</p> <p>This ridgeline is the exact route that has been identified in the “Shire of Denmark Local Planning Strategy – Urban Area Plan 2” as part of the intended “Northern Link Road”, and on the Addendum Information Sheet entitled “East West Road Link” as the “Indicative Alignment of Local Connector Road” as an alternative route to South Coast Highway and an “infrastructure corridor”.</p> <p>I realise that this route is along the ridgeline by walking along the route and noticing that the land falls away to the north west and the land falls away to the south east, therefore the route is on the highest ground or ridgeline. The tops of the trees that I see from the centre of town must therefore be the trees along this ridgeline.</p> <p>The ridgeline karri zone is fragile in many places due to clearing immediately downhill of the ridgeline on one or both sides. Any widening of existing roads or firebreaks would seriously diminish the karri skyline.</p> <p>In order to preserve the beautiful karri skyline of the town of Denmark, I request that:</p> <ol style="list-style-type: none"> <li>1. The Shire of Denmark officially delete this route from any further consideration as a link route, or from any widening or development.</li> <li>2. The Shire of Denmark commission a study to identify zones of skyline significance, being hilltops and ridgelines, especially those seen from town and from the mail tourist routes.</li> <li>3. The Shire of Denmark adopt a “Karri Skyline Preservation Policy” to protect the identified zones from any development that would involve the significant felling of karri trees.</li> </ol>	
P109	Arnold Green 111 Lantzke Road DENMARK WA 6333	<p><u>East-West / Northern Link Road – Plan 2 LPS</u></p> <p>My property adjoins &amp; would be directly affected by the proposed/suggested route (McLean Road). Please note that your plans indicate a “vineyard” when in fact it is an existing avocado orchard.</p> <p>I am requesting that the suggested ‘Northern Link’ be removed from the LPS and other alternatives/options be presented &amp; discussed.</p> <p>My viewing of the WAPC Liveable Neighbourhoods Policy doesn’t show that the proposed road would be classed as a neighbourhood connector.</p> <p>I believe that there should be further communication &amp; consideration with affected</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .

		<p>property owners before a decision on any link road route is adopted.</p> <p>Issues such as vegetation protection, road widening &amp; resumptions need for suggested alignments etc &amp; of course costs involved for any proposed route.</p>	
<p>P110</p>	<p>Carl Wesley PO Box 740 DENMARK WA 6333</p>	<p>I am writing this submission to voice my concerns in reference to the particular section concerning 'Additional East-West Road Link', mentioned as one of the points of note within the Information Sheet.</p> <p>I am an owner/occupier of a Special Rural property located at 32 Abernethy Court, which has McLean Road as its rear boundary.</p> <p>Prior to purchasing my (then) vacant land in 2000, I visited the Council's Planning Department to enquire what the further possible intentions were for McLean Road, as part of my research, upon which to base the decision whether or not to actually purchase the land.</p> <p>During this enquiry, I was advised that 'one day' in the future McLean Road could become a paved, fully accessible road but that there weren't any plans imminent for that to happen.</p> <p>I am stating this because I do not wish to appear naive to the fact that this was already known to me, but, I was under the assumption that McLean Road would only perhaps become a local road or indeed a No Through Road, in keeping with the lifestyle and amenity of the town in general.</p> <p>To this end, when I attended the recent information evenings and upon reading the documents in the LPS I am more than alarmed at the impact this proposed East-West Link road would have on my lifestyle and that of all the people affected, should this link eventuate.</p> <p>In brief, I will set out my concerns below.</p> <p><i>Ecology</i></p> <p>I am alarmed at the amount of trees and other vegetation that will need to be destroyed in order to properly form the new road.</p> <p>I also feel that the disturbance to the habitat of wildlife and the safety of wildlife crossing the new road both day and night will be severely compromised.</p> <p><i>Traffic Increase Safety</i></p> <p>I am concerned at the number of vehicles that will end up using this road as more a 'By-pass' road rather than a local area access road, as the idea is being touted. This possible increase at the number of vehicles will of course increase traffic noise in the</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p>

area thereby disturbing the ambiance and natural tranquillity of the town in general.

I am concerned about the traffic increase at the intersection of McLean, McNabb and Mount Shadforth Roads. I frequently use this intersection and consider it to be already one of the more dangerous intersections in our shire. Vehicles are seemingly always either accelerating to get up Mt Shadforth Road or otherwise speeding as they travel down. To me making a more prominent intersection at this junction will be inviting many more vehicle collisions as this intersection as it is, is simply blind and unsafe. To suggest that the road would be altered in some way to make it safer is simply despoiling yet again more of the amenity of the dwellings surrounding the area.

*Alternatives*

It is one thing to criticize plans and schemes put forward by others but I would like to suggest an alternative route this Link Road could take. Starting from the western end, I would suggest the use of Sunrise Road, then heading east along Mt Shadforth Road to turn north into the 'new' extension of Cussons Road.

Failing the suggestion stated above and that access from the western end of the Link Road be from South Coast Highway to travel north along Cussons Road be used, I wish to make the point that I feel for the residents living along Cussons Road (or about to build) as I am sure that they had no idea that Cussons Road had been earmarked for this use. The amount of vehicles accelerating up or speeding down the hill on that road (similar to my concerns mentioned about Mt Shadforth Road) would be a reason or concern both in terms of road safety and noise pollution.

It has been brought to my attention that Cussons Road has been earmarked to carry on across Mt Shadforth Road then to junction into Redmond Road. At least, should this Link Road proceed, the use of Redmond Road makes much more sense to use because it already exists and is wide enough for two way traffic and would surely therefore be cost effective to upgrade to being sealed.

Also, the new extension of Cussons Road would destroy less natural bushland largely because it would traverse existing mostly cleared farmland.

My next thought is that Redmond Road could then be linked up to Hamilton Road, again an existing road, then to Churchill Road and onto Mt Barker Road, leading back to the South Coast Highway.

The reasons I submit for the Link Road to follow these routes are as follows:

- Apart for the Cussons Road extension, all of these roads already exist.
- For the reason above the costs of development would less, due to roadways pre-existing and, in the case of Cussons Road, legal easement through existing



		<p>farmland exist, therefore negating the necessity to purchase land from property owners.</p> <ul style="list-style-type: none"> <li>The Denmark Town precinct is planned to grow in a northerly direction. Residents living north of the town can access Lantzke Road, then onto Redmond Road, to travel either easterly or westerly direction.</li> </ul> <p><i>In Conclusion</i></p> <p>In conclusion, I am very concerned about the loss of quiet lifestyle and amenity, to myself and all of the residents who live close to or along this proposed East-West Road Link. I, and I suspect many others live here because of the unspoiled bushland and natural scenery, I would like to think that our shire can be forward thinking and learn from other planning mistakes that were perhaps carried out in this shire or other locations and see that this proposed Road Link route is a short term solution. Isn't Denmark more than that?</p> <p>Thank you for allowing me the opportunity to voice my concerns and opinions in regards to this matter.</p>	
P111	Bart Lebbing 34 McLean Rd DENMARK WA 6333	<p>It is great to see that Council has taken the initiative to look at the future planning of the Shire and to see what and where we will go in the next 20 years. I understand that Council has expended a lot of energy, time and funds into this process.</p> <p>As I live on the corner of McLean and Mt Shadforth Road I was very dismayed to hear of the proposal in the LPS to map in a Neighbourhood Connecting Road, Link Road or By pass Road (all terms used by Council in the LPS or addendum).</p> <p>Retiring, we opted for a quiet location, near beautiful old trees, and with good walking possibilities in the immediate vicinity. We had no idea, that the Shire Council would ever consider putting a wide link road through this old growth road reserve. When I became aware of this proposal I studied the Local Planning Strategy in full.</p> <p>Prior to my submission on the LPS I would like to look at the way the Council has gone about the process of planning for the future.</p> <p><u>LPS 2.0 Vision</u></p> <ol style="list-style-type: none"> <li>Character and lifestyle sustained through careful planning.</li> <li>A robust economy, based on local resources and skills.</li> <li>A caring, cohesive community.</li> <li>An expanded range of educational services.</li> <li>A very attractive district to visit.</li> </ol> <p>A great vision: To implement such a vision, Council and Community have to work together!</p>	<ul style="list-style-type: none"> <li>The LPS has been the subject of extensive community consultation over many years, with the consultation methods varying throughout the process. The community consultation undertaken on the draft LPS complies with the statutory requirements provided for in the <i>Town Planning Regulations 1967</i>, noting that the Shire has undertaken consultation in excess of the requirements in terms of the advertising period timeframe and consultation mediums.</li> <li>The Vision provided for in the draft LPS is as per the Council's current Strategic Plan which was adopted in 2006.</li> <li>The reference in the submission to the 'Integrated Planning and Reporting Framework &amp; Guidelines' pertains to the Community Strategic Plan process which has recently been legislated for under the <i>Local Government Act 1995</i>.</li> <li>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> <li>Noted - refer comments and associated recommendations in Officer's Report titled <i>'Future Urban' Designation Over Agricultural College Land</i>.</li> <li>Acknowledged – a review of the 'Future Residential' strategies and objectives identifies that specific consideration has not been given to aged housing. It is therefore recommended that an additional strategy and objective be included to address the issue of aged housing.</li> <li>Refer comments provided in Submission P94 regarding</li> </ul>

	<p><u>The Current Planning Process</u></p> <ul style="list-style-type: none"> <li>• Drawing up a plan, by consultant and/or Town planner.</li> <li>• Finished process put to the community for comment for a gazetted period.</li> <li>• Analysing the submissions, and taking points on board or leaving them for what they are.</li> <li>• Accepting the Planning Strategy.</li> </ul> <p>A process, such as this provides for division and reaction and produces a non-caring and non-cohesive community. In other words the LPS vision is a compilation of hollow words, which sound nice but mean nothing.</p> <p><u>The Process by which this current LPS has been put together and the input by Community is flawed on the following basis:</u></p> <p>The process, which has been used by Council is in contradiction to the advice of the Minister to Local Government - quote from Integrated Planning and Reporting Guidelines, by the Department of Local Government WA:</p> <p><i>COMMUNITY ENGAGEMENT</i> The strategy should optimise community involvement and the quality of decision making. It may address different stakeholder groups and how they will be engaged, and make provision for public exhibition.</p> <p><i>COUNCIL UNDERSTANDING</i> Council undertakes a process of understanding community, aspirations, the long term planning environment and the interdependencies between community planning, services, assets and land-use and begins to form a vision of what it wants local government to deliver during its term.</p> <p>Other reasons why I think the Planning Process is inadequate:</p> <ul style="list-style-type: none"> <li>• Timing of Submission Process: middle of winter, July and August, are historically the months when a lot of residents choose to be on holiday, and consequently have no way of making a submission or even are aware of the LPS's existence.</li> <li>• Many residents in the Shire have families and most of their energy goes into providing for their family and have little energy to investigate possible changes the Shire is implementing on their and their kids future.</li> <li>• If my place of residence would have been anywhere else in the Shire not directly affected by the Link Road proposal, I probably would have spent little time investigating the whole LPS, and I think this would be true of a lot of residents. Consequently this is not a good process to get input of the community, for which the Council is working and wants the best.</li> </ul>	<p>rural multiple occupancy zone.</p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Add the following to Part 1 Section 4.1 Future Residential:             <ul style="list-style-type: none"> <li>○ Strategy: Support the development of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> <li>○ Objective: Council support private and public developments of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> </ul> </li> </ul>
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- A more realistic process would be as the Department of Local Government points out: to investigate what stakeholder groups, community groups, and individuals in workshops would like for the future of their town and district.

To have workshops, as have been organized in the past, to outline possibilities and options of future development, to have feedback from community, to work with community and to get an outcome, which is the result of this process, rather than the process we are in now. This would be a democratic process.

Submission Points

- Link Road – Cussons Rd, Mt Shadforth Rd, McLean Rd, East River Rd, McIntosh Rd  
LPS 4.10a

To identify an indicative alignment for an east-west link road through the northern part of the townsite to provide an alternative link over the Denmark River. The road is to provide a local or district link and an alternative river crossing to South Coast Highway. It is intended that the link road could be used as a By-pass in the case of emergencies if the South Coast Highway bridge fails or requires major repairs and to reduce dependency on South Coast Highway as a through road.

I acknowledge the traffic situation in this town, with one bridge in the town centre, taking virtually all traffic from west to east and visa versa. I agree totally with Council that this situation in time has to be altered and an alternative river crossing has to be located. All options would have to be identified, researched on all levels and then the best option selected.

I propose that:

1. The inclusion of this road to be omitted from the current LPS altogether, and withdrawn from the map.
2. In the LPS all possible options for a linkroad, bypass, neighbourhood connector road to be listed for later research; Or: To consider all options for such a road prior, research all fully and then make a decision on which would serve the community the best (with community input).

Reasons for selected option to be withdrawn:

1. No research has been done into environmental aspects of the proposal of the road.
2. No research has been done into the social implications of this road.
3. No research has been done into the costing of construction of the road.
4. No detailed study has been done of the effectiveness of this road.
5. No other options have been proposed or investigated, other than the southern option, and this option is not mentioned in the LPS.
6. No concrete proposal has been put forward. The Council has renamed the road several times in the LPS revision process, when Council saw there was discontent

	<p>within the Community, and has named it by-pass, link and neighbourhood connector road.</p> <p>7. An Indicative Road is not a proposal for a road. In the Shire Presidents words: 'It might go here, or maybe over there, all these options are possible'. This is not a proposal!</p> <p>8. Other alternatives have not been looked at or proposed. There is a bridge over the Denmark River on Churchill Rd.</p> <p>If this road, or collection of roads is included into the accepted LPS by the Shire of Denmark Council, and submitted to The State Government, and accepted by the relevant Department, (who have no idea of the topography, and environment) it will be a proposal, which is set out to be constructed.</p> <p>Reasons why the proposed road should not be considered:</p> <ul style="list-style-type: none"> <li>• The Cost To construct this road would be require huge financial input.</li> </ul> <p>It has been proposed that not the ratepayers would pay for this road, but a tax/fee on new development and the remainder by the way of grants of State Government. What is this going to do to Real Estate Prices of new development? This has to be researched fully before this LPS acceptance.</p> <p>Bridges would have to be constructed over Scotsdale Creek, and the Denmark River.</p> <ul style="list-style-type: none"> <li>• Environmental Impacts In this day with carbon tax credits and environmental preservation it is hard to believe a Council would even consider a proposal like this. Obviously this road has been pencilled in on a map, without proper investigation of the terrain. I invite any Councillor to join me for a walk to see for themselves the route they are agreeing to if they vote in favour of this LPS.</li> </ul> <p>It would destroy well over 100 Karri trees of several hundred years old plus other vegetation, Marri's Casuarina's and smaller species.</p> <p>This road proposal is in total contradiction to policies set out in the same LPS proposal regarding Natural Resource Management LPS 4.7.</p> <ul style="list-style-type: none"> <li>• Social Impacts Many smaller Special Rural, in the old term, allotments border the proposed trajet of the road. Most if not all owners/occupiers of these allotments would have bought, rented these properties to live in a peaceful setting, to enjoy the natural environment. All these properties/owners will be affected, financially and otherwise by the impact of this proposal.</li> <li>• Steep Parts of Proposed Road</li> </ul>	
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		<p>From Lantzke Road down to Scotsdale Rd. trucks would have to use airbrakes.</p> <ul style="list-style-type: none"> <li>• All Intersections Are Hazardous South Coast Hwy-Cussons Rd, Mt.Shadforth-McNabb-McLean Rd, East River-Mt.Barker Rd and the newly created intersection between this proposed road and Scotsdale Rd. The McIntosh-Sth Coast Hwy: McIntosh Rd has a very steep decline.</li> </ul> <p>➤ Agricultural College Land Designated for Housing Development No proper research into this proposal either:</p> <ol style="list-style-type: none"> <li>1. Assumption that College has no future.</li> <li>2. No research in social impacts.</li> <li>3. No community involvement.</li> <li>4. No research on impact socially.</li> </ol> <p>➤ Denmark has a very high percentage of retirees and aged population. The LPS has not considered housing provision for aged citizens within the town precinct.</p> <p>➤ Multiple Occupancy Zoning To Be Deleted Off Town Plan The reasons, which are given why in the LPS are quite an insult to the occupiers of the current multiple occupancy properties within the Shire.</p> <p>I understand that the State Government wants to delete this form of tenure, however I believe that in the other States, such as NSW Multiple Occupancy has been a great success, has brought people together to work and live together in a sustainable way.</p> <p>➤ Last but not least: my main concern regarding planning of this town and district: I think the idea to develop centres, such as Peaceful bay, Nornalup and such is a great idea. I hope, Council will consider creative planning of future development in the town centre and in subdivisions, with focus on community interaction. This could involve, circular development with a meeting place in the middle, rather than conventional development with straight streets. The current developments, including the subdivisions, have no focus of inter generational contact, no meeting places for mothers and kids, and no place where retirees can meet. The social problems we have in our current society, such as loneliness, depression and other mental dysfunction, are in my view, partly a result of how we construct our towns.</p> <p>I thank Council for the opportunity to have my input into the planning process and hope, that Council will take my points on board in drawing up the Local Planning Strategy.</p>	
P112	Denmark Environment Centre PO Box 142 DENMARK WA 6333	On behalf of the Denmark Environment Centre, I raise the following items for your consideration. Our members are concerned that this important document contains ideas that the community has not had ample opportunity to discuss.	<ul style="list-style-type: none"> <li>• Land to south of Millars Creek is designated 'Town Centre – Inner Core' with the remainder of the landholding designated as 'Community, Civic &amp; Health Precinct'.</li> <li>• The primary purpose of the Denmark Adaptive Re-Use</li> </ul>

We object to the following proposed changed to land use designations. They do not seem to reflect the Vision stated of the draft LPS.

#### 4.2 Future Retail

- Implementation point 3: rezoning part of the former hospital site. The area shown on the map contains a section of Millars Creek. To develop this site directly contradicts the Objective stated on Page 12 of the draft LPS, under 4.7 Natural Resource Management – To preserve the natural drainage and habitat functions of all watercourses.

There is no mention of building on this section of the grounds in the recently adopted Adaptive Re-use Strategy for the former Hospital site. Community members have assumed that this area is to be part of Denmark’s system of parks and gardens. Significant effort (financial and physical) has been directed to the rehabilitation of this reach of Millars Creek to improve the function and habitat.

- Rezoning part of R46256 Teesdale St Reserve from Parks and Recreation to Commercial. This small section of bushland forms part of the streetscape and contains stands of the Karri and Yellow Tingle trees which characterize Denmark. This reserve contains a well-vegetated waterway which is an important component of the local storm water drainage system, stripping nutrients that would otherwise enter the Inlet via Millars Creek and the Denmark River.

This Reserve has been the focus of community activities over recent years; volunteers and neighbouring residents have worked to improve the biodiversity by removing weeds and lessen the fire hazard by removing excessive fuel.

The Municipal Heritage Inventory lists this Reserve as “essential to the heritage of the locality.” And “Bushland provides important visual relief from built up areas and is a link with the original landscape.”

A continuous strip, designated Commercial, down the Highway from hardy St to the bridge, could create the impression that Denmark is the place to pause for a moment on the way home from here to there.

#### 4.3 Future Industry

- Implementation point 6. Rezoning the area south of Zimmerman St from Industrial to Mixed Business Area. This area would be better suited to a Parks and Recreation zoning. It is partly situated in the Waste Water Treatment Plant buffer zone, where odour can be an unpleasant problem. It also contains a part of the Heritage Rail Trail, a well-used recreational facility.

Other points of concern are:

- That the Denmark Primary School is designated “Public Use”. What are the

Study was to formulate uses for the existing heritage buildings on-site, noting however the document references the surrounding grounds as having some community value.

- Noted - providing a ‘commercial’ designation over portion of the reserve abutting South Coast Highway provides for a consolidated commercial precinct effectively starting at the Hardy Way intersection (being the location of the approved shopping centre development) through to the Hollings Road intersection. It should be noted that some of this land may be required to be incorporated into the road reserve – this is dependent on the final design for the Ocean Beach Road/South Coast Highway intersection.
- Noted – as per Town Planning Scheme No. 3, Lot 139 (Reserve 13777 – purpose of ‘Sanitary Depot’) is currently zoned ‘Industrial’ and the adjoining Lot 1097 (unallocated crown land) has a reservation of ‘Parks & Recreation’. Designating the land as ‘Mixed Business’ is a better development outcome for the adjoining residential developments than what can currently be provided for under the ‘Industrial’ zoning.
- Designation of ‘Public Use’ recognises the public usage nature of the site. Notwithstanding a modification has been proposed to designate the Denmark Primary School as ‘education’.
- Noted – refer comments and associated recommendations in Officer’s Report titled *Proposed East-West Link Road*.
- Noted - reference on plan shows support for a path in this vicinity in the future; detailed design work may result in deviations occurring to have regard to on-site conditions.
- Noted.

		<p>implications of this?</p> <ul style="list-style-type: none"> <li>• That the proposed “northern link road” will remove the stand of Karris and Yellow Tingles on the sky-line to the north of town. This is visible from the central shopping centre and is so characteristic of Denmark.</li> </ul> <p>As an alternative, use an internal road in the sub-division at the top of Glendale Close. Traffic heading to Mt Barker and beyond can use Churchill Rd to cross the Denmark River.</p> <p>Maintain the integrity of the old railway bridge near the Denmark Rivermouth. This can be used as an emergency river crossing, with good links along the Heritage Trail through to the Highway.</p> <ul style="list-style-type: none"> <li>• On Plan 2, there is a shared path shown by a dotted line around the shores of the Inlet from the Rivermouth to Campbell Rd. The existing path runs only 50m along the foreshore below the caravan park. Much of the area shown is entirely unsuitable for a path, and we assume that its inclusion on the map is an error.</li> <li>• When the review of the Town Planning Scheme is undertaken (4.2 Strategy c) that the intention of the following Policies is retained. <ul style="list-style-type: none"> <li>• Town Planning Scheme Policy No 26.1 South Coast Highway Commercial Developments: <ul style="list-style-type: none"> <li>5. <i>Landscaping &amp; Vegetation Protection</i>  <i>Landscaping forms an integral part of a livable community by providing a structure and identity to the street networks of a town. Landscaping and the presence of remnant vegetation form part of the heritage value of the area and this wherever possible should be maintained in further to preserve the character and unique identity of Denmark.</i></li> </ul> </li> <li>• Town Planning Scheme Policy No. 15: <ul style="list-style-type: none"> <li>1. <i>Approaches &amp; Town Entries</i>  <i>Council will maintain and enhance approaches to town by discouraging bill posting or hoardings, by formalising placement of appropriate signs, by the retention of exiting indigenous vegetation and prompting tree planting on verges.</i></li> <li>2. <i>Environment</i>  <i>Council will support development that preserves or enhances our natural and created environment and provides for green belts, spot parks, seating areas and covered pedestrian access.</i></li> </ul> </li> </ul> </li> </ul>	
<p>P113</p>	<p>People for Parkland Denmark Inc.  c/-PO Box 142  DENMARK WA 6333</p>	<p>This submission expresses concerns at the failure of the draft local strategy to properly plan for the protection and appropriate management of public open space/parkland reserves in and around the town of Denmark.</p> <p>The following concerns are expressed:</p> <ol style="list-style-type: none"> <li>1) Concern for lack of public consultation for this local planning strategy process by</li> </ol>	<ul style="list-style-type: none"> <li>• The draft LPS is out for public comment to gain the community’s comments on all proposals provided for within the draft LPS.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road and ‘Future Urban’ Designation Over Agricultural College Land.</i></li> </ul>

		<p>the Shire of Denmark regarding the future lands and shire reserves in the Shire of Denmark.</p> <p>2) Concern for proposed urban development of a major part of the WA College of Agricultural Farm. This area forms a vital part of the green belt around Denmark, is of high quality agricultural land, and is essential to maintain as part of the entry statement, character and heritage of Denmark.</p> <p>3) Concern for the proposed “East West Link” road which will damage areas of high environmental and landscape significance on the northern side of Denmark.</p> <p>4) Concern that the Old Hospital Reserve has not been zoned parks and recreational, which was part of the agreement between the Shire and the community of Denmark when the land swap for the new Hospital occurred. While our group is supportive of the old building being used as a community resource centre, we believe that the grounds of the Old Hospital should be zoned, managed and carefully cared for as public parks and gardens. Urge a parks and conservation vesting on this land.</p> <p>5) Concern that an important ‘eco link’ portion of land opposite Caltex service Station on the north side of South Coast Highway has been zoned for commercial development – when in fact it is needed as green public open space to allow access and views down through the reserve on the east side of Amaroo – with its valuable forest remnant.</p> <p>6) Concern for the proposed “mixed business” zoning and development for the Reserve(s) south of Zimmerman Street. This area has long been proposed as part of a Green Belt reserve for Denmark (Reference; Denmark Environment Centre and Mia Mia Housing Coop report, 1994). This area has been revegetated and bushland/weed management restoration work is ongoing. This area should be kept as an important environmental buffer and zoned as parks and conservation.</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Noted - the primary purpose of the Denmark Adaptive Re-Use Study was to formulate uses for the existing heritage buildings on-site, noting however the document references the surrounding grounds as having some community value.</li> <li>• Noted - providing a ‘commercial’ designation over portion of the reserve abutting South Coast Highway provides for a consolidated commercial precinct effectively starting at the Hardy Way intersection (being the location of the approved shopping centre development) through to the Hollings Road intersection. It should be noted that some of this land may be required to be incorporated into the road reserve – this is dependent on the final design for the Ocean Beach Road/South Coast Highway intersection.</li> <li>• Noted – as per Town Planning Scheme No. 3, Lot 139 (Reserve 13777 – purpose of ‘Sanitary Depot’) is currently zoned ‘Industrial’ and the adjoining Lot 1097 (unallocated crown land) has a reservation of ‘Parks &amp; Recreation’. Designating the land as ‘Mixed Business’ is a better development outcome for the adjoining residential developments than what can currently be provided for under the ‘Industrial’ zoning.</li> </ul>
P114	Alex English 191 Sheoak Drive DENMARK WA 6333	<p>I am opposed and don’t want see the need for the East-West Road Link to be built through East River and the continuous roads. The residents in this area would have their safety compromised as it is a special rural area where families are often out walking, bike riding or horse riding and the residents did not buy in this area for a thorough fare to be built.</p> <p>An alternative access way to town is already available via Churchill Rd. Maybe resurfacing of that would be cheaper and more viable.</p> <p>The traffic through the town centre should be doing 50kms, I would question if this is true.</p> <p>The village atmosphere should be encouraged down Strickland Street towards the south and not on the main road. I don’t think that this is at all a fair or viable option.</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .
P115	Greg Deely 44 East River Road	Against increased traffic on the East River Road. Regarding increased traffic on East River road and increased traffic noise.	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .



	DENMARK WA 6333	<ol style="list-style-type: none"> <li>1. I have children who walk to and from the bus stop on Sheoak Drive as do my neighbours.</li> <li>2. Most of our driveways are fairly concealed.</li> <li>3. If the road is realigned as per drawings more trees will be removed reducing the buffer zone between me and the "AIR PARK" increasing the noise levels once again.</li> </ol> <p>Originally, I thought the industrial area was going to connect directly to the Den-Mt Barker Road on the high ground between East River Rd and the South Coast Highway giving good vision both ways. Much better idea.</p> <p>I did not buy my property to live on a major Bypass/Northern rd Link.</p>	
P116	Annie Nutter 15 Welsh St DENMARK WA 6333	<p>I bought my house in Welsh St because it was situated in a quiet residential cul-de-sac within easy walking distance of town and with the karri reserve adjoining.</p> <p>I am opposed to the proposed rezoning for Welsh and Mitchell Streets as future-mixed-use for the following reasons –</p> <ul style="list-style-type: none"> <li>• Increased motor traffic with the resultant noise and air pollution and decreased safety for pedestrians.</li> <li>• Possible future commercial developments in the street and the need for parking facilities, with the subsequent changes in the friendly residential character of the street.</li> <li>• Possible future distraction of charming and historical valuable homes &amp; gardens.</li> <li>• Inevitable degradation of the adjoining wildlife habitat reserve from traffic fumes, commercial activity and rubbish.</li> <li>• Inevitable reduction of property values, so that if when residents are forced out by noise and pollution, we will be unable to re-establish ourselves in a similar situation – this is hardly fair.</li> </ul> <p>I have invested a considerable amount of time, work and money (as have my neighbours) in establishing my home. My home is now an energy-saving, low water-use, environmentally friendly and productive residence – (rain water tanks, photo-voltaic panels, native habitat corridor garden, organic fruit and vegetable garden) as I bought with the intention of living here long-term – I do not wish this to change.</p> <p>Please do not allow the pressure of commercial interests to destroy the character of Denmark as a people-friendly residential town.</p> <p>I thank you for your attention.</p>	As per Local Planning Policy 31: Commercial Strategy, Welsh Street is the boundary of the CBD (with the properties on the southern side incorporated within the CBD boundary). Having regard to it is considered appropriate to provide a 'Mixed Use' designation on the properties both north and south of Welsh Street. As per the LPS, mixed use development is defined as "the compatible mixing of a range of appropriate uses (generally commercial/other non-residential uses on the same site with a residential development), integrated in close proximity to each other to improve the efficiency and amenity of neighbourhoods, reduce travel demand, increase walkability, and make more efficient use of available space and buildings.
P117	Chloe Church 63 South Coast Highway DENMARK WA 6333	<p>As regards the rezoning proposal pertaining to the rear portions of Mitchell Street properties west of Short Street. As an owner/occupier of a property on South Coast Hwy being affected by the inappropriate use of some properties now, totally disregarding any previous submissions or the aesthetics of the town, I feel strongly</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .

		<p>concerning allowing further commercial development of any sort in this area.</p> <p>The industrial nature of the present businesses are totally misplaced and to allow expansion of this nature would be a great mistake at the entrance of town.</p> <p>From a personal viewpoint and current observation, accessing these properties would be a disaster as new access is via a narrow laneway, never intended for use by large commercial/industrial vehicles. Further development would undoubtedly create further congestion, noise and a potential disaster in a very confined space. Very careful consideration needs to be taken if achieving future development in this area in relation to the mix of uses at present and future aesthetics of the town.</p>	
<p>P118</p>	<p>Jamie Ablett 2/26 Mitchell St DENMARK WA 6333</p>	<p>The proposed rezoning of Mitchell St (back gardens!?) would put the property I live on effectively surrounded by commercial operations. In fact the very house I live in I believe would be in this rezoning. I wonder how Homeswest would deal with this?</p> <p>Already the effects from having a single commercial operation at the rear of my property are CONSTANT. Spray consistently drifts over my garden and I have no idea on the content of the detergents and cleaners used. I grow vegetables and I wonder what I am eating. During the summer I dry my clothes (and my children's) in a dryer as the spray often coats the clothes on the line. At night the pumps and machinery are constantly switching on and off. This can seem very intrusive in the dead of night as you can imagine. When it is busy there are often lots of noises and shrieks from people cleaning their cars as well as a constantly shifting range of loud music from car stereos.</p> <p>This is from <u>ONE</u> commercial operation. I dread to think how it would be if the property either side decided to sell. Who knows what activities will get under way? One a property in zoned commercial then anything is possible.</p> <p>I understand that Denmark needs to expand its services and commercial potential but in the middle of town? Adjacent to a well established primary school and residential area? There appear to be a number of options available. E.g. Industrial zone, eastern entry to Denmark (near Shire Offices).</p> <p>Encouraging residents away from town centres is always detrimental to a community. This had been shown over and over again all over the world. In fact this trend is now being reversed in most developed countries.</p> <p>I would urge the Shire to think long and hard about where to expand Denmark. By destroying the 'feel' of Denmark town they may well kill the goose that lays the golden tourist egg and dissolve the unique magic that makes Denmark such a special place to live.</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</p>

P119	Janice Marshall 51 Scotsdale Road DENMARK WA 6333	<p>Thank you for this opportunity to express my opinion.</p> <p><u>2.0 Vision</u> Where is 'a great environment' defined? <i>You</i> may want an urban-type, activity-filled, full of lights and sounds environment whereas <i>I</i> might consider a great environment to be one offering peace and quiet, informality and being generally low-key.</p> <p>Under the 20 year vision, point 1 includes the word 'character' which is to be sustained through careful planning. At another point in the document, the words 'rural character' are used. Where are these defined?</p> <p><u>3.0 General Objectives</u> Under Land Use point 1 reference is made to 'existing character'. If this is valued it has to be protected from creeping urbanity such as a proposed shopping centre, parking everywhere, street design and planting and buildings like IGA Super that do not reflect 'existing character'.</p> <p><u>4.0 Strategy Plan</u> <u>4.1 Future Residential</u> Strategy f referring to Liveable Neighbourhoods, and Implementation 4: ensure that Local Planning Policy 33 (under revision) is acted on because it is part of that Code. Also include the recent policies on water tanks and alternative energy.</p> <p><u>4.2 Future Retail</u></p> <ul style="list-style-type: none"> <li>• Objective refers again to character, this time to its 'village' character. Does this imply small size? Everything within walking distance? Population with similar occupations?</li> <li>• Strategy c. I strongly agree with the statement that 'Future development and redevelopment reflect the traditional design ethics of the town centre'. It is too easy for Perth style concrete and glass, straight-up-and-down building to infiltrate and start the slippery slide into urbanity!</li> <li>• Implementation 3. The old hospital site was an exchange for giving up part of Community Park for the new hospital. While it was expected that the existing buildings could be retained for community use, it would be breaching the understanding that the remaining land would be kept free of buildings for healthy recreational use by the community. It must definitely be kept free of building for commercial use.</li> <li>• Implementation 5. The designs should include low-growing shrubby vegetation along the street frontage with parking at the rear to keep a rural atmosphere. On the LPS plans, it appears that a heritage-listed bushland reserve (known as Big Karri Reserve) is to have the street front section removed. This is not all desirable not only because of its intrinsic value but because it is the last bit of nature left before the road descends into the commercial centre. Keep removing mature trees one by</li> </ul>	<ul style="list-style-type: none"> <li>• Noted - the Vision provided for in the draft LPS is as per the Council's current Strategic Plan which was adopted in 2006.</li> <li>• Each descriptor could mean something different to each person, thus it is difficult to provide concise definitions as such, with each needing to be considered in the context they are referenced in.</li> <li>• Urban development is an existing element of Denmark's development, noting that new development should have regard to the character of Denmark whilst balancing commercial need and building requirements.</li> <li>• Noted – Council currently has Local Planning Policies dealing with this issues, noting that the current policies encourage rather than mandate.</li> <li>• Reference to 'village' character is a reflection of the consolidated commercial area, incorporation of traditional elements to building design (e.g. covered walkways etc).</li> <li>• Noted.</li> <li>• Noted - the primary purpose of the Denmark Adaptive Re-Use Study was to formulate uses for the existing heritage buildings on-site, noting however the document references the surrounding grounds as having some community value.</li> <li>• Noted - providing a 'commercial' designation over portion of the reserve abutting South Coast Highway provides for a consolidated commercial precinct effectively starting at the Hardy Way intersection (being the location of the approved shopping centre development) through to the Hollings Road intersection. It should be noted that some of this land may be required to be incorporated into the road reserve – this is dependent on the final design for the Ocean Beach Road/South Coast Highway intersection.</li> <li>• Noted - securing scheme water supplies is paramount as well as looking at other water source avenues for potable and non-potable usage that may be available – i.e. rainwater tanks, grey-water usage etc. Council has a current Local Planning Policy that encourages such initiatives (i.e. is not a mandatory requirement at the moment).</li> <li>• Noted.</li> <li>• A sustainable approach from a landuse planning perspective is supporting land-use planning outcomes that have regard to ensuring economic, environmental and</li> </ul>
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		<p>one (as was done to provide extra parking for what is now the Budha Bar) and the townsite will become less and less attractive. Small, exotic trees are no compensation.</p> <ul style="list-style-type: none"> <li>• Implementation 9. Why aren't users of the Service park required to have water tanks, to deal with their black water and provide their own energy? Where is the leadership to promote forward-looking development incorporating some sustainable development principles?</li> </ul> <p><i>4.3 Future Industry</i> Implementation 3. Same comment as at 9 above re Service Park and provided utilities.</p> <p><i>4.4 Tourism</i></p> <ul style="list-style-type: none"> <li>• Strategies b. I support the idea behind this but where ever is a development the environment is inevitable degraded.</li> <li>• All the strategies that follow basically sacrifice the environment to economic growth something that is impossible to sustain. Yes to pint 1. – keep tourism use and accommodation in the town centre. Develop at the Visitor Centre or Environment Centre a first class Discovery Centre with excellent interpretation material so people can learn about the environment without having to trample all over it! This is the philosophy in Natal, South Africa, to protect the Drakensberg mountains.</li> </ul> <p><i>4.7 Natural Resource Management</i> Implementation 6. Delete 'or' so as to read: Council use local provenance native vegetation species.... Also in 7.1 Implementation Recommendations at NRM 53.</p> <p><i>4.9 Rural Land – Subdivision and Development</i></p> <ul style="list-style-type: none"> <li>• Strategies a. "balances the need for growth ....' Why is this not challenged? Growth cannot go on forever – that is, it is not sustainable.</li> <li>• Strategies c. Allow – why not 'Require' as in Implementation 9.? There properties ought to be able to be self-sufficient in water and Water Corporation should not have to reticulate such areas.</li> </ul>	<p>social developments go hand in hand with the aim of providing for 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs'.</p> <ul style="list-style-type: none"> <li>• Use of local provenance only is not supported as may be appropriate and/or able to be sourced in all instances.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations</i>.</li> <li>• Noted – modification proposed to be undertaken to this Strategy that will address this point.</li> </ul>
P120	Dr Peter Williamson PO Box 182 DENMARK WA 6333	I would like to register my concerns about the proposed tag of 'mixed-use' for Welsh Street. There are several reasons for my concerns, not the least being that I chose to purchase my house in Welsh Street (17 Welsh Street) because of its proximity to the central area of town and its location in what is currently a quiet cul-de-sac, with an outlook onto parkland and trees. Its location allows me to walk to the shops and doctors surgeries, to live independently in my own home despite my disability. Commercial development on the street would certainly increase noise and traffic hazards and destroy the refuge that I have found. To move to an area further from the town centre to avoid the increased traffic and congestion which pose a real danger to me when walking, would mean a loss of independence in that I would be unable to access facilities necessary for this independently living.	As per Local Planning Policy 31: Commercial Strategy, Welsh Street is the boundary of the CBD (with the properties on the southern side incorporated within the CBD boundary). Having regard to it is considered appropriate to provide a 'Mixed Use' designation on the properties both north and south of Welsh Street. As per the LPS, mixed use development is defined as "the compatible mixing of a range of appropriate uses (generally commercial/other non-residential uses on the same site with a residential development), integrated in close proximity to each other to improve the efficiency and amenity of neighbourhoods, reduce travel demand, increase

		<p>I also understand that Welsh Street was one of the original streets of Denmark and suggest that a better re-zoning and accent for the street would be as an historic precinct. There are some charming houses in the street which reflect the early development of Denmark and the potential to develop a small “Settlers Park” at the end of this short street. A number of the houses have had sympathetic renovations which retain the character of this historic street. Denmark lacks this historic focus and it may be that the development of the street could include a building (either an existing house or a purpose-built facility to house Denmark’s currently overcrowded display of historic artefacts.</p> <p>From my personal perspective I would be sad to see charm of this unique area destroyed by commercial development. It is unique street in Denmark, with its charming cottages, strong historical links and proximity to the central area of Denmark. It is an important part of Denmark’s development and a wonderful, quiet cul-de-sac to live in. Few towns have a unique area like this one which could add another dimension that to Denmark as a tourist town.</p>	walkability, and make more efficient use of available space and buildings.
P121	Dee Thorpe 51 Williams Rd Peaceful Bay	<p><u>East-West Link Rd</u></p> <p>I disagree with the east – west Link Road for the following reasons:</p> <ul style="list-style-type: none"> <li>• The impact on the environment – McLean Road in particular.</li> <li>• The inappropriateness of putting a road through what provides some of the most attractive and scenic views of Denmark – particularly as a link road which has the potential to become a bypass.</li> <li>• Safety aspects of such a road if it was used by heavy haulage.</li> </ul>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .
P122	James Lillywhite PO 212 DENMARK WA 6333	<p><u>Proposed East West Link Road</u></p> <ul style="list-style-type: none"> <li>• As an east-west link that served the needs of tourism, the idea has merit in that the vista represents some of the best aspects of Denmark e.g. tall timber, natural bushland and spectacular views of our town.</li> <li>• The issue is the moment such a road is used by a heavy vehicle it becomes a bypass road. This type of usage is at direct clash with the point above. Combining the 2 types of usage would not be conducive to promoting Denmark as a tourist destination.</li> <li>• This could be solved by creating the bypass utilizing Turner Rd, Walter Rd through to Mt Barker via Churchill Rd.</li> <li>• This begs the question – Does Denmark require a distinct bypass?</li> <li>• Since the current concerns relate to the proposed Link road becoming nothing less than a bypass then the answer would appear to be yes and obviously different to what is proposed i.e. a link road.</li> <li>• As a small business proprietor I do not oppose and generally support any initiative to promote tourism in the area. As such a neighbourhood road that in fact was a de facto bypass road – especially so if it detracted from the environment aspect of the area – would provide no benefits except to move traffic.</li> </ul>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .

		<p><u>Preference</u> Two roads:</p> <ul style="list-style-type: none"> <li>- One dedicated east–west link road bypass using Shadforth, Turner Rd, Mt Lindsay through to Mt Barker road via Churchill Rd.</li> <li>- Dedicated east west link road(s) of a low impact nature.</li> </ul>	
<p>P123</p>	<p>Josie Mitchell &amp; Phil Rowe PO Box 872 (33 Abernethy Court) DENMARK WA 6333</p>	<p>As the precursor to this submission we would first like to make comment on the process of developing the LPS and the so-called community consultation process for its ratification.</p> <p>The public meetings held by council to discuss the LPS were information sessions rather than consultations. The entire draft was read from beginning to end with no space for questions or discussion of each portion, even though the document was readily available prior to the meetings (to view or download from the council website and as a hard copy from the council offices). Most of those who attended the meetings had already perused the LPS and to spend the first hour of the meeting reading it without room for comment was patronising and counter-productive to achieving any kind of consultative outcome.</p> <p><u>Part 1: 4.10 (Transport) East-West Road Link</u> The Council refers to the proposed East-West Road link as an ‘Indicative’ alignment yet admits that no progress has been made in relation to feasibility, design, cost, etc.</p> <p>As detailed in 4.10, Council, in consideration of the East-West Road Link, must:</p> <ol style="list-style-type: none"> <li>a) <i>Identify an indicative alignment in the Local Planning Strategy.</i></li> <li>b) <i>Undertake a detailed assessment of a preferred alignment taking into account environmental considerations, public input and staging of construction.</i></li> </ol> <p>Without the detailed assessment outlined in <i>b)</i> the ‘indicative alignment’ is just a line drawn on a map, with no clear rationalisation for its position, still the community is being asked to comment on its suitability when the council itself has yet to ascertain this.</p> <p>The Council also refers to this as the ‘preferred’ alignment, without any considered investigation of either the terrain or the conservation value of the area and without tabling any other alternative routes or alignment options.</p> <p>The ‘indicative alignment’ follows a convoluted route around Denmark township, to emerge west of town on the SC Highway, for reasons which are not clear when the Road is viewed as a ‘neighbourhood connector’, but make more sense if the Road was to be further developed as a town bypass. Whatever the nomenclature of the Road, it is likely to attract vehicles, heavy or otherwise to use this link to access the Mt Barker or South Coast Highway, effectively bypassing the Denmark village.</p>	<ul style="list-style-type: none"> <li>• The purpose of the Community Information Sessions was to inform the community about the purpose and role of the draft LPS and the key issues/themes – this was clearly referenced in the media release, public notices advising of the Community Information Sessions and at the beginning of each Community Information Session. Opportunity was provided for questions at each Community Information Session and all attendees were also advised specific questions could be directed to Planning Services staff during the advertising period.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> </ul>

The 'indicative alignment' is steep, winding, crosses several potentially dangerous intersections and is considerably longer than the straightforward route. Locals are more likely to ignore this route altogether and take the one that is shorter, safer and more direct.

In brief, some of the issues facing the development of the East-West Road Link are:

- Topography: the proposed route follows a very steep gradient over the Mt Shadforth ridge i.e. up McLean Rd and down Cussons Rd.
- Safety: the proposed route is described as a 'neighbourhood connector', but will create a number of potentially dangerous road junctions, especially those at the Scotsdale/Riverbend and McLean/Mt Shadforth intersections. The McLean/Mt Shadforth intersection, for example, has restricted viewing for vehicles travelling from either direction on Mt Shadforth Rd and has been the scene of a recent fatal accident.
- Cost: the funding and construction of the proposed link would be a massive undertaking; taking into account the steep gradient of the proposed route, widening of existing roads, clearing of trees and vegetation and construction of brand new road sections and a bridge across the river.

Existing road networks where terrain and verge remnant vegetation are not an issue could be better used to create a neighbourhood connector road.

- Conservation: Environmental Planning and Management is central to the Council's vision for the future of Denmark and is referred to again and again throughout the LPS document. In Part 1/2.0, vision, *"The Shire of Denmark is committed to ensuring environmental issues are fully considered in any planning and development"* is stated as a specific mission. In Part 1/4.7 Natural Resource Management, the no 1 objective as listed as *"To protect remnant vegetation and areas of high value biodiversity."*

McLean Rd and surrounds is one of the most significant areas of remnant vegetation in the region of Denmark. The road verge alone contains over 80 karri trees with a diameter exceeding .5m with some as wide as 1.5m. These larger trees are hundreds of years old and can never be replaced. All of these, together with the associated marri, jarrah, sheoak, snottygobble and banksia vegetation will be lost if this proposed link road is built.

#### Conclusion

We understand that the LPS is designed to be a 'work in progress', subject to change and designed to adapt to community needs over a long period of time, however it seems that the LPS has been prepared as a response to State Government planning requirements rather than as a document that truly represents the growing and future

P124	John C Ricketts PO Box 147 DENMARK WA 6333	<p>needs of Denmark community.</p> <p><u>Suggested "By-Pass – Ring Road"</u> Having been fortunate through 3 generations of growth in Denmark, I now realise how fortunate I have been.</p> <p>When the railway closed we had a perfect situation to take from the town centre all the heavy traffic i.e. via the old line or portion as their gradient is much easier on heavy vehicles. I'm told this is not meant to be a by-pass via Cussons. Well why do this if the problem is the heavy vehicles through town centre.</p> <p>Sadly there must be a hidden agenda here as the above is what's needed.</p> <p>Both yes but first lets rid of the heavy vehicles through town centre.</p> <p><u>Mitchell Street</u> Regarding the rezoning of the rear of the properties fronting Mitchell Street - is this a 'Clatons' like rezoning of Mitchell St?</p> <p>As I see it this street is busy enough and no one could convince me this will not make this area busier. If this has to happen perhaps we should be looking at shifting the school – and we know that this is not going to happen.</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</li> </ul>
P125	S Grace Verity 8 Short Street DENMARK WA 6333	<p>I would like the DPS to be modified to remove the rear portions of Mitchell Street from future commercial zoning. These are my reasons:</p> <ol style="list-style-type: none"> <li>a. My house sits on the area for proposed rezoning, shown on the draft plan. If the plan is passed as is, my kitchen would remain residential, my living room zoned commercial. As I do not want a commercial living room, I would like the zoning of my block to remain residential.</li> <li>b. I do not want to have my next-door neighbours to be able to sell their backyard for a commercial business adjoining my home, either. Residents of Mitchell Street already face disruption to the residential amenity of our area from inappropriate commercial neighbours along the highway, such as the carwash, which sprayed contaminated water into their backyards, over their washing lines and their vegie gardens. It took two years of lobbying to get this problem minimized, and the issue still remains less than ideal. Given this example, of a commercial business unable to keep its impact on a residential neighbourhood contained within its own boundaries, residents are understandably unsupportive of further, much more intimately located commercial zoning in the street.</li> <li>c. The area of the block proposed for rezoning is the sunny, northern aspect of my house and garden (as it is for all other residents on the proposed Mitchell Street strip). If I wish to extend my house in the future, it will be into this sunny aspect, and the proposed commercial area. So my extended house could well be metres away from a noisy or contaminating commercial business. This seems to be to be</li> </ol>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</p>



bad planning, creating a future dog's breakfast of zoning within our pleasant residential neighbourhood, should one or two neighbours chose to sell their backyards for commercial purposes, and the rest of the street remain residential, as is likely.

- d. My block is well under 1000 m2, and I understood was therefore not eligible for subdivision. If this is the case, the draft strategy errs in showing my block as eligible for this change.

Other Mitchell Street blocks not eligible for change, I understand, (although they are shown as future commercial sites on the draft strategy), are the two Homeswest duplexes, and the Seventh Day Adventist Church. So from the section proposed as a block for future commercial use, I suspect there are in reality a number of excisions, making the potential total three or four residential backyards, not together but sprinkled along the street, between residential/church neighbours, as potentially commercial land for the future. I don't believe it is worth creating the potential future difficulties of this extremely close residential/commercial mix, given the few blocks involved. It's potentially destroying a residential neighbourhood for at best, maximal prospective gain of three or four small commercial blocks, not adjoining, with no street access, metres away from resident's lounge rooms. What a mess! In correcting these errors, it seems obvious to remove these few backyards from prospective commercial zoning, and avoid an ongoing headache for residents and council alike.

- e. Mitchell Street has been proposed (and I believe accepted) by council as an area of extreme heritage value, a rare heritage precinct for the town, within easy strolling distance of Strickland Street for tourists and locals alike. While leaving the front section of Mitchell Street blocks as residential, as proposed, may preserve this visual amenity from the street, it may not. Passive commercial use, as suggested by council, is not a recognised zoning, and the backyards would be open to any of the usual list of commercial possibilities. Potentially very poor neighbours, and potentially visually polluting (for example, storage such as Thornton's building material stacks, far higher than any of these heritage-recognised houses and visible from the street already exist in the area.) The noise from such 'passive' use as storage involving trucks loading and unloading, forklifts reversing etc is already as issue for homeowners in the street, disturbing visual and aural privacy, even from many metres away. Imagine that racket just over the fence! In fact, there are people on Mitchell Street whose back fence does adjoin Thornton's, and the noise and visual impact, even from the bottom of their large block, is considerable. Recently that house was for sale. A friend of mine looked at it, attracted by its lovely garden, pretty home, friendly neighbourhood and proximity to town. She reported: it's like living in Thornton's, and would not consider purchase further, despite loving the home.

Further commercial development is likely to further disturb the historic and residential amenity of this area. An unnecessary risk for minimal potential gain of a

		<p>few commercial blocks right in a residential neighbourhood, near a school.</p> <p>f. The risk of increased traffic near the school at congested times such as before and after school makes commercial options extremely unattractive and potentially dangerous planning in this area, in terms of the safety of children who walk, ride or are driven to school. There are already large trucks that use Mitchell Street and Short Street, bouncing over traffic calming measures with their huge tyres, such as the huge gas truck. Future commercial use of residential backyards is likely to increase this inappropriate traffic in this residential and school area.</p> <p>g. The only access to these proposed blocks at present is a little, dirt laneway that currently passes incredibly closely to our backyard fences. Would this little laneway be widened and surfaced, requiring resumption of some of the proposed commercial part of the residential blocks to be shrunk further? Or would church land be resumed? What about the power poles situated at the Short Street end of the lane? These would need to be moved if the laneway was widened into a road.</p> <p>In summary, the draft strategy probably contains a number of errors, therefore significantly overestimating the potential number of commercial sites to be gained from rezoning Mitchell Street homes and gardens. Those which are eligible for subdivision are not all adjacent. There is no road access, and the area is a historical precinct of extreme heritage value.</p> <p>The likelihood of one or two commercial businesses operating very close to neighbouring houses, in a residential area, with already busy congested school traffic morning and afternoon, has the potential to create an ongoing headache for homeowners, the school community, and council itself.</p> <p>I submit the council drop the proposed Mitchell Street changes, and protect the residential character of this valuable historical precinct.</p>	
<p>P126</p>	<p>Jennifer Partington 1213 Scotsdale Road DENMARK WA 6333</p>	<p>I would like the DDPS to be modified to remove Welsh Street from future commercial rezoning. I own 12 Welsh Street Denmark. It is my desire sometime in the near future to build two units suitable for aged accommodation on this site. It is a perfect site to do this: it is a quiet cul-de-sac street (with a terrific mix of single, aged, and family residents) within easy walking distance to the town centre.</p> <p>Rezoning Welsh Street to commercial would ruin this neighbourhood. The street is narrow and unsuitable for increased traffic. My neighbours do not want the zoning changed and, even if one or two did in the future, a mix of commercial which involved an increase in traffic (and the need for parking) would not work.</p> <p>I implore the council to reject this proposed change and leave Welsh Street as it is – a quaint little street in the heart of Denmark, housing people who make Denmark a real town and just a place to shop.</p>	<ul style="list-style-type: none"> <li>As per Local Planning Policy 31: Commercial Strategy, Welsh Street is the boundary of the CBD (with the properties on the southern side incorporated within the CBD boundary). Having regard to it is considered appropriate to provide a 'Mixed Use' designation on the properties both north and south of Welsh Street. As per the LPS, mixed use development is defined as "the compatible mixing of a range of appropriate uses (generally commercial/other non-residential uses on the same site with a residential development), integrated in close proximity to each other to improve the efficiency and amenity of neighbourhoods, reduce travel demand, increase walkability, and make more efficient use of available space and buildings.</li> </ul>

		<p>By the way, this submission could have gone into more detail if I had been better informed of the process. I only found out submissions were due today from a neighbour this morning.</p>	<ul style="list-style-type: none"> <li>In-principle the opportunity to develop aged housing on-site is not compromised by a 'mixed use' designation.</li> </ul>
P127	<p>Heather Williams 8 Short Street DENMARK WA 6333</p>	<p>In summary I would like the DPS to be modified to remove the rear portions of Mitchell St from future commercial zoning.</p> <p>The proposal provides too little benefit for too few proponents to be worth the time, trouble and expense to existing resident (and councillors – present and future).</p> <p>These are my reasons:</p> <ol style="list-style-type: none"> <li>My block is well under 1000m<sup>2</sup>, therefore not eligible for subdivision. In this case, the draft strategy errs in showing my block as eligible for this change. Besides, I like my house, plan to stay here for a long time and have no desire to chop my house in half or bulldoze all of it to rebuild a unit with a commercial carpark in the backyard.</li> <li>I do not want to have my next-door neighbour able to sell their backyard for a commercial business adjoining my home. This would reduce the value of my home, limit any future resale and give me ongoing grief. This has already happened to my neighbour next to the house owned by the Thorntons. The back yard of this house is effectively being used commercially despite it not being zoned to do so and is adversely impacting on my neighbour.</li> <li>Residents of Mitchell Street already face disruption to the residential amenity of our area from inappropriate commercial neighbours along the highway, such as the carwash, which sprayed contaminated water into their backyards, over their washing lines and their veggie gardens. It took two years of lobbying to get this problem minimized, and the issue still remains less than ideal. Given this example, of a commercial business unable to keep its impact on a residential neighbourhood contained within its own boundaries, residents are understandably unsupportive of further, much more intimately located, commercial zoning in the street.</li> <li>I don't believe it is worth creating the potential future difficulties of this extremely close residential/commercial mix, given the few blocks involved. It's potentially destroying a residential neighbourhood for at best, maximal prospective gain of three or four small commercial blocks, not adjoining, with no street access, metres away from resident's lounge rooms. What a mess! In correcting these errors, it seems obvious to remove these few backyards from prospective commercial zoning, and avoid an ongoing headache for residents and council alike.</li> <li>Mitchell Street has been proposed (and I believe accepted) by council as an area of heritage value, a rate heritage precinct for the town, within easy strolling distance of Strickland Street for tourists and locals alike. While leaving the front section of Mitchell Street blocks as residential, as proposed, may preserve this visual amenity from the street, it may not. Passive commercial use, as suggested by Council, is not a recognized zoning, and the backyards would be open to any of the usual list of commercial possibilities. The noise from such 'passive' use as storage involving</li> </ol>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</p>

		<p>trucks loading and unloading, forklifts reversing etc is already an issue for homeowners in the street, disturbing visual and aural privacy. Further commercial development such as this is likely to further disturb the historic and residential amenity of this area. An unnecessary risk for minimal potential gain of a few commercial blocks in a residential neighbourhood, near a school.</p> <p>f) The risk of increased traffic near the school at congested times such as before and after school makes commercial options extremely unattractive and potentially dangerous planning in this area, in terms of the safety of children who walk, ride or are driven to school. There are already large trucks that use Mitchell Street and Short Street, bouncing over traffic calming measures with their huge tyres. Future commercial use of residential backyards is likely to increase this inappropriate traffic in this residential and school area.</p> <p>g) The only access to these proposed blocks, at present, is a dirt laneway that currently passes incredibly closely to my back fence. In fact, this lane was made possible by excising land from Mitchell Street residents. I bet they never agreed to it potentially being widened and providing more than rear access to existing households and businesses.</p> <p>In summary, if Thorntons Mitre 10 needs to expand, encourage them to move to the proposed Special Purpose area, and do no more tinkering with zoning on Mitchell Street.</p>	
<p>P128</p>	<p>Brian Wilson PO Box 222 DENMARK WA 6333</p>	<p><u>Northern Link Road Route</u> There is confusion over the purpose of the proposed east west road.</p> <p>a) If it is a <u>bypass</u> then the position and varying elevation of the road makes it unsuitable for heavy vehicles. Coming down Cussons Road in a semi trailer would be dangerous to say the least. Mount Shadforth Road is a principal tourist route.</p> <p>b) If it is a link across the new suburbs this can be done as internal suburban roads sufficient for the movement of residents.</p> <p>c) The road appears to be for the benefit of developers only to construct the northern suburbs without bringing materials through town. If this is so I do not believe it is a good enough reason to construct the road and putting a “community” tag on it as in “Community Link Road” is misleading in the least.</p> <p>Developing a road along the ridge will invariably impact the future use of Lantzke Road with increased traffic flow. My house (29 Lantzke Road) is 12 metres from the road and we have already endured 12 months of heavy traffic noise and dust associated with the building of the water tank. Having a road simply to ease developers in getting concrete from the new industrial area to site is not in my interest or I believe in the interest of the residents of the northern edge of Denmark.</p> <p>If the road is truly a link for the convenience of new residents then a large area south of the town already approved pending sewage infrastructure would be better served. A</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Noted - the primary purpose of the Denmark Adaptive Re-Use Study was to formulate uses for the existing heritage buildings on-site, noting however the document references the surrounding grounds as having some community value.</li> </ul>

		<p>road along the old railway line would be easy to build and would also act as a bypass. The “heritage” tag on the railway is no more valid than any other “community” spin adjective applies to the northern route.</p> <p><u>Community Park</u> One of the major deals done when negotiating the new hospital site was a land swap between the old hospital site and the then community park. The intent and promise at the time was to have a park on the old hospital site. The buildings there, apart from the very small morgue and the matron’s house, were considered unfit for use and only good for demolition.</p> <p>The new town plan has provisions for future use of the old hospital none of which include a park. Why throw good money after bad attempting to keep the old hospital buildings when the trees, stream and position are already in place for a park.</p>	
P129	Nick & Lisa Goodliffe – Riverbend Caravan Park 40 Riverbend Lane DENMARK WA 6333	<ol style="list-style-type: none"> <li>1. This business is renowned for its quiet location and this road will directly affect the business. We are in the Lonely Planet guide as a unique quiet caravan park. We rely on Tourism.</li> <li>2. The Bush is an insulator against noise as well as provide a beautiful setting you would be removing this as well as some very old trees if you make this road.</li> <li>3. We brought in this location because of the peace and quiet and the cul-de-sac provides this. Our property would be devalued.</li> <li>4. Denmark has the advantage of a well maintained environmental place there are a lot better options that this without having to smash down existing vegetation. Open your eyes.</li> </ol> <p>I have 4 other options should you like to discuss them.</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .
P130	Penelope Jane Leech 20 Price Street DENMARK WA 6333	<p>The DDPS 2011 proposes rezoning of Price Street for commercial use. Currently the street comprises private properties (some of heritage value: weatherboard cottages at No. 18 &amp; No. 22 Price Street) and 1 (one) low-key commercial venture. This, the Blue Wren Backpackers Hostel does not impact too much on my residence (20 Price Street - although directly opposite); the entrance for accommodation being at the back of the house. There is increased traffic volume and people during the peak summer months, and at Easter. The street is currently a pleasant residential thoroughfare, with many long-term residents and renovators. I would like it to remain so, in order not to jeopardise the integrity, safety and welfare of older residents, children and pets.</p> <p>Therefore I would ask the Shire to reconsider a commercial rezoning for Price Street and surrounds.</p>	<ul style="list-style-type: none"> <li>• In accordance with Town Planning Scheme No. 3, all of the properties on Price Street (with the exception of one) have a zoning of ‘Professional Office’ – with R20 applying to the western side and R25 to the eastern side. The objective for this zone is “to provide for a mixture of residential and professional office uses where both low intensity professional office and associated commercial uses can co-exist with residential uses, where the residential nature, amenity and density of the street can be maintained, where places of heritage value are protected and where the built form of the area is enhanced.</li> <li>• The draft LPS essentially reflects the current zoning by designating the western side of Price Street as ‘Mixed Use’ and the eastern side as ‘Town Centre – Inner Core’.</li> </ul>
P131	Karen & Warren Thompson	<p>Firstly, we would like to thank the Shire for the opportunity to comment on the Draft of the Local Planning Strategy (D/LPS). We are specifically interested in the Shires’</p>	Noted - refer comments provided in Submission P94.

	<p>28 Procter Road DENMARK WA 6333</p>	<p>proposed changes to the Rural-Multiple Occupancy Zoning (R-MOZ) which is currently applied to our property at 28 Procter Road, Ocean Beach.</p> <p>As the Shire did not suggest an alternate zoning or state a conclusive preferred outcome, we found it challenging to provide relevant comment, as we do not have a clear alternative to compare with our current zoning. Although our property appears to meet the basic criteria for a Rural Smallholding Zoning, the property does not fall within the Shires' preferred areas as suggested in the D/LPS.</p> <p>Our suggestion would be for the Shire to facilitate their preference of rezoning R-MOZ properties, by offering Rural Smallholdings Zoning with the option for the property to be divided appropriately for each residence to retain privacy and achieve autonomy. If the property owners were assisted with a waiver of fees by the Shire, and had only to fund the survey costs, we believe this option may provide a good outcome for all. As our property has 3 residences, and easily currently accommodates 3 families, there would be no likely increase to traffic volume, resident numbers or land usage. We understand that we may have some further expenses in providing independent infrastructure of power and water supply in order to meet conditions of proposed rezoning, and would have to assess the likely expense of such infrastructure.</p> <p>In the case of our property, if this alternate zoning and subdivision was achieved the Shire would return individual rates applied to three properties instead of the current one. The Shire would also resolve the current negative issues of R-MOZ properties covered in the D/LPS.</p>	
P132	<p>Mike and Sylvia Travers 16 Riverbend Lane DENMARK WA 6333</p>	<p><u>Additional East-West Road Link</u></p> <p>From east to west, the proposed, indicative, preferred and desirable (it is described in all of these terms) road commences in McIntosh Road to East River Road across the Denmark River to Scotsdale and McLean roads then to Shadforth and Cussons road linking back to South Coast Highway. This is a long and convoluted route for a 'Neighbourhood Connector' road. A 'Neighbourhood Connector' might connect McLean road with the proposed 'Townsite East' future expansion area and terminate at Mr Barker road. That it continues to McIntosh Road goes beyond the general meaning of neighbourhood.</p> <p>With the industrial estate moving to McIntosh road there is an obvious need to re-direct heavy traffic away from South Coast Highway. The proposed link will allow construction and development traffic to service the McLean road developments and bypass the town centre. It is not a 'Neighbourhood Connector' road it is a by-pass. If nothing else comes of this LPS it is clear that the Shire's staff and Councillors need to be clear about their strategies and have confidence in the ratepayers of Denmark and call a by-pass a by-pass and not a warm and fuzzy 'Neighbourhood Connector' road. Integrity in communication is important, give us the truth rather than spin. We may not</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</p>

	<p>always agree with you but we will respect you being up front and honest.</p> <p>The other issue is that the proposal is almost totally descriptive with few hard statistics to support its objectives. Correctly, the proposal promotes an alternative river crossing for use in emergencies and bridge maintenance. From this information, it can be assumed that the new crossing will have to take at least the same volume of traffic as the current bridge. As a viable emergency crossing, for example, bush fire from north west, the bridge will have to take a critical volume of traffic. If this is the case then feeder roads must also have the capacity to handle emergency and day to day volumes of traffic. We are asked to make constructive submissions to this proposal without any hard data regarding envisaged traffic volumes, road size (is 20 metre standard for the whole route?), feeder roads, road junctions, the impact on Scotsdale and Shadforth roads, impact on Scotsdale road between town and its junction with McLean road and vehicle weights. At least we could have been given an indication of current traffic volumes and how this will change over the next 20 years. As the proposal includes a river crossing flood plan data should have been included. We are given 10 percent of the story and expected to make a clear and meaningful response. Does the Shire want informed feedback from hard data or a knee jerk reaction to a subjective proposal? Informed submissions require objective data.</p> <p>The proposed route passes through established residential areas, East River Road, Riverbend Lane, McNab and Cussons Roads. It also has a river crossing of unspecified size between East River and Riche roads. This route will cross both the Denmark River and Scotsdale Creek an area subject to regular river floods. While we are aware that engineers can, with enough money and time, overcome any natural hazard, wouldn't it be more cost effective to choose a site less prone to flooding. Why not cross the river at the reserve adjacent to the original McLean Road junction with Scotsdale Road, through the proposed Townsite east development to Mt Barker Road.</p> <p>After crossing the river and Scotsdale road, moving west, the proposed road takes McLean road and rises 200 metres to the junction with Lantske and Kearsley roads through to Shadforth road. This is a steep climb for any vehicle, especially vehicles to and from the proposed industrial area. The immediate hills around Denmark will be alive to the sound of stalling engines and screeching air brakes.</p> <p>The environmental impact is not confined to traffic noise. The proposed route will require considerable destruction of riverside vegetation and numerous trees along the existing McLean road easement. The environmental impact of Shadforth and Cussons Roads can only be imagined.</p> <p>We would have thought that incorporating the link into future development areas would be a better option; but no options are given. This is not so much a plan for the future but a strategy to divert industrial area traffic away from the town centre. It is a</p>	
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		<p>quick fix rather than a rational, considered and objective solution for the town and its people. Please go back to the drawing board and look at long term, no spin and honest solutions.</p> <p>Many thanks for the opportunity to respond to the LPS.</p>	
P133	<p>John Piercey 9 Bell Road WILLIAM BAY</p>	<p>I support much of the Draft Planning Strategy but query the reasons for possibly removing MO zoning. I have been a member of the The Wolery Ecological Community Inc, a Multiple Occupancy (MO) development based at 9 Bell Road, Denmark since 1978. I request that you retain Multiple Occupancy Zoning as a land use option within the Planning Strategy.</p> <p>The sections of the Draft Planning Strategy which concern me are:-</p> <ul style="list-style-type: none"> <li>• <u>6.12.4</u> Rural – Multiple Occupancy Zone: The use of Multiple Occupancy lots has also lost favour with the Shire of Denmark as they have been known to cause administrative issues with property rates and lack of maintenance of common property (e.g. clearing of firebreaks and management of fuel loads).</li> <li>• <u>6.12.5</u> Planning Implications: Review the Multiple Occupancy zone with a view to removing the zoning from the Scheme.</li> </ul> <p><i>Rates</i> We have never created problems for the Council with property rates or had issues with lack of maintenance of common property. I'm not sure where your information is coming from! Indeed the Wolery is a financial asset to the Shire. The Wolery Ecological Community (Inc) paid \$10,431 dollars in rates last year and the Shire only has to maintain 50m of Bell Road to the Wolery gate. We are happy with this rate.</p> <p><i>Fire</i> We have our own fire trailer and dedicated fire water tank and fire fighting standpipe and have our own regular fire drills.</p> <p><i>Absentee Landholders</i> Unlike in the rest of the Denmark Shire The Wolery has never had a problem with absentee owners and occupiers. We have had success actively discouraging members from leaving their house sites unoccupied for long periods of time.</p> <p><i>MO's Retain Good Agricultural Land</i> MO zoning retains the land as one parcel for future generations. The Wolery is on one 60ha title and the dwellings are clustered retaining viable areas for agriculture. <i>Special rural zoning</i> fragments good rural land and sprawls residential development making it unsuitable for agriculture. The Wolery is still one title.</p> <p><i>Special Rural Zoning</i></p>	<p>Noted - refer comments provided in Submission P94.</p>



		<p>Creates many more headaches and road maintenance costs than MO's. More savings in time and money could be made removing Special Rural zoning and encouraging Multiple Occupancy.</p> <p>In conclusion, I urge Council to retain Multiple Occupancy Zoning but with guidelines and requirements designed to their achieving stability. Consider removing special rural zoning before Multiple Occupancy Zoning.</p> <p><u>Other Issues</u></p> <p><i>Sewerage Works</i> Thank you for challenging the Water Corps plan to pump more waste water into the Inlet instead of recycling or treating it inland as is done in Albany.</p> <p><i>Camping Grounds</i> Thank you for speaking out for the protection of camping grounds from long term residential development. It's important to protect facilities that provide cheap holidays for young families.</p> <p><i>Reducing Commercial Sprawl and Vehicle Movement</i> CBD Zoning: could the area between the suggested cross hatched area and the school (NB: map provided relates to land between Price Street &amp; Brazier Street) be included in the CBD zoning? For reasons of safety and ambience it is important to keep as much CBD development to the Inlet side of the South Coast Highway as possible. With careful planning and design it is possible to increase development on this south side by three-fold thus reducing the possibility of the commercial sprawl that we see in Albany. Unfortunately this sprawl has already begun in Denmark with the exit of the Coop and the Shire Offices from the CBD but it is not too late.</p> <p>Commercial sprawl will cost the Shire dearly as it leads to more car dependence thus more road works, bitumen, noise and car parks.</p> <p><i>Public Open Space</i> Protect public open space that is adjacent to dense residential, the CBD and the River. Recently we have seen the tragic and unnecessary loss of very important irreplaceable riverside POS with the new hospital site. Good planning has to happen when a town is young and small but it seems that parochial attitudes often prevail. This new proposed strategy in the main seems to be a ray of hope after the rather dark last few years in Denmark's development.</p> <p>P.S. Please don't use submissions as a poll on support for one view or the other. Analyse them on their merits and reasoning.</p>	
P134	Sonia Anderson	Following this introduction, my submission is focused primarily on things that I would	<ul style="list-style-type: none"> <li>• Support for certain components of LPS noted.</li> </ul>

<p>14 Campbell Road DENMARK WA 6333</p>	<p>like to see changed in the LPS. However, it is worth noting that there is much in the LPS that is worthy of compliment.</p> <p>In general, I am impressed with the level of thought and rigour that is evident from the draft local planning strategy. I realise that it is often difficult to balance a wide breath of planning needs, particularly where those needs may be in conflict with one another. I am particularly gratified to see that, whilst more can be done on this area (see my comments below), considerable attention has been given to preserving the qualities of this town that make it such a gorgeous place to live and work.</p> <p>In particular, I appreciated strategies related to:</p> <ul style="list-style-type: none"> <li>• Urban infill (particularly when done in a way that supports low car-dependency living);</li> <li>• The service park, provided it does not include shopping-centre-style retail. This approach is a sensible, practical way to clear space from the inner commercial/retail zone. It should also make rezoning of Mitchell Street unnecessary (see comments below);</li> <li>• The development of home-based businesses;</li> <li>• Protection of productive rural land; and</li> <li>• Nodal development, if used as a key to creating and retaining vibrant communities.</li> </ul> <p><u>LPS Section 4.1 Future Residential - Implementation 5</u></p> <ul style="list-style-type: none"> <li>• Comment/Proposed Amendment - I strongly encourage adding an implementation point: "In parallel to point 5 and as an alternative, Council to investigate sustainable ways to achieve on-site power, water and/or wastewater services for part or all of the "Townsite east" urban area.</li> <li>• Supporting Arguments - Upgrading centralised infrastructure is difficult and expensive. The Water Corporation has already put a moratorium on new subdivision approvals because of limits on the WWTP capacity, and the financial restrictions in that organisation make action on new infrastructure unlikely to happen any time soon. The electricity infrastructure is already overloaded at peak times and, in any case, this power is sourced from environmentally-damaging coal mines.</li> </ul> <p>Technologies such as composting toilets, advanced on-site grey-water treatment and battery-back up or off-grid solar power are well advanced, and readily achievable and available at the domestic scale.</p> <p>The proposed amendment does not mandate the use of these technologies, but encourages the Council to educate itself and to keep an open mind.</p> <p><u>LPS Section 4.1 Future Residential - Additional Strategy</u></p>	<ul style="list-style-type: none"> <li>• Noted – noting however that it is recommended that Implementation Point 5 be deleted given the intention is to only ‘flag’ the Agricultural College land for future consideration should the opportunity afford itself.</li> <li>• Noted – is applied in Liveable Neighbourhoods and the Residential Design Codes currently so no need to duplicate in the LPS.</li> <li>• Acknowledged – a review of the ‘Future Residential’ strategies and objectives identifies that specific consideration has not been given to aged housing. A modification is proposed to include an additional strategy and objective to address the issue of aged housing.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</li> <li>• Noted – recommend modify ‘good roads’ to ‘well-maintained roads’.</li> <li>• Noted – although not supported as development could just be as simple as a walk trail; will be dependent on the site being considered at the time.</li> <li>• Noted – is considered is referenced adequately at this stage, with structure planning to address issues provided for in Part 2 of the LPS.</li> <li>• Noted – refer comment above.</li> <li>• Noted – being considered as part of other modifications.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations.</li> <li>• Noted – refer comments provided against Submission P94.</li> <li>• Noted - securing scheme water supplies is paramount as well as looking at other water source avenues for potable and non-potable usage that may be available – i.e. rainwater tanks, grey-water usage etc. Council has a current Local Planning Policy that encourages such initiatives (i.e. is not a mandatory requirement at the moment).</li> <li>• Noted – refer comments provided in relation to FESA’s submission on the draft LPS (Submission G1).</li> <li>• Development in BAL-40 or BAL-FZ areas is not an acceptable planning outcome.</li> </ul> <p><u>Recommendation:</u></p>
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	<ul style="list-style-type: none"> <li>• Comment/Proposed Amendment - Add strategy and implementation points relating to sustainable subdivision design (maximising north-facing lots) and sustainable building practices (esp around thermal efficiency, solar orientation, power, water and wastewater independence) in “Townsite east”, and urban infill areas where possible.</li> <li>• Supporting Arguments - Incorporates important parts of the State Sustainability Strategy (2003).</li> </ul> <p><u>LPS Section 4.1 Future Residential - Additional Strategy</u></p> <ul style="list-style-type: none"> <li>• Comment/Proposed Amendment - Add strategy and implementation around ensuring the provision of smaller houses (e.g. 2*1 and 3*1) and affordable housing (units etc) in “Townsite east” and urban infill areas.</li> <li>• Supporting Arguments - The need for housing for younger people living alone and for retirees is acknowledged in Part 2 of the LPS, but is not reflected in the strategy document itself.</li> </ul> <p><u>LPS Section 4.2 Future Retail</u></p> <ul style="list-style-type: none"> <li>• Comment/Proposed Amendment - Do not extend the commercial zone to Mitchell Street properties west of Short Street.</li> <li>• Supporting Arguments - The presence of the primary school and its associated foot traffic makes more intensive commercial development inappropriate in this area. In any case, establishing the Service Parks should allow businesses such as Type Power, the car wash and the hardware store to move from their current location. This is a more appropriate solution than the rezoning.</li> <li>• Inner-town housing could then be considered for the old sites.</li> </ul> <p><u>LPS Section 4.4 Tourism - Strategy d</u></p> <ul style="list-style-type: none"> <li>• Comment/Proposed Amendment – I am concerned by the ambiguous term “good roads” and suggest replacing it with “well-maintained roads”.</li> <li>• Supporting Arguments - “Good roads” can mean straightened, levelled and exclusively bituminised roads. These create a sense of haste and can easily destroy the character of a journey. They are inappropriate as tourist routes – It is difficult to feel like you are “getting away from it all” when the road on which you are travelling is like a highway! They are also out of keeping with the village character of Denmark.</li> </ul> <p>There are many other areas in the LPS where the Council is sensitive to the need to maintain Denmark’s character, and that sensitivity should also be demonstrated here by removing this ambiguity and ensuring that Denmark retains roads that blend with the character of the landscape. Naturally, effective maintenance of these roads is important.</p> <p><u>LPS Section 4.4 Tourism - Modify Implementation 3 Plus Additional Consideration</u></p>	<ul style="list-style-type: none"> <li>• Modify ‘good reads’ to ‘well-maintained roads’ in Part 1 Section 4.4 Tourism Strategy d).</li> </ul>
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- Comment/Proposed Amendment – Council continue to develop and maintain tourist related facilities at selected Council owned/managed tourist based sites.

Add strategy and implementation actions to ensure that a diversity and development levels is maintained for natural resource attractions throughout the area, such that a proportion of sites are retained as limited access, unserviced.

- Supporting Arguments - Development of tourist facilities is an important and laudable aim, but this need not occur everywhere. There is something lovely about discovering undeveloped places as well. For these places to exist, they need to be identified and protected from development (Poison Point springs to mind as a possible example of a place that should simply be left alone).

#### LPS Section 4.6...Settlements

- Comment/Proposed Amendment - Clarify that these settlements are to be developed as self supporting villages.
- Supporting Arguments - This is intention clear from Part 2 of the LPS, but is not reflected in Part 1. Allowance should be made in planning for appropriate retail, other commercial and related development.

#### LPS Section 4.6...Settlements

- Comment/Proposed Amendment - Include options for independent power, water and/or wastewater services, as per my comment in Section 4.1 -5.

Naturally, sustainable building design is also vital here.

- Supporting Arguments - See comments above. Supply of centralised services will be even more cost-prohibitive for nodal towns. Infrastructure suppliers such as Western Power and the Water Corporation may instead be amenable to providing development subsidies towards power, water and wastewater independence. They have already shown a willingness to do this with hot-water system rebates, rainwater tank subsidies and the H2ome Smart program.

These nodal settlements could become model sustainable communities with inherent resilience to climate change and declining fossil fuel resources.

#### LPS Section 4.7 Natural Resource Management

- Comment/Proposed Amendment - Remove qualifications from the strategies i.e.
  - b. "identify key remnant vegetation areas and protect them from clearing"
  - f. "Limit Prohibit development in flood-prone areas..."
  - g. "Consider Ensure land use controls..."
  - l. "Undertake Ensure a co-ordinated and integrated management approach..."

r. "Consider Facilitate/ensure the retention of remnant vegetation..."

s. "Consider applying Apply Special Control Areas to protecting..."

- Supporting Arguments - Clarity elsewhere in the LPS that the environment is important and contributes to the character of Denmark becomes muddy here. There is no need for these strategies to be equivocal, and to make them so weakens the intent of the LPS as a whole.

These strategies are protecting, in a very reasonable way, important aspects of Denmark's natural environment. This is part of the Council's role, and there is no need to invite developers to find a way round the Council's intentions.

#### LPS Section 4.9 Rural Land – Subdivision and Development Strategy a

- Comment/Proposed Amendment – Clarify what is meant by 'appropriate areas'. Particularly, I suggest that the LPS specify that the Council will:
  - Ensure that land and slopes greater than 12 degrees is excluded from rural subdivision areas.
  - Identify zones in which no development is to occur (perhaps including former, undeveloped "landscape protection zones", if any).

Additional urban expansion areas or nodal development areas could be identified to ensure that the appropriate level of housing growth is accommodated.

- Supporting Arguments - I appreciate the need for housing growth in the Shire, and also that there is a demand for larger-size lots. However, this style of development is resource inefficient (car dependent), difficult to service centrally (as is planned in the LPS), and tends to fragment the landscape, create bushland remnants, and introducing pests, weeds and diseases to what is left. Rural subdivisions should therefore be limited to considerable less area than shown on the amendment maps.

When built on steep land, the combination of sand-pad construction and a large house can make for a very ugly development (e.g Peace Street, Walnut Grove), as well as creating more significant erosion risks. This also should be avoided.

#### LPS Section 4.9 Rural Land – Subdivision and Development

- Comment/Proposed Amendment - Remove the statement that withdraws support for multiple occupancy zones.
- Supporting Arguments - I have read the supporting information on this point. I consider that there are more appropriate ways to deal with issues with some existing multiple-occupancy zones than a flat prohibition of this style of development.

Multiple occupancy zones are an important way of allowing community-

		<p>orientated developments and also for ensuring a supply of affordable housing.</p> <p><u>LPS Section 4.11 Servicing</u></p> <ul style="list-style-type: none"> <li>• Comment/Proposed Amendment - Include strategies to promote, facilitate and allow alternative black water and grey water treatment and disposal.</li> <li>• Supporting Arguments – See comments above.</li> </ul> <p><u>LPS Section - Bushfire Management</u></p> <ul style="list-style-type: none"> <li>• Comment/Proposed Amendment - I suggest that the Council adopt strategies to: <ul style="list-style-type: none"> <li>○ Prefer and encourage modification/construction of housing to comply with Australian Standard 3959, rather than clearing, in (former) landscape protection zones and in new development areas.</li> <li>○ Accept an inherent level of risk that arises from a well considered compromise between optimal bushfire risk management, and effective natural resource management and landscape protection.</li> <li>○ Use the power under the State <i>Bushfires Act</i> in a manner that is sensitive to the values and character of the existing environment in Denmark.</li> </ul> </li> <li>• Supporting Arguments - “Optimal” bushfire management is clearing bush to a distance that will achieve BAL low, which is up to 100m. However, achieving this will either lose the bush entirely or, by damaging or removing the understorey will lose the biodiversity value of that bush. Even clearing to the extent currently required by the Council’s bushfire regulations will, in many parts of Denmark, destroy that natural character of the area (which is what people have moved here for in the first place!).</li> </ul> <p>The LPS recognise the value of bush remnants. The greatest current threat to those remnants is risk-averse bushfire management.</p> <p>I suggest that effective management of these issues should take the following staged approach.</p> <ol style="list-style-type: none"> <li>1. Identify the level of bushfire risk and the contrary risks associated with clearing (loss of biodiversity, visual amenity, etc.) These will be zones of higher and lower risk in Denmark.</li> <li>2. Identify the risk appetite for each of these risks, to inform the management approach. This could be done by individual landowners or the Council could set a risk appetite for particular risk zones, in consultation.</li> <li>3. Implement management. Good housing design should be the first response to bushfire management.</li> </ol> <p>In some cases, particularly with existing dwellings where the owners have long-accepted bushfire risk, a BAL40 or BAL FZ may be acceptable.</p>	
P135	Kenneth John & Jill	Our principal concerns relate to the geographical location and function of the proposed	Noted – refer comments and associated recommendations in

	<p>Smith 36 Riverbend Lane DENMARK WA 6333</p>	<p>“East-West’ Link Road, which – despite not being termed a “bypass” – will nonetheless serve exactly this purpose. The revised “indicative alignment” of this link road traverses within 100 metres of our property (36 Riverbend Lane) and appears to physically link with the entrance to Riverbend Lane. Traffic using this link road would increase traffic noise levels and facilitate a more dangerous junction with Scotsdale Road. In addition, the new alignment brings it closer to the boundary of the Steiner School and this means that students would have to cross the proposed road, which one would have thought was less than desirable.</p> <p>Even prior to meeting Riverbend Lane, the indicative alignment clearly links existing roads (East River Road and Riche Road) and does not take into account the encroachment upon private land, the need to build a new bridge, the clearance of much heavy vegetation to meet the road width specifications and the fact that the route way crosses the 100 year floodline.</p> <p>The route past Riverbend Lane moves on to McLean Road that again is heavily wooded. To remove all these trees surely goes against the environmental conservation ethos of Denmark as a tourist oriented centre.</p> <p>We acknowledge the need to have ‘an escape route’ in the event of bush fire, however, its needs to be borne in mind that the former bridge on the old East River Road perished as a result of a similar fire. Surely, having the two bridges – the current one and the new proposed bridge, within 3 kilometres is not strategically sound. A better alternative would be to channel escaping traffic north to the Churchill-Mt Lindsey route. Here is a readymade roadway – already the correct width for resurfacing – that just requires a new bridge to be built further along the Denmark River. The expense would be far less but the result the same.</p>	<p>Officer’s Report titled Proposed East-West <i>Link Road</i>.</p>
P136	<p>Paul &amp; Fiona Williamson 4 Pember Rd West DENMARK WA 6333</p>	<p>Refer Submission P17</p>	<p>Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</p>
P137	<p>Rod Harman C/- PO Box 39 DENMARK WA 6333</p>	<p>My objection is against the implementation of the “Northern Link Road”, proposed under the Draft LPS for Denmark.</p> <p>My objections are based on the following:</p> <ol style="list-style-type: none"> <li>1. The suggestion or inference that the Northern Link Road (NLR) will not in fact be a Heavy Vehicle By-Pass.</li> </ol> <p>I have previously worked as a heavy goods vehicle driver and understand the considerations that influence route determination. Trucks will actively avoid the route along the highway through the centre of the town if an alternative exists. The adoption of design features that give the NLR a residential character will not discourage its use as a Heavy Vehicle By-Pass. I urge the council to refrain from the use of euphemisms and provide its rate payers with the frank and transparent</p>	<p>Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</p>

discussion of the "Northern Link Road" its rate payers deserve.

If the NLR is in fact a Heavy Vehicle By-Pass, its location is unsuitable for the reasons I state below.

2. Destruction of the immersing cycling, jogging and hiking path.  
A scenic path that runs from the pedestrian bridge near the new hospital, through to the start of the sealed section of East River Road (near the entrance to what was the Agricultural Research Station), has emerged through recurrent foot, equine and mountain bike traffic. Over recent months and years, work has been done to improve the accessibility of the path and its popularity has increased. Cyclists have the opportunity to complete a full circle without encountering any significant traffic by following a route past the airport, along McIntosh road and back into town along the old railway line and cycle paths along the rivers' edge. The appeal of this path will be destroyed if the NLR follows its proposed route, due to the inevitable heavy vehicle traffic.

Maintaining the tranquillity of the path in its present form will compliment the excellent work the Shire has undertaken in establishing cycling and walking paths along the river's edge near the town centre through the river mouth.

3. The proposed path of the NLR is an unsuitable route in the event that Denmark's main traffic bridge across the river becomes impassable.  
The most probable risk to Denmark's main traffic bridge across the river is fire. In the event Denmark was beset by bushfires of the same catastrophic destructive force as those that have occurred in Victoria and South Australia (and the main traffic bridge was destroyed), an alternative route across the river is obviously desirable. However, if the NLR is to provide an alternative route, it must be suitable to serve this purpose in a *worst* case scenario.

The point which the NLR crosses the river is simply too close to the existing traffic bridge. Along the path that follows the river from the end of the sealed section of the East River Road (near the entrance to what was the Agricultural Research Station). To the main traffic bridge across the river, the distance is approximately 3 kms. In a straight line, the distance is obviously less. According to the CSIRO, fire is capable of travelling at a *predictable* rate of 16-20 km/h. This means that potentially, a fire at the location of the main traffic bridge could reach the point the proposed NLR crosses the river in around 10minutes. Even with the benefit of promptly executed proactive fire fighting responses, the NLR would still be extremely vulnerable.

4. Threats to Denmark's attractiveness as a Tourist destination and a place to live.  
Cussons Road, Mount Shadforth Road and Scotsdale Road have all been promoted as tourist drives. Heavy vehicle traffic will not only detract from the tourism amenity of these roads, but also dramatically increase danger to light traffic.



		<p>For existing residents, the NLR will be an environmental disaster in terms of what most people love about Denmark. Both McLean Road and East River Road (including Riverbend Lane) support many magnificent old growth Karri, Marri, Tingle and other species. Much has been done to preserve a small number of such trees along Kearsley Street and elsewhere. These efforts have been applied in recognition of the fact that these trees are amongst Denmark's most precious natural resources. It's extraordinary that the Denmark Shire would contemplate a route for the NLR that would require the destruction of these trees in significant numbers. The northern skyline, as viewed from the town centre, is characterised by fine strands of Karri and other species which provide much of Denmark's ascetic appeal and imagery that turns tourists into permanent residents. The construction of the NLR would result in the unthinkable substitution of this outlook with unattractive earthworks and the sight of passing vehicles, including heavy vehicles. The resumption of private land along the route will not mitigate the damage, as the private land owners on either side of the road reserve is as heavily timbered as the reserve itself.</p> <p>5. Dangerous Mount Barker / East River Road Intersection</p> <p>This is an almost blind crossing because of slopes in the Mount Barker Road from both the south and the north particularly. Moreover, given that heavy vehicles (that will in all probability use the NLR), have very poor acceleration from stationary, the period these crossing vehicles will be obstructing the path of high speed (110kph) traffic along the Mt barker Road, will present an unacceptable danger. Reducing the speed limit along this section of the Mount Barker road will reduce the risk of collision, but will not avert it.</p> <p>I urge the Denmark Shire to consider the alternative NLR routes available in consideration of the mounting public opinion against what is currently being proposed.</p>	
P138	Thompson McRobert Edgeloe Group on behalf of H & P Opitz PO Box 733 BUNBURY WA 6231	<p>On behalf of H &amp; P Opitz, owners of Lot 301 Ficifolia Road, Peaceful bay, within the current Peaceful Bay Structure Plan area and owners of land identified within the Draft Local Planning Strategy as being within the indicative rural nodal settlement of Peaceful bay.</p> <p>We fully support the vision, objectives and strategies outlined in the Draft Local Planning Strategy, specifically;</p> <ul style="list-style-type: none"> <li>• Support the Objectives, Strategies and Implementation outlined for the Peaceful bay area in Section 4.6</li> <li>• Strongly support the priority given to Peaceful Bay in the use of Shire resources and development timing as outlined Section 5. Given that the Peaceful Bay Structure Plan has been in place since 2000 and the landholdings are no further advanced in planning for development, we believe that it is vital that the Shire actively supports the finalisation of the planning for this area in order to facilitate the delivery of residential land.</li> </ul>	Noted – Planning Services are recommending a modification be incorporated which will provide additional information in the LPS document relating to Council's resolution of April 2011 (Res: 130411) – which essentially acknowledged a review of the Peaceful Bay Structure Plan is required.

		<ul style="list-style-type: none"> <li>• Support the Implementation recommendations 38-42 identified in Section 7.1</li> <li>• Agree with the comments made in relation to Peaceful Bay in section 6.10.1</li> </ul> <p>We submit that Peaceful Bay is the most important settlement after Denmark in the Denmark Shire. The general philosophy within the Draft Local Planning Strategy of consolidating the special growth of the Denmark Townsite and directing some of the Shires growth to the discreet nodal rural settlement is supported. It is our view however that in order to achieve this, the finalisation of the planning for the Peaceful Bay area needs to be actively encouraged and supported.</p>	
P139	Ryan Phillips C/- Peaceful Bay Caravan Park PEACEFUL BAY WA 6333	<p>The Local Planning Strategy has indicated the future development of nodal settlements at Peaceful Bay, Nornalup and Bow Bridge. I believe it would be worth while having a bituminised link road in this region which would significantly shorten the travelling distance to Perth. This road could take two routes either Nornalup Rd through to Tindale or Nornalup Rd through Boronia Rd to Middle Rd up with Valley of the Giants Rd.</p> <p>The route through from Nornalup through to Valley of the Giants Rd is the most viable option, as it cuts through to the middle of the proposed settlements, links two prominent tourist destinations in Tree Top Walk and The Frankland River Wine Region, would not require the destruction of significant amounts of forest and is beautifully scenic. When linked with the Rocky Gully Frankland Rd and Shamrock Rd (both these roads are already bitumen) would cut 70km off the distance to Perth from these nodal settlements.</p> <p>This road would also provide a link between the hinterland agricultural regions and the coast.</p> <p>This project would be eligible for Royalties for Regions funding.</p> <p>Please consider this request.</p>	Noted – Planning & Infrastructure Services are recommending a modification to the LPS to have Tindale Road identified as a ‘Future Regional Road’.
P140	Peter & Mary Olden PO Box 216 DENMARK WA 6333	<p>Our comments relate to a number of issues within the draft Local Planning Strategy.</p> <p><u>Future Industrial Park</u> We support the plan to establish a new industrial park on McIntosh Rd as it will remove the heavy industry from the town centre.</p> <p><u>East – West Northern Townsite Link Road</u> We support the establishment of an alternative access road into and out of town as long as it is done in such a way as to protect as much of the existing vegetation as possible and landowners in the direct vicinity are consulted. From personal experience we understand that there will be an impact on the land owners and their properties from re-alignments and increased traffic however we believe that the opportunity to construct such a road should be considered as an essential part of the town’s growth.</p>	<ul style="list-style-type: none"> <li>• Noted.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</li> <li>• Noted – although Planning Services do not support extending urban residential or rural residential south of Lights Road/Ocean Beach Road, beyond current zonings provided for in Town Planning Scheme No. 3.</li> </ul>

		<p><u>Future Commercial Zone – Rear of South Coast Hwy and Mitchell St</u> We are concerned that the development if this area as commercial property would create significant risk to children attending Denmark Primary School through increased traffic and ask that you remove this proposed zoning from the LPS.</p> <p><u>Ocean Beach</u> We are concerned that there has been little consideration given in the LPS to any future development to the area between Minsterly Rd / Ocean Beach and Light Beach. There are many people who have shown an interest in accessing the ‘lifestyle’ blocks in the area. The proximity to Ocean Beach is a major drawback. The fact that the Denmark Shire opened up Lights Rd 20+ years ago indicates that development was intended (and in fact has happened to a degree). Our rural zoned land is surrounded by Residential, Tourist, Special Rural and Rural land which indicates to us that anything is possible in this location. We request that serious consideration be given to further development of this area.</p> <p>Although not all of the area is conducive to development there are large portions which present ideal locations for rural residential, rural smallholding or tourist developments. The area has the potential to be developed in a sustainable way so that the natural environment is protected. Existing infrastructure is available with roads, power, telephone and water. Deep sewerage is not connected however the size of lots within these types of development are large enough to sustain alternative treatment systems or on site effluent disposal. We totally support the Shires resolve not to enforce the WAPC policy regarding mandatory reticulated potable water supply to rural residential lots as these lots provide enough space to catch and store their own water. This would not impact on the town water supply.</p>	
P141	Janette Ravens 2 Mclroy Bend DENMARK WA 6333	<p><u>Planned East – West Road Link</u> Having a major road adjacent to Golden Hill Steiner School will have a major impact on the school and its community. Especially the young children. Families choose this school because of its quiet, beautiful location and natural surroundings. The form of education offered here is especially tailored to make use of these natural assets. The noise, vibrations, pollutants and ugliness brought by a road would all be deterrents for existing and prospective families. These would have an economic impact on the school and might even threaten its viability. Employment would be negatively impacted together with the quality of education available within the shire.</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .
P142	Stuart Young PO Box 614 DENMARK WA 6333	<p>I would like to submit the following comments for Council consideration on the draft LPS as advertised recently – principally regarding the East-West road link.</p> <p>The LPS makes the point that the Shire is keen to increase the size of the CBD of Denmark, yet reduce pavement width on the South West Highway through town to provide a safer, calmer traffic environment for people within this CBD. This is all well</p>	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .

and good but the fact that this Highway 1 and inescapably the major road link for the south coast seems to have been lost.

Denmark town and 'suburbs' are widely spread and driving to town from said suburbs is essential for most citizens to carry out their daily work or domestic activities. An increased size of the CBD is obviously designed to bring more people into town, hence more traffic and quite likely a less safe, calm traffic environment. Couple this with the probable increase in traffic volume along Highway 1 and the traffic situation appears to be heading for some problems.

The suggested east-west link road on the route proposed may be suitable for light traffic on the off chance that some people may only wish to move from one 'suburb' to another. It may even suit some to use parts of it to dodge the summer horror of the CBD and Highway 1 in the centre of town. Topographically however, this road route as proposed in the LPS is a potential waste of time, space, money and planning resources.

It is quite impractical to expect people to choose to drive up and down these hills to try and access Denmark suburbs when the easy choice is to keep on the flat – even if the traffic is calamitous and hectic on the highway. No one will choose to take their truck or caravan rig along here to avoid the CBD.

It is simply too difficult, dangerous and expensive on equipment to be a reasonable option.

With the increased traffic and size of the caravan rigs moving along Highway 1, planning needs to be done now to safely keep most of these vehicles away from the CBD. The town needs a by-pass that is safe, convenient and easy for travellers to use – preferably along a flat(ish) section of the Shire. Provision should be made along this route so that travellers can confidently park their vans, trucks, buses or whatever and then access the CBD by foot, bike or car to carry out their business or shopping.

The obvious and most practical route for such a by-pass is from the Mt Barker turn off, southwards towards the river mouth (south of the golf course), crossing the river near the present foot bridge and then approximately following the old railway line westwards to rejoin Highway 1 somewhere near Myers Rd.

Provision for parking large vehicles should be made somewhere near the old post office/yacht club/vintage machinery shed area so that access to town is easily made along Inlet Drive.

Environmental and conflict of use issues arise with this route and they surely exist with equal validity as those with the proposed northern neighbourhood road route in the LPS. However, the traffic and access through town involves a large part of the South

		Coast, much more than just Denmark. The Shire must make safe and sensible planning decisions for such development with this current LPS.	
P143	Silvia Lehmann PO Box 649 DENMARK WA 6333	<p><u>The East-West Road Link proposal and How It Will Affect My Children's School</u></p> <p>Two of my children are attending the Golden Hill Steiner school on Scotsdale Rd. I have also been reading the Denmark Bulletin and the concerns raised about the East-West Road Link proposal in the draft local planning strategy.</p> <p>I would like to make it known that I am vehemently OPPOSED to this road being built. I do not want a big road like this ANY road for that matter, to be located so close to my children's school. I do not want the beautiful McLean Rd to be made a thoroughfare and have all its old growth trees cut down for this. And I do not want any corridors of native forest to be jeopardised where native animals seek refuge (the East River Rd end of the proposal). Despite all you might say, it is VERY CLEAR to me that trucks &amp; heavy vehicles of all descriptions will be using this road. But no excuse – even as a neighbourhood connector Rd this proposal link road will destroy more than the advantages it could give.</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .
P144	Neil & Carole Powley PO Box 117 DENMARK WA 6333	<p><u>4.9 Rural Land – Subdivision &amp; Development – Relating to Pt Loc 2136 &amp; 2279</u></p> <p>This is a very picturesque area of deep valleys and steep hilly paddocks with many granite and ironstone outcrops of unclearable land that cut into the pastures, making cropping impossible and tractor work difficult and dangerous. The locations are not large enough to sustain a viable farming venture therefore most of this land is being used for hobby farming, the owners having outside occupation to cover living costs and often needing to finance the necessary maintenance on the land.</p> <p>Being North/East of the town, subdividing this area will enhance the future outskirts of the town of Denmark. Providing small, high quality locations and only a few kilometres from the CBD.</p> <p>This is very heavy timbered country and due to environmental restrictions on clearing there is no opportunity for further land development. If this area is subdivided into small rural holding the land will be utilised to the maximum, creating a spectacular small holding development.</p> <p>The Powley family have owned and lived on Location 2136 and 2279 since 1915 and we live and work here still, even so, should this proposal go ahead and be passed in our lifetime we would not be subdividing our land.</p> <p>There is no way a sustainable living can be made of these locations and we see this proposal as an opportunity to further develop the district in the future while enhancing the perimeters of the town.</p> <p><u>Additional Note</u></p>	Having regard to the location of the subject landholdings and the comments and associated recommendations provided for in the Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations</i> , Planning Services do not support a 'rural smallholdings' designation on these land parcels.

		We have read the draft of the submission that is being put forward by Ayton Baesjou Planning on the behalf of the landowners concerning item: 4.9 Rural Land – Subdivision and Development in the Draft Local Strategy for the Shire of Denmark. As we own two locations within this area concerned and are about to leave for holidays and as the final draft for signing has not yet been printed we want to give our assurances that we are in total agreement to the contents of this submission.	
P145	Kardi Harrowor & Ivar Moijor PO Box 696 DENMARK WA 6333	Ivar and I feel that the planned location of the East / West Road Link will endanger the safety of our child as this new road, indeed the sole purpose of such a road is to meet the needs of heavy traffic in the form of road-trains, logging vehicles. We feel strongly that it is not conducive to the health and wellbeing of our child, nor all other students of GHSS. This road should not be located near a Primary School that encompasses children aged 0 – 13 years. This is opening up a road disaster. Already our children have a perilous journey as Scotsdale road is already unsafe for our students. This link road only compounds the problem.	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .
P146	Sharene & John Gittins 1768 Scotsdale Rd DENMARK WA 6333	<u>East-West Road Link</u> The proximity to the Steiner School, will in mine and my partners belief, adversely effect the learning environment of our children.  Noise and distraction from traffic using the proposed route would be heard in classrooms, and as an educator myself I believe that a learning environment should be as soothing as possible. There is a possibility of an increase in the level of danger to students, due to traffic flow, and also of vehicle emissions affecting our children’s health. We are also concerned about the environmental damage that may occur during construction, to native bush and waterways.  We would prefer to see an alternate route, that does not come so close to the school, (we are not opposed to a bypass road).	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .
P147	Daniel & Michelle Wright 17 Bambrey St DENMARK WA 6333	As owners of Lot 202 Ocean Beach Rd, we would like to submit a proposal to change the zoning of the block of 4.3 acres to a zoning that would allow it to be split into 4, 1 acre lifestyle blocks. At 4.3 acres it is too small to farm as it is zoned rural at the moment. It is in close proximity to smaller blocks and we believe it could be put to better use if the zoning was changed.	Having regard to adjoining land uses, it is considered that a ‘rural residential’ designation may be appropriate, noting however that the lot is only 1.75ha in area so would not be able to be further subdivided anyway.  <u>Recommendation:</u> <ul style="list-style-type: none"> <li>Amend designation from ‘General Agriculture’ to ‘Rural Residential’.</li> </ul>
P148	NCL & RB Giles 134 Walter Road DENMARK WA 6333	<ol style="list-style-type: none"> <li>Concerning the proposed additional East-West road link which would not be suitable for heavy traffic in the future. It is also a very contentious issue on a social and environmental level. Several property owners will lose part of their property for the roadway and many larger trees removed as well. This will be a great disadvantage for the property owners concerned and destruction of habitat.</li> <li>There is no allowance in the LPS for future Seniors accommodation units in town, for which there is a growing need. We suggest North Road or the eastern side of</li> </ol>	<ul style="list-style-type: none"> <li>Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>Acknowledged – a review of the ‘Future Residential’ strategies and objectives identifies that specific consideration has not been given to aged housing. It is therefore recommended that an additional strategy and</li> </ul>

		<p>Horsley Road which is near to the hospital and town.</p> <p>3. The Denmark hospital total care units and the Blue Wren Lodge are already full, this also has to be addressed.</p>	<p>objective be included to address the issue of aged housing.</p> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Add the following to Part 1 Section 4.1 Future Residential: <ul style="list-style-type: none"> <li>○ Strategy: Support the development of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> <li>○ Objective: Council support private and public developments of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> </ul> </li> </ul>
P149	<p>Mark Blowers PO Box 660 DENMARK WA 6333</p>	<p>I am not happy at proposal to rezone the rear of the houses on Mitchell St to commercial use because –</p> <ol style="list-style-type: none"> <li>1. There is no need for more commercial along there as there is a lot of empty shops etc already in the town which need filling</li> <li>2. Due to no restricts of the South West Hwy or town front it leaves it open to inappropriate types of business to open.</li> <li>3. I fear it will further remove the village feel of the Denmark CBD</li> <li>4. I fear it will impact on the Catholic Church and surrounds it if important to me the it stays in the middle of the CBD surrounded by houses not shops.</li> </ol> <p>I don't want to see the possibility of a developer being able to buy up a lot of land and put in a big type of shop or shops.</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</p>
P150	<p>Assoc Prof Richard Turner PO Box 787 DENMARK WA 6333</p>	<p>Submission lodged on behalf of the following owners/occupiers of all the land between Tulley Road in the south, Churchill Road in the north, Denmark River on the west and the Mt Barker Road on the east – being Mr Richard Carter, Mr and Mrs Rob Poolman, Mr and Mrs Neil Powley, Mr and Mrs Peter Rees, Mr and Mrs Brett Powley, Mr John Elliot and Claire James, Mrs Angela Turner and myself Richard Turner (NB: Mrs Price reserved her opinion).</p> <p><u>Key Points in Brief</u></p> <ol style="list-style-type: none"> <li>1. We submit that the recent draft LPS strategy does not go far enough in allowing varied land use in the Shire of Denmark. We agree with Council on their representations to WAPC, but differ in emphasis. We believe that the Designation</li> </ol>	<ul style="list-style-type: none"> <li>• Noted – Planning Services consider the provisions of draft Statement of Planning Policy 2.5 and Development Control Policy 3.4 are appropriate.</li> <li>• Noted – in its submission on the draft Statement of Planning Policy 2.5 and Development Control Policy 3.4, Council noted that Section 5.4a) of Development Control Policy 3.4 should provide the ability to create homestead lots in all agricultural areas and not just the Wheatbelt Agricultural Policy area on the basis that homestead lots: <ul style="list-style-type: none"> <li>○ Are a recognized form of rural living subdivision;</li> <li>○ Do not fragment rural land;</li> </ul> </li> </ul>

		<p>of all lots between 4 and 40 ha as Rural Small Holdings, where “residential is the predominant use”, is a serious flaw. The proposed definitions in SPP 2.5 and DC 3.4 fail to recognize the complexity and diversity of rural land uses in Denmark. This new LPS is an opportunity for revolutionary thought on the next 20 years of this town and regional development.</p> <p>2. Homestead Lots should be allowed in all agricultural areas on the basis that Homestead Lots:</p> <ul style="list-style-type: none"> <li>• Are a recognized form of rural living subdivision;</li> <li>• Do not fragment rural land;</li> <li>• Do not result in loss of rural character;</li> <li>• Provide the opportunity for a farmer (retired or otherwise) to retain an association with the land should they desire to do so;</li> <li>• Support the population base for the agricultural collector district population.</li> </ul> <p>3. There is no evidence that more farming lots, with an increased density of accommodation necessarily reduces the productivity of the farming land. Provided that appropriate farming practices and water management are followed. The evidence to the contrary is all over Europe and the UK. Based on the numbers provided in the LPS draft the actual threat to viable farming land is negligible in terms of the size of WA. The planners at WAPC need to be consistently informed about the small acreages and differences in our community.</p> <p>4. Sustainable and biodiversity. The land under discussion is hilly, rocky and partially wooded and all borders the significant Denmark River waterway. It is not viable for intensive broad acre farming and the current pasture use significantly impacts, of potentially impacts the Wilson inlet. All current farmers are already required to seek alternative sources of income at present. Appropriate homestead development of this area would have the following benefits:</p> <ul style="list-style-type: none"> <li>• Reducing nitrification of the waterways and eutrophication of Wilson Inlet;</li> <li>• Sustainable small-scale agriculture and improvement of productivity; and avoidance of use of arable land too close to waterways</li> <li>• Maintaining biodiversity and conserving our natural environment.</li> </ul> <p>5. This area of Denmark clearly lends itself to smaller property sizes and homestead lots for the following reasons:</p> <p>A. Access. It is on the approach to Denmark from the North and the East with many landowners commuting east to supplement their income (this will not impact on the town.)</p> <p>B. Area definition. If is clearly defined by natural borders. The river on the West, Churchill road in the North, Tully Road, in the South and the Mount Barker road on the East.</p> <p>C. Visual appearance. The visual aspect of the area will remain relatively unchanged as the Eastern border is predominantly wooded by State forest.</p> <p>D. Land management. Smaller properties would increase the quality of land management and hence provide better fire control to the North and East of</p>	<ul style="list-style-type: none"> <li>○ Do not result in a loss of rural character;</li> <li>○ Provide the opportunity for farmers to retain an association with the land should they desire to do so; and</li> <li>○ Support the population base for the agricultural collector district population.</li> </ul> <ul style="list-style-type: none"> <li>• Noted.</li> <li>• Having regard to the location of the subject landholdings and the comments and associated recommendations provided for in the Officer’s Report titled <i>General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations</i>, Planning Services do not support a ‘rural smallholdings’ designation on these land parcels.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• A new section relating to allowing for Homestead Lots be incorporated into Section 6.12, with associated strategies and implementation actions accordingly.</li> </ul>
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		<p>Denmark Township and provide quality defence in a projected drying climate.</p> <p>E. Water and drainage. The topography lends itself to easy water management, and drainage and modern day septic systems present no risk to the community. All properties can comfortably support their own water as exists at present.</p> <p>F. The topography lends itself to attractive and private homestead lots, which will be in demand, an asset to the town in future.</p> <p>G. Economic benefit for the town. More development in line with the community needs means more rate, means more income to manage the community. Minimal extra cost will arise as the area is well served by roads, namely Tulley, Church, Powleys, Settlers and Churchill road.</p> <p>H. Existing and remnant vegetation. This is not at risk because the area in question is already cleared and the remaining vegetation can be preserved in the planning strategy.</p> <p>I. Protection of waterways: Land will be reclaimed as part of a subdivision strategy to protect the Dam and Denmark and Quickup rivers as public open space. This will further enhance the environment and Natural resource management.</p> <p>J. Future and development. This plan fits in with the easterly development of Denmark and can also be deemed to fit in with the potential for future development i.e. the next 40 years.</p> <p>K. There is always a conflict between productive farming and sustainable land management and the environment. This potential development inclusion represents a win / win scenario.</p> <p>L. This small rural development is close to town and envisaged Township east with no impact on roads and existing infrastructure.</p> <p>There is therefore a general agreement of landowners represented that while subdivision is not envisaged in the near term there is no doubt that this LPS means we have a genuine opportunity for some creative change in the restrictive WAPC planning which demonstrates a one size fits all mentality, and we have an expectation that our councillors represent our views in a broadminded and open way.</p> <p>NB: Copy of submission letter on the WAPC Rural Policy Reviews was attached to submission – has been omitted; is available to Councillors upon request.</p>	
P151	Valerie Torode PO Box 660 DENMARK WA 6333	<p>Area in Mitchell St (rear of Catholic Church) should not be re-zoned commercial.</p> <ol style="list-style-type: none"> <li>1. There are plenty of vacant shops in Denmark so we don't need more commercial zoning.</li> <li>2. Inappropriate commercial enterprise could be set up around a church if the area were re-zoned.</li> <li>3. Competition for parking around church undesirable.</li> </ol>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .

		<p>4. A church should be primarily surrounded by residential properties not commercial.</p> <p>5. Children already have trouble crossing South Coast Highway to get to the Primary School. Any more commercial enterprise in the proposed area will only attract more vehicles into this area &amp; compromise children's safety.</p> <p>More commercial interests in the proposed area deflects from Denmark's beautiful 'village' reputation.</p>	
P152	L Ricketts PO Box 147 DENMARK WA 6333	<p>St Mary's Catholic Church would be affected by extra traffic and noise to disturb church services. The heritage church would lose its beautiful peaceful setting and the business proposals on said land could be detrimental to the church.</p> <p>The businesses so far like Tyrepower, carwash and Thorntons should never have been allowed in centre of town in the first place, but put in the industrial areas where it belongs.</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P153	Josie Wellington PO Box 295 APPLECROSS WA 6153	<p>The land owners are Mrs L Judd &amp; Ms J Wellington and the subject land is Location 4669 Lights Road, Denmark. The subject land has an area of approximately 22.098 hectares (approximately 55 acres) and is zoned 'Rural' under Town Planning Scheme No 3.</p> <ul style="list-style-type: none"> <li>The broad objectives of the 1999 Rural Settlement Strategy regarding settlement and rural land were to provide an environmentally sensitive approach to rural settlement and growth; to consolidate the existing urban settlement of Denmark; to consolidate special rural/landscape protection living in nodes on appropriately zoned land; and to encourage appropriate bush fire management planning to be incorporated in development proposals. This policy provided general requirements for rezoning to the rural residential zone (including what is known as Landscape Protection in the Denmark TPS) and allowed the discretionary approval by Council of site specific zones such as Landscape protection zones.</li> <li>The land identified in that strategy for the primary purpose of broadacre farming and is within the 'Little River Catchment' as identified of that Policy. We understand that TPS Policy 29 has a general presumption against supporting subdivision where land is identified for the primary purpose of broadacre farming and does not have appropriate zoning provisions within the Town Planning Scheme to control development and that this is to continue in this new draft strategy</li> <li>Our property cannot be used for broadacre farming due to vegetation cover and other site constraints such as slope. Any proposal to clear fell would be likely met with resistance from the Environmental Protection Authority and Department of Environment and Conservation due to the adverse impacts of clearing on the general area through loss of biodiversity and increased risk of erosion on a relatively steep site and therefore the site cannot be modified to meet farming expectations.</li> </ul>	Having regard to comments provided in Submission P94 and the associated recommendation, and draft State Planning Policy 2.5 and Development Control Policy 3.4, the rural living proposal that is being sought could in-principally be accommodated for on the subject land parcel with a designation of 'General Agriculture', thus no change is specifically recommended for this subject land parcel.

- It is understood that the WAPC has reviewed its documents regarding rural subdivision and 'closer rural settlement' and now refer to 'rural living precincts' that are adjacent other rural living purpose land of what has been traditionally referred to in the shire of Denmark as 'special rural', 'landscape protection' and at a stretch under the old policy; rural multiple occupancy.
- Our land is adjacent a number of locations which are currently used for a Rural Residential purpose using a variety of zone definitions. There is Rural Multiple Occupancy to the far west, Landscape Protection zone to the immediate west and Special Rural to the south and south west. The adjoining land directly to the East abuts Mt Hallowell Reserve and that land, Location 4329 Lights Road is no longer used for traditional farming rather is used for short stay holiday accommodation.
- Our property is within a 7km radius of the civic centre which is taken to be the centre of town (map showing location relative to town centre has been omitted; available to Councillors upon request).
- Landscape and amenity values can be protected and ensured by permitting limited planned development at this property utilizing the strata title tenure method that introduces management statements and responsibilities through purpose built management statements and combined with zoning provisions to ensure landuses consistent with Scheme objectives.
- Neither SPP nor DC 3.4 precludes using strata title as a management mechanism for rural subdivision where land is identified for rural living.
- Fire can better be managed by integrating fire management and fire fighting facilities within the design of any subdivision and maintenance and upkeep of these facilities could also be better managed by a strata management company rather than stretching the Council resources and local volunteer brigades.
- Other management issues such as weeds can also be better managed within a strata scheme with appropriate management statements and strata rules.
- The land falls within an area that could easily be described as fitting a 'rural living precinct'. Very little farming is undertaken south east of South Coast Highway anymore and has not been for a long time.
- The lot fronts the constructed and sealed Lights Road on the western boundary.
- The proposal identify this land to Rural Living does not adversely impact on the land for agricultural purposes as a large percentage of land is un-cleared and not used for viable agricultural purposes therefore justification to utilise the land for a rural residential purpose may be possible.
- The past rezoning of the land to the west outside of a designated rural residential node provides argument that precedent has been set for special consideration of individual sites and that this portion of Lights Road which has little or no farming attributed or value is ripe for a rural living precinct designation.

We hope that you can consider this property into the LPS as a rural living lot that can form part of an already established Rural Living Precinct along Lights Beach Road (NB:

		Concept plan of development proposal for site has been omitted; available to Councillor's upon request).	
P154	Denmark Dog Club WA (No address other than email address supplied)	<p>1. Introduction</p> <p>Since 2009 the Denmark Dog Club WA (DDCWA) has grown from talk, a few ads up round town, organised social events, an occasional mention in the Bulletin and a web page presence (March 2011). Since March 2011 our membership has grown from 2 to 29 and rising. The club has been established by local dog owners, people who don't own but love dogs, and small business owners.</p> <p>The club seeks to educate, resource, and represent local and visiting dog owners, and enable through fund raising to improve services and facilities for dogs within the shire which will benefit the wider community through good dog ownership and opportunities.</p> <p>On 23<sup>rd</sup> July 2011 the Denmark Dog Club WA met at the Lion's Lair Inlet Drive Denmark at 3pm to call a committee to carry out the aims and objective of the club and establish four working groups to support the committee's ability to grow the club. Numbers at the meeting were 50% of those who have expressed an interest; apologies were given by several who could not attend.</p> <p>The meeting confirmed the aims and objective of the club and set annual membership fee, accepted members to be executive positions and appointed 3 members to committee and resolved to submit its Constitution in an application to incorporate as a not for profit association 30 days after being advertised in the Denmark Bulletin <i>issue</i> 787. Executive Committee to consist of;</p> <p>Chair – David Keel  Vice Chair – Sue Howard  Treasurer – Tim Shales  Committee members  Karen Buck – non dog owner  Jenny Douglas – small business owner Denmark CBD  Sam Blythe – dog trainer, Member Canine Association, Australian Pet Dog trainers Australia club co founder.</p> <p>2. Denmark – environs for dogs – disabled access, dog waste bags, signage etc</p> <p>The DDCWA recognises that the environment for dogs and their owners in and around Denmark is currently superior to many other W.A. Shires.</p> <p>With the expected population growth 2011 – 2021 and the increase in housing on smaller lots in and around Denmark Town site(s), the DDCWA supports the expansion of dual use walk &amp; cycle trails in and around Denmark town site(s) as it will allow for increased dog walking areas.</p>	Noted – however these are specific detailed requests that are not directly relevant to the LPS, thus a copy of the submission has been forwarded to the Shire's Director of Community & Regulatory Services for consideration of some of the requests in due course.

We recommended that: Future planning allows for parts of the walk trails have hard stand paving to cater for wheel chair access from cars to paths to allow wider use and enjoyment for more of the community.

We recommended that: dog waste bags and collection bins are situated more frequently along walk paths, car parks, at dog beaches and in areas designated as dog areas or areas frequented by dogs including Strickland St.

We recommended that: the current hard stand area of Berridge Park (old Skate Board Park) is zoned as a Dog Park / fenced exercise area with landscaping to allow for 'best practice' off lead area and create a dog information centre hub, to further enhance the dog ownership experience in Denmark for locals and visitors alike.

We recommended that: The Denmark Shire in conjunction with the Tourist Visitor Centre and DDCWA map out dog areas and work to upgrade signage and local maps to clearly define designated areas as Dog Free, Dog on Lead (high traffic areas, environmentally fragile), Dog off Lead and Help Dogs Only.

### 3. Local links – bringing dollars to Denmark via dogs – promoting Denmark as Dog Friendly

Denmark has for decades fostered community initiatives promoting local excellence which has resulted in increased tourist numbers and a welcome injection of outside funds. Many tourists interact with locals and comment on how dog friendly Denmark is; most tourists with dogs approach locals with dogs for dog information.

Currently Denmark offers a range of dog friendly accommodation, however on par with tourist numbers / beds in peak tourist times there are fewer options for tourists with dogs.

Many of Denmark's local attractions are in National Parks which ban dogs yet the only option for tourist's dogs to date in most cases is shutting the dog in the car.

Recommendation: Future zoning include dog friendly tourist accommodation be allowed with the consideration of; impacts on neighbours, sound pollution (multiple dogs) secure runs or yards, waste management and environmental impact planning.

### 4. Improvement of services and facilities via employment, education and training

The Denmark Draft Local Planning Strategy allows for both current and future opportunities in industries of growth for dogs in education, employment and training locally within the dog industry i.e. trainers, ranger services, grooming, veterinary, minders, sales, breeding, boarding, Search and Rescue (SAR), community visits and special needs.

		<p>The average dog owner spends at least \$1,090.00/dog/annum on food, veterinary and registration. If training, grooming, boarding, dog activities, treats, replacement collars, leads and bedding are taken into consideration the cost per dog is then increased to another \$4000.00/dog/annum. In 2008 Denmark Shire had around 400 dogs registered thus a local average expenditure on dogs can be extrapolated to be around \$1,263,819 per annum at that time. To date much of the money spent on dogs is being spent outside of Denmark as services and facilities to meet this growing need are not currently in place.</p> <p>In 2007 the pet care industry contributed \$4.74 billion nationally to the economy. 58% of that was on dogs. (Australian Companion Animal Council 2007).</p> <p>Allowing dog friendly industries to make a home in Denmark will allow for increased local wealth, opportunities for employment and training and may well have a flow on in saving expenditure in health related industries. The annual national health cost saving resulting from pet owners visiting the doctor less is estimated to be around \$2.227 billion (<i>Headey, B. (1999) Health benefits and health cost savings due to pets: preliminary estimates from an Australian national survey. Social indicators Research 47:233-243</i>)</p> <p><u>In Summary</u> The DDCWA having reviewed the Draft Local Planning Strategy 2011 – 2021 supports the aims of the Denmark Shire as presented and looks forward to an active working relationship as we progress to incorporation and work toward increasing the responsible care and ownership of dogs within the Shire of Denmark into the future.</p>	
P155	Tim Frodsham PO Box 636 DENMARK WA 6333	<p>There are a number of points I would like to make in relation to the recently released draft Local Planning Strategy. I will order the addressing of the key issues in the manner they were laid out in the public letter that was made available, requesting community feedback. I will frame my responses in the context of the combined issues of peak oil, climate change, and rural population trends.</p> <p><u>Population Forecast</u> With the projected growth scenario given as +2.59% to a predicted population of 8890 by 2031, how does this match with the local government service and infrastructure capacities and revenue forecasts? Does the shire have plan for the next 20 years to be able to answer this question? While there is contention around how Peak Oil scenarios will play out in terms of affecting population change and population distribution in regional areas, does the shire have contingency plans to cope with a potential influx or outflux of people in the event of a sudden or extended major fossil energy deficit, and its subsequent demographic and economic effects? The Shire also has to consider the not insignificant impacts an increased human population will have on the local</p>	<ul style="list-style-type: none"> <li>• Shire and government plans will need to have regard to, and correlate where relevant, with the LPS accordingly in due course.</li> <li>• Noted - securing scheme water supplies is paramount as well as looking at other water source avenues for potable and non-potable usage that may be available – i.e. rainwater tanks, grey-water usage etc. Council has a current Local Planning Policy that encourages such initiatives (i.e. is not a mandatory requirement at the moment).</li> <li>• Noted - this is the best estimate available with the statistical data available of housing need relative to household sizes.</li> <li>• Shire and WAPC do utilise the provisions of Liveable Neighbourhoods where relevant (noting is predominantly relevant to greenfield proposals with respect to subdivision</li> </ul>

	<p>ecosystem's carrying capacity, especially in a more uncertain and potentially more incrementally changed climate. The current climate change models for the period into and beyond 2031 predict for increased drying. Local records and regional data for South West Western Australia indicate a desiccation process that has been underway for the last 30 years. An increased population base might bring in people with innovation skills and capital that may indeed be very good for the town's economy. On the other hand, despite some useful efficiency gains in use of the current local water supply, a future climate that predicts for a lower rainfall regime will not serve the water needs of a then population of 60% greater than the present size. Such a stress will put extreme and possibly unmanageable demands on the Shire and the Water Corporation's capacity to supply water to a population this size, notwithstanding the seasonal increase of summer visitors that would push the peak population well above this forecasted figure. Has the Shire considered this contingency?</p> <p><u>Future Housing Needs</u></p> <p>One clarification is required, here: It is difficult to get a proper understanding about the Shire's stated dwelling occupancy rate of 2.5 persons per dwelling given without a context of average dwelling size – measured in either rooms per dwelling, or average floor area per dwelling. Moreover, this brings into question the claim that "1620 new houses are needed by 2031 to accommodate a population of 8890 persons" On what basis? What kind of houses are referred to, here?</p> <p>In order to meet the future needs of declining fossil availability, walkability and general convenience, I would suggest the shire consider the 'Livable Neighbourhoods' guidelines for future urban design, as set out in the West Australian Planning Commission Scheme for urban developments. Also strongly suggested is the need to consider more 'New Urbanist' planning protocols, which promote increased urban density, including dwellings of a more vertical nature (to no more than 4 stories) that also include a variety of mixed uses (commercial, light industrial, and retail). There are already useful models to draw on for the WA context – the East Perth Redevelopment Authority (EPRA) and 'Subi Centro' models are helpful in this regard, in their ability to buffer the future post-Peak Oil path of 'energy descent' by enabling greater walkability, optimising critical non-car dependant access to services, including public transit hubs, education and hospitals and civic amenity. On a smaller scale for geographically isolated and energy vulnerable settlements with aging populations, the above described option for future design would be advantageous, possibly even necessary. In 2031, when people are paying potentially +\$10/Litre or more for petrol at the pump do they really want to be so car dependant for personal mobility? Such a shift will also not be to the long term benefit of Local Government's cost effectiveness – the Shire's servicing budget will be strained to capacity if it continues its current pattern of dispensed and isolated sub-division housing approvals, given the potential increases in energy prices.</p>	<p>design). Comments noted in relation to multi-storey design however issues such as visual impact, bulk, scale, privacy concerns and relationship to Denmark's character all need to be taken into account when considering such proposals. Encouraging height in developments in and around the CBD area has considerable merit however consideration then needs to be given to the potential occupants – i.e. if for aged housing then multi-storey developments are generally not appropriate depending on the physical capabilities of the occupant(s).</p> <ul style="list-style-type: none"> <li>● Noted – however it is evident that people are wishing to come to Denmark and unless the Shire wishes to stop accommodating such desires then development will continue and the Shire and other government servicing authorities will need to address the servicing issues accordingly in due course.</li> <li>● The Agriculture College Land has initially been 'flagged' as suitable land for development due to its proximity to town, key existing community facilities, the opportunities that predominantly flat &amp; cleared land affords. Refer other comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> and <i>'Future Urban' Designation Over Agricultural College Land</i>.</li> <li>● Noted - nice idea but idealistic at this point in time given rail link in other areas of the State would be considered a priority over a rail link to/from Denmark to Peaceful Bay, Nornalup &amp; Bow Bridge. Population numbers in all localities would need to increase dramatically to support such a concept.</li> <li>● Industrial land uses and residential land uses generally do not associate well due to conflicts in terms of noise, odours, dust etc, thus there is a need to provide for them in distinct precincts with buffers provided accordingly – this is accommodated for within the LPS.</li> <li>● Noted – all of these issues would need to be addressed with any proposals for rural lifestyle developments.</li> <li>● Noted – designating land for urban/residential development and agricultural purposes is the role of the LPS to address such issues.</li> <li>● Acknowledged.</li> <li>● Noted.</li> <li>● Noted – refer comments and associated recommendations</li> </ul>
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	<p>While it has been pointed out to me in personal discussions with Shire planners that the cultural and popular resistance against higher density living arrangements, particularly in a 'rural' area, is strong, I would contend that if we are truly looking towards sustainability – choosing the best pathway for future generations – we cannot afford to discount the advantages of well ecologically designed higher density (yes, multi-storey to 3 or 4 levels, no more- gasp!) dwelling units that afford privacy, are passive solar, and include environmental technology – (solar hot water, solar power, water storage, composting and greywater re-use etc), and greater human interaction.</p> <p><u>Residential Expansion Areas – Denmark Townsite</u></p> <p>The Shire has to consider in its cost-benefit strategy the advantages of high higher ratepayer base from residential expansion in the same dispersed pattern that hasn't really changed since the 1950's, versus the extra cost burden of providing increased services provision (road building and repair, waste removal etc) than would otherwise be the case. The question then is: have such analyses been done to consider the cost benefit differences of providing for any different residential expansion scenarios other than what currently exists? The 'Springdale Beach' sub-division is a case in point. With very little uptake in the purchases of these lots despite an inflated sales publicity budget for these dispersed 'lifestyle' blocks, there is little to show by way of return in rates revenues or otherwise. The Shire is now burdened with the service provision costs that it now has to pay for its approval of this highly questionable development.</p> <p><u>Townsite East Future Urban</u></p> <p>As mentioned in the previous section, it is suggested that to avoid further sprawl and the future disconnection created by this trend seen in other scenarios in other towns. Doing so will only add sprawl and the all the consequences that it produces. People come to live in Denmark for a variety of reasons. One of them is their relief at evacuating the suburban sprawl in larger towns and cities. Ironically, some people's "escape from the burbs", only catalyses a translocation from city town the same outmoded urban planning model we've seen in quite unimaginative residential sub-divisions that no doubt are slated for the suggested arrangements in the future east townsite. Hopefully I am wrong. Hopefully by a long way. A better and more productive use of some of this land would be for a combination of market gardening for intensive food production for the town by 2031, woodlots, in the form of a series of staggered plantings of fast growing hard wood eucalyptus hybrids for firewood, construction purposes and bee forage.</p> <p><u>Peaceful Bay, Nornalup, Bow Bridge &amp; Kenton Settlements</u></p> <p>A light rail link between these smaller regional sub-centres require (as in other regional areas in other Australian and European contexts) to and from Denmark. In a post-Peak Oil future, beyond 2031, the best pathway for managing services, trade and transport to these centres and goods supply would be by a low cost light rail system on the existing Denmark-Nornalup line. It could be feasible to contract farmers to grow bio-</p>	<p>in Officer's Report titled <i>Proposed East-West Link Road</i>.</p> <ul style="list-style-type: none"> <li>• Noted – reference to road narrowing is to reduce vehicular road widths (i.e. not supporting 4 lanes for South Coast Highway); bike lanes and pedestrian paths can and should still be accommodated for within the road reserve.</li> </ul>
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fuel crops to supply transport energy for this system.

#### Commercial Development

#### Service Park

#### Industrial Development

Light industrial development in the Denmark area is currently located in a space where in some instances, noise and other pollution levels are requiring some distance from any future urban development. It would be useful and helpful to consider integrating some light industrial uses into mixed use multi-storey residential development.

#### Rural Lifestyle Lots

These appear to be a good opportunity for people to “get away from it all” and are an important part of retaining the “tree change/sea change” identity the area is often associated with. Issues of fire fuel load management, feral animals and weed control, and dieback *Phytophthora cinnamom* remain an issue on these lots, especially the ones owned and managed by for the large part absentee landholders. The water use on these properties may also be a future, if they are using the town water supply.

#### Protection of Productive Rural Land

It is vital that planning policy actively pursues a policy of limiting or preferably reversing the amount of land take on existing rural land closest to the urban centre, especially arable land closest to rivers, creeks and other drainage lines. An urban growth boundary might be one strategy to help achieve this. Another way may be to instigate a ‘green land take’ tax on developments whose footprints encroach on productive rural land. The future basis for this lies in the past, when at a lower fossil energy period, most food (grains, vegetable and animal proteins) for all settlements, regardless of their size, was grown as close as possible to habitation to economise on transport and storage energy required. As we move into a process of ‘energy descent’ (less fossil energy available per person), the need will appear to pursue similar strategies as were followed in Australia prior to World War II. It is up to innovative and sustainable settlements such as Denmark to be ahead of the curve, and lead the way by example.

#### Education

This is a vital and ongoing industry in the locality. The collective resources of pre-primary, primary and secondary and TAFE establishments form a significant employment base for the town’s professional and para-professional workforce. The key is to establish solid working partnerships to forge useful adaptive strategies to deal with the significant problems of climate change, peak oil, and population change. This could be materialised in joint projects with the TAFE horticultural program, to develop large scale food production zones to address a key issue of food security. Make the town more than self sufficient in all it food needs, and exporting surplus to other towns,

		<p>Another example might be in a research partnership with the Denmark School of Agriculture, to develop strategic agro-forestry initiatives for the aforementioned purposes.</p> <p><u>Environmental and Natural Resource Management</u> The Shire can play a role, along with the state government departments such as the Department of Education and Training, to support educational initiatives that positively affect the viability and future responses to climate change and peak oil. One possibility for this is the Shire supporting and enabling progressive initiatives such as larger scale <i>coppicing</i> (firewood allotments) for home heating and locally sourced construction timber. Such an effort would take pressure of existing informal use of re-growth and old growth hardwood forests for fuel wood and for illicit construction timber. Biofuel processing plants could also be strategically based around key plantation sites for extracting combustible oils from ‘coppicable’ trees and using that as a substitute fuel for internal combustion engines in the Shire’s vehicle fleet. Surplus bio-fuel could be sold back to Denmark’s residential vehicle fleet.</p> <p><u>Additional East-West Road Link</u> I do not understand the logic of this. Instead of arguing for this, the Shire needs to be putting pre-peak oil energy and resources into lobbying for long term reconnection of existing rail corridor between Nornalup-Denmark and Albany, and in the shorter term energy needs to in more viable forms of public transport. It needs to address the almost non-existent public transport environment before considering ways to perpetuate more car and truck dependant mobility, which will be a severely challenged mode of transport into a peak of oil future.</p> <p><u>South Coast Highway Design Through Town</u> Road narrowing or traffic measures cannot be made without concerns for pedestrian and cyclists safety. I propose the use of on-road bicycle lanes on the highway through town, which are grade separated (NB: picture provided – omitted; available to Councillor’s upon request).</p> <p>Such a design is inherently cheaper than off road paths, and requires minimal road width to be undertaken. Coloured bitumen on the cycle track can be used to better delineate the respective traffic ways, lending more safety into the design.</p> <p>I hope all these comments can be considered in a timely and integrated way.</p>	
P156	Dr Ruth McConigley 150 Sheoak Drive DENMARK WA 6333	I would like to express my concerns about the proposed East-West Link Road. My concern relates primarily to the potential for this road to be used by heavy traffic wishing to avoid the town centre. My family live in East River and would very strongly support the rebuilding of the East River Road Bridge. This bridge would provide excellent access to Scotsdale for residents in our area and conversely for residents of	Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i> .

		<p>other areas to access McIntosh Road rubbish tip. However, making this into a project to build a ring road that will divert traffic into currently quiet residential/rural or semi-rural areas seems counter-productive to the idea of making Denmark a nice, quiet, safe place to live. The current road structure, with the inclusion of the East River Road Bridge, will quite adequately support local traffic needs and decrease the reliance on travelling through the town centre for many short trips made by locals. Building a large road will not enhance the amenity of any of the places it proposes to serve and as such seems rather a waste of money.</p> <p>Thank you for the opportunity to comment.</p>	
P157	<p>Kim &amp; Ayla Lisson 66 Cussons Road DENMARK WA 6333</p>	<p><u>Proposed 'Northern East-West Link Road'</u> <i>We've regularly heard people comment "Denmark is like Margaret River – before it got developed". People are mourning the loss of the magic of small, green and quite.</i></p> <p>We oppose these <u>draft</u> plans to create an east-west 'link road' on the basis of the following concerns:</p> <ol style="list-style-type: none"> <li>1. An increase in local traffic is contrary to 'residential amenity'</li> <li>2. Unclear (and potentially concerning) statement regarding "new section of road"</li> <li>3. Ambiguous and unconvincing rationale</li> <li>4. Plans would result in destruction of roadside vegetation and clearing of karris</li> <li>5. The plans, albeit draft, lack of active consultation and appropriate democratic processes</li> </ol> <p><u>Concern 1: An Increase in Local Traffic is Contrary to "Residential Amenity"</u> This plan would lead to an inevitable increase in traffic on Cussons Road and, therefore, represent a violation of the very reason we bought and built on our property, and chose to move to Denmark. Our intention, as you might appreciate, was for a quieter, semi-rural lifestyle in harmony with our natural environment. Like neighbours we've spoken to, this involves appreciation of the beauty of the karris in the public open space adjacent to Shadforth Rise, the proximity of wooded areas on the southern side of Cussons Road and, in our case the opportunity to actively regenerate natural bushland on our property (being 66 Cussons Road, Shadforth).</p> <p>We moved here only 6 weeks ago. Quiet and surrounded by trees. Imagine our shock and nightmare to find out, soon after moving in, that there is a draft plan for a link road (bypass) on Cussons Road! We, and others like us (e.g. prospective neighbours we've met) move to Denmark because it is green and quite, not because of its access roads. Our town will lose it's magic if it loses those things.</p> <p>As residents we are seriously aggravated that a plan is proposed that runs counter to the very intention of our 'special residential' zoning intentions. Shadforth Rise is zoned 'special residential', with land use and building covenants clearly designed to support a</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> <li>• The LPS has been the subject of extensive community consultation over many years, with the consultation methods varying throughout the process. The community consultation undertaken on the draft LPS complies with the statutory requirements provided for in the <i>Town Planning Regulations 1967</i>, noting that the Shire has undertaken consultation in excess of the requirements in terms of the advertising period timeframe and consultation mediums.</li> </ul>

(semi) rural character within our small country town. This proposal represents a distinct threat to our intended lifestyle. Consistent with land zoning, and that of our neighbours along Cussons Road, Love Crescent and Honey Possum Court. Moreover, our concern is that many of current owners and future residents may have no idea about the proposal to establish Cussons Road as part of a 'link road' (see also concern no.5 below).

While we share the Shire's long-term vision that speaks of Denmark being 'A very attractive district to visit.' we are concerned that this same vision, for visitors, is at risk for us as residents. Many town-planning documents refer to the importance of 'visual impact' and our covenant talks about 'visual amenity' resulting in building restrictions. Surely the importance of visual impact applies not only to visitors and locals driving past in cars, but more importantly to residents who do, or will, live alongside or near this road? Naturally, such a proposal has serious potential to have a significant visual and auditory impact in terms of increased traffic on Cussons Road (and other affected roads).

We note that the WAPC guidelines for the Special Residential sub-divisions say, "As far as practicable, direct access to a major road should not be permitted and new subdivisions should be designed so that individual lot access is from minor roads." This clearly speaks to the lifestyle intention of such sub-divisions. About 15 of 40 lots within the sub-division are along Cussons Road itself and this proposal has the serious potential to change this road from a relatively quiet, minor road, to a relatively 'major road' adjacent to those properties (and affecting others along Love and Honey Possum, from which Cussons is visible, in a similar way).

We are also concerned that, despite stated intentions about the purpose of any such link road will inevitably involve grater use by trucks of various sizes. While the Draft Strategy suggests "It is not considered necessary for the road to be heavy haulage type by-pass as there is not a significant amount of heavy haulage traffic through the town. It is unlikely that this situation will change dramatically in the life of this LPS as the section of South Coast Highway through Denmark is unlikely to become a major heavy haulage route", elsewhere the Strategy says, "In consultation with MRWA, Council may wish to explore treatments of South Coast Highway through Denmark to reduce speed and make the environment more pedestrian friendly" noting, in particular, that "the existing timber industry will place pressure on particular sections of the road system as harvesting of logs increases". What guarantee is there that heavier traffic won't use this road, once built?

In short, we're not convinced, that once a road is built or widened, that heavier traffic won't use it, notwithstanding our concerns about traffic volumes alone. While we note that the Draft Strategy *Addendum Information Sheet* says the road would be a Council road and not a Main Roads WA controlled road enabling, "via configuration, design and

*permit processes, to ensure that the usage of the road is for local traffic connectivity purposes”, what specific measure would be put in place? Will ‘No Trucks’ signs be placed? Speed bumps? Realistically, what will stop people using the road without permits? What consultation, if any, will there be with residents to ensure appropriate measures are in place, should this ‘link road’ (a ‘by-pass by any other name’) proposal succeed in proceeding beyond this draft stage?*

Concern 2: Unclear (and potentially concerning) Statement regarding “new section of road”

The *information Sheet* accompanying the Draft Strategy refers to “*the potential for a new section of road linking from Cussons Road onto South Coast Highway.*” It is unclear whether this refers to the overall proposed east-west link road, or to some addition to the bottom end of Cussons Road, linking to South Coast Highway. If it is the former, this lends weight to the perception that this ‘link road’ is indeed intended to be a ‘by-pass’ to divert traffic from South Coast Highway. If it is the latter, which seems most likely given the reference to a “new section of road” this is not explained or elaborated upon anywhere in the Draft Strategy. How can anyone affected by such a proposition whose impact may be very significant indeed. Such a proposal amplifies our concerns exponentially, and we are sure, that of our neighbours! Where is this ‘new section of road’ proposed to start and end?

Concern 3: Ambiguous and Unconvincing Rationale

The document regarding this proposal leads one to question ‘the real agenda’ behind this plan as various, confusing reasons are given for it.

Section 6 of the *Shire of Denmark Draft Local Planning Strategy* refers to the need to *Identify and alternate local (emergency) vehicle by-pass route through the northern part of the town-site”* in case the South Coast Highway “*...river crossing fails or is required to undergo major repairs then this would severely compromise the movement of people to and from Denmark town-site.*” The actual risk issues, in terms of both magnitude of impact and probability are not grounded sufficiently to show why this is a public expenditure priority. Regardless, an alternative emergency route does not justify the entire length of the proposed link road, to the west.

This rationale appears, in any case, to be questionable in light of the argument that the road would be a ‘neighbourhood connector’ and ‘traffic diverter’. Section 4 of the Draft Strategy refers to the purpose being “*...to provide a local or district link and an alternative river crossing to South Coast Highway.*” and that it “*...could be used as a by-pass in the case of emergencies if the South Coast Highway bridge fails or requires major repairs and to reduce dependency on South Coast Highway as a through road.*” The Strategy *Addendum Sheet* Says “*The road has simply [sic] been incorporated into the draft LPS as from a transport perspective the provision of a “neighbourhood connector” road in the northern area of town is likely [sic] to be needed in the next 20*

*years having regard to the residential development that is occurring north of the town and the likelihood that there may [sic] be a need for a connector road that serves to disperse local east-west traffic without the need for accessing South Coast Highway.”*

A well-documented failure in planning logic for road infrastructure, amongst other things, is based on the premise of ‘predict and provide’. That is, we predict a road (of certain width/lanes etc.) is needed. We build it. Hey presto, we get the very traffic we predicted. In short, the predictions about traffic and need for roads become a self-fulfilling prophecy because once roads are in place, they encourage usage. Of course, this also acts to justify the original plans. It also represents ‘business-as-usual’ for capital works and infrastructure development, whether or not it is needed, appropriate or cost-effective. How much traffic? What cost, financially, socially and environmentally? What alternatives? Who stands to gain?

So, what are the original plans? Reading the Strategy Addendum and speaking with Council staff, we are aware of attempts to placate that the ‘link road’ is, or will become, a ‘by-pass’. We’ve also heard from many locals that this ‘by-pass proposal’ has reared its head over the years and that the major reason is to divert traffic out of town. This is supported by the Strategy that discusses traffic concerns on South Coast Highway through Denmark. We understand (and share) this concern, but we do not favour shifting the problem by diverting traffic out of town and creating a form of ‘urban transport sprawl’ around the picturesque countryside surrounding Denmark. Just as the Shire is opposed to proposals, such as two formal lanes in each direction within town, because it would *“severely compromise the desire to retain the village atmosphere of the town centre”*, we believe diverting traffic would have a similar deleterious impact on the areas along the proposed by-pass alignment. That is, a certain rural atmosphere, not to mention the natural environment, needs to be retained too! We would prefer attention go on “traffic dampening” measure for the highway, not traffic diverting implied by this by-pass proposal.

Concern 4: Plans would result in destruction of roadside vegetation and clearing of karris

We note that Denmark prides itself on ‘environmental management’ and those values certainly match our own. We are, however very concerned that any plans to make all roads along the proposed alignment into a link road will endanger remnant vegetation, bushland and trees on roadside – part of Denmark’s ‘natural capital’. In the case of Cussons Road and our sub-division, we are concerned generous setback; designed to “create a more interesting and spacious environment”, may be utilized for road widening and the subsequent indiscriminate removal of floral biodiversity and habitat for birds and other habitat. We are just as alarmed to hear that an area to the north-east (end of McLean Rd?) may involve wholesale clearing of karri forest. (We are not fully aware of the details, but have taken on trust, information from a long-term resident that this would be the case with the current alignment plans).

Our deep concern for our local environment, including it seems, alongside our own road, is that an insidious by-product of the interpretation of 'sustainable development' as a 'balance of economic, social and environmental outcomes' is the gradual (and sometimes not-so-gradual) degradation of our natural environment. It concerns us greatly that this may involve karri and karri-oak vegetation on our own setback and that of our neighbours, and on karri bushland opposite to us. We see this effect globally – the result of numerous local decisions – when a certain amount of environmental destruction is allowed in support of 'economic outcomes' or development agendas. The net result over time, is that, bit-by-bit, our environment is degraded or destroyed. A death by a thousand cuts! Each individual act is seen as relatively insignificant, but the cumulative impact is catastrophic. Where is the line? Will the Shire live up to its reputation and scrap this plan if it flies in the face of 'natural resource management' objectives, as it seems to?

Concern 5: The Plans, albeit draft, Lack Active Consultation and Appropriate Democratic Processes

Last, but certainly not least, these plans, draft or otherwise, have been developed without consultation with us, as we presume others, as affected landowners. We have been landowners for close to two years and have not received any written or verbal notice of this link road proposal, nor of the existence of this draft plan.

We happened to become aware of its existence when advised by a fellow concerned citizen who specifically visited us to let us know about it. So, while we greatly appreciated this effort, we found the *ad hoc* nature of this discovery concerning. It reminds us of *'The Hitchhikers Guide to the Galaxy'* in which the protagonist protests about the imminent destruction of the earth to make way for a hyperspatial express route (hmm), only to be told the plans had been on Alpha Centauri for light years, and that it was his fault if he didn't take the time to find out about them.

Surely, with something as significant as this the onus rests on the Council to actively engage with owners and residents on matters that will clearly affect them, not to hope they find out. (Assuming the Council hoped we'd find out). We have informed some neighbours about this proposal, but again, feel this is a Council obligation and should not be left to affected members to find out about this proposal almost by accident. We have also spoken to local businesspeople in town and they are unaware of the proposal and concerned about possible effects on business.

The resulting process, therefore, becomes one of arguing against a development proposal that may well never have made its way to a draft plan with appropriate community input. At the risk of being labelled conspiracy theorists, what do we read into the fact that the Shire documents for public consultation are part-labeled "Advertised Version". What information is contained in 'non-advertised versions' that

		<p>might provide a more complete picture?</p> <p>Part of the Council's vision is that Denmark's "<i>Character and lifestyle [is] sustained through careful planning.</i>" Good governance in our democratic society, particularly at local government level, means careful planning ensures <i>active</i> community engagement and consultation which we do not believe have been adequate so far. A flow-on concern is that, if the consultative process till this point has been inadequate to garner community thoughts and feelings what assurance is there that community voices will be sought or listened to from now on? Will criticism of the process, such as our submission, be taken on board and will we be assured of active engagement and consultation in future? Surely that is possible in a small town?</p> <p>It is difficult to conclude that the Shire regards this as anything but a <i>fait accompli</i> since, the plans say "<i>More investigation is required for the final [sic] alignment to consider environmental issues, land acquisition issues and costs.</i>" This suggestions further consideration will be given to ascertain <i>how</i> the proposal is enacted, not whether or not it should be enacted at all (i.e. "how", not "if"). Such an implication is an indictment on the process of community consultation. Any detailed assessment should not be focussed on 'what the alignment should be' but <u>if</u> such a plan should proceed at all!</p>	
P158	Wendy Edgeley 30 Russell Rise DENMARK WA 6333	<p>I appreciate that there is a need for residential expansion areas with relatively small blocks. What concerns me is the way in which close-packed developments can easily become extremely ugly – which would be unfortunate for Denmark. Many of us have come here to be surrounded by beauty and to avoid the suburban sprawl of Perth. I would hate to see that suburban sprawl, in all its ugliness, scar Denmark. One of the things that contributes to the ugliness of Perth's suburbs is the choice of fencing – Supersix, colorbond panels, etc. in a range of colours and styles and not at all easy on the eye. It is bad enough on the flat and even worse on Denmark's slopes. Would it be possible to encourage people to use wire fencing and 'green' fencing in the form of shrubs – or to have some control over the forms of fencing to be used? We should be trying to keep Denmark as beautiful as possible.</p>	Noted – issues to be considered when policies pertaining to residential development are reviewed/prepared.
P159	WA College of Agriculture – Denmark PO Box 350 DENMARK WA 6333	<p>The WA College of Agriculture – Denmark seeks the removal of its land shown as "Townsite east" future urban expansion from the Draft Local Planning Strategy. Our committee believes the identification for future development of college land to be short-sighted and does not recognise the value of the college, its programs or rural land to the Shire and community of Denmark.</p> <p>We would like to draw your attention to the following points:</p> <ul style="list-style-type: none"> <li>• The college has 46FTE staffing contribution some \$4-5 million into the Denmark community as well as 95 students who also contribute significant "new" dollars into the community. The spending power of teenagers is not to be underestimated. The loss of the farm would lead to the closure of the college as we</li> </ul>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road and 'Future Urban' Designation Over Agricultural College Land.</i>



know it and effectively end the program currently on offer.

Does the Shire value this contribution to the Denmark economy?

- The College has accommodated numerous intrusions onto its land in the past, the current Shire Offices are located on what was once our oval, the Denmark High School, TAFE and Centre for Sustainable Living have taken over our former buildings and extra land and the College has consented to relinquishing some land for an Industrial Area in exchange for a dairy (forms part of this draft strategy).

While the college supports the upgrade of the East River Road and the bridge across the river, the loss of further land for that purpose is unacceptable. We should not be viewed as an easy option because we are one land owner.

Further College land is identified in this plan for a new primary school.

The erosion of our land needs to stop.

- The College's expansion, student numbers and the enterprises conducted are restricted by the size of our landholding, the Shire needs to understand that the continued intrusion on to our land threatens our sustainability.
- Prime agricultural land has not been valued by the Shire of Denmark, the College land provides one of the best entries to a country town anywhere in WA, having a large tract of land on the town's doorstep is unique and to be valued. The community of Denmark through a referendum in the late nineties recognised this and voted overwhelmingly for the land to be retained for educational purposes.
- The College enrolments have increased steadily over recent years to record numbers (95 students) in 2011.
- The diversity of programs on offer at Denmark with its high rainfall is unique in the WA education system. Closure of the College would leave a hole in the education system in this State.
- The Department of Education in a recent letter to the Shire of Denmark dated the 28<sup>th</sup> July 2011 stated that "it wishes to confirm that the whole of its landholding in this area is currently utilised by the College and is unlikely that in future the college's requirements for utilising the land will reduce".
- Inclusion of the College land in the Draft Local Planning Strategy signals that it is okay to initiate moves to pressure authorities into starting development when it is not.

The shire needs to understand very clearly that the loss of this land to housing will result in the closure of the College as we know it with wide ranging impact on the community of Denmark.

		As stated previously, our committee seeks the complete withdrawal of College land for urban development from the Draft Planning Strategy currently listed for public comment.	
P160	Russell Carter 654 Mt Barker Rd DENMARK WA 6333	<p>My wife and I run a farming enterprise at Kent River, as well as live on and farm a property on Mt Barker Road. Please act on our concerns relating to the Draft Planning Strategy (LPS).</p> <ol style="list-style-type: none"> <li>1) The opening “vision” statements of the LPS are ambiguous and could be the vision statement for any town or city. The 1998 strategy “Objectives” (as expressed in Part 2 – 4.3.1) are far more decisive and give clear direction/intention and should be re-instated at the forefront of this LPS.</li> <li>2) Two objectives from the 1998 strategy are “Maintain Denmark’s essential character as a country town”, and “Retain the rural character and tree lined approaches to Denmark townsites”. Already the approach from Albany has been degraded by installation by a shire approved “entry statement” and development that is out of character to the statements above. What will happen to Denmark’s Rural character if the Agricultural High School farm is developed into housing and covered in “entry statements”. Do we really want to be driving through suburbs to get into town? NO, NO, NO. The Ag School farms must not be sold for development. People need to see space, the wonderful rural vista of open space, green pastures, animals and trees, especially on the approaches to town.</li> <li>3) The LPS mentions a “vibrant economy” what will selling off the Ag School Farm do to the confidence of the local farming families? Most farmers have been struggling with the viability especially over the past few years and traditionally local farming practices have only paid for its own existence. A lot of farmers have to earn off farm income to afford bare luxuries in life, so it’s no wonder the industry has little defence against development. The local agriculture is recognized as a big part of the local economy (and beauty) of the shire and should be encouraged. The AG School farms must not be sold for development so to maintain confidence in the industry.</li> <li>4) The idea to identify and protect high quality agricultural land (Part 1 – 4.8) is great. However, as can be seen on the regional map, farmland within the shire is very limited, bounded by the coast to the south and the forest reserves to the north. The farm land in the shire is some of the best long growing season pasture producing land in the State and Country. It is all in a reliably high rainfall area therefore more of the agricultural land, if not all should be included and protected. Mount Barker, just 45 kilometres to the north has an obviously different production capability.</li> <li>5) Similarly, although the lifestyle choice style of block being “Rural Small Holdings and Rural Residential” are a nice idea, the fact is they gobble up vast areas of productive country. This land then, although can support some production is most likely to just feed pets, full production lost forever, are often advertised from then on with “Subdivision Potential”. There should be tighter restrictions on</li> </ol>	<ul style="list-style-type: none"> <li>• Vision statements are from the Shire’s current Strategic Plan which was adopted in 2006.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road and ‘Future Urban’ Designation Over Agricultural College Land</i>.</li> <li>• Noted – the LPS designates ‘High Quality Agricultural Land’ (which is defined as being areas that are of State or regional significance or areas of local agricultural significance and are not already existing rural residential or rural smallholdings development). All other rural land not required to accommodate the population growth has been designated as ‘General Agriculture’.</li> <li>• Noted – agriculture impact assessments will be required prior to any support for rural residential or rural smallholdings proposals.</li> <li>• At this point in time it is considered that a ‘heavy vehicle’ by-pass is not required, noting that Muirs Highway is the key route for such traffic if not needing to access Denmark.</li> </ul>

		<p>volume of this type of development.</p> <p>6) If Denmark's population is to grow as per predictions in the LPS, and given the traffic congestion seen during high tourism times, I wonder why the LPS has not included a "Bypass" whilst it has the chance. This would remove the risk of potential heavy accidents such as trucks heading east downhill through town mowing down indecisive tourist vehicles or pedestrians. There appears a route still reasonably clear of development from Mt Barker Road intersection, south of the golf and pony clubs, linking past the current industrial area and on to the South Coast Highway near Cussons Road.</p> <p>7) Item 4.8.7 in Part 1, shows the shire will not support intensive agriculture in drinking water zones. We are currently negotiating with the Department of Water (DOW) in regards to our property within the Quickup catchment for them to not place or suggest draconian restrictions on the farm that has existed with a variety of agricultural pursuits within its 100 year history, including intensive pursuits. The statement in Part 2 item 5.7.1 that "drainage from the only private lots is diverted away from the dam wall and outside of the catchment" is wrong. It has been one of our suggestions to the DOW to recommend to the Water Authority to install a drain to divert any runoff past the dam rather than restrict our enjoyment and use of the property. The DOW have expressed to us that they are just effectively advisers with their DWSPP, not the decision makers, however it seems that with the wording that the SOD's Draft LPS will take the advise to the highest level and therefore unfairly restrict our use of the land.</p> <p>I am very concerned that this draft LPS will not protect Denmark's rural character and beauty. Please all involved in the LPS consider what makes Denmark nice and engage to preserve this.</p>	
P161	Katie Bewley & Jim Underwood 41 Watson Rd DENMARK WA 6333	<p>We feel that the proposed East-West Road Link that is planned to be positioned adjacent to the Golden Hill Steiner School will undermine the Steiner education ethos and this negatively impact on our children's learning.</p> <p>As a family we recently moved from Perth to Denmark so that our children could benefit from living &amp; learning in nature. We chose the Steiner School as we feel that the natural setting in which the school is located as well as the Steiner education system itself would provide the perfect learning environment for our boys.</p> <p>We feel that the placement of a road for the purposes of moving large &amp; heavy vehicles adjacent to the Kindy area of our school not only impacts negatively on learning, but is also extremely dangerous.</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .
P162	Sylvia Linckens PO Box 734 DENMARK WA 6333	<p>After having attended the information session on 21 July, I would like to make this submission in regards to the Draft Local Planning Strategy. My main comments are in relation to the proposed east-west linking road.</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .

		<p>Before I enter into the specifics, I would like to express that I feel somewhat doubtful around the effectiveness or usefulness of this submission for the following reason - the alignment of the east-west linking road has been specified on the map, yet is called 'indicative'. In this submission, which (if I understand correctly), is the ONLY submission that I will be able to make on the subject, I can only comment on the alignment as presented, but not on any future amendments to the proposed alignment.</p> <p>In regards to the actual east west link, I believe that it is essential to look at the town as a totality, which would affect the determination of the need for a road in the first place. To create new developments if vast amounts of already developed land is still empty or some parts of town are nearly deserted, because most of the properties are used as home holiday businesses, seems in urgent need of attention. Not only does it cause an essential loss in neighbourhood connectivity, it also decentralises the town as developments seem to spread randomly and insensitively.</p> <p>The high environmental impact of the proposed road can easily be avoided if the purpose would remain to be a neighbourhood connector, as squeeze points (such as at Lapko's Road) at strategic points (East River Rd) would be more than sufficient. All of the existing roads could just remain as they are.</p>	
P163	Karen & Steve Swallow 393 Parker Road Kentdale	<p>We do not agree with changing the zoning of properties along Mitchell Street and the land adjoining the rear of these properties from residential to commercial. This is a school zone &amp; additional traffic particularly in the form of heavy vehicles attracted to commercial areas do not mix well with the need of young children. The Primary School Council submission is supported!</p> <p>We are also concerned about the proposal to the change the zoning of the site of the current WA College of Agriculture, Denmark to residential. This issue has been discussed in the last 10 years when the new school was built on this site. At that time the community sentiment was to retain this as an educational precinct. What next? The high School &amp; TAFE sites too? To become residential?</p>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road and 'Future Urban' Designation Over Agricultural College Land</i>.</li> </ul>
P164	Pam Kloosterman PO Box 905 DENMARK WA 6333	<p>We object to the East River Road being used as a heavy vehicle road especially if it will connect via a bridge through to Scotsdale Road.</p> <p>The increase in traffic will create noise, pollution and make the road more dangerous to travel.</p> <p>The subdivision along Sheoak Drive was created as a residential area and promoted as a quiet (apart from the air strip traffic) place to live. This will not be the case if heavy vehicles are continually travelling down East River Road.</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .
P165	Geoffrey Dowling PO Box 242 DENMARK WA 6333	Refer Submission P17	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .

P166	Jennifer Dowling PO Box 242 DENMARK WA 6333	<p>Maps provided with anomalies/queries referenced – NB: Planning Services have transposed information into the submission for Councillor’s consideration:</p> <ul style="list-style-type: none"> <li>• LPS Town Centre – Plan 1 Map: Commercial designation on ptn of Lot 3003 (Reserve 46256) South Coast Highway (being land to east of proposed Supermarket site on cnr of Hardy Street &amp; South Coast Highway);</li> <li>• LPS Town Centre – Plan 1 Map: Urban Residential designation on Reserve 47944 Willow Creek Drive;</li> <li>• LPS Urban Area – Plan 2 Map: Rural Residential designation on Lot 1 Riverbend Lane – what point? Fragmented Rural Smallholdings better;</li> <li>• LPS Urban Area – Plan 2 Map: General Agriculture designation on 671 South Coast Highway - Special Rural Zone 8; not General Agriculture;</li> <li>• LPS Urban Area – Plan 2 Map: Special Residential designation on Lot 501 (Reserve 48513) (being lot south of Collins/Tearle lots - reserve);</li> <li>• LPS Urban Area – Plan 2 Map: General Agriculture designation on 4899 Lapko Road (Reserve 22347) South Coast Highway – reserve;</li> <li>• LPS Urban Area – Plan 2 Map: - General Agriculture designation on Lot 112 Ocean Beach Road (Reserve 49638) - check but I think this became reserve as part of a subdivision;</li> <li>• LPS Denmark Shire – Plan 3 Map: Styx River Special Rural – should it be a Rural Small Holdings;</li> <li>• LPS Denmark Shire – Plan 3 Map: Rural Residential designation over Kent River Special Rural area – this appears to be rural res; should not be Rural Small Holdings?</li> <li>• LPS Denmark Shire – Plan 3 Map: Need to clarify which is catchments boundary and which is Munda Bididi Trail;</li> <li>• LPS Denmark Shire – Plan 3 Map: General Agriculture designation over land currently zoned “Special Rural 18 – Limbourne Road Special Rural Zone” in TPS 3;</li> <li>• LPS Denmark Shire – Plan 3 Map: General Agriculture designation over land currently zoned “Landscape Protection 4 – Lot 2 Pt 4328 Lights Road”.</li> </ul> <p>Mapping is not clear enough &amp; colours should not be so dramatically different from printer to printer.</p> <p>Now would be the time to pick up any anomalies that occur between scheme maps &amp; reality so omnibus amendment to fix them (or whole scheme review whichever first) can easily be supported.</p>	<ul style="list-style-type: none"> <li>• Providing a ‘commercial’ designation over portion of the reserve abutting South Coast Highway provides for a consolidated commercial precinct effectively starting at the Hardy Way intersection (being the location of the approved shopping centre development) through to the Hollings Road intersection. It should be noted that some of this land may be required to be incorporated into the road reserve – this is dependent on the final design for the Ocean Beach Road/South Coast Highway intersection.</li> <li>• Reserve 47944 (purpose of Public Recreation) is currently zoned “Residential R10/20” under TPS 3 thus the designation in the draft LPS reflected the current zoning. Given that this reserve was created as a result of the subdivision of Lots 308, 309 &amp; 310 Smith Street/Mt Shadforth Road in 2004, it is recommended that the designation be amended to ‘Parks &amp; Recreation’.</li> <li>• It is noted that Golden Hill Special Rural Estate to the north of Lot 1 Riverbend Lane has been incorrectly designated as ‘Rural Smallholdings’ for based on the lot sizes this should actually be designated as ‘Rural Residential’ – this is a proposed modification to the draft LPS. Therefore the designation of ‘Rural Residential’ for Lot 1 Riverbend Lane is an appropriate designation and consolidates rural residential development in this area.</li> <li>• 671 South Coast Highway is currently zoned ‘Rural’ under TPS 3; Special Rural ‘SR8’ is located to the south of 671 South Coast Highway. The current designation of ‘General Agriculture’ in the LPS is considered appropriate.</li> <li>• Lot 501 (Reserve 48513) – current LPS designation is part ‘Parks &amp; Recreation’ and part ‘Urban Residential’; should entirely be ‘Parks &amp; Recreation’ designation.</li> <li>• 4899 Lapko Road (Reserve 22347) is reserved for the purpose of ‘Quarry Gravel’, thus the designation of ‘General Agriculture’ is appropriate.</li> <li>• Reserve 49638 (purpose of Recreation &amp; Drainage) is currently zoned “General Agriculture” under TPS 3 thus the designation in the draft LPS reflected the current zoning. Given that this reserve was created as a result of a subdivision in 2008, it is recommended that the designation be amended to ‘Parks &amp; Recreation’.</li> <li>• Styx River Special Rural area is currently zoned “Special</li> </ul>
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			<p>Rural SR9” in TPS 3 yet currently designated as ‘General Agriculture’ in the draft LPS; it is recommended that the designation be amended to ‘Rural Smallholdings’.</p> <ul style="list-style-type: none"> <li>• Kent River Special Rural area designation of ‘Rural Residential’ is appropriate having regard to lot sizes provided for.</li> <li>• Catchments boundary and Munda Bididi trail designations are distinctly different as provided for in the legend.</li> <li>• Limbourne Road Special Rural area is currently zoned “Special Rural SR18’ in TPS 3 yet currently designated as ‘General Agriculture’ in the draft LPS; it is recommended that the designation be amended to ‘Rural Smallholdings’.</li> <li>• Noted – having regard to lot sizes and draft LPS identifying that lots within a Landscape Protection Zone can be accommodated within either rural residential or rural smallholding zones with specific provisions regarding vegetation retention, it is recommended that the designation for Lot 2/4328 Lights Road be amended from ‘General Agriculture’ to ‘Rural Residential’.</li> <li>• Colour distinction noted – will attempt to address with final version.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Modify designation for Lots 1119 and 1120 (Reserve 47944) from ‘Urban Residential’ to ‘Parks and Recreation’.</li> <li>• Modify designation for ptn of Lot 501 (Reserve 48513) from ‘Urban Residential’ to ‘Parks &amp; Recreation’.</li> <li>• Modify designation for Lot 112 (Reserve 49638) from ‘General Agriculture’ to ‘Parks &amp; Recreation’.</li> <li>• Modify the designation for the Styx River Special Rural area from ‘General Agriculture’ to ‘Rural Smallholdings’.</li> <li>• Modify designation for the Limbourne Road Special Rural area from ‘General Agriculture’ to ‘Rural Smallholdings’.</li> <li>• Modify designation for Lot 2/4328 Lights Road from ‘General Agriculture’ to ‘Rural Residential’.</li> </ul>
P167	Karen Birkbeck PO Box 332 DENMARK WA 6333	<p>I refer to my land holdings in the Denmark Shire.</p> <p>Raintree Farm is a long standing iconic 224 hectare property that the previous owners tried to sub-divide into one of the region’s most ambitious real estate developments (1998) due to its magnificent vista’s, strategic location and proximity to the Denmark</p>	<p>Noted however not supported - refer comments and associated recommendations provided in the Officer’s Report titled <i>General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations</i>.</p>

Town and Ocean. I purchased the farm in 2000 and withdrew all development proposals at that time.

In 2002 I purchased an additional farm bordering Raintree (65 hectares of north facing karri Loam soils that has 8 hectares of the Heritage Horse Trail traversing 1.5 Km's through it from Wentworth Road to the edge of our family farm). The amalgamation of these two farms has created one of the largest and most strategic land holdings close to town.

The land was again recognized as one of the region's most strategic land holdings as defined in the 1999 Review of the Rural Settlement Strategy which resulted in the 2006 Draft LPS.

Between 2004 and 2006, at the invitation of the Denmark Shire our family participated in a number of Public workshops at which time the view was formed that:

1. Raintree Farm was a high propriety tourism node to the extent and quality of the karri forests and ocean perspectives combined with its location.
2. Due to the degree of shared boundaries with rural residential land (Williams Bay) and rural small holdings (elsewhere) and abundant springs and dams offered one of the region's best locations for rural small holdings. With this large holding being surrounded by Special Residential and Small Rural Holdings, the 2006 LPS determined that it should be recognized for it's significant tourism and aesthetic values.

As it appears the current LPS makes no reference to earlier submissions presented on the landholding by the Shire, these same strategic points are hereby presented to be put on record that Raintree is and will remain a key part of the districts future.

Raintree provided the Denmark Council with a detailed overview and a five to ten year vision at the request of the planning Director in July 2010. While there was no formal response, individual councillors expressed strong support and thanks for key planks in this vision. Until Local Government provides a clearer policy in relation to this major strategic land mass, Raintree will continue to try and operate in the midst of adjoining smaller landholders. With an uncertain planning future, Raintree will not be able to secure the investment potential from our family that would allow it to compliment the region's future as a leader in sustainable socio-economic policy.

#### Strategic Rationale

As defined in prior reviews such as the 1999 Rural Settlement Strategy and the Denmark Draft 2006 Draft LPS, this series of properties located on the ocean side of the Southern Highway and on the Denmark side of the major tourist connection to Greens Pool have a significant potential. This is summarized below and expanded upon in the following attachments.

#### RAINTREE LAND USE

- |  |                           |
|--|---------------------------|
| 1. Reduce Footprint                    | Agricultural benchmark    |
| 2. Develop Hydro Farm                  | Gravity/wind technology   |
| 3. Bio-diversity link Petrified Forest | Raintree Forest           |
| 4. Donate land to link National Park   | Raintree Link             |
| 5. Indigenous Heritage Review          | Raintree                  |
| 6. Invest and construct a wind farm    | French Technology         |
| 7. Create high value agriculture       | Zero footprint            |
| 8. Import expertise                    | Immigration – France      |
| 9. Eco-Parfumerie                      | Zero footprint            |
| 10. Regional Nursery                   | Joint Venture             |
| 11. Eco-Retreat                        | State of the Art – French |
| 12. Eco-construction                   | All above works           |

#### Strategic Priorities

1. Link an Indigenous Forest Bio-Diversity Corridor from the Park to the Walk Trail  
Raintree is midway through a major fencing program, to protect and link the regions largest karri forest with an estimated 100 hectare forest interlinked from Lake Bouvard to Wentworth Road (+5 Km's of corridors).

#### 2. Linking the Parks Walk Trails to the Shires

Raintree has tendered to the Denmark Shire a potential donation of \$500,000 of prime land to link their bike/walk trail from the South Coast Highway down to Lake Bouvard. If this was to be put in place it would become a major tourism alternate route to Greens Pool, reducing traffic congestion and connecting the William Bay internationally renowned trail to a wonderland of hinterland attractions and other trails. As per the attached submissions to the Denmark Shire and the D.E.C. the potential to link State and local bike and walk trails into an internationally acclaimed and economically sustainable vision can be enhanced by Raintree donating to this worthwhile pursuit.

#### 3. Improved Water Catchment Quality

A series of environmental investments made over 10 years with recorded variants in nutrients, salinity and acidity have proven that the water systems being developed at Raintree will be able to redress algal blooms in key public waters. This land has prolific quantum of water that is spring sourced feeding into the William Bay National Park (130 hectares) and the Little River Catchment (159 hectares).

It was brought to our attention by the Environmental Officer in the Denmark Shire and associated bodies caring for the Williams Bay Park there were a range of traditional farming practices that were contributing to algal bloom in Lake Bouvard and damaging the Indigenous vegetation in the Park.

Raintree has now documented and proven water management techniques that have



demonstrated on the Little River catchment that high nutrient loads and acidity can be completely reversed with-in a two year time frame. This work is currently in progress on the Lake Bouvard catchment. The perch Lake in William Bay park is a public health hazard due to the algal bloom. Unfortunately this work is currently not acknowledged or understood. If the Denmark Shire were to co-operate with this privately funded conservation work then the perch lake could be brought back to pristine health with-in three-five years.

#### Water Catchment Quality

In consultation with the D.E.C. (documented) we have invested in improving the water catchment (acidity and nutrient build up) and started a long term program to reduce our footprint, stock holding and native forest impact.

We have recently done further water tests on water flowing out of and through our water into perch lake in the National park and have now proven that our water management systems can completely reverse 80 years of hard hooved farming practices on the William Bay National Park Catchment.

#### Water Supply Independence

Water is becoming a precious resource in WA. The cost of water supply (and power) in terms of carbon footprint, \$ impact and simple availability of this resource for a growing national population make the water independence of Raintree and its hydro vision a compelling strategic vision. Raintree has the capability to supply water for a series of small intensive farms and to supply an extended rural settlement node that currently exists along it's border, for which there is no current scheme water.

#### Rural Innovation

The Denmark Shire supported the development of a processing research project to review the development of new perfume crops that have a lower footprint and greater economic potential than traditional hard hooved grazing alternatives. A wider range of intensive rural activities have been invested in on this property.; this has already resulted in new agricultural innovations that have benefited other parts of regional Australia, Indigenous Australia and assisted develop new Australian agri-business export capacity.

#### Peak Power

Raintree has submitted a green energy vision to rectify the communities peak power problems.

#### Carbon Mitigation

Raintree has one of them most rural carbon mitigation strategies in WA. To date the Denmark Shire has not engaged with this work which could assist other rural members of the Community. Nationally this pioneering development will become more and

more important as and when the carbon tax is implemented and when the agricultural sector is forced to pay carbon tax.

#### Current Status

In the last year we have had a series of un-expected costs and concerns raised and relayed to ourselves through the Shire; pertaining to our water management systems on the Little River catchment section of our farm. This has resulted in us following a 10 step plan adopted with the Denmark Shire and our Engineer that made adjustments to the dam including and not limited to reducing the dam's capacity and height to below that demanded by (Humphries 2010) and to meet the various other demands made by its protractors. These works have finally been finished at a cost of \$50,000.

Given these large costs and the lack of feedback I am forced to withdraw from any further conservation investments and land donations outlined in the attached papers until we get a clear signal that our investments are welcome by the Council/State Government.

#### Linking Worlds Best Practice to the United Nations Convention on Bio-Diversity

In 2006 our families rural work was recognized and awarded in Bonne Germany (2006) under the United Nations Convention of Bio-Diversity for worlds best practice for a new standard termed Cradle to Cradle (our work in this region was in fact the first time the U.N.C.B.D. ever recognised this standard). Today Cradle to Cradle has become an internationally important standard in Europe and the United States.

Our daughter is currently in the middle of a major United States submission for the 2012 Rio Summit in a Company that my husband Chair's and I am the largest shareholder.

Our family have strong and ongoing links to a wider range of international bodies and media and could help the Regions trails and the William Bay National Park gain unprecedented recognition if it can build and implement a robust plan for the future health of the environment and regional stakeholders.

#### Conclusion

All our children are born and bred in this region and upon completion of their high school they have left due to a lack of opportunity. This is a typical problem facing the youth of the region. The north is booming and our region is suffering from depressed real estate and a lack of professional diversified work. Getting a balance to socio-environmental policy will be critical if we are to retain any reasonable life style.

#### Suggestion

Review the submission's to the Denmark Shire (2004-2006 and 2007-2010) AND THE 2011 submission to the D.E.C. that is attached and dated 30<sup>TH</sup> July, feel free to factor

		<p>any aspects of these sensible suggestions into your contingency planning. Please note that I also attach a paper that Nick Ayton has prepared in relation to this property as well.</p> <p><i>(NB: 3 x attachments, being D.E.C. Submission 30<sup>th</sup> July 2011; Denmark Shire Submission July 1010; Denmark Submission August 2011 Nick Ayton have been omitted – available to Councillor’s upon request).</i></p>	
P168	<p>Denmark Survey &amp; Mapping PO Box 339 DENMARK WA 6333</p>	<p>Denmark Survey &amp; Mapping act on behalf of the owners of Lot 552 View Road Shadforth - Damaris Waschk, Robert Underwood, Beata Waschk and John Major.</p> <p>This submission is lodged with Council for the identification of this land within the Shire of Denmark Local Planning Strategy (DLPS) for future ‘rural living’ (rural small holdings zone) development potential. The landowners seek to have this lot identified for Rural Living (Rural Small Holdings) purpose to have the property separated into two new titles which would excise the rural business conducted on the site (and one dwelling) creating two new lots – one of 13.4ha and the other to be 15.4ha. The following points and rationale are submitted for your consideration.</p> <p><u>Executive Summary</u></p> <p>It is submitted that identification within the DLPS for a Rural Living Precinct (Rural Small Holdings zone – RHS) development should be considered for the following reasons;</p> <ul style="list-style-type: none"> <li>• The property is already used in part for Rural Living being developed with two homes and associated outbuildings and a rural business operating from the site.</li> <li>• The property has been utilised as much as possible to operate a rural business (Habitat Tree Farm) and this would continue supporting the intended use of a Rural Small Holding Zone being that of encouraging continued rural businesses and land uses in harmony with rural living.</li> <li>• The topography of the site (creekline, steep slopes granite) and very little area that is cleared of the 28.8ha mean that the highest use of the cleared area is generally attained and there is no possibility of the property ever being used for any traditional broadacre farming such as grazing or cropping.</li> <li>• A RSH zone would provide site specific zoning provisions which whilst not particularly relevant to the current landowners; may become vital for land use controls for successors in title in the future.</li> <li>• Land areas of 13.4 and 15.4 ha meet with the WAPC possible lot size for Rural Living (Rural Small Holding Zone) with a rural conservation theme.</li> <li>• The subject property has potable and non potable water available and connected to both existing houses for household and fire fighting purposes.</li> <li>• Identification of the land within the LPS removes the setting of precedent for other rural zoned land to be subdivided in a similar fashion unless that land has also demonstrated appropriate capabilities for Rural Living and has been identified for a Rural Living Precinct (RSH) in the LPS.</li> <li>• The landowners consent in principle to inclusion into a ‘Rural Living Precinct’</li> </ul>	<p>Noted – refer comments and associated recommendations provided in the Officer’s Report titled <i>General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations.</i></p>

which whilst not directly benefiting them, will be beneficial to the longer term planning and control of development in the area including fire, weed management and water quality control.

- This property those adjoining it are bound by land that is already used for rural living as opposed to predominantly agriculture via either zonings (Special Rural, Rural Multiple Occupancy, Landscape Protection and Tourist purposes).
- The identification of the land bound by McLeod Road in the west Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North; is a logical step and development can be well managed by zoning provisions, contribution to infrastructure (Shire and other entities such as western power) and general best practice management strategies in regards to water protection, land use conflict and fire related issues.
- There is a clear case for Council to argue against DoP insistence that the McLeod Road Rural Living Precinct be withdrawn from identification from the Denmark Local Planning Strategy for Rural Living purposes. The proposal clearly meets with the current and draft State Planning Policies and objectives in that it is adjacent to existing rural living developments, landuse conflict can be minimised, it will promote good environmental outcomes in that fire, vegetation and weed management can be managed in an effective way both through the structure planning process and also at time of subdivision.
- Structure planning over a dedicated precinct will allow for the effective and realistic location of the Munda Biddi Trail adjacent this and nearby properties as proposed by the Department of Environment and Conservation (Recreation and Trails Unit). Further investigation may indicate a better alignment through this process.
- It is considered that a Rural living precinct with a Rural Small Holdings zone would help preserve the rural amenity yet not adversely impact on the ability for any adjoining land to be used for agricultural purposes if so deemed appropriate.

#### 1.0 Existing Conditions

##### 1.1 *General Site Description, Area Soil & Vegetation Types*

The subject land is Lot 552 on Deposited Plan 230729, View Road Shadforth and is located some 12km from the Denmark townsite. The property is located addressing the constructed portion of View Road and falls within an area bound between McLeod Road in the west, Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North. This area is further informally referred to in this document as the 'McLeod Road Rural Living Precinct'. The site can be further legally identified as:

- Lot: 552
- Owner: Damaris Waschk, Robert Underwood, Beata Waschk and John Major
- Volume/Folio: 1458/754

- Area: 28.8237 ha

The landform within the general area and the soil subsystems that may exist at the property can be described in the following way;

- Hills and ridges on colluvium and weathered mantle over granite with red brown loamy earths, brown deep loamy duplexes, Loamy gravels with Stony soils.
- Grey deep sandy duplexes, pale deep sands, duplex gravels and semi wet soils.

Adjacent lots can predominantly be expected to experience similar if not the same conditions.

There is an area of dense remnant vegetation remaining over the majority of the site with two small areas cleared, one on the northern boundary and one located to the southern boundary. The site contains the successful 'Habitat Tree farm' which has been operating for some 20 years (<http://www.habitattreefarm.com.au/about%20us/about.htm>) and is located in the north most portion of the lot. Both development areas have houses and outbuildings and could clearly be delineated by building envelopes. The vegetation is a combination of tall Karri and associated understorey and high country riparian vegetation in the gully, running to the rear of Lot 77 View Road.

#### *1.2 Adjoining Land Uses*

The adjoining land uses are best broken down to fully examine the relationship with this land:

- Land directly over View Road to the west, Lot 102 is used for the agistment of some 15 horses (brood mares and foals), the property is also has a cottage that is vacant.
- Land to the south of adjacent Lot 102, Lot 448 is held largely vacant and unmanaged with occasional cattle grazed and a small shed used as a casual weekender.
- A Rural Multiple Occupancy Zone (RMO 3) is located further to the west of the subject site on adjacent Lot 1/444 Mt Shadforth Road and lays between (Eaglemont Estate – SR Zone 1) and Lot 102 View Road.
- Eaglemont Estate (SR1) is located further to the west being accessed from McLeod Road. This has been developed with 2.4ha lots.
- Lot 101 to the north west of lot 552 is used for rural living purposes for the keeping of horses, a home and an artist's studio.
- The adjoining Lot 77 is held as a rural residential retreat with a dwelling currently being constructed and is 21ha with some 8.1ha of that under vegetation and facing topography constraints to traditional farming.
- Further to the south of this is Lot 908 which has cattle agisted and a single residence - the wattle and daub home as listed in appendix 7 – Schedule of Places

of Heritage Value No. 25.

- To the Far East on the Corner of Sunrise Road and South Coast Highway and abutting Lot 908 is a mixed use lot with a portion zoned Tourist (T5) and a portion zoned to Landscape Protection under the current Scheme (LP 2). The subdivision of this land has stalled several times and it is understood unlikely to occur in the near future none the less is still identified for themed rural living.

### 1.3 Access

Access to both homes and the habitat tree farm on Lot 552 View Road is from the constructed portion of View Road accessing Mt Shadforth Road to the north. The road reserve continues southward between Lots 102, 448 and 908 however this alignment will be problematic to construct as it is generally heavily timbered, located adjacent a creekline and of a grade where it is not practicable to construct for vehicular purposes.

### 1.4 Services

There is not a reticulated water service available to the site. The existing dwellings are serviced by onsite potable water tanks. Additional non potable water sources for irrigation of gardens and watering of livestock is gained from a number of natural soaks/dams at the site. Effluent disposal to the houses is currently in the form of traditional onsite effluent disposal using a septic tank and leach drains conforming to HDWA standards. Telecommunications are available to the site. An overhead power supply is available and is connected to the existing dwelling and outbuildings.

## 2.0 Relationship to State Planning Documents

### 2.1 *State Planning Policy 2.5 and WAPC Development Control Policy 3.4*

SPP No. 2.5 is one of a number of State Planning Policies that are used in the assessment of Regional Planning Schemes, Local Planning Strategies, Town Planning Schemes and Amendments to Town Planning Schemes, Structure Plans and Outline Development Plans, and Planning Guidelines and Plans.

DC 3.4 is the operational policy for rural subdivision. The general policy requirement at section 3.1 of DC 3.4 is that “land that is to be subdivided for closer settlement (rural residential and rural smallholdings) should be properly planned through the preparation of regional and local planning strategies prior to subdivision”. DC 3.4 provides that where two or more lots are proposed for a conservation themed subdivision that they be identified in a LPS for closer settlement in the form of a rural residential or rural small holdings zone (DC 4.8 para 2 after f(ii))- attached).

A Rural Living Precinct in the form of a Rural Small Holdings zone over this and adjoining land (*McLeod Road Rural Living Precinct*) would meet with the policy measures of both SPP 2.5 and DC3.4 as both policies advocate closer settlement or rural living being

identified in an LPS and being located on suitable land.

### 3.0 Relationship to Local Planning Documents

#### 3.1 *Existing Zoning within Town Planning Scheme No. 3.*

The subject land is zoned Rural in the Shire of Denmark Town Planning Scheme No 3. This allows for a range of rural related activities including the stocking of land within Agriculture & Food WA recommended rates, cropping and horticulture.

#### 3.2 *TPS Policy 29 - Rural Settlement Strategy*

Town Planning Scheme Policy No. 29 – Rural Settlement Strategy (RSS) has been the guiding document for rural development since 1999. The Local Planning Strategy (LPS) will supersede this document however it is anticipated that many of the objectives will be mirrored in the revised LPS. The land is identified in the RSS as ‘Primary Purpose Broad Acre Farming’ and falls within Area 4 ‘Kordabup catchment’ of that strategy. The key objectives specific to the Kordabup Catchment of that strategy are;

- To maintain and protect the natural ecological processes of Parry Inlet.
- To favour the use of land for farming and consider the establishment of tree plantations in selected areas.
- To encourage the maintenance of grazing on capable and suitable areas.

### 4.0 Discussion

#### 4.1 *Land Capability, Land Management Issues and Vegetation Protection*

As to the objectives noted above, the continued retention of the vegetation at this property will enhance and protect water quality in the area; A timber plantation would not be a suitable use on this land as it is located adjacent to significant tourist drive (McLeod Road) and South Coast Highway and should retain the open rural vista enjoyed by locals and visitors to Denmark alike. The land is clearly not capable of being utilised for grazing due to vegetation coverage and topography of the site.

A natural drainage line runs across the property from north to south and the landowners advise that there are waterfalls located along this creekline indicating both steep rocky topography and the natural ecological processes of filtering and cleaning water at work.

Any subdivision proposal would need to recognise the importance of protecting this remnant vegetation at the site by including it in development exclusion areas and by advising prospective purchasers and future landowners of its importance. This may best be achieved by applying zoning provisions to the land that reflect its uniqueness and land use constraints.

Rural Small Holdings is defined by the WAPC as ‘Land used for minor rural pursuits,

hobby farms, conservation lots and alternative residential lifestyle purposes where part time income from cottage industries, home occupation and the use of land for agriculture may be derived. This land use seeks to preserve and enhance landscape quality, environmental and conservation attributes’.

The land use designation of Rural Small Holdings within a Rural Living Precinct seems to be the most logical and most efficient purpose for this land.

#### *4.2 Precedent for Subdivision of adjoining/nearby land*

The inclusion of this land specifically and also adjoining land into the LPS as the ‘McLeod Road Rural Living Precinct’ for a Rural Small Holdings Zone for will not set an undesirable precedent for the subdivision of other land in the general area as the land will need to be rezoned before subdivision can be entertained. SPP 2.5 and 3.4 clearly intend that land needs to be identified for closer rural settlement prior to any rezoning proposals being considered.

#### 5.0 Conclusion

It is submitted that the identification within the DLPS for inclusion into a ‘Rural Living Precinct’ (Rural Small Holding Zone) over the area bounded by McLeod Road in the west Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North would help to preserve the rural amenity of the area. The identification of this land for ‘rural living’ purposes meets the essential consideration of the current Rural Settlement Strategy in that it continues to protect natural ecological processes and the rural and visual amenity of the area.

In regard to the relationship to SPP2.5, the protection of agricultural land and Lot 552; identification and rezoning of this land for ‘Rural Living’ will not adversely impact on the objectives of the SPP and the protection of agricultural land as it cannot be used for that purpose. Support for the zoning of this lot as rural small holdings zone and the creation of a cohesive Rural Living Precinct with appropriate zoning provisions should be considered as appropriate by Council and offers management strategies to an area that is already largely used for rural living.

In considering the above, Council should also consider including the adjoining properties to the east and west and constrained by Sunrise Road/Mt Shadforth Road, South Coast Highway and McLeod Road within this precinct and zone to compliment the proposal and identify a cohesive cell in which to contain development. These adjoining properties have similar attributes that should be conserved; some land may be suitable and capable for minor agriculture/horticulture and also have the capability to support housing.

Development to Rural Living (specifically Rural Small Holdings) with an average lot size of 4 -15 ha is suitable and complimentary in this location. Any land use conflict will be



		<p>able to be managed via buffer setbacks and a range of lot sizes which respond to the specific capabilities of the land. The proposed zoning will allow for the introduction of landuse controls and vegetation protection that will have the effect of retaining rural character and amenity in the area, in addition to utilising capable horticultural land. This landuse designation and subsequent zoning will allow for minor horticultural/agricultural pursuits which respond to changing market forces, demand and nature of the farming practices and constraints within the Denmark area.</p> <p>For the above reasons we would be pleased if you could consider the inclusion of this property Lot 552 View Road (specifically) and indeed the area bound by Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North into the area identified for 'Rural Living' (possible 'McLeod Road Rural Living Precinct' and rural small holdings zone) within the review of the Shire of Denmark Local Planning Strategy.</p> <p><i>(NB: Vegetation Plan attachment has been omitted – available to Councillor's upon request).</i></p>	
P169	Denmark Survey & Mapping PO Box 339 DENMARK WA 6333	<p>Denmark Survey &amp; Mapping act on behalf of the owners of Lot 102 View Road Shadforth, Bernhard Schlun (Suntime Pty Ltd) and Mathias Dahl (StarLeaf Pty Ltd). This submission is lodged with Council for the identification of this land within the Shire of Denmark Local Planning Strategy (DLPS) for future 'rural living' (rural small holdings zone) development potential. The landowner would seek lot sizes in the order of between 4 – 15ha dependant on site conditions and investigations. The following points and rationale are submitted for your consideration.</p> <p><u>Executive Summary</u></p> <p>It is submitted that identification within the DLPS for a Rural Living Precinct (Rural Small Holdings zone - RHS) development should be considered for the following reasons;</p> <ul style="list-style-type: none"> <li>• The current lot size is such that it is not of an economically viable area for the traditional broadacre grazing purposes of the land, whilst this in itself is not a reason to rural small holdings, the other attributes of the property are.</li> <li>• The existing high quality vegetation at the site, combined with steep slopes, render an area of approximately 25.4ha as useless for farming purposes however valuable for amenity and landscape values in regards to a Rural Living proposal.</li> <li>• A RSH zone would allow for lot sizes that may encourage horticulture and alternative livestock breeding.</li> <li>• An average lot size of 4 - 15ha offers a variety of lot sizes that can be managed yet still efficiently used for minor agricultural purposes if desired.</li> <li>• A minimum of 4ha will provide for site specific development of lots with a variety of attributes ie rural conservation themes.</li> <li>• The subject property has a number of existing and potential dam sites to adequately provide for the storage of water to meet the needs of individual lots and provide water for fire fighting purposes.</li> </ul>	Noted – refer comments and associated recommendations provided in the Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations.</i>

- Identification of the land within the LPS removes the setting of precedent for other rural zoned land to be subdivided in a similar fashion unless that land has also demonstrated appropriate capabilities for Rural Living and has been identified for a Rural Living Precinct (RSH) in the LPS.
- Structure planning over a dedicated precinct will allow for the effective and realistic location of the Munda Biddi Trail through this and adjacent properties as proposed by the Department of Environment and Conservation (Recreation and Trails Unit).
- This property and those abutting it are bound by land that is already used for rural living as opposed to predominantly agriculture via either zonings (Special Rural, Rural Multiple Occupancy, Landscape Protection and Tourist purposes).
- The identification of the land bounded by McLeod Road in the west Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North; is a logical step and development can be well managed by zoning provisions, contribution to infrastructure (Shire and other entities such as Western Power) and general best practice management strategies in regards to water protection, land use conflict and fire related issues.
- There is a clear case for Council to argue against any insistence that DoP have that the McLeod Road Rural Living Precinct be withdrawn from identification from the Denmark Local Planning Strategy for Rural Living purposes as it clearly meets with the State Planning Policies and objectives in that it is adjacent to existing rural living developments, land use conflict can be minimised, it will promote good environmental outcomes in that fire, vegetation and weed management can be managed in an effective way both through the structure planning process and also at time of subdivision.
- A Rural Living precinct (RSH zone) could allow for lot sizes that are suitable for a hobby farm (4ha) or of a size that could encourage minor horticulture and even alternative animal husbandry. An average lot size of 10 - 15ha offers a lot size that can be managed yet still efficiently used for intensive agricultural purposes if managed properly with smaller lots providing for conservation themes where vegetation precludes agricultural uses.
- It is considered that a Rural living precinct with a Rural Small Holdings zone would help preserve the rural amenity of the area yet supply manageable sized rural themed lots that can meet the challenge of minor horticulture with good access to water, a moderate to high capability for horticultural uses whilst offering a variety of lifestyle choices and meeting the most valuable use of this land.

#### 1.0 Existing Conditions

##### 1.1 *General Site Description, Area Soil & Vegetation Types*

The subject land is Lot 102 on Deposited Plan 98707, View Road Shadforth, and is located some 14km from the Denmark townsite. The property is located in part

addressing the constructed portion of View Road and falls within an area bounded between McLeod Road in the west Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North. This area is further informally referred to in this document as the 'McLeod Road Rural Living Precinct'.

The site can be further legally identified as:

- Lot: 102
- Owner: Suntime Pty Ltd & Starleaf Pty Ltd
- Volume/Folio: 2204/93
- Area: 59.9554 ha

The soil subsystems that may exist at the property can be described in the following way;

- Hills and ridges on colluvium and weathered mantle over granite with red brown loamy earths, brown deep loamy duplexes, loamy gravels with stony soils.
- Grey deep sandy duplexes, pale deep sands, duplex gravels and semi wet soils.

Initial site investigation at the property has shown that the site is relatively free draining and easily traversable by 4WD even in the wet of Late July/early August.

There is an area of 24 .5ha of dense remnant vegetation remaining in the north west of the lot abutting the rural multiple occupancy zone that fronts Mt Shadforth Road. The vegetation is a combination of tall Karri and associated understorey and high country riparian vegetation in the gully, leading down towards the lower laying land abutting Lot 447 McLeod Road where the vegetation is characterised by wattie, swamp paperbark and peppermints. The remainder of the land is agisted for the run of 15 horses at present. There is a small existing cottage at the site which is accessed via the northern constructed portion of View Road.

### *1.2 Adjoining Land Uses*

Adjoining land to the west is being used for minor horticulture for the growing of vegetables and some limited grazing. Land to the south is held largely vacant and unmanaged with occasional cattle grazed and a small shed used as a casual weekender. Two residences and the well established Habitat Tree Farm are contained on Lot 552 View Road, Lot 77 is held as a rural residential retreat with a dwelling currently being constructed. To the south is Lot 908 which has cattle agisted, a single residence - the wattle and daub home as listed in appendix 7 – Schedule of Places of Heritage Value No. 25. A Rural Multiple Occupancy Zone (RMO 3) is located directly to the north on Lot 1/444 and that adjoins a special rural zone (Eaglemont Estate – SR Zone 1). To the far east on the Corner of Sunrise Road and South Coast Highway and abutting Lot 908 is a mixed use lot with a portion zoned Tourist (T5) and a portion zoned to Landscape Protection under the current Scheme (LP 2). The subdivision of this land has stalled

several times and it is understood unlikely to occur in the near future none the less is still identified for themed rural living.

### *1.3 Access*

Access to the cottage on Lot 102 View Road is from the constructed portion of View Road accessing Mt Shadforth Road to the north. The road reserve continues southward between Lots 102, 448 and 908 however this alignment is unlikely to be constructed as it is generally heavily timbered, located adjacent a creekline and of a grade where it is not practicable to construct.

### *1.4 Services*

There is not a reticulated water service available to the site. The existing dwelling is serviced by onsite potable water tanks. Additional non potable water sources for irrigation of gardens and watering of livestock is gained from a number of dams at the site and water for horticulture is plentiful. Effluent disposal to the house is currently in the form of traditional onsite effluent disposal using a septic tank and leach drains conforming to HDWA standards. Telecommunications are available to the site. An overhead power supply is available and is connected to the existing dwelling and outbuildings.

## 2.0 Relationship to State Planning Documents

### *2.1 State Planning Policy 2.5*

SPP No. 2.5 is one of a number of State Planning Policies that are used in the assessment of Regional Planning Schemes, Local Planning Strategies, Town Planning Schemes and Amendments to Town Planning Schemes, Structure Plans and Outline Development Plans, and Planning Guidelines and Plans.

The objectives of SPP No. 2.5 are to:

- Protect agricultural resources;
- Plan and provide for rural settlement;
- Minimise potential land use conflict via management controls such as setbacks, identification of priority agricultural land etc; and
- Carefully manage natural resources.

The policy requires that any land to be developed for rural settlement must be identified in an endorsed Local Planning Strategy. SPP No. 2.5 is to be read and administered in conjunction with Development Control Policy No. 3.4 which further details requirements for subdivision of rural land.

This Policy has been reviewed by the State and advertised for public comment of which the submission period is now closed. It can be noted however that generally many of the objectives are to remain the same in relation to *'Rural Residential'* and *'Rural Small*

*Holdings' in that draft review.* The advertised draft refers to 'Rural Living Zones' and 'Rural Living Precincts'. This land use reference has the effect of withdrawing any previous zoning 'names' and blanket covering land from 1ha – 40ha as 'Rural Living' (draft SPP 2.5 – section 6 – Definitions). The following are a number of the policy measures that can be expected when the final of draft SPP 2.5 is adopted in relation decision making for 'Rural Living Zones and Precincts';

- The precinct is adjacent to existing urban areas and has access to services, facilities and amenities.
- The Precinct will not conflict or reduce the primary production potential of adjoining land;
- The extent of proposed settlement is guided by existing land supply and take up and population projections.
- The Precinct is part of a settlement hierarchy established in an endorsed planning strategy
- The precinct can be supplied with electricity and community facilities and this has been demonstrated.
- The development area is predominantly cleared of remnant vegetation or the loss of remnant vegetation through clearing for building envelopes, bushfire protection and fencing is minimized and environmental assets are not compromised.
- It will promote good environmental and landscape outcomes and soil and water management are addressed, which may include rehabilitation as appropriate;
- The land is capable of supporting housing.
- The land is not subject to a buffer from an adjoining rural land use.

A Rural Living Precinct in the form of a Rural Small Holdings zone over this and adjoining land can meet with these policy measures subject to the appropriate investigations (land capability etc) being completed.

#### *2.2 WAPC Development Control Policy 3.4*

DC No. 3.4 is to be read in conjunction with SPP No. 2.5 as detailed above and relates specifically to the subdivision of rural zoned land. The objectives of this policy are similar to those of SPP No. 2.5, however, give far greater detail and direction to acceptable forms of rural subdivision and methods of achieving the specific aims of protecting agricultural land. The general policy requirement at section 3.1 of DC 3.4 is that "land that is to be subdivided for closer settlement (rural residential and rural smallholdings) should be properly planned through the preparation of regional and local planning strategies prior to subdivision".

As per the SPP 2.5, this DC policy is currently also under review. Many of the objectives of the reviewed document remain the same and subject to identification within the Denmark Local Planning Strategy and the required specific investigations at time of

rezoning (and formal structure planning if required); this property and adjoining properties can meet with the policy objectives at section 2 of the draft DC policy 3.4 and therefore negate the need for assessment under this policy other than at section 3 of the draft policy relating to services, water supply and provision of identification in an endorsed Local Planning Strategy.

### 3.0 Relationship to Local Planning Documents

#### 3.1 *Existing Zoning within Town Planning Scheme No. 3*

The subject land is zoned Rural in the Shire of Denmark Town Planning Scheme No 3. This allows for a range of rural related activities including the stocking of land within Agriculture & Food WA recommended rates, cropping and horticulture.

#### 3.2 *TPS Policy 29 - Rural Settlement Strategy*

Town Planning Scheme Policy No. 29 – Rural Settlement Strategy (RSS) has been the guiding document for rural development since 1999. The Local Planning Strategy (LPS) will supersede this document however it is anticipated that many of the objectives will be mirrored in the revised LPS. Of specific interest to this parcel of land is the following RSS consideration at section 2;

‘Strategies for intensification and diversification need to be encouraged.’

The land is identified in the RSS as ‘Primary Purpose Broad Acre Farming’ and falls within Area 4 ‘Kordabup catchment’ of that strategy. The key objectives specific to the Kordabup Catchment of that strategy are;

- To maintain and protect the natural ecological processes of Parry Inlet.
- To favour the use of land for farming and consider the establishment of tree plantations in selected areas.
- To encourage the maintenance of grazing on capable and suitable areas.

A timber plantation would not be a suitable use on this land as it is located adjacent to significant tourist drive (McLeod Road) and South Coast Highway and should retain the open rural vista enjoyed by locals and visitors to Denmark alike.

Rural Small Holdings is defined by the WAPC as ‘Land used for minor rural pursuits, hobby farms, conservation lots and alternative residential lifestyle purposes where part time income from cottage industries, home occupation and the use of land for agriculture may be derived. This land use seeks to preserve and enhance landscape quality, environmental and conservation attributes’.

The use of this land for minor agriculture and horticultural uses is consistent with retaining the farming purpose of the land and as previously noted the site is not of an area that supports viable broadacre grazing (due to stock rate constraints, topography

and vegetation coverage) as is and could reach a higher farming purpose by being used for horticulture instead. The land use designation of Rural Small Holdings within a Rural Living Precinct seems to be the most logical and most efficient purpose for this land.

#### 4.0 Discussion

##### 4.1 *Land Capability, Land Management Issues and Vegetation Protection*

The land has been farmed in the past by grazing of breeding cattle however the grazing component is no longer viable due to cattle prices and the limited stocking rate permitted per hectare. The property is now used for approximately 15 brood mares and their foals.

The Department of Agriculture and Food WA soil capability mapping has been consulted to establish the broad capability of the site to sustain both annual and perennial horticulture. The soil capability to support both forms of agriculture is reinforced with the documented soil capability of the area returning moderate to high capability for both perennial and annual horticulture (Source: Department of Agriculture & Food WA land Capability Mapping, 1988). This would be confirmed by site specific investigations at time of any amendment.

A drainage line runs across the property from east to west and although having been dammed in parts, still retains intact creekline vegetation. Any subdivision proposal would need to recognise the importance of protecting this remnant vegetation at the site by including it in development exclusion areas and by advising prospective purchasers that agriculture and horticultural proposals must be conducted in the cleared areas of the site. Should it be proposed to enter into intensive animal husbandry such as keeping of dairy goats, horses and the like; then landowners should also be made aware that these animals should be restrained from entering the remnant vegetation to ensure retention and protection of the bush.

##### 4.2 *Precedent for Subdivision of adjoining/nearby land*

It is submitted that the inclusion into the LPS for a Rural Small Holdings Zone for horticulture will not set an undesirable precedent for the subdivision of other land in the general area as the land will need to be rezoned before subdivision can be entertained. Structure planning over the adjacent parcels of land between this land and Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North (possible McLeod Road Rural Living Precinct'.) would place another statutory process in place which would further remove the argument of precedence as the obligatory studies to 'prove up' development potential will further confirm the desktop assessments, demonstrating that this and the adjoining properties in the cell warrant a themed development with the ability of the lots to be used for rural lifestyle or where capable and suitable, horticulture.

##### 4.3 *Land Use Conflict with adjoining Special Rural Zone (SR1)*

The adjoining Special Rural Zone No. 1 was developed some 20 or so years ago. The majority of blocks have been developed and have established residences constructed. Due to the topography of the land (quite steep) and existing vegetation, most dwellings are located a considerable distance away from the boundaries of this land therefore acting as a buffer from any proposed uses at the subject site and any other related land within the precinct.

The EPA 'Guidance Statement No 3 – Separation Distances between Industrial and Sensitive Land Uses' does not specifically note a separation buffer for horticulture however it could be assumed that an appropriate distance would be in the order of between 100 and 500m (based on generic minimum separation distances and those required for viticulture, 500m). Site specific studies to more accurately address possible conflicts could form part of rezoning documentation, permitted land uses and would further inform subdivision design and lot layout.

#### *4.4 Fire Hazard Management*

All boundaries of the site are kept clear as firebreaks and also to maintain fencing. There is currently adequate access to all dams on the property for water in the event of fire. Additional fire management methods such as a strategic firebreak network and continued access to water for fire fighting purposes would be developed as part of any rezoning of the site and would be further addressed via a fire management plan at time of amendment.

#### 5.0 Conclusion

It is submitted that the identification within the DLPS for inclusion into a 'Rural Living Precinct' (Rural Small Holding Zone) over the area bounded by McLeod Road in the west Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North would help to preserve the rural amenity of the area. The proposal would also supply manageable sized rural lots that have good access to water and with a moderate to high capability for horticultural use which would be suited to a *Rural Living Precinct* with a *Rural Small Holding zoning*.

The identification of this land for 'rural living' purposes meets the essential consideration of the current Rural Settlement Strategy in that it recognises that farming is still the predominant rural landuse in Denmark and will be for some years to come. It will however offer the ability to encourage 'strategies for intensification and diversification' in farming practices which would be supported by a mix of lot sizes allowing for minor horticultural purposes and rural living.

In regard to the relationship to SPP2.5, the protection of agricultural land and Lot 102; identification and rezoning of this land for 'Rural Living' will not adversely impact on the objectives of the SPP. The subject land has been identified as generally having a moderate to high level of capability for horticultural production in the DA&FWA



		<p>horticultural land capability mapping. This can also be further supported by the horticultural venture currently being undertaken at Location 1970 in that the land is adjacent this location and shares similar soil characteristics. The capability of the site for horticulture and minor agriculture could be further validated at time of amendment via an agronomists report.</p> <p>Council may also consider including the adjoining properties to the east and west and constrained by Sunrise Road/Mt Shadforth Road, South Coast Highway and McLeod Road within this precinct and zone to compliment the proposal and identify a cohesive cell in which to contain development. These adjoining properties have similar attributes and may also be suitable and capable for intensive agriculture/horticulture and also have the capability to support housing.</p> <p>Development to Rural Living (specifically Rural Small Holdings) with an average lot size of 4 -15 ha is suitable and complimentary in this location. Any land use conflict will be able to be managed via buffer setbacks and a range of lot sizes which respond to the specific capabilities of the land. The proposed zoning will allow for the introduction of landuse controls and vegetation protection that will have the effect of retaining rural character and amenity in the area, in addition to utilising capable horticultural land. This landuse designation and subsequent zoning will allow for minor horticultural/agricultural pursuits which respond to changing market forces, demand and nature of the farming practices and constraints within the Denmark area.</p> <p>For the above reasons we would be pleased if you could consider the inclusion of this property specifically and indeed the area bounded by Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North (possible 'McLeod Road Rural Living Precinct') into the area identified for 'Rural Living' (rural small holdings zone) within the review of the Shire of Denmark Local Planning Strategy. <i>(NB: Vegetation Plan attachment has been omitted – available to Councillor's upon request).</i></p>	
P170	Taylor Burrell Barnett PO Box 8186 SUBIACO EAST WA 6008	<p>Further to the Shire of Denmark advertising the Draft Local Planning Strategy (LPS) for public comment, Taylor Burrell Barnett makes this submission on behalf of Mr. Graeme Robertson, the owner of Lot 834 Mt Shadforth Road, Denmark. This submission seeks the Shire's support for the redesignation of the Mt Shadforth precinct from 'Rural Small Holdings' to 'Rural Residential' to reflect the existing development character of the area, as well as the inclusion of Lots 407, 408, 410, 440, 702, 717 and 834 within this 'Rural Residential' area.</p> <p><u>Background</u> Lot 834 Mt Shadforth Road is 76.85 hectares in area and is located approximately 7km west of the Denmark townsite. The lot is bounded by Sunrise Road, Mt Shadforth Road and Middleton Close, and abuts an existing special rural development (Mt Shadforth</p>	Noted – refer comments and associated recommendations provided in the Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations.</i>

Estate). While the lot is not used for productive agriculture, it is used for grazing purposes currently.

In the past, Lot 834 has been identified as being suitable for 'Rural Residential' style development. The Lot was included in the previous draft of the LPS (2006), which identified this lot and surrounding land as being within a 'Future Rural Residential/Landscape Protection' precinct. While the 2006 draft of the LPS was ultimately not finalised (now replaced by the Draft LPS currently being advertised), the Shire has previously agreed that the land in this area was appropriate for future lifestyle development at a 'Rural Residential' density.

Lot 834 was also the subject of proposed Scheme Amendment No. 99, which sought the rezoning of the Lot from 'Rural' to 'Special Rural' under the Shire of Denmark Town Planning Scheme No. 3. This amendment included a Subdivision Guide Plan which proposed lots ranging from 1ha to 1.59ha in area. The Shire of Denmark supported the initiation of this amendment in 2007, and even advocated for the proposal to the Western Australian Planning Commission (WAPC) at the time of consideration to advertise. Unfortunately consent to advertise the amendment was not granted by the Minister for Planning and Infrastructure, essentially due to a lack of strategic framework to support the proposal at that time.

Mr Robertson has since been awaiting the finalisation of a LPS to provide a strategic framework in which to guide the development potential of this land. It is also noted that the landowner has invested significantly in this land on the reasonable assumption that the Shire of Denmark supported the principle of its development as 'rural residential' lots, and is disappointed that the Draft LPS no longer includes this land, and does so without sound planning justification.

#### Context of Draft LPS

Lot 834 Mt Shadforth Road is currently identified in the Draft LPS as being for 'High Quality Agriculture' land use and is located within the 'Little River Catchment'. The landholdings to the east of the subject site are identified as 'Rural Small Holdings' lots (with some pockets of 'Parks and Recreation' and 'Tourist'), while the land to the immediate south and west are similarly classified as 'High Quality Agriculture'. Land further to the west of the site is identified as 'General Agriculture' with pockets of 'Rural Small Holdings'.

It is noted that the Draft LPS identifies the 'Rural Small Holdings' classification as supporting lot sizes between 4ha to 40ha, while the 'Rural Residential' classification provides for lot sizes of 1ha to 4ha. It is considered that the 'Rural Small Holding' land use designations in the Mt Shadforth precinct are not accurate. The existing lifestyle development areas in the vicinity of Lot 834 are zoned by TPS 3 as 'Special Rural' having a minimum lot size of 2ha, which is well below the minimum 4ha lot size under the 'Rural Small Holdings' classification. The proposed designation of 'Rural Small Holdings'

under the Draft LPS would result in the minimum lot size requirement for the zone being increased, therefore creating a conflict between the Scheme and Draft LPS. It is further noted that Section 6.12.1 of Part 2 of the Draft LPS states that existing Special Rural zoned estates with lots less than 4 hectares are proposed to be designated as 'Rural Residential', which is contrary with what has been reflected on the Draft LPS Plan.

It is also of note that very few areas have been designated as 'Rural Residential' under the Draft LPS (virtually no *new* areas for this style of development). It would therefore appear that the Draft LPS is effectively a no-growth strategy for 'Rural Residential' development which does not reflect the growth needs for a 20 year planning horizon. It is noted that the limited allocation of 'Rural Residential' land does not meet the objective of the Draft LPS to balance the need for growth with the need to protect agricultural land.

#### Bush Fire Hazard Assessment

The existing land identified within the Mt Shadforth precinct under the Draft LPS is significantly constrained, and as a result is expected to deliver limited land supply. A 'Bush Fire Hazard Assessment' has been prepared for the Mt Shadforth precinct by the ICS Group (Mr. Klaus Braun) to demonstrate the constraints which affect the land from a fire management perspective (refer to Attachment A for full report – *NB: attachment omitted; available to Councillors upon request*). The fire management factors which constrain the development potential are summarised as follows.

#### *Land Use*

The area currently identified as the Mt Shadforth 'Rural Small Holdings' precinct within the Draft LPS is approximately 926 hectares. A significant portion of this area is already developed for rural residential purposes, or is being used for other uses (included Reserves, viticulture and tourism), and is therefore unlikely to be developed in the future. This results in only 384ha, or 41% of the identified precinct being likely to be available for future subdivision/development.

#### *Vegetation*

Additionally, there is significant remnant vegetation within the precinct (168ha, or 18% of the developable land area is vegetated), and based on the current policy of the Shire and the Department of Environment, it is anticipated that clearing of any vegetation for development will not be permitted. It is noted that while clearing of the vegetation is unlikely and will therefore result in a reduced lot yield for this area, detailed development plans may be able to incorporate areas of vegetation within lot boundaries accompanied by appropriate measures for conservation.

#### *Slope*

Much of the remaining land has steep slopes which while adding to topographical

interest and often creating vistas, also reduces the area available for development. Steep slopes add to the fire intensity and subsequent fire management measures, and can also cause practical issues relating to subdivision and development.

#### *Fire Management*

The strategic bush fire hazard assessment was undertaken for the existing 'Rural Small Holdings' precinct and proposed additional land, in accordance with the FESA/WAPC 'Planning for Bush Fire Protection Guidelines (2009). This included identification of likely setback distances to achieve appropriate fire separation, which results in further constraints on the land.

It is noted that this exercise has been undertaken on a broad scale basis, and that the actual separation distances will depend on the standard to which dwellings are constructed and the proven fire risk rating of adjacent vegetation.

#### *Availability of Land*

The existing land areas identified for further development are highly constrained, and it is estimated that only 14% of this area is readily available for development (refer to Attachment B - *NB: attachment omitted; available to Councillors upon request*). Given the limited development yields likely to be achieved from the land area currently identified, it is considered that there is an inadequate supply of this type of lot product in the precinct and more broadly within the overall LPS area. It is submitted that additional land should be identified for 'Rural Residential' to ensure the appropriate provision of available land to meet demand for the 20 year period identified within the Draft LPS.

The area to the immediate west of the area currently designated as 'Rural Small Holdings' (being Lots 407, 408, 410, 440, 702, 717 and 834 – a combined total of 250 hectares) is considered from a planning perspective to be an appropriate area for inclusion within this precinct which will assist in providing a suitable land supply of lifestyle lots.

This proposed additional area has been assessed against the same constraints identified above, to determine the likely land availability. Approximately 21% of this area has remnant vegetation cover, and there are some areas of steep slopes due to a gully landform. Notwithstanding these constraints, the proposed area for inclusion represents an additional 125 hectares of vacant, developable land. The inclusion of this additional land will result in increased developable area and a higher potential lot yield for the Mt Shadforth precinct.

#### Agricultural Land Assessment

An Agricultural Land Assessment has been prepared for the Mt Shadforth precinct by Land Assessments (Mr Martin Wells) to support this submission (refer to Attachment C for full report- *NB: attachment omitted; available to Councillors upon request*). Martin

Wells is highly qualified in this field and has significant professional experience including being the author of the Department of Agriculture's 'Land Capability Assessment Methodology for Rural Residential and Associated Agricultural Land Uses' Land Resource Series Publication.

*Classification of Land*

This Agricultural Land Assessment raises concerns about the way that agricultural land has been classified under the Draft LPS, as follows:

1. The use of the term 'High Quality Agricultural Land' (HQAL) within the Draft LPS does not reflect the use of this terminology by the Department of Agriculture and Food (which implies detailed methodology to identify strategically important agricultural areas of State significance).
2. Some of the areas designated under the Draft LPS are in addition to that land identified under the Lower Great Southern Strategy (LGSS) as a result of an assessment by Council predominantly having regard to slope and water supply availability, and therefore should be clearly identified as areas of 'local agricultural significance' only. The inclusion of additional areas of HQAL will result in the quarantining of such land from any future non-agricultural uses, and may have unintended and restricting consequences on future land use decisions.
3. The agricultural land identified has been based on potential capacity for irrigated intensive agriculture (horticulture) which is only a minor form of rural land use within the Shire. On this basis, the land identified for protection does not reflect the actual and dominant agricultural uses in the Denmark region, being broad-acre farming.
4. The LGSS identification of priority agriculture land is based on more than 50% of a landholding being of high capability for agriculture. This does not reflect the genuine high quality land (which is more accurately identified as those landholdings with 70% or more having high capability). The implication of this classification is that land with marginal agricultural value is unnecessarily quarantined as HQAL, precluding its future use for other purposes. A review of the areas identified for agricultural land of State and regional significance should be undertaken as a matter of priority by the State to ensure that only genuinely valuable land is protected, rather than the inclusion of land of marginal agricultural quality, such as has occurred within the Draft LPS.
5. The designation of unnecessary land as HQAL under the Draft LPS will result in restrictions on the creation of smaller agricultural lots, which are often preferred by intensive agriculture (horticulture/viticulture) enterprises. This may result in the Shire being unable to accommodate the needs of these industries due to the desired lot sizes not being available to operators.
6. Designating areas for HQAL does not specifically encourage intensive (high value) forms of agriculture. The Draft LPS refers to the protection of this land, but does not include measures to actively encourage agricultural industries to locate within the Shire.

7. The use of a catchment based approach to planning may be a more effective way of separating non-agricultural uses from areas to be protected for productive agriculture. In this case, the use of the Little River Catchment boundary would form an appropriate boundary for the designation of areas for agricultural protection. This approach would be consistent with the previous Shire of Denmark Rural Settlement Strategy (1999), and environmental planning principles. If this approach was adopted, the Little River Catchment (within which Lot 384 is located) could be utilised for non-agricultural purposes, with adjacent undeveloped catchments being preserved for agricultural use.

The full complexities of the classification of agricultural land are clearly documented in **Attachment C** (Wells, 2011) and should be carefully considered by Councillors and Staff in making strategic decisions for the Shire.

*Lot 834 and Surrounds*

The Draft LPS does not provide a clear rationale for the distinction of the agricultural classification of Lot 834 (designated as 'High Quality Agriculture' land) from that of the surrounding land which has been identified as being appropriate for future development.

On initial inspection, Lot 834 appears to be distinct from the land to the east (ie, that land identified as 'Rural Small Holdings' under the Draft LPS) as it is classified differently under the LGSS. The LGSS designations are based on the soil landscape mapping units and capability interpretations, identifying that land with a perennial horticulture rating (including activities such as irrigated vineyards, orchards, nut and tree crops). However, the LGSS also removes areas of remnant vegetation and areas zoned other than 'Rural', hence the differentiation of land to the east of Lot 834.

Based on soil landscape mapping, both those areas included and those excluded from future development potential share a common land type and hence a common agricultural land capability. Therefore, there is no basis for the identification of Lot 834 as HQAL while similarly characterised land nearby is excluded.

It is noted that the Shire has previously acknowledged that irrespective of the assessment of Lot 834 as Priority Agricultural Land (PAL) by the State, the land cannot be operated as a financially viable agricultural holding and from a land suitability perspective, is better utilised for rural living purposes. (Council Officer Report relating to Amendment No. 99, January 2007).

Requested Modifications

Based on the facts laid out in this submission, it is respectfully requested that the Shire consider modifications to the Draft LPS as follows:

1. Re-classifying the Mt. Shadforth precinct from 'Rural Small Holdings' to 'Rural

Residential', on the following grounds:

- a) the current 'Rural Small Holdings' classification does not reflect the existing lot sizes in the area and is inconsistent with Part 2 of the Draft LPS;
  - b) that there is insufficient provision of 'Rural Residential' land within the Draft LPS area to accommodate future growth;
  - c) the development of the identified land at a 'Rural Residential' density will ensure the efficient and best use of land, which will in turn assist to reduce future demands on genuine agricultural land.
2. Extend the Mt. Shadforth 'Rural Residential' precinct to Sunrise Road (including Lots 407, 408, 410, 440, 702, 717 and 834) on the following grounds;
- a) the inclusion of Lot 834 and surrounding lots represents a logical 'rounding off' of the existing special rural character of the area;
  - b) the establishment of Sunrise Road as a boundary to the precinct provides a firm development edge;
  - c) Council has previously agreed that Lot 834 is suitable for development and has acknowledged that the land is not able to be effectively used for productive agricultural purposes.

**Attachment D** (*NB: omitted – available to Councillors upon request*) graphically identifies the area proposed for inclusion within the 'Rural Residential' designation of the Draft LPS.

3. Undertake a review of the agricultural land classifications within the LPS with a view to protect only that land which is of the highest quality for agricultural purposes at a State and regional level, and further request the State Government to undertake more detailed and specific agricultural quality mapping for the region to better inform future planning.

#### Conclusion

In further considering Draft LPS – a significant strategic framework for the future growth and development of the Shire of Denmark - Council is respectfully requested to have regard to the key matters raised in this submission, including:

- Council's previous support for the development of this area, through the inclusion of the land in the 2006 draft of the LPS, and initiation of Scheme Amendment No. 99;
- The need for the Draft LPS to accurately reflect the existing development character of the area by designating the Mt Shadforth precinct as 'Rural Residential' rather than 'Rural Small Holdings';
- The need to provide appropriate land for future growth within the Shire in a variety of lot products, and the current inadequate supply of development land within the Mt Shadforth precinct and more broadly within the overall Draft LPS area;

		<ul style="list-style-type: none"> <li>• The need to properly and accurately classify agricultural land in the district by ensuring; that only that land which is of a genuine high quality is identified; the provision of smaller lot sizes to suit a variety of agricultural enterprises; and a catchment based approach to planning for the protection of agricultural land;</li> <li>• The fact that there is no basis for the identification of Lot 834 as HQAL while similarly characterised land nearby is excluded.</li> </ul> <p>The Shire of Denmark is respectfully requested to uphold this submission so as to allow further consideration of the matter by the WAPC. It is further requested that the Shire advocate on behalf of the landowners in the Mt Shadforth precinct by seeking the WAPC to include this area within a 'Rural Residential' classification, ensuring the appropriate land supply of this type of lot product, and the most efficient use of land.</p>	
P171	Denmark Survey & Mapping PO Box 339 DENMARK WA 6333	<p>Denmark Survey &amp; Mapping act on behalf of the owners of Location 3697 Crusoe Beach Road, Mr. Cedric John &amp; Mrs. Olwyn Joan Smith. The following submission is lodged in addition to that lodged in October 2008 by myself as senior Planner with Thompson McRobert Edgeloe Group. The timing of that submission was on the advice of Council Officers to do so at that early stage.</p> <p>This new submission is made to Council for consideration for the land designation of rural residential consistent with Special Rural Zone 23 to the west and the findings of the Rudyard Structure Plan. If Council is unable to support land development to the area that is consistent with that zone and land use designation then identification for rural living (consistent with draft SPP definitions) being applied to this land within the Shire of Denmark Local Planning Strategy (DLPS) for future rural small holding development potential. The following points and rationale are submitted for your consideration.</p> <p><u>1.0 Executive Summary</u></p> <p>It is submitted that identification within the DLPS for the future Rural Residential (1-4ha) development of this and adjoining sites to establish a higher lot yield has planning merit for the following reasons;</p> <ul style="list-style-type: none"> <li>• The current lot size is such that it is not of an economically viable area for the traditional grazing purposes of the land.</li> <li>• The current zoning of rural does not offer any land use controls or provisions that can offer protection to the remnant vegetation, waterways protection/management or weed control strategies at this site.</li> <li>• Lot sizes above 4ha (and 10 as per the last draft LPS) will only further exacerbate this problem without giving a sound alternative landuse (farming/horticultural purposes).</li> <li>• Likely land use conflicts between intensive horticulture and rural residential landuse to the west.</li> <li>• The previously suggested lot size of 10ha represents an area of land that offers</li> </ul>	Noted – refer comments and associated recommendations provided in the Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations</i> .



		<p>land management challenges in this area I that the person who seeks to live this close to town may not want to manage land.</p> <ul style="list-style-type: none"> <li>• Intensive horticulture at the site may represent an unacceptable environmental outcome due to the close proximity to the Wilson Inlet as intensive horticulture may result in increased export of nutrients into the inlet.</li> <li>• <i>Rural Residential zoning</i> would be the most efficient alternative landuse within this cell.</li> <li>• <i>Rural Residential</i> development as an alternative land use may offer a method of controlling nutrient export into the inlet via the application of water sensitive urban design methods and the installation of alternative effluent disposal systems and water reuse principles.</li> <li>• Rezoning to <i>Rural Residential</i> may allow for the protection of remnant vegetation on proposed new lots through the application of nominated vegetation protection/retention areas.</li> <li>• Rezoning would introduce the ability to implement tighter fire protection measures through the establishment of a formal fire management plan including a strategic fire break network.</li> <li>• <i>Rural Residential</i> development would demonstrate through reviewed land capability analysis that the 'Rudyard Structure Plan' (Thompson McRobert, 1997) was appropriate and correct and that data again supports Rural Residential through the limitations identified in that document (copies of black and white mapping attached – colour not available however Council will have a copy on file – TPS 3 Am 62 – Bob &amp; Christine Lammie).</li> <li>• Any development can be screened from all aspects of South Coast Highway by the wide and vegetated road reserve which contains the South Coast Highway pavement.</li> <li>• Represents a unique situation whereby structured planning can occur for this and adjoining land to the east and west to allow for co-ordinated &amp; planned future development to supply Council's <i>Rural Residential</i> land demand as was previously demonstrated by the <i>1997 Rudyard Structure Plan</i> which provided for the 'Seaview Special Rural Estate'.</li> <li>• Defensible barriers to contain development through the location of South Coast Highway to the north, Wilson Inlet to both the South and east and the existing special rural development to the west adjacent the adjoining Lot 7 Crusoe Beach Road.</li> <li>• Power and telecommunications services available within close proximity.</li> <li>• Access to school bus services.</li> <li>• Close proximity to recreation areas/trails.</li> <li>• Land is within relatively close proximity to Denmark townsite (approximately 6km as crows fly to the Civic Centre, this is generally closer to the centre of town than the McLeod Road subdivisions which are some 11km from the Civic Centre).</li> <li>• Should Council not feel able to support Rural Residential at the site, then a Rural</li> </ul>	
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Living designation is requested with a zoning of Rural Small Holdings.

- The smallest Rural Small Holdings that should be entertained is that of 4ha (9.88acres) as any larger in this environment will not encourage or allow innovative agricultural proposals; it will just lead to land being poorly managed and land use conflict with the Special Rural Zone (Rural Living) to the west.
- There is a clear case for Council to argue any insistence that DoP officers have that the Rudyard area is withdrawn from identification from the Denmark Local Planning Strategy for Rural Living purposes as it clearly meets with the State Planning Policies and objectives and retention should be rigorously defended by Council.

## 2.0 Existing Conditions

### 2.1 *General Site Description and Area*

The subject land is Location 3697 on Plan 80901 Crusoe Beach Road, Denmark (also known as Rural Road Number 22 Crusoe Beach Road). It has an area of 80.483 hectares. The site is located approximately 6km from the Denmark townsite.

### 2.2 *Land and Adjoining Land Uses*

The subject land has been previously been used predominantly for the grazing of sheep and more recently baby beef. The property is mostly cleared with the exception of several small stands of remnant vegetation. The adjoining land directly to the west (Lot 7, No 96) is also zoned rural. This land has previously been used for the breeding of ostriches however is now used for the grazing of a small number of cattle to assist with the management of the site. There is no longer a viable farm practice at either site and in fact both of the landowners of No 96 work off farm.

Further to the west land has been developed for rural residential purposes (as per TPS No 3 Appendix 6 -'Special Rural' zone no. 23). Land to the south is reserve 23120 and some smaller rural lifestyle blocks. The land to the east is used for limited rural purposes, faces similar obstacles regarding farm management issues and limited land use and environmental conflict. This land was also identified in the 1997 Rudyard Structure plan area for rural residential development.

### 2.3 *Access*

Access to the dwelling on Location 3697 Crusoe Beach Road is currently via a driveway access direct from Crusoe Beach Road. Crusoe Beach Road has a sealed pavement for approximately 200m and then is constructed to a trafficable gravel standard. There is also alternative access to the site from South Coast Highway via a gate into the existing parking bay within the highway road reserve. The southern portion of the site abuts Rudyard Place and additional access to the block can also be gained from that constructed yet unsealed road.

#### 2.4 Services

There is not a reticulated water service currently available to the site. The existing dwelling is serviced by an onsite potable water tank. Additional non potable water sources for irrigation of gardens and watering of livestock is gained from the dams contained at the site. The land does not fall within the Water Corporation licensed area for water supply and it is not envisaged that this area is likely to be extended along South Coast Highway from the 'Springdale' development unless the industrial area as per this current draft LPS is constructed. In any event the inclusion of this and adjoining properties into the WC licensed area is still unlikely to be considered an option as a strong business case for profitability would be unlikely to be made. Water Corporation is now corporatized and any proposal must be justifiable in relation to returns.

Effluent disposal to the house is currently in the form of traditional onsite effluent disposal using a septic tank and leach drains conforming to HDWA standards.

Telecommunications are available to the site. An overhead power supply is available and is connected to the existing dwelling and outbuildings.

#### 3.0 Relationship to State Planning Documents

##### 3.1 *State Planning Policy 2.5*

SPP No. 2.5 is one of a number of State Planning Policies that are used in the assessment of Regional Planning Schemes, Local Planning Strategies, Town Planning Schemes and Amendments to Town Planning Schemes, Structure Plans and Outline Development Plans, and Planning Guidelines and Plans. The objectives of SPP No. 2.5 are to:

- Protect agricultural resources;
- Plan and provide for rural settlement;
- Minimise potential land use conflict via management controls such as setbacks, identification of priority agricultural land etc; and
- Carefully manage natural resources.

The policy requires that any land to be developed for rural settlement must be identified in a Local Planning Strategy. SPP No. 2.5 is to be read and administered in conjunction with Development Control Policy No. 3.4 which further details requirements for subdivision of rural land.

This Policy has been reviewed by the State and advertised for public comment of which the submission period is now closed. It can be noted however that generally many of the objectives are to remain the same in relation to '*Rural Residential*' and '*Rural Small Holdings*' in that draft review.

The advertised draft refers to '*Rural Living Zones*' and '*Rural Living Precincts*'.

This has the effect of withdrawing any previous zoning 'names' and blanket covering land from 1ha – 40ha as 'Rural living' (draft SPP 2.5 – section 6 – Definitions). The following are a number of the policy measures that can be expected when the final of draft SPP 2.5 is adopted in relation decision making for 'Rural Living Zones and Precincts';

- The precinct is adjacent to existing urban areas and has access to services, facilities and amenities.
- The Precinct will not conflict or reduce the primary production potential of adjoining land;
- The extent of proposed settlement is guided by existing land supply and take up and population projections.
- The Precinct is part of a settlement hierarchy established in an endorsed planning strategy
- The precinct can be supplied with electricity and community facilities and this has been demonstrated.
- The development area is predominantly cleared of remnant vegetation or the loss of remnant vegetation through clearing for building envelopes, bushfire protection and fencing is minimized and environmental assets are not compromised.
- It will promote good environmental and landscape outcomes and soil and water management are addressed, which may include rehabilitation as appropriate;
- The land is capable of supporting housing
- The land is not subject to a buffer from an adjoining rural land use.

A Rural Living Precinct in the form of a Rural Residential zone over this and adjoining land can meet with these policy measures subject to the appropriate investigations (land capability etc) and revised structure plan being completed.

### **3.2 Development Control Policy 3.4**

DC No. 3.4 is to be read in conjunction with SPP No. 2.5 as detailed above and relates specifically to the subdivision of rural zoned land. The objectives of this policy are similar to those of SPP No. 2.5, however, give far greater detail and direction to acceptable forms of rural subdivision and methods of achieving the specific aims of protecting agricultural land.

The general policy requirement at section 3.1 of DC No. 3.4 is that "land that is to be subdivided for closer settlement (rural residential and rural smallholdings) should be properly planned through the preparation of regional and local planning strategies prior to subdivision".

As per the SPP 2.5, this DC policy is currently also under review. Many of the objectives of the reviewed document remain the same and subject to identification within the Denmark Local Planning Strategy and the required specific investigations at time of rezoning (and formal structure planning if required); this property and adjoining properties can meet with the policy objectives at section 2 of the draft DC policy 3.4 and therefore negate the need for assessment under this policy other than at section 3 of the draft policy relating to services, water supply and provision of identification in an endorsed Local Planning Strategy.

#### 4.0 RELATIONSHIP TO LOCAL PLANNING DOCUMENTS

##### 4.1 *Background*

This property and those adjoining have been identified for possible future development for many years. The most recent endorsed strategy has been that of the 1999 Rural Settlement Strategy (RSS) and that is discussed further below.

Prior to the RSS, the property was identified in the *Denmark Rural Strategy* as being within a Special Rural/Landscape Protection Policy Area being within the Hay River Catchment area. The policy objectives of that strategy have been lifted from the Rudyard Structure Plan Report and are as follows:

##### **9.3 POLICY OBJECTIVES**

- 9.3.1 *In view of the very low capability for onsite effluent disposal and Special Rural development Council will not support applications for Special Rural development to the north side of South Coast Highway. Council may support such proposals to the South of the Highway on capable and suitable land.*
- 9.3.2 *To favour the development of land use conducive to a low nutrient into Wilson Inlet.*
- 9.3.3 *Council may support Tourist orientated development subject to land capability and suitability assessment.*
- 9.3.4 *To encourage the continued use of land for broadacre farming to the north of South Coast Highway.*

##### **9.4 POLICY STATEMENT**

- 9.4.1 *Council will not support proposals unless they properly address the management issues identified above.*
- 9.4.2 *Council may support subdivision and development proposals for special rural and tourist orientated development to the south of South Coast Highway subject to overall structure plan which:*
- *minimise access to the Highway;*
  - *incorporates foreshore management plans;*
  - *ensures that all development is set back and*

*screened from the Highway;*

- *require predominantly cleared areas to be re-vegetated; and*
  - *incorporates fire protection, landuse and management controls;*
- 9.4.3 *Council will require remnant vegetation to be retained and protected and may require additional revegetation or specific measures to protect existing remnant vegetation.*
- 9.4.4 *Council will require all new developments to create or maintain buffers around streams with the aim of providing a foreshore protection reserve along the Hay River.*
- 9.4.5 *Council will not support subdivision or development applications that would increase nutrient discharge into Wilson Inlet*

This Rural Strategy was active prior to 1995 and the policy objectives were mirrored at section 21 – Policy Area 8 of the 1999 Strategy.

#### *4.2 Existing Zoning within Town Planning Scheme No. 3*

The subject land is zoned Rural in the Shire of Denmark Town Planning Scheme No 3. This allows for a range of rural related activities including the stocking of land within Agriculture & Food WA recommended rates, cropping and horticulture.

#### *4.3 TPS Policy 29 - Rural Settlement Strategy*

Town Planning Scheme Policy No. 29 – Rural Settlement Strategy (RSS) has been the guiding document for rural development since 1999. The objectives of this policy of specific interest to this parcel of land are the following RSS objectives at section 3;

*‘Consolidate special rural/landscape protection living in nodes on appropriately zoned land to the west of Denmark between South Coast Highway and Mt Shadforth Road and to the east of Denmark south of South Coast Highway.’*

*‘Recognize the importance of South Coast Highway and ensure development is suitably setback and screened.’*

The land is identified in the RSS as ‘Primary Purpose Broad Acre Farming’ and falls within Area 8 ‘Hay Catchment’ of that strategy. The broad objectives specific to the Hay Catchment of that strategy are;

- To encourage the continued use of land for broadacre farming.
- To support proposals for Special Rural Development on suitably capable land within the node as identified in figure one of that RSS which lay to the south of

### South Coast Highway.

- To encourage low scale tourist oriented development within the Tourist node as identified within figure 1 of the RSS.
- Encourage appropriate bush fire management planning to be incorporated in development proposals;
- Recognize the scenic importance of key tourist routes by the use of setbacks and appropriate/sensitive screening techniques which retain views. Key tourist routes include Scotsdale Road, Mt Shadforth Road, William Bay Road, Parry's Beach Road, McLeod Road, Peaceful Bay Road, Valley of the Giants Road and South Coast Highway;
- Provide an environmentally sensitive approach to rural settlement and growth

#### *4.4 Previously Adopted Draft Local Planning Strategy (LPS)*

The previously adopted LPS identified the subject land at 6.1.3 (and denoted on Plan 2.) for Rural Small Holdings (RSH). This area was generally consistent with the area identified as per the Rudyard Structure Plan area.

Rural Small Holdings has been defined by the WAPC as;

*'Land used for minor rural pursuits, hobby farms, conservation lots and alternative residential lifestyle purposes where part time income from cottage industries, home occupation and the use of land for agriculture may be derived. This land use seeks to preserve and enhance landscape quality, environmental and conservation attributes'.*

That draft strategy made a recommendation that a minimum lot size for this particular RSH unit be applied. The summary of that recommendation is detailed below

- RSH Unit: 13
- Min Lot Size Within Unit: 10 ha (24.7 acres)
- Additional Lots Within Unit: 21
- Lot Size Justification: Consists of 9 lots ranging in size from 2ha to 80ha with an average size of 30ha. Some large areas of Class A1 and A2 soils and very limited amounts of good quality vegetation. Slopes range up to 8%. High capability for grazing. Low capability for horticulture.

### 5.0 DISCUSSION

#### *5.1 Economic Viability (farming) and Land Management Issues*

Currently the land is of a size that is not viable for traditional broadacre farming (i.e. grazing). At present, to stock to the recommended rate of stock, a maximum of 110 dry cattle can be sustained on the site based on the AGFWA Dry Sheep equivalent (DSE) calculation. This calculation however does not take into account site constraints and

variations and is ever only to be used as a guide whereby site specific calculations should prevail.

The advice of AGFWA Denmark is that as a rule of thumb is that one dry cow or steer can be grazed per ha if the pasture is improved and well managed with no remnant vegetation. Even without taking a specific assessment of the site in relation to recent management, any pasture improvements, remnant vegetation and location of the existing house and remaining sheep farming infrastructure; the property is immediately reduced to 80 dry cattle purely based on the locally accepted stocking rates for the Denmark farming area and the total land area of 80ha. At any calculation this number of livestock cannot be considered as 'economically viable'. The site is identified by that same agency as having a low capability for horticulture with some areas of Class A1 & A2 soils however being preferably suited to broadacre grazing.

Both findings reduce the possible land uses at the site as the area of land cannot sustain enough stock to be viable and the yet the land is not capable of being utilized for horticulture which would suit a smaller landholding without vast improvements resulting in nutrient imports into the Inlet.

The previous draft strategy identified the land for Rural Small Holdings with a minimum lot size of 10ha (24.7acres). This minimum lot size is not practicable in this area as the possible uses of that land will be severely restricted due to the close proximity to the Special Rural development to the west. Based on the EPA document 'Guidance for the Assessment of Environmental factors – Separation between Industrial & Sensitive Land Uses', Industry that could occur on any Rural Small Holding zone is likely to be restricted to being setback between 100 – 1000m from the boundary of any land where the building is predominantly used for the purposes of a dwelling (rural residential). This again has a marked adverse impact on the perceived 'viability' of the land for any agricultural or horticultural purpose.

When applying these setbacks to the boundary of the 'Seachange' development to the west, a large portion of land on adjoining Lot 7 (which is also noted as being for Rural Small Holding purposes) is unusable for many purposes other than rural residential development. A portion of location 3697 would be affected if a 500m buffer was to be applied and in the event of a 1000m buffer being applied, limited opportunities would apply to this land (drawing no. 08170P-MP-01). A 500m buffer would apply in the event of a proposal to plant grape vines or some other form of horticulture that may require the spray application of pesticides.

In rural areas it is normally accepted that rural activities will occur on adjoining land however in a rural residential area, these practices are less tolerated by residents who have purchased their properties for lifestyle purposes generally focusing on peace and quiet. An example of this is the culling of vermin on adjacent rural properties which is



perfectly acceptable in a rural setting however can be disturbing to residents in a predominantly residential area which might abut rural land.

Land parcels of 10ha (some 25acres) are of an area that is neither viable for agricultural (or income deriving purposes by traditional agricultural means) or practical for land management of rural lifestyle lots. The land area of 10ha is likely to attract people from non farming backgrounds who are lured by the romantic notion of having a 'farm' yet not realizing the land management implications of retaining 20 plus acres. Inappropriate management of rural residential land can lead to weed and fire management issues which often fall to Council to police.

#### *5.2 Defensible Barriers & Precedent for Rural Residential Development to the North*

The land lays nestled in an area which is bounded by several easily defensible boundaries when considering the control of additional sprawl for Rural Residential development. The argument of precedent can be made mute when citing the location of this and the adjoining properties as being bounded by the inlet to the south and south east and South Coast Highway to the north. This clear delineation of boundaries assists in identifying a strong controllable front from a strategic planning point of view.

The properties directly to the north are somewhat larger in area having an average lot size of approximately 200ha and therefore a similar argument is not able to be made as there is a far greater ability for this land to meet viability targets when cropping or stocking are considered. This has been recognized in Planning Documents that have been in circulation since the early 1990's as has the poor ability for land within the Rudyard cell to excel or even just survive in relation to broadacre farming practices.

#### *5.3 Screening, Amenity and Structure Planning*

The property is well screened from South Coast Highway by an extensive area of vegetated road reserve. It is unlikely that this vegetation would be removed as part of a road widening in the near future however to ensure that this screening is maintained, tree planting/landscaping could be undertaken at time of any subdivision to ensure continued screening in the event that the verge vegetation was removed.

The property has high amenity values in respect to development potential with a large proportion of the site having either a view to the inlet, Mt Hallowell or direct to the Denmark Townsite. Sensitive subdivision design could ensure that most blocks are afforded an outlook that will remain throughout development. The site also represents the ability to design for solar orientation with the land being afforded a north south orientation and therefore meets with sustainability principles.

Any subdivision development proposal should require that a revised structure plan be approved prior to rezoning occurring. The structure plan would follow the extent of the 1997 Structure plan as ending at the logical conclusion of the Hay River Reserve to the

east. This would ensure that the appropriate planning matters are considered and that a co-ordinated approach to development be applied. Matters to be considered should include but not be limited to:

- Capability of the land to sustain the form of development proposed.
- Proposed land uses and the form of subdivision proposed.
- Protection of remnant vegetation and the need for revegetation of key areas.
- Protection of creeklines, streams, wetlands and so on.
- Road and pedestrian linkages.
- Access to local public open space and recreational areas.
- Access to local educational facilities and Community services.
- Pest plant identification and eradication.
- A comprehensive strategic fire break network.
- Water sensitive Urban Design Principles
- Nutrient export reduction/management principles.

#### ***5.4 Fire Hazard Management & Remnant Vegetation Protection***

In an environment where fire safety is of a major importance; the cleared nature of the lot represents an ideal canvas when considering fire management. In this particular instance, application of the appropriate separation from extreme fire hazards should be possible due to the cleared nature of the lot. Land in the southern portion of the lot may be of a lower capability for effluent disposal and require generally a larger lot size. This will increase the distance from the immediate fire threat to this property which would be Reserve 23120 to the south.

The remnant vegetation on the site is in relatively small pockets and comprises medium forest of *Eucalyptus marginata* and *Corymbia calophylla*. There is little understorey remaining in the pockets of vegetation in the south east of the site as the stands have been used for stock shelter. The vegetation around the existing single dwelling is of fairly good quality as is the vegetation to the south west. Any subdivision proposal would recognise the importance of protecting this remnant vegetation at the site by including it in development exclusion areas and by locating subdivisional roads in such a fashion that additional clearing is minimised.

#### **6.0 Conclusion**

It is submitted that the identification within the DLPS for a Rural Residential development would help to preserve the rural amenity of the area yet supply manageable rural residential; lots of a size which does not falsely promise to offer a farming income.

The location and nature of any development will attract people wanting to live in a rural residential area that affords the benefits of a rural lifestyle without the burden of the excessive land management required for larger rural lots.

The location of the Special Rural subdivision to the east restricts the current horticultural ability of the land due to the application of required buffers between predominantly residential land and specific land uses on rural land. The close proximity of this Special Rural zone can only place additional adverse constraints on the agricultural land uses that any development to 10ha lots or rural small holdings can sustain. To rezone this and abutting land to rural residential would be to assist with the relief of land use conflict issue that can arise between rural pursuits and rural residential lifestyles.

The identification of this land for rural residential purposes will meet with the broad objectives of the current RSS in as such that it aims to protect visual amenity (3.13) and encourage the development of rural residential development to the east of Denmark and South of South Coast Highway (3.11).

Should this and adjoining properties be identified for rural residential use in the DLPS, the landowners would have the ability to begin the structure planning process to ensure co-ordinated, cohesive and linked development proposals could be planned for the whole of the area south of South Coast Highway adjacent Location 3697. Once this process was complete to Council's and Commission satisfaction then individual landowners could seek an amendment to the TPS to rezone the land appropriately to take advantage of the ideal location and amenity benefits that Location 3697 offers.

In the preparation of formal Scheme Amendment documentation, 'Special Provisions' relating specifically to the land could be formulated. These provisions could include any such details as required by Council and may include conditions that relate to colours and materials, fire management, access, services urban water management, vegetation protection and weed management and effluent disposal issues.

It is considered that land in this development cell is ripe to supply a portion of Council's future Rural Residential land holdings. It is not remote to the townsite and offers a good location when considering commuting considerations to Albany if required. The site cannot be considered a viable agricultural lot and offers far more in relation to access to services and townsite facilities than many of the established Special Rural zones to the west of the Shire.

In regard to the relationship to SPP2.5, the protection of agricultural land and Location 3697; identification and rezoning of this land for additional rural residential subdivision does not adversely impact on the objectives of the current SPP nor does it directly conflict with the draft document. The subject land has not been identified as high quality agricultural land and has medium to low capability for horticultural production. The area of land is such that only a limited number of stock can be grazed on the property. There is a clear case for Council to argue any insistence that DoP officers

		<p>have that the Rudyard area is withdrawn from identification for Rural Living purposes as it clearly meets with the State Planning Policies and objectives.</p> <p>There has been a level of expectation for the future development of these properties within the Rudyard Structure Plan area for nearly 20 years. This has been further validated with the development of the 'Seachange' subdivision which came from the structure plan which was commissioned by the then landowners of that parcel; Christine &amp; Bob Lammie using Thompson McRobert Planning Consultants in 1997. For the above reasons we would be pleased if you could consider the inclusion of this property into the areas identified for rural residential development within the review of the Shire of Denmark Local Planning Strategy.</p> <p>It is however understood that DoP Officers have recommended that no additional rural residential development be entertained within Denmark Shire. If this be so then I beg of you to consider the site constraints and previous work done regarding structure planning of this and adjoining sites and the logic of developing a cell that has easily defensible barriers to 'creeping' additional development on larger broadacre farms to the north. If Council will not argue for the merits of land previously identified for rural residential then it is requested that support is given for a rural living land use designation to allow the application of a Rural Small Holding Zone over this and adjoining properties.</p> <p><i>(NB: Attachments, being Location Plan, Proposed Structure Plan Area, EPA Setback Distances as Example Plan, Rudgyard Structure Plan Hay River Catchment Policy Area have been omitted – available to Councillor's upon request).</i></p>	
P172	Denmark Survey & Mapping PO Box 339 DENMARK WA 6333	<p>Denmark Survey &amp; Mapping act on behalf of the owner of Lot 447 McLeod Road Shadforth, Mr. Raymond Bert Laing. The following submission is lodged in addition to that lodged in August 2009 by myself as Senior Planner with Thompson McRobert Edgeloe Group on the advice of the then Director of Planning &amp; Sustainability.</p> <p>This submission is lodged with Council for the identification of this land within the Shire of Denmark Local Planning Strategy (DLPS) for future 'rural living' (rural small holdings zone) development potential. The landowner would seek lots in the order of between 4 – 15ha dependant on site conditions and investigations. The following points and rationale are submitted for your consideration.</p> <p><u>Executive Summary</u></p> <p>It is submitted that identification within the DLPS for a Rural Living Precinct (Rural Small Holdings zone - RHS) development should be considered for the following reasons;</p> <ul style="list-style-type: none"> <li>• The current lot size is such that it is not of an economically viable area for the traditional broadacre grazing purposes of the land.</li> <li>• A RSH zone would allow for lot sizes that may encourage horticulture and alternative livestock breeding.</li> </ul>	Noted – refer comments and associated recommendations provided in the Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations.</i>

- An average lot size of 4 - 15ha offers a variety of lot sizes that can be managed yet still efficiently used for minor agricultural purposes.
- A minimum of 4ha will provide for site specific development of lots with a variety of attributes (i.e. adjacent the Special rural Zone to the north)
- Horticulture is conducted at the adjoining Location 1970 which has similar soil attributes therefore demonstrating the ability of the land in this area to be used for this purpose.
- A portion of the land along the northern boundary adjoining the road reserve is currently planted for horticulture purposes for sale of goods.
- The subject property has a number of existing and potential dam sites to adequately provide for the storage of water to meet of individual lots.
- Identification of the land within the LPS removes the setting of precedent for other rural zoned land to be subdivided in a similar fashion unless that land has also demonstrated appropriate capabilities for horticultural activities and has been identified for RSH in the LPS.
- The proposal meets the broad objectives of the current Rural Settlement Strategy in that it recognises that farming is still the predominant rural land use in Denmark and will be for some years to come.
- It will also recognise that Council must encourage 'strategies for intensification and diversification' in farming practices and this will be supported by a mix of lot sizes allowing for horticultural and innovative agricultural purposes.
- There is a clear case for Council to argue against any insistence that DoP have that the McLeod Road Rural Living Precinct be withdrawn from identification from the Denmark Local Planning Strategy for Rural Living purposes as it clearly meets with the State Planning Policies and objectives.

#### 1.0 Existing Conditions

##### 1.1 *General Site Description, Area Soil & Vegetation Types*

The subject land is Lot 477 on Deposited Plan 230729 McLeod Road Shadforth and is located some 14km from the Denmark townsite.

The site can be further identified as:

- Lot: 477
- Owner: RB Laing
- Volume/Folio: 1797/248
- Area: 51.1993 ha

The soil subsystems that may exist at the property can be described in the following way;

*Hills and ridges on colluvium and weathered mantle over granite with red brown loamy earths, brown deep loamy duplexes, Loamy gravels with Stony soils.*

*Grey deep sandy duplexes, pale deep sands, duplex gravels and semi wet soils.*

There is little remnant vegetation at the site. What remains is mainly creekline vegetation along the drainage line that runs east west across the northern portion of the site. There are scattered paddock trees and a portion of remnant Karri along the north eastern boundary of the block adjoining the special rural subdivision to the north. There is an existing dwelling and farm sheds at the site.

#### *1.2 Adjoining Land Uses*

Adjoining land directly abutting the site to the south east is used for grazing with two lots directly to the north being used for intensive horticulture for the growing of vegetables. A special rural zone (Eaglemont Estate – SR Zone 1) adjoins the north eastern portion of the site. Any land use conflict between this zone and a proposed rural smallholding zone is addressed further below in this document.

#### *1.3 Access*

Access to the dwelling on Lot 477 McLeod Road is currently via a driveway access direct from McLeod Road. A largely unconstructed road reserve abuts the northern boundary of the site separating Location 1970 and Lot 956 from the property.

#### *1.4 Services*

There is not a reticulated water service available to the site. The existing dwelling is serviced by onsite potable water tanks. Additional non potable water sources for irrigation of gardens and watering of livestock is gained from a number of dams at the site and water for horticulture is plentiful.

Effluent disposal to the house is currently in the form of traditional onsite effluent disposal using a septic tank and leach drains conforming to HDWA standards. Telecommunications are available to the site. An overhead power supply is available and is connected to the existing dwelling and outbuildings.

### 2.0 Relationship to State Planning Documents

#### *2.1 State Planning Policy 2.5*

SPP No. 2.5 is one of a number of State Planning Policies that are used in the assessment of Regional Planning Schemes, Local Planning Strategies, Town Planning Schemes and Amendments to Town Planning Schemes, Structure Plans and Outline Development Plans, and Planning Guidelines and Plans. The objectives of SPP No. 2.5 are to:

- Protect agricultural resources;
- Plan and provide for rural settlement;

- Minimise potential land use conflict via management controls such as setbacks, identification of priority agricultural land etc; and
- Carefully manage natural resources.

The policy requires that any land to be developed for rural settlement must be identified in a Local Planning Strategy. SPP No. 2.5 is to be read and administered in conjunction with Development Control Policy No. 3.4 which further details requirements for subdivision of rural land.

This Policy has been reviewed by the State and advertised for public comment of which the submission period is now closed. It can be noted however that generally many of the objectives are to remain the same in relation to *'Rural Residential'* and *'Rural Small Holdings'* in that draft review.

The advertised draft refers to *'Rural Living Zones'* and *'Rural Living Precincts'*. The use of this terminology in the State Policies has the effect of withdrawing any previous zoning 'names' and blanket covering land from 1ha – 40ha as 'Rural living' (draft SPP 2.5 – section 6 – Definitions). The following are a number of the policy measures that can be expected when the final of draft SPP 2.5 is adopted in relation decision making for 'Rural Living Zones and Precincts';

- The precinct is adjacent to existing urban areas and has access to services, facilities and amenities.
- The Precinct will not conflict or reduce the primary production potential of adjoining land;
- The extent of proposed settlement is guided by existing land supply and take up and population projections.
- The Precinct is part of a settlement hierarchy established in an endorsed planning strategy
- The precinct is serviced by a reticulated domestic water supply provided by a licensed water service provider, including water for fire fighting.
- The precinct can be supplied with electricity and community facilities and this has been demonstrated.
- The development area is predominantly cleared of remnant vegetation or the loss of remnant vegetation through clearing for building envelopes, bushfire protection and fencing is minimized and environmental assets are not compromised.
- It will promote good environmental and landscape outcomes and soil and water management are addressed, which may include rehabilitation as appropriate;
- The land is capable of supporting housing.
- The land is not subject to a buffer from an adjoining rural land use.

A Rural Living Precinct in the form of a Rural Small Holdings zone over this and adjoining

land can meet with these policy measures subject to the appropriate investigations (land capability etc) being completed.

#### 2.2 *WAPC Development Control Policy 3.4*

DC No. 3.4 is to be read in conjunction with SPP No. 2.5 as detailed above and relates specifically to the subdivision of rural zoned land. The objectives of this policy are similar to those of SPP No. 2.5, however, give far greater detail and direction to acceptable forms of rural subdivision and methods of achieving the specific aims of protecting agricultural land. The general policy requirement at section 3.1 of DC 3.4 is that “land that is to be subdivided for closer settlement (rural residential and rural smallholdings) should be properly planned through the preparation of regional and local planning strategies prior to subdivision”.

As per the SPP 2.5, this DC policy is currently also under review. Many of the objectives of the reviewed document remain the same and subject to identification within the Denmark Local Planning Strategy and the required specific investigations at time of rezoning (and formal structure planning if required); this property and adjoining properties can meet with the policy objectives at section 2 of the draft DC policy 3.4 and therefore negate the need for assessment under this policy other than at section 3 of the draft policy relating to services, water supply and provision of identification in an endorsed Local Planning Strategy.

#### 3.0 Relationship to Local Planning Documents

##### 3.1 *Existing Zoning within Town Planning Scheme No. 3.*

The subject land is zoned Rural in the Shire of Denmark Town Planning Scheme No 3. This allows for a range of rural related activities including the stocking of land within Agriculture & Food WA recommended rates, cropping and horticulture.

##### 3.2 *TPS Policy 29 - Rural Settlement Strategy*

Town Planning Scheme Policy No. 29 – Rural Settlement Strategy (RSS) has been the guiding document for rural development since 1999. The Local Planning Strategy (LPS) will supersede this document however it is anticipated that many of the objectives will be mirrored in the revised LPS. Of specific interest to this parcel of land is the following RSS consideration at section 2;

‘Strategies for intensification and diversification need to be encouraged.’

The land is identified in the RSS as ‘Primary Purpose Broad Acre Farming’ and falls within Area 4 ‘Kordabup catchment’ of that strategy. The key objectives specific to the Kordabup Catchment of that strategy are;

- To maintain and protect the natural ecological processes of Parry Inlet.
- To favour the use of land for farming and consider the establishment of tree plantations in selected areas.



- To encourage the maintenance of grazing on capable and suitable areas.

A timber plantation would not be a suitable use on this land as it is located on a significant tourist drive and should retain the open rural vista.

Rural Small Holdings is defined by the WAPC as 'Land used for minor rural pursuits, hobby farms, conservation lots and alternative residential lifestyle purposes where part time income from cottage industries, home occupation and the use of land for agriculture may be derived. This land use seeks to preserve and enhance landscape quality, environmental and conservation attributes'.

The use of this land for minor agriculture and horticultural uses is consistent with retaining the farming purpose of the land and as previously noted the site is not of an area that supports viable broadacre grazing (due to stock rate constraints) as is and could reach a higher farming purpose by being used for horticulture instead. The land use designation of Rural Small Holdings within a Rural Living Precinct seems to be the most logical and most efficient purpose for this land.

#### 4.0 Discussion

##### 4.1 *Land Capability, Land Management Issues and Vegetation Protection*

The land has been farmed by the current landowner by grazing of breeding cattle and horticulture for some 30 years however this is no longer viable due to cattle prices and the limited stocking rate permitted per hectare. A minimum number are now kept only for land management of the pastured areas.

The Department of Agriculture and Food WA soil capability mapping has been consulted to establish the broad capability of the site to sustain both annual and perennial horticulture. The soil capability to support both forms of agriculture is reinforced with the documented soil capability of the area returning moderate to high capability for both perennial and annual horticulture (Source: Department of Agriculture & Food WA land Capability Mapping, 1988).

A drainage line runs across the property from east to west and although having been dammed in parts, still retains intact creekline vegetation. Any subdivision proposal would need to recognise the importance of protecting this remnant vegetation at the site by including it in development exclusion areas and by advising prospective purchasers that intensive agriculture must be conducted in the cleared areas of the site. Should it be proposed to enter into intensive animal husbandry such as keeping of dairy goats then landowners should also be made aware that these animals should be restrained from entering the remnant vegetation to ensure retention and protection of the bush.

##### 4.2 *Precedent for Subdivision of Adjoining/Nearby Land*

It is submitted that the inclusion into the LPS for a Rural Small Holdings Zone for horticulture and rural living will not set an undesirable precedent for other land in the general area. This particular parcel of land is generally already much larger than the average adjoining lot size (2.4ha in the Eaglemont estate, Lot 956 is 6.982ha and Location 1970 is 8.249ha. Structure planning over the adjacent parcels of land in the McLeod Road Structure Plan area would place another statutory process in place which would further remove the argument of precedence as the obligatory studies to 'prove up' development potential will further confirm the desktop assessments of the sites demonstrating that this and the adjoining properties in the cell warrant a themed development with the ability of the lots to be used for rural lifestyle or where capable and suitable, horticulture.

#### *4.3 Land Use Conflict with adjoining Special Rural Zone*

The adjoining Special Rural Zone No. 1 was developed some 20 or so years ago. The majority of blocks have been developed and have established residences constructed. Due to the topography of the land (very steep) most dwellings are located a considerable distance away from the boundaries of this land therefore acting as a buffer from uses on the subject site. Further to this the existing drainage line that runs through the subject land could be used as a boundary for a new smaller lot that would further act as a buffer.

The EPA 'Guidance Statement No 3 – Separation Distances between Industrial and Sensitive Land Uses' does not specifically note a separation buffer for horticulture however it could be assumed that an appropriate distance would be in the order of between 100 and 500m. Site specific studies to more accurately address possible conflicts could form part of amendment documentation and would further inform subdivision design and lot layout.

#### *4.4 Fire Hazard Management*

All boundaries of the site are kept clear as firebreaks and also to maintain fencing. . There is currently adequate access to all dams on the property for water in the event of fire. Additional fire management methods such a strategic firebreak network and continued access to water for fire fighting purposes would be developed as part of any rezoning of the site and would be further addressed via a fire management plan at time of amendment.

#### 5.0 CONCLUSION

It is submitted that the identification within the DLPS for inclusion into a Rural Living Precinct (Rural Small Holding Zone) would help to preserve the rural amenity of the area yet supply manageable sized rural lots that good access to water and with a moderate to high capability for horticultural use should that land use be proposed.

The identification of this land for rural small holding purposes meets the essential

consideration of the current Rural Settlement Strategy in that it recognises that farming is still the predominant rural land use in Denmark and will be for some years to come. It will also recognise that Council must encourage 'strategies for intensification and diversification' in farming practices and this may be supported by a mix of lot sizes allowing for minor horticultural purposes.

The Current SPP 2.5 sets out general scheme provisions to be included within Town Planning Schemes for land that is zoned rural small holdings. These shall include;

- Subdivision guide plan;
- Restrictions on type and scale of agricultural land use or rural pursuit;
- Land management issues including water supply and vegetation protection/retention;
- Restricted dwelling/building locations;
- Compliance with all health regulations in relation to wastewater and stormwater management;
- Bushfire management and building standard controls;
- Minimum roof catchment area and water tank capacity for potable water.
- No clearing of additional vegetation at the site.
- Any other such matter that Council deems appropriate.

In regard to the relationship to SPP2.5, the protection of agricultural land and Lot 447; identification and rezoning of this land for rural living (rural small holdings zone) will not adversely impact on the objectives of the SPP.

The subject land has been identified as generally having a moderate to high level of capability for horticultural production in the DA&FWA horticultural land capability mapping. This mapping should only be considered the starting point for investigation as it does not take into account site specifics such as slope and vegetation coverage. The possible suitability for minor horticultural pursuits can however also be further supported by the horticultural venture currently being undertaken at Location 1970 in that the land is adjacent to this location and shares similar soil characteristics. It should also be noted that a portion of Lot 447 is already under successful cultivation at present.

In considering the above, Council may also consider including the adjoining properties to the east and west and constrained by Sunrise Road/Mt Shadforth Road, South Coast Highway and McLeod Road within this precinct and zone to compliment the proposal and identify a cohesive cell in which to contain development. These adjoining properties have similar attributes that should be conserved; some land may be suitable and capable for minor agriculture/horticulture and also have the capability to support housing.

		<p>Development to Rural Living (specifically Rural Small Holdings) with an average lot size of 4 -15 ha is suitable and complimentary in this location. Any land use conflict will be able to be managed via buffer setbacks and a range of lot sizes which respond to the specific capabilities of the land. The proposed zoning will allow for the introduction of landuse controls and vegetation protection that will have the effect of retaining rural character and amenity in the area, in addition to utilising capable horticultural land. This landuse designation and subsequent zoning will allow for minor horticultural/agricultural pursuits which respond to changing market forces, demand and nature of the farming practices and constraints within the Denmark area.</p> <p>For the above reasons we would be pleased if you could consider the inclusion of this property Lot 447 McLeod Road (specifically) and indeed the area bound by Sunrise Road in the east, South Coast Highway to the South and Mt Shadforth Road in the North into the area identified for 'Rural Living' (possible 'McLeod Road Rural Living Precinct' and rural small holdings zone) within the review of the Shire of Denmark Local Planning Strategy.</p> <p><i>(NB: Vegetation Plan attachment has been omitted – available to Councillor's upon request).</i></p>	
P173	Denmark Survey & Mapping PO Box 339 DENMARK WA 6333	<p>Denmark Survey &amp; Mapping act on behalf of the owners of Lot 1 (Jenny &amp; Jeremy Marsden) &amp; Lot 2 (Doug &amp; Val Noakes) Atkinson Road Denmark. The following submission is lodged with Council for the identification of this land within the Shire of Denmark Local Planning Strategy (DLPS) for future rural living (rural residential – min 1.0ha) development potential.</p> <p><u>Executive Summary</u></p> <p>It is submitted that identification within the DLPS for the rezoning of the land from Rural to Rural living (Rural Residential) to establish a marginally higher lot yield (2 lots) has planning merit for the following reason;</p> <ul style="list-style-type: none"> <li>• The current zoning of rural does not offer any land use controls or provisions that can offer protection to the remnant wetland vegetation at this site.</li> <li>• The current lot sizes are such that they cannot be used for traditional rural purposes in a viable fashion.</li> <li>• The current lot sizes are marginally too large to offer easy management of a lifestyle block in a rural residential setting.</li> <li>• Zoning represents an anomaly within the scheme area.</li> <li>• Land is within close proximity to Denmark townsite.</li> <li>• Protection of remnant vegetation on existing and proposed new lots through the application of nominated vegetation protection/retention areas.</li> <li>• Greater fire protection measures able to be implemented through the establishment of a formal strategic fire break network.</li> <li>• Development generally screened from all aspects of South Coast Highway.</li> </ul>	<ul style="list-style-type: none"> <li>• Council considered a Scheme Amendment request for Lots, 1, 2 and 3 Atkinson Road to 'Special Rural' in August 2008 wherein Council resolved to advise the applicant that whilst the Scheme Amendment request proposal to rezone 58, 58 &amp; 60 (Lots 1, 2 and 3) Atkinson Road to special rural has some merit, Council advises that it intends to complete the review of the DLPS as determined at the July 2008 meeting and determine the future use of this area before considering any formal scheme amendment - Resolution 300808.</li> <li>• Given lot sizes and location of land parcels, agree is not necessarily of sufficient size to undertake agricultural activities therefore it is recommended that the designation be amended from 'General Agriculture' to 'Rural Smallholdings' (NB: Rural Residential not supported as consider development is at sufficient capacity now thus 'Rural Smallholdings' will essentially support current usage of the land and not allow for further development to occur).</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Amend designation on Lots 1, 2 &amp; 3 Atkinson Road from 'General Agriculture' to 'Rural Smallholdings'.</li> </ul>

- Power and telecommunications services available within close proximity.
- Access to school bus services.
- Close proximity to recreation areas.
- Rezoning would remove TPS permitted uses for a rural zone which may be inappropriate for the existing vegetated lots and from water management perspectives.
- Consistent with the objectives of the draft review of SPP 2.5 – Land Use Planning in Rural Areas, specifically that it is close to the urban area (2km) and does not conflict or reduce primary production potential of adjoining land.

#### 1.0 Existing Conditions

##### 1.1 *General Site Location and Area*

The three lots are located approximately 2km east of the Denmark townsite. Atkinson Road intersects with South Coast Highway approximately 50m east of the intersection with the Denmark-Mt Barker Road. Refer to the location (fig.1) and base (fig.2) plans attached. The details of the subject lots are as follows:

- Lot 1:
  - Area 3.646 ha
  - Volume/Folio: 2170/091
- Lot 2:
  - Area: 3.0406 ha
  - Volume/Folio: 2165/891
- Lot 3:
  - Area: 4.2407 ha
  - Volume/Folio: 2165/892

The three lots are surrounded on all sides by a variety of reserves. To the East is a reserve in the care and maintenance of the Education Department and utilized by the Denmark College of Agriculture for grazing purposes. To the west, the land abuts the Denmark Golf Links Reserve 22886 which is developed as a golf course in the north western portion of the site however is vegetated with a variety of wetland vegetation species and stunted jarrah. The reserve to the south is designated as a parks & recreation reserve.

##### 1.2 *Topography & Vegetation Type*

The subject land falls from approximately 6 meters AHD at the north western corner of Lot 2 to 5m in the south-eastern corner of Lot 1. A depression at 4.3m AHD exists within a wetland area that straddles the boundaries of Lot 2 and 3. This depression extends into Lot 1 however the existing reciprocal rights of access driveway to Lots 1 & 2 has been constructed over this wetland to provide access to those lots. The vegetation within this area is a mainly tea tree scrubland with some small pockets of stunted Jarrah and Marri with associated under storey.

### *1.3 Existing Development and Land Use*

All existing lots have been developed with single houses and associated outbuildings. The paddock areas are fenced and a large area of wetland is located centrally across all three lots. Pet sheep are currently grazed within the cleared areas of all three lots and help to maintain the paddocks in a low fuel state. Each of the existing lots have established dams which supply non potable water for irrigation of domestic gardens and as sources of water for emergency fire fighting purposes and to water livestock.

### *1.4 Access*

Direct road frontage to the three properties is from the unsealed Atkinson Road. A battleaxe configuration to Lots 2 & 3 has a reciprocal access right to the benefit of Lot 1 to provide access to the developed house site to the rear of that lot. This access is maintained by the agreement all of property owners in a clear and trafficable manner.

### *1.5 Servicing*

There is not a reticulated water service connected to any of the lots. The existing dwellings are serviced by an onsite potable water supply in the form of minimum 92kl water tanks. Additional non potable water sources for irrigation of gardens and watering of livestock is gained from the dams contained on each lot.

Effluent disposal to each house is currently in the form of traditional onsite effluent disposal using septic tanks and leach drains conforming to HDWA standards. Telecommunications are available to the site. An overhead power supply runs along the alignment of Atkinson Road with underground power being supplied to each of the existing dwellings on the sites.

## 2.0 Relationship to Local Planning Documents

### *2.1 Shire of Denmark Town Planning Scheme No. 3*

The general objectives of the Scheme as contained in clause 1.6 include but are not limited to;

- To zone land for various purposes in order to promote orderly and proper development of the Shire.
- To provide for such development as is required to accommodate the lifestyles appropriate to the area; and
- To provide for the subdivision and development of land in a manner suited to the economic activity of the area.

### *2.2 Existing Rural Zoning*

The current rural zoning of the land has been in place for many years. The current zoning would have been retained at the land at time of gazettal of TPS No. 3 purely in the absence of any other appropriate zoning and in response to the need to apply a zoning to the land. This zoning is not in response to any specific or particular land use

traits associated with Lots 1,2 & 3 Atkinson Road rather responds to the administrative need to apply a zoning within a scheme area.

*2.3 Shire of Denmark Town Planning Scheme Policy No. 29 – Rural Settlement Strategy*  
This strategy identifies the land for broadacre farming. As the combined land parcels contain a large area of wetland, this land use appears to be inappropriate as there is in reality, no possibility of the land being used for broadacre purposes.

### 3.0 RELATIONSHIP TO STATE PLANNING DOCUMENTS

#### 3.1 *State Planning Policy 2.5 (review draft)*

SPP No. 2.5 is one of a number of State Planning Policies that are used in the assessment of Regional Planning Schemes, Local Planning Strategies, Town Planning Schemes and Amendments to Town Planning Schemes, Structure Plans and Outline Development Plans, and Planning Guidelines and Plans. The objectives of SPP No. 2.5 are to:

- Protect agricultural resources;
- Plan and provide for rural settlement;
- Minimize potential land use conflict via management controls such as setbacks, identification of priority agricultural land etc; and
- Carefully manage natural resources.

The policy requires that any land to be developed for rural settlement must be identified in a Local Planning Strategy. SPP No. 2.5 is to be read and administered in conjunction with Development Control Policy No. 3.4 which further details requirements for subdivision of rural land.

This Policy has been reviewed by the State and advertised for public comment of which the submission period is now closed. It can be noted however that generally many of the objectives are to remain the same in relation to 'Rural Residential' and 'Rural Small Holdings' in that draft review. The advertised draft refers to 'Rural Living Zones' and 'Rural Living Precincts'.

This has the effect of withdrawing any previous zoning 'names' and blanket covering land from 1ha – 40ha as 'Rural living' (draft SPP 2.5 – section 6 – Definitions). The following are a number of the policy measures that can be expected when the final of draft SPP 2.5 is adopted in relation decision making for 'Rural Living Zones and Precincts';

- The precinct is adjacent to existing urban areas and has access to services, facilities and amenities.
- The Precinct will not conflict or reduce the primary production potential of adjoining land;
- The precinct is serviced by a reticulated domestic water supply provided by a

- licensed water service provider, including water for fire fighting.
- The precinct can be supplied with electricity and community facilities and this has been demonstrated.
  - The development area is predominantly cleared of remnant vegetation or the loss of remnant vegetation through clearing for building envelopes, bushfire protection and fencing is minimized and environmental assets are not compromised.
  - It will promote good environmental and landscape outcomes and soil and water management are addressed, which may include rehabilitation as appropriate;
  - The land is capable of supporting housing.
  - The land is not subject to a buffer from an adjoining rural land use.

A 'Rural Living Precinct' in the form of a Rural Residential zone over area can meet with these policy measures subject to the appropriate investigations (land capability etc) being completed. Please also note that there are no applicable buffers (as advised by EPA guidance statement No. 3) to the grazing use of the adjoining Education Department land (reserve 7577).

### 3.2 *Development Control Policy 3.4 (review draft)*

DC No. 3.4 is to be read in conjunction with SPP No. 2.5 as detailed above and relates specifically to the subdivision of rural zoned land. The objectives of this policy are similar to those of SPP No. 2.5, however, give far greater detail and direction to acceptable forms of rural subdivision and methods of achieving the specific aims of protecting agricultural land.

The general policy requirement at section 3.1 of DC No. 3.4 is that "land that is to be subdivided for closer settlement (rural residential and rural smallholdings) should be properly planned through the preparation of regional and local planning strategies prior to subdivision".

As per the SPP 2.5, this DC policy is currently also under review. Many of the objectives of the reviewed document remain the same and subject to identification within the Denmark Local Planning Strategy and the required specific investigations at time of rezoning (and formal structure planning if required); this property and adjoining properties can meet with the policy objectives at section 2 of the draft DC policy 3.4 and therefore negate the need for assessment under this policy other than at section 3 of the draft policy relating to services, water supply and provision of identification in an endorsed Local Planning Strategy.

### 4.0 Conclusion

It is submitted that the identification within the DLPS for Rural Residential (Special Rural) development would help to preserve the rural amenity of the area and to maintain lot sizes capable of supporting a small number of livestock for hobby purposes



and the control of pastured areas.

The location and nature of the existing development will attract people wanting to live in a rural enclave that affords the benefits of a rural lifestyle without the burden of the excessive land management required for larger rural lots. Once the property was identified in the DLPS, the landowners would have the ability to seek an amendment to the TPS to rezone the land appropriately to reflect the current landuses and the maximum potential lot yield.

In the preparation of formal Scheme Amendment documentation, 'Special Provisions' relating specifically to the land would be formulated. These provisions could include any such details as required by Council and may include conditions that relate to issues such as:

- The restriction of materials and colours of buildings to reduce reflectivity and encourage development which is sympathetic to the landscape.
- Landscape protection/retention areas nominated.
- Any additional Landscaping requirements of Council.
- No clearing of vegetation shall occur except for to comply with the requirements of the Bush Fires Act 1954 (as amended), clearing as may reasonably be required to construct an approved building and cartilage, trees that are dead, diseased or dangerous and clearing required to establish a building protection zone.
- Fencing restrictions to ensure that there is no fencing along boundaries that cross through the remnant vegetation.
- Establishment of a strategic fire break network via the completion of a fire management plan.
- Requirement for the subdivider making arrangements to the satisfaction of Council to ensure prospective purchasers are aware of the fire management guidelines of the Fire Management Plan and the Homeowners Bushfire Survival Manual.
- All new dwellings being constructed in accordance with Australian Standard 3959 "Construction of Buildings in Bushfire Prone Areas".
- Formulation and implementation of a weed eradication and control program.
- Minimum roof catchment area and water tank capacity for potable water. All Buildings are to have a minimum roof area of 200m<sup>2</sup> and are to be connected to a rainwater tank or similar approved storage facility for the collection of stormwater for use as a potable source of water.
- Fencing construction restrictions to ensure fencing is of pine pole and wire strand (or similar) to maintain the open appearance of all lots.
- The provision of underground electrical connections to the lots.
- Conditions relating to the mandatory use of alternative effluent disposal systems if onsite testing so requires.
- The establishment and implementation of water sensitive design standards and the reuse of waste water where practicable.

		<p>The identification of this land for rural living (rural residential) and subsequent rezoning to reflect that would amend a past historical anomaly whereby the land is already used for rural residential purposes however does not have any of the land use controls and landscape protection methods associated with a traditional rural residential zone.</p> <p>In regard to the relationship to the State Planning Policy SPP2.5 relating to further subdivision of rural land, the identification of this land for rezoning and subsequent additional subdivision does not adversely impact on the objectives of this policy. The subject land does not have a rural purpose which will be harmed by further subdivision. Land use conflict with adjoining rural use reserve is perceived to be low due to the nature in which it is farmed and the agency which manages that farming (Denmark Agricultural College). The relationship with the two other adjoining reserves can only be enhanced by introducing protection for the wetland vegetation contained within the subject site and the management outcomes that can be achieved through zoning provisions relating to weed and fire management.</p> <p>Any future proposal would seek to introduce a minimum of new lot entitlements into the area. By rezoning the land and applying a subdivision guide plan over the entire cell, further intensification may not be possible and landscape values can be afforded a greater level of protection ensuring the amenity of the area remains intact. We would be pleased if you could consider the inclusion of these properties into the areas identified for rural living (rural residential) development within the Shire of Denmark Local Planning Strategy.</p> <p><i>(NB: Location Plan and Conceptual Subdivision Guide Plan attachments have been omitted – available to Councillor’s upon request).</i></p>	
P174	Denmark Survey & Mapping PO Box 339 DENMARK WA 6333	<p>Denmark Survey &amp; Mapping act on behalf of the owners of No 96 Rudyard Place, Mr. Gary Edmond Proctor &amp; Mrs. Jodie Lee Pollard.</p> <p>1.0 <u>Summary</u></p> <p>It is submitted that identification within the DLPS for the future Rural Residential (1-4ha) development of this and adjoining sites to establish a higher lot yield has planning merit for the following reasons;</p> <ul style="list-style-type: none"> <li>• The current lot size is such that it is not of an economically viable area for the traditional grazing purposes of the land.</li> <li>• Lot sizes above 4ha (and 10 as per the last draft LPS) will only further exacerbate this problem without giving a sound alternative landuse (farming/horticultural purposes).</li> <li>• The previously suggested lot size of 10ha represents an area of land that offers land management challenges.</li> <li>• Intensive horticulture at the site may represent an unacceptable environmental outcome due to the close proximity to the Wilson Inlet as intensive horticulture</li> </ul>	Noted – refer comments and associated recommendations provided in the Officer’s Report titled <i>General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations.</i>

may result in increased export of nutrients into the inlet.

- Likelihood of land use conflicts between intensive horticulture and rural residential land use to the west.
- *Rural Residential* development as an alternative land use may offer a method of controlling nutrient export into the inlet via the application of water sensitive urban design methods and the installation of alternative effluent disposal systems and water reuse principles.
- The current zoning of rural does not offer any land use controls or provisions that can offer protection to the remnant vegetation, waterways protection/management or weed control strategies at this site.
- Rezoning to *Rural Residential* may allow for the protection of remnant vegetation on proposed new lots through the application of nominated vegetation protection/retention areas.
- Rezoning would introduce the ability to implement tighter fire protection measures through the establishment of a formal fire management plan including a strategic fire break network.
- Any development can be screened from all aspects of South Coast Highway by the wide and vegetated road reserve which contains the South Coast Highway pavement.
- Represents a unique situation whereby structure planning can occur for this and adjoining land to the east and west to allow for co-ordinated & planned future development to supply Council's *Rural Residential* land demand as was previously demonstrated by the *1997 Rudyard Structure Plan* which provided for the 'Seaview Special Rural Estate'.
- Defensible barriers to contain development through the location of South Coast Highway to the north, Wilson Inlet to both the South and east and the existing special rural development to the west adjacent the adjoining Lot 7 Crusoe Beach Road.
- Power and telecommunications services available within close proximity.
- Access to school bus services.
- Close proximity to recreation areas/trails.
- Land is within relatively close proximity to Denmark townsite (approximately 6km as crows fly to the Civic Centre, this is generally closer to the centre of town than the McLeod Road subdivisions which are some 11km from the Civic Centre).
- The proposal can demonstrate through reviewed land capability analysis that the 'Rudyard Structure Plan' (Thompson McRobert, 1997) was appropriate and correct and that data again supports Rural Residential through the limitations identified in that document (copies of black and white mapping attached – colour not available however Council will have a copy on file – TPS 3 Am 62 – Bob & Christine Lammie).
- Should Council not feel able to support Rural Residential at the site, then the smallest Rural Small Holdings that should be entertained is that of 4ha (9.88acres)

as any larger in this environment will not encourage or allow innovative agricultural proposals; it will just lead to land being poorly managed and land use conflict with the Special Rural Zone (Rural Living) to the west.

## 2.0 Previous Planning Documents

### 2.1 *Rural Strategy (pre 1999)*

This property and those adjoining have been identified for possible future development for many years. The most recent endorsed strategy has been that of the 1999 Rural Settlement Strategy (RSS) and that is discussed further below.

Prior to the RSS, the property was identified in the *Denmark Rural Strategy* as being within a Special Rural/Landscape Protection Policy Area being within the Hay River Catchment area. The policy objectives of that strategy have been lifted from the Rudyard Structure Plan Report and are as follows:

#### **9.3 POLICY OBJECTIVES**

9.3.1 *In view of the very low capability for onsite effluent disposal and Special Rural development Council will not support applications for Special Rural development to the north side of South Coast Highway. Council may support such proposals to the South of the Highway on capable and suitable land.*

9.3.2 *To favour the development of land use conducive to a low nutrient into Wilson Inlet.*

9.3.3 *Council may support Tourist orientated development subject to land capability and suitability assessment.*

9.3.4 *To encourage the continued use of land for broadacre farming to the north of South Coast Highway.*

#### **9.4 POLICY STATEMENT**

9.4.1 *Council will not support proposals unless they properly address the management issues identified above.*

9.4.2 *Council may support subdivision and development proposals for special rural and tourist orientated development to the south of South Coast Highway subject to overall structure plan which:*

- *minimise access to the Highway;*
- *incorporates foreshore management plans;*
- *ensures that all development is set back and screened from the Highway;*
- *require predominantly cleared areas to be re-vegetated; and*
- *incorporates fire protection, landuse and management controls;*

9.4.3 Council will require remnant vegetation to be retained and protected and may require additional revegetation or specific measures to protect existing remnant vegetation.

9.4.4 Council will require all new developments to create or maintain buffers around streams with the aim of providing a foreshore protection reserve along the Hay River.

9.4.5 Council will not support subdivision or development applications that would increase nutrient discharge into Wilson Inlet

This Rural Strategy was active prior to 1995 and the policy objectives mirrored at section 21 – Policy Area 8 of the 1999 Strategy.

#### 2.2 TPS Policy 29 - Rural Settlement Strategy

Town Planning Scheme Policy No. 29 – Rural Settlement Strategy (RSS) has been the guiding document for rural development since 1999. The objectives of this policy of specific interest to this parcel of land are the following RSS objectives at section 3;

*‘Consolidate special rural/landscape protection living in nodes on appropriately zoned land to the west of Denmark between South Coast Highway and Mt Shadforth Road and to the east of Denmark south of South Coast Highway.’*

*‘Recognize the importance of South Coast Highway and ensure development is suitably setback and screened.’*

The land is identified in the RSS as ‘Primary Purpose Broad Acre Farming’ and falls within Area 8 ‘Hay Catchment’ of that strategy. The broad objectives specific to the Hay Catchment of that strategy are;

- To encourage the continued use of land for broadacre farming.
- To support proposals for Special Rural Development on suitably capable land within the node as identified in figure one of that RSS which lay to the south of South Coast Highway.
- To encourage low scale tourist oriented development within the Tourist node as identified within figure 1 of the RSS.
- Encourage appropriate bush fire management planning to be incorporated in development proposals;
- Recognize the scenic importance of key tourist routes by the use of setbacks and appropriate/sensitive screening techniques which retain views. Key tourist routes include Scotsdale Road, Mt Shadforth Road, William Bay Road, Parry’s Beach Road, McLeod Road, Peaceful Bay Road, Valley of the Giants Road and South

Coast Highway;

- Provide an environmentally sensitive approach to rural settlement and growth.

### 2.3 *Previously Adopted Draft Local Planning Strategy (LPS)*

The previously adopted LPS identified the subject land at 6.1.3 (and denoted on Plan 2.) for Rural Small Holdings (RSH). Rural Small Holdings has been defined by the WAPC as;

*'Land used for minor rural pursuits, hobby farms, conservation lots and alternative residential lifestyle purposes where part time income from cottage industries, home occupation and the use of land for agriculture may be derived. This land use seeks to preserve and enhance landscape quality, environmental and conservation attributes'.*

That draft strategy made a recommendation that a minimum lot size for this particular RSH unit be applied. The summary of that recommendation is detailed below;

- RSH Unit: 13
- Min Lot Size Within Unit: 10 ha (24.7 acres)
- Additional Lots: 21
- Lot Size Justification: Consists of 9 lots ranging in size from 2ha to 80ha with an average size of 30ha. Some large areas of Class A1 and A2 soils and very limited amounts of good quality vegetation. Slopes range up to 8%. High capability for grazing. Low capability for horticulture.

### 3.0 Conclusion

It is submitted that the identification within the DLPS for a Rural Residential development would help to preserve the rural amenity of the area yet supply manageable rural residential yet lots of a size which does not falsely promise to offer a farming income. The location and nature of any development will attract people wanting to live in a rural residential area that affords the benefits of a rural lifestyle without the burden of the excessive land management required for larger rural lots.

The identification of this land for rural residential purposes will meet with the broad objectives of the current RSS in as such that it aims to protect visual amenity (3.13) and encourage the development of rural residential development to the east of Denmark and South of South Coast Highway (3.11).

Should this and adjoining properties be identified for rural residential use in the DLPS, the landowners would have the ability to begin the structure planning process to ensure co-ordinated, cohesive and linked development proposals could be planned for the whole of the area south of South Coast Highway adjacent Location 3697. Once this process was complete to Council's and Commission satisfaction then individual landowners could seek an amendment to the TPS to rezone the land appropriately to

take advantage of the ideal location and amenity benefits that Location 3697 offers.

In the preparation of formal Scheme Amendment documentation, 'Special Provisions' relating specifically to the land would be formulated. These provisions could include any such details as required by Council and may include conditions that relate to issues such as, design controls, vegetation protection, water quality monitoring, weed eradication, water sensitive design, land capability and the like.

In regard to the relationship to SPP2.5, the protection of agricultural land and 96 Rudyard Place; identification and rezoning of this land for additional rural residential subdivision does not adversely impact on the objectives of the current SPP nor does it conflict with the draft instead more accurately meets the policy measures for rural living precincts as contained in that draft document.

The subject land is not identified as high quality agriculture and has medium to low capability for horticultural production. The area of land is such that only limited stock numbers that can be grazed on the property and any intensive horticultural or agricultural proposal would severely be hampered by setback requirements to the land that is already zoned for Rural Residential purposes.

The location of the Special Rural subdivision to the east further restricts the current horticultural ability of the land due to the application of required buffers between predominantly residential land and specific land uses on rural land. Should Council not feel able to support Rural Residential at the site, then the smallest Rural Small Holdings that should be entertained is that of 4ha (9.88acres) as any larger in this environment will not encourage or allow innovative agricultural proposals; it will just lead to land being poorly managed and land use conflict with the Special Rural Zone (Rural Living) to the west. To rezone this and abutting land to rural residential instead would assist with the relief of land use conflict issue that can arise between rural pursuits and rural residential lifestyles.

It is considered that land in this development cell is ripe to supply a portion of Council's future Rural Residential land holdings. It is not remote to the townsite and offers a good location when considering commuting considerations to Albany if required. The site cannot be considered a viable agricultural lot and offers far more in relation to access to services and townsite facilities than many of the established Special Rural zones to the west of the Shire.

There has been a level of expectation for the future development of these properties within the Rudyard Structure Plan area for nearly 20 years. This has been further validated with the development of the 'Seachange' subdivision which was consistent with the structure plan which was commissioned by the then landowners of that parcel; Christine & Bob Lammie using Thompson McRobert planning consultants.

		<p>For the above reasons we would be pleased if you could consider the inclusion of this property into the areas identified for rural small holding development within the review of the Shire of Denmark Local Planning Strategy.</p> <p><i>(NB: Rudgyard Structure Plan attachment has been omitted – available to Councillor’s upon request).</i></p>	
P175	Denmark Survey & Mapping PO Box 339 DENMARK WA 6333	<p>Part 1 &amp; 2 Where Relevant Comments Required:</p> <p><u>4.1 Future Residential</u></p> <ul style="list-style-type: none"> <li>• Query what the basis was and what supporting study and justifications have been done to identify the Agricultural College Land as ‘Town Site East – Urban Expansion Area’.</li> <li>• All other proposals and land identified for future development must have at least some supporting documentation and justification for inclusion into the LPS – what study or research has been done to justify this land?</li> <li>• Does the Denmark airstrip buffer not pose an immediate concern regarding the identification of this land as future urban expansion?</li> <li>• <i>‘e’ ‘Promote the infill development of large lot residential zoned areas closes to town’.</i></li> </ul> <p>There is no further mention in the <i>Implementation</i> section of section 4.1 of infill development. This should be of extreme importance and considered a method of keeping our townsite contained. There is too much focus on ‘townsite east’ and not on infill development and considered up coding of areas that are already connected to sewer and reticulated water.</p> <p><u>4.2 Future Retail</u></p> <ul style="list-style-type: none"> <li>• Council has had design guidelines for South Coast Highway and the Commercial areas for some time. These are always challenged by developers and often those challenges are supported at Council meeting level. There is always disagreement as to ‘what’ a ‘traditional design ethic’ is and indeed what ‘traditional’ actually means to Denmark. The mix and range of building designs reflect the changing needs and expectations of the community. Care needs to be taken not to ‘inflict’ unreasonable design parameters that cause poor design outcomes on facilities and buildings.</li> <li>• As far as I am aware – land landowners (other than one) are not in support of using the rear of their residential lots in Mitchell Street for commercial purposes and have strongly objected to this many times.</li> <li>• Identifying the rear of the lots for ‘parking or storage’ is</li> <li>• One land owner had planned to subdivide their property and build a new home. The subdivision application had a condition requested by Council pertaining to a notification on title for commercial use <i>BEFORE</i> the draft had even been advertised. Now the uncertainty of the possible adjoining land uses either side of</li> </ul>	<ul style="list-style-type: none"> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road and ‘Future Urban’ Designation Over Agricultural College Land.</i></li> <li>• Noted – infill and consolidation is promoted strongly in the draft LPS. R-codings will follow as part of the Town Planning Scheme preparation process.</li> <li>• Noted – design guidelines provide guidance to acceptable forms of development, noting each proposal should be considered on its design merits.</li> <li>• Noted – refer comments and associated recommendations in Officer’s Report titled <i>Designation Over Rear of Mitchell Street Properties.</i></li> <li>• Noted - local analysis of commercial floorspace has been considered in the draft LPS.</li> <li>• Noted – buffers to industrial areas to be considered in the scheme amendment and structure plan processes.</li> <li>• Noted – in-principally Council supports relocating the depot; final decisions are still to be made in this regard.</li> <li>• Noted, however positions change having regard to current demands etc. As per Town Planning Scheme No. 3, Lot 139 (Reserve 13777 – purpose of ‘Sanitary Depot’) is currently zoned ‘Industrial’ and the adjoining Lot 1097 (unallocated crown land) has a reservation of ‘Parks &amp; Recreation’. Designating the land as ‘Mixed Business’ is a better development outcome for the adjoining residential developments than what can currently be provided for under the ‘Industrial’ zoning.</li> <li>• Noted.</li> <li>• No reference to closure of any existing schools; moreso ensure dialogue is maintained with the Education Department to ensure timely provision of new schools having regard to current capacity and population growth demands.</li> <li>• This strategy is included as the Council recognises the role, contribution and importance of the Agricultural College from an educational perspective.</li> </ul>



them has caused them to change their plans and cancel the new home they were proposing – a home that would have had a good northerly aspect, good walking aspect to town and offered good infill development and a pleasant face to the lane improving streetscape.

- The affect goes far deeper than losing a good planning proposal it has also caused the landowners distress and cost them money through the planning process, subdivision application and trips to Perth negotiating the design of their proposed new home.
- The only lot that seeks to use the rear of land for parking and storage in Mitchell Street is the hardware. The lots that they seek to use for that purpose abut that lot. The creation of 1/3 parcels of commercial zoned lots to the rear of the existing house east of the 7<sup>th</sup> day Adventist Church would result in lots that have no relationship to those facing South Coast Highway. Even if they were to be amalgamated into the lots in the front they would still be alienated and the proposal would result in tied lots which are not desirable.
- If any land is to be identified for this purpose then it should only be the two lots west of the Seventh Day Adventist Church as this reserve site acts as a defensible barrier to further Commercial encroachment on residential homes and the portion of rezoned land can directly be amalgamated into the abutting lot resulting in neat and orderly planning.
- Although recognizing that the population and thus range of services will grow within the preceding 20 years and that WAPC estimated figures are required to be used as a guide; surely experience of the local area can also be used to inform Council that many services will not locate in Denmark and therefore development and redevelopment of existing retail sites may be adequate to supply our retail needs.
- I recognize that this is seeking a regional variation (support for same is stated in the Draft SPP2.5 and therefore one would think gaining momentum) but isn't a *Local* Planning Strategy aimed at dealing with on ground facts and realities and reflecting community expectations not just ticking boxes created in an office in a city centre?
- Once the 'service park' is zoned and the 'lower end services' are encouraged to relocate to this land (and freely do so without complaint and at their own costs) – there should be additional land available anyway releasing the pressure of the small strip at the rear of Mitchell Street. As noted in Section 2 of the DLPS 6.5.4 – Tyrepower, the carwash, the hardware and the nursery will relocate and that land will be available for commercial uses.
- Why move the fire station from the central location it is in? Many Towns both rural and suburban have fire stations located centrally for ease of access. Is this what FESA wants? Is this what the community wants?

#### 4.3 Future Industry

- Applaud Council again recognizing that a new serviced Industrial area is required.

- References within this Strategy are not intended to pertain to places on the 2011 Municipal Heritage Inventory; will moreso relate to those to be included on any Heritage List – noting this will not be the entire 2011 Municipal Heritage Inventory places as is the case with the 1999 Municipal Heritage Inventory and the current provisions within Town Planning Scheme No. 3.
- Noted – is considered Council needs to be involved with development processes as well thus the reason for the priority basis, notwithstanding if all due processes are followed the settlements of Nornalup and/or Bow Bridge may develop sooner than Peaceful Bay.
- Noted.
- Noted – refer comments in DAFWA Submission (Submission G11).
- Draft LPS references replace Landscape Protection Zone with appropriate rural residential or rural smallholdings zone as objectives of landscape protection can be achieved with these zonings.
- Refer comments in Submission P94.
- Noted – refer comments and associated recommendations in Officer's Report titled *Proposed East-West Link Road*.
- The draft LPS has been prepared having regard to appropriate local/regional variations – additional modifications are recommended to provide for additional local/regional variations as well.

- Query the impact on the residences in Special Rural Zone 8 in relation to any required industrial buffer. Should not the buffer either be applied to the subject land and not existing development?
- If the buffer cannot be contained on the land identified for industry; should there not be a transitional zone between the industrial zoned land and the *existing* rural residential land to the south in the Randall Road area? Such a zone could be a 'rural enterprise' (contained within draft SPP 2.5) zone that may provide for some housing to South Coast Highway restricting enterprise restricting uses to that of a lower impact than that considered for the industrial zone. This should be noted on the LPS maps and not just alluded to in the text as maps often inform people of possible impacts from adjoining land in a greater fashion than text of this fashion.
- Council should not 'investigate' the logistics and possibility of relocating the existing Shire depot to the new industrial park – Shire should commit to relocating as an act of good faith and to encourage other industries to do the same. If the Shire Depot remains in Zimmerman Street why would any other industry put themselves to the inconvenience and cost of doing so themselves?
- The land to the south of Zimmerman Street has been considered for different purposes many times. Reports have been prepared for Council consideration and decisions made. Check records.
- The land to the south of Zimmerman Street was once a partial rubbish tip and therefore may be a 'contaminated site' – Ollie Wakka remembers emptying night cart waste there some years ago. Geoff Hickey may also have history of this as well as Adrian Kranendonk (these gentlemen are all very knowledgeable, have lived here if not for their whole adult lives then nearly so and have all worked at the Shire on the works crew). Check with local and community resources – it is a valuable tool.
- A portion (half) of the land to the south of Zimmerman Street falls within the waste water treatment plant buffer area.
- The land to the south of Zimmerman Street abuts the Mia Mia housing collective and the best use of the land is to remain as a buffer both from that residential purpose and the WWTP.

#### 4.4 Tourism

- Objectives and implementation recommendations are generally already considered when proposing tourist development applications or rezoning proposals.
- Purpose built holiday accommodation within the commercial area (other than hotels/motels or the like) needs to be supported and the appropriate classifications (pertaining to BCA) that do not conflict with R Code requirements (minimum standards) applied to differentiate between short term accommodations (class 1b) and homes rented as holiday homes (class 1a).

This clarity will ensure that buildings are constructed with the appropriate fire

safety measures and amenity requirements as opposed to that required by a domestic house, be available for short term accommodation for the longer term whilst ensuring the housing stock for residential purposes is retained for same.

#### 4.5 Community, Education, Cultural and Heritage

##### *(a) – School Capacity.*

The capacity of the School will be being monitored by Department of Education. There is a school site identified to the south of the Weedon Hill Outline Development Plan. The Education Department has already been taking contributions per lot from developers where appropriate (and as per policy) to use towards the infrastructure required for the construction of an ‘additional school’. It is understood from discussions with the education department over time that it is unusual for a developed school site to be closed unless there is a decline in school population.

*‘(c) Council to lobby Government for the continued operation of the agricultural College and work with the college to expand areas of expertise’.*

This seems like one of the most contradictory statements of this document. Reducing the Ag College land but expanding its responsibility? Is this even a planning related matter that should be in this document? Or are they just nice just ‘words’. Surely if any statements were to be made they should be more related to investigating initiating relationships with alternative and complimentary educational institutions such as universities to possibly value add and make this town a University town with a distinct educational precinct.

##### *(g) - Heritage Consultant*

Requiring a land owner to employ a heritage consultant for each and every thing they wish to do to a property listed on the MI will only foster a feeling of fear and encourage landowners to seek to have their properties removed from the MI. This will mean that a vital community record is compromised by placing an additional hurdle and administrative cost on landowners with old buildings. Only properties listed on the State Register or with the highest MI classification and listed on the TPS Appendix should have this requirement applied over and above the standard advertising procedure. “Development” could mean putting a shed up at the rear of a house in Federal Street. Clarify intentions.

#### 4.6 Peaceful Bay, Nornalup, Bow Bridge and Kenton Settlements

- Why support the development of the rural nodes in the order that has been noted? Peaceful Bay granted has some infrastructure and a community and indeed, market pressure which warrant support for priority development if the private landholders are willing to fund the required infrastructure. Nornalup has nothing. No shop, no postal agent, no caravan park, no petrol station; no heart of a town. It is beautiful but development will always be hampered by the close

proximity of the Walpole townsite.

- Development of Nornalup should not be allowed to obstruct development of Bow Bridge subject to an approved *AND* logical structure plan (that does not seek to place 500m<sup>2</sup> lots on fully karri timbered land previous draft structure plan that stalled had inappropriately located lots).

#### 4.7 NRM

- Generally all stated points are considered and covered by other agencies (DoW – water Sensitive Urban Design Principles and Local Water Management Strategies etc, clearing of vegetation and identification of significant vegetation - DEC).
- Please implement point 23 as soon as possible. This may ensure that our ridgeline above town is protected from a link road and we preserve the Karri lined beauty of McLean Road.
- Applaud inclusion of NRM component though.

#### 4.8 Rural Land Productive

- Colouring land on a map is not an exhaustive method of identifying the productivity capabilities of rural land.
- Council should introduce a point whereby an agronomist report into the land may provide for a variation to the identification of land for this purpose whereby it can be proven that the broad scale mapping is flawed or incorrect in specific instances.

#### 4.9 Rural Land Subdivision and Development

- In Part 1 of the text and the implementation refers to Council removing the landscape protection zone provisions from the scheme. This is a very poor outcome and is a reaction to some very poorly proposed and implemented zones of that name being proposed and supported by Council. The zone itself is useful and the mix of two statutory methods of management being the TPS and the Strata Title Act via Management statements makes for a self regulatory method of management via strata companies relieving the pressure on Council resources. It appears that there may be a lack of understanding of the interface between zoning provisions and responsibilities and types of tenure.
- Developments for landscape protection on partially cleared land whereby fire requirements for safety can be met without additional clearing should still be entertained and supported as a method of protecting remnant vegetation by management.
- At part 6.12.3 of Part 2 the text states that a Landscape Protection zone is the same as a conservation lot subdivision. This simply is not true and indicates a distinct lack of understanding of the provision of a conservation lot under DC 3.4. A 'subdivision' does not introduce zoning provisions – of course a 'rezoning' does. This statement is fundamentally flawed.

		<ul style="list-style-type: none"> <li>• Part 2 of the text at 6.12.4 makes the statement that ‘in 2008 all reference to Multiple Occupancy was removed from DC 3.4 presumably as the WAPC did not favour them any more’. Please open the January 2008 DC 3.4 to page 3 at section 3.3 ‘strata proposal’ – clear reference to RMO. <u>This statement is completely incorrect.</u></li> <li>• Further to this there is reference to ‘common property’ – there is no ‘common property’ in relation to the title as it is generally green title and not strata. The only strata we have is Karri View estate which was approved on appeal by a Minister many years ago. I am unaware that there is a common property issue with that land as there is a lease to the winery over that portion of the estate.</li> <li>• All other RMO developments appear to be well managed (Proctor Road, The Wolery, The Days on Mt Shadforth). All of these sites would benefit from security of tenure via the application of strata title. The WAPC has in the past rejected strata titling of these properties however the draft policy DC 3.4 appears to offer a level of leniency towards strata titling as long as that land is identified in a LPS.</li> <li>• All Rural Multiple Occupancy zones could actually benefit from the application of strata title as an additional level of control and obligation could be enjoyed.</li> </ul> <p><u>4.10 Transport</u></p> <ul style="list-style-type: none"> <li>• Do not identify the link road on the maps. Refer to investigation in the text if you must however until various possible alignments have been investigated and discounted via studies and the application of engineering, environmental and social considerations – this alignment should not be on a map.</li> </ul> <p><u>General Plans and Comment</u></p> <p>It is disappointing to see that Council has been so anxious to please the WAPC that it has not fought for the application of regional variations and the ability of the Shire to understand how it works.</p> <p>This document is to belong to the community and is to assist the Council to write statutory documents that can be administered for the benefit of many in the community and not just a few.</p> <p>It is a document which is supposed to reflect the hopes aspirations and directions that the community seek to achieve. The document that has been presented has not been <u>prepared</u> in consultation with the community and it is apparent in various textual and mapping anomalies and mistakes. Advertising a document that has been prepared is not the kind of consultation that our community expected in regard to the LPS that is supposed to guide us for the next 20 years. This was expressed by numerous community members in the ‘community information sessions’ and especially at the final information session.</p>	
P176	Harley Global	We are pleased to provide a submission on the draft Local Planning Strategy (LPS) for	• In May 2007 Council received a Scheme Amendment

<p>PO Box 778 BUNBURY WA 6231</p>	<p>the Shire of Denmark. We recognise the Shire's effort to prepare and finally present a long term planning strategy for the Shire of Denmark. This document and its supporting plans are currently being advertised, with the submission period closing on the 9<sup>th</sup> August 2011.</p> <p>This submission has been prepared on behalf of the owners of Lot 374 (Hse.201) Scotsdale Road, Scotsdale. This submission concerns the recommendations of the draft Local Planning Strategy (LPS) relating to the proposed land uses on Lot 374 and the proposed location of the Northern Link Road on the property.</p> <p>The purpose of the submission is as follows:</p> <ul style="list-style-type: none"> <li>• Recommend the classification of the remainder of the property to the north and northwest of the Northern Link Road to 'Urban Residential', 'Special Rural' and 'Special Residential';</li> <li>• Recommend the removal or realignment of the Northern Link Road; and</li> <li>• Recommend the removal of the Northern Link Road as the proposed transitional boundary between the existing residential and agricultural uses proposed for this property.</li> </ul> <p>This submission details the features of the property, the classification of the property (as proposed by the draft LPS), the future development intention of the landowners and the reasons as to why the property should be classified for 'Urban Residential', 'Special Rural' and 'Special Residential' within the LPS. We respectfully request that the submissions recommendations are incorporated within the LPS.</p> <p><u>The Landowners</u> This submission has been prepared and lodged on behalf of the following parties:</p> <ul style="list-style-type: none"> <li>• Richard (Rick) Carter;</li> <li>• Demandem Holdings P/L; and</li> <li>• Glenlea Enterprises P/L.</li> </ul> <p><u>Property Details</u> <i>Ownership and Title Details</i> Lot 374 on Plan 230731 (Hse.201 Scotsdale Road, Scotsdale) has a total land area of approximately 45.3ha and is contained on Certificate of Title Vol.1974 Fol.969.</p> <p><i>Current Zoning and Land Uses</i> The property is currently zoned 'Rural' by Shire of Denmark Town Planning Scheme No.3 (TPS3) and is used as a lifestyle property with the grazing of cattle. Advice from the landowners has indicated that this is not being undertaken on a viable scale at present, as the size of the lot restricts the number of cattle that can graze, or any alternative agricultural pursuits being viable also. There is one house and a number of</p>	<p>Request from Yaran Pty Ltd to facilitate a 484 residential lot development over Lot 374 Scotsdale Road - being land owned by R&amp; S Carter, Demandem Holdings P/L and Glenlea Enterprises P/L (refer Attachment H). The SAR was considered by Council at its Ordinary Meeting on 27 November 2007 wherein Council resolved the following (Res: 410/07):</p> <p><i>That Council not support the Scheme Amendment Request for Lot 374 Scotsdale Road to create residential zoned land as the proposal does not comply with the outcomes from the Settlement Strategy and draft Denmark Local Planning Strategy.</i></p> <p>Having regard to Council's resolution on the development proposal over Lot 374 Scotsdale Road and the determination on the Horsley Road/Rockford Road LSP to provide for the extension of McLean Road through to Scotsdale Road, the Shire's former Director of Planning &amp; Sustainability had begun discussions with the planning consultant (Harley Global) for the landowners regarding the consideration of a residential development form in the south-eastern corner of the property, with the connector road from McLean Road through to Scotsdale Road forming the development boundary. This is therefore essentially the alignment provided for in the draft LPS.</p> <ul style="list-style-type: none"> <li>• Refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Supporting urban development on the land currently designated as 'General Agriculture' is not supported.</li> </ul>
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outbuildings contained on the property. The landowners do not believe that grazing uses would be viable on this small land area.

The zoning context plan is shown below (NB: figure omitted). The land to the north and southeast is zoned *'Rural'*. To the west is land zoned *'Special Rural'*. To the southwest is land zoned *'Special Residential'* and *'Residential'* and to the east is land zoned *'Residential'* and *'Special Rural'*. To the south is land zoned *'Rural'*, a *'Residential'* zone is likely to be permitted on these land parcels subject to a rezoning proposal and Structure Plan being prepared and subsequently approved by the Shire of Denmark and WAPC, as indicated in the draft LPS.

Nearby land uses include:

- Agricultural pursuits;
- Rural lifestyle;
- Rural residential;
- Residential; and
- Tourism.

The land uses surrounding the property reflect the fact that it is located on the urban periphery of the Denmark townsite. It is believed that the draft LPS does not recognise opportunities presented by the location of this site for land uses including *'Urban Residential'*, *'Special Residential'* and *'Special Rural'*. Given the size of the property and its location on the edge of the townsite, it is believed that this would be a suitable location for transitional land uses to be implemented, particularly for *'Special Rural'* and *'Special Residential'* uses.

#### *Location*

The property is located approximately 1.5km north of the Denmark town centre via Scotsdale Road. As previously mentioned, the property is located on the urban periphery of the Denmark townsite, with residential development planned to occur directly to the south of the property on McLean Road.

#### *Environmental Considerations*

The property has the following environmental features:

- Steep topography on the western portion of the property, with a valley and drainage line/valley (Little River catchment) in the southeastern portion of the property. Part of the southeastern portion of the property is considered low lying and will likely be excluded from future development (unless suitable land capability assessments or geotechnical investigations prove otherwise);
- Extensive views of the surrounding rural hinterland;
- The majority of the property is cleared and pastured. Pockets of remnant vegetation are located on the property, but will likely be retained as a result of

		<p>future development. Re-vegetation of the creekline on the property has recently been undertaken with the assistance of the Wilson Inlet Catchment Committee and Green Skills Australia; and</p> <ul style="list-style-type: none"> <li>• Land to the north is vegetated, posing some fire risk to future development. However, this risk can be addressed through the application of <i>Planning for Bush Fire Protection Edition 2</i> at the time of rezoning, subdivision or development</li> </ul> <p>It is believed that all of the environmental features of the property can be successfully addressed in a well designed development, as has occurred with other such properties in the Shire of Denmark.</p> <p><i>Access</i> Access to the property is attained from Scotsdale Road, with the driveway being located near the intersection of Riverbend Lane. Future access to the lot as a result of development is likely to be from the McLean Road road reserve and Scotsdale Road and will be required to be designed to the engineering requirements of the Shire of Denmark.</p> <p><i>Services</i> The property is serviced by power and telecommunications. It is anticipated that the future development of the property for urban and rural residential purposes will require a connection to reticulated water and possibly sewer, if these services are not provided on-site.</p> <p><i>Fire Management</i> The property is mostly cleared of remnant vegetation and is pastured. Fire threat to the property originates from the northern neighbourhood. Buildings on the property will be required to comply with <i>Planning for Bush Fire Protection Edition 2</i>. Should a fire emergency arise on the property, the Denmark Fire Station is located approximately 1.5 kilometres from the property in Denmark.</p> <p><i>Land Capability</i> The soils of the property consist of gravel and karri loams. Should Council be supportive of development of the entire property, it would be required that detailed land capability analysis would be undertaken to determine the portions of the property capable of development and on-site effluent disposal.</p> <p><i>Visual Impact</i> The property is in a visually prominent location on a major tourist route through the Shire (Scotsdale Road). Given this, it will be vital that any subsequent rezoning, subdivision or development properly addresses visual impact.</p>	
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It is envisaged that visual impact will be managed through a number of measures including, but not necessarily limited to the following:

- The implementation of roadside vegetation on Scotsdale Road;
- Further revegetation of the low lying area of land in the southeastern corner of the property adjoining Scotsdale Road and McLean Road road reserve (if necessary);
- Design measures to regulate colours and materials and building bulk;
- Identification of building envelopes on larger lots on the higher slopes; and
- Use of split level construction to follow land contours.

A visual impact assessment and resultant measures would be prepared should rezoning of the property be supported by the Shire.

#### Classification by the Draft LPS

##### *Current Classification*

As previously outlined above, the southeastern portion of the property (as separated by the proposed Northern Link Road) is identified for 'Urban Residential' by the draft LPS. This submission does not wish to contend the classification of the southeastern portion of the property, but wishes to identify the remainder for the property for such uses as 'Special Rural', 'Urban Residential' or 'Special Residential'.

The remainder of the property to the northwest of the Northern Link Road is unclassified. We have been advised by the Shire of Denmark (personal communications with Duncan Ross dated 18/07/11) that areas on the Plans that remain unclassified (white) are not proposed to be rezoned, or remain as per TPS3 zoning requirements. Therefore, this portion of the property is proposed to remain 'Rural' zoned by the draft LPS for the life of the draft LPS. It is contended that the retention of the 'Rural' zoning on the northeastern portion of the property is inappropriate, based on the following reasons:

- The continuation of rural uses of the land is unlikely to occur, given the surrounding land pressures. As identified above, the property is located on the urban periphery of Denmark, hence it is likely that the property will be subject to land use pressures, given the majority of the surrounding land are zoned or identified for urban, semi-urban or rural residential uses;
- The draft LPS proposes the reduction of the agricultural area on the property, through the excision of the 'Urban Residential' portion of the property and the Northern link Road. The landowner has advised that the current size of the property is not sustainable for agricultural land uses. Therefore, the portion of the property to be retained for 'Rural' zoned land uses is unlikely to be viable for these uses in perpetuity;
- To remain viable, the property would likely be required to be developed for horticultural uses or similar. To ensure these land uses do not have an impact on

the surrounding existing zones, suitable buffers would be required to ensure that surrounding land uses are not impacted. If buffers are implemented, it is likely that the agricultural uses of the land will be hindered further; and

- Based upon the surrounding land uses, it does not make sense for the property to be retained in its 'Rural' zoning, as the surrounding land uses do not compliment the 'Rural' zone.

It is believed that if the northeastern property remains unchanged zoned 'Rural', it will lead to future land use conflict and will not achieve the highest and best use of the land, given its location of the urban periphery of Denmark. The property would be more suited to transitional land uses such as 'Urban Residential', 'Special Rural' or 'Special Residential' uses blending out to the agricultural uses surrounding the Denmark townsite.

*Recommended Classification*

As has been previously explained, it is believed that the property should be developed for transitional land uses, representative of its location on the urban periphery of Denmark. The likely classifications within the draft LPS would include 'Urban Residential', 'Special Residential' and 'Special Rural'. It is believed that these land uses would be more appropriate on the northwestern portion of the property, as evidenced by the following:

- The property is located on the urban periphery of Denmark. Rather than a rigid urban boundary, as defined by the Northern Link Road, it is recommended that transitional land uses are developed on the property to ensure that the Denmark townsite blends into its surrounding rural hinterland. This approach is well documented and utilised in the planning of townsites, as it ensures that higher density land uses are not located directly opposite agricultural land uses, which can have adverse impacts and cause land use conflicts;
- It is contended that the Northern Link Road is not required and furthermore, if it is constructed, it is shown in the incorrect alignment, due to the large number of impacts it will have on residents in the northern portion of the Denmark townsite;
- As evidenced within the draft LPS, the Northern Link Road is indicative only. Therefore, having this road as a rigid boundary to urban development of the Denmark townsite is not logical, as the alignment is likely to change or be removed as recommended by this submission (and another submission prepared by Harley Global);
- The transition of the Denmark townsite to the surrounding rural hinterland will ensure that visual impacts are mitigated, rather than a strict 'edge' being adopted. The draft LPS shows a rigid edge to the 'Urban Residential' classification, where in other parts of Denmark a blended approach is utilised. It would better suit the character of Denmark, which does not have a defined urban boundary, to have a transitional land uses on the property, which blends into the surrounding

countryside; and

- The landowners of this submission have indicated that they wish to adopt world class sustainable practices for the future development of the property, as a legacy to Denmark. This is outlined in further detail below.

It is recommended that the property is identified for transitional land uses, as opposed to the current rigid edge to urban development which is proposed on the property, including the uses of 'Urban Development', 'Special Rural' and 'Special Residential'.

*Proposed Northern Link Road*

As is outlined previously, the Northern Link Road shown in the draft LPS crosses the southeastern portion of the property, connecting between the McLean Road road reserve and Riverbend Lane. As outlined in another submission prepared by Harley Global, the opposition to the overall alignment of the Northern Link Road is detailed, due to the inappropriate alignment and lack of investigation that has accompanied the planning of the route. In relation to the property, we believe the Northern Link Road should be removed, as evidenced by the following:

- The alignment of the road has been placed in the low-lying portion of the property. Furthermore, it is likely that a large culvert crossing or bridge would have to be constructed over the drainage line of the property for the future road. Due to the low-lying nature of this portion of land, it is likely that the Northern Link Road will be fraught with engineering problems, including the cut and fill of land and suitable drainage to ensure that the proposed road does not directly impact the drainage of the locality and the Denmark River;
- Recent re-vegetation of the creekline on the property has been completed with the assistance of the Wilson Inlet Catchment Committee and Green Skills Australia. The aim of re-vegetation is to improve nutrient management of the land and return the water course to a more natural form, given the close proximity to the Denmark River and the Wilson Inlet. The construction of the proposed Northern Link Road in the current alignment would require the removal of a substantial area of the revegetation that was implemented at the owners expense;
- McLean Road is not suitable for the alignment of the Northern Link Road, as it is vegetated in portions, currently unconstructed and would likely require the clearing and widening of the road reserve to meet engineering requirements. The current alignment along McLean Road will impact the character of the locality and the future land uses on the property;
- The draft LPS identifies that the Northern Link Road is not a bypass. However, the rigid transition of land uses adjacent to the road suggests it will not fulfil the role of District Distributor but will be a northern bypass for the Denmark townsite. The construction of a bypass or district distributor road in this location is not supported, as it will compromise the character of the locality and have a number

of environmental, social, economic and engineering impacts; and

- The draft LPS identifies that the Northern Link Road is an indicative alignment only. However, future land use decisions for the property are likely to be based on the proposed alignment of this road. Given this, it is recommended that the alignment is removed and proper investigation occurs to ensure that the final alignment is feasible to construct and will have a lessened impact on the locality.

It is recommended that the Northern Link Road is removed from the draft LPS, given the poor alignment and lack of investigation that has been undertaken to determine the indicative alignment. There are suitable measures available for Council to include the alignment of the Northern Link Road at a future date within the LPS, however this alignment should be removed until such time these measures are implemented by the Council.

#### Proposed Land Uses

Should this submission on the draft LPS prove successful, the landowners wish for their property to be rezoned to 'Residential', 'Special Residential' and 'Special Rural' within the Shire of Denmark TPS3. It will be subsequently subdivided and developed for transitional lots sizes. It is understood that the proponent wishes to have the property developed as an innovative, sustainable example of low density residential and rural residential uses. Future development would incorporate the following principles:

- Retaining the existing vegetation on site, particularly karri trees;
- Retaining existing water features on site, particularly dams and natural creeklines;
- Protecting and enhancing the spectacular views from the site to the Porongurup's and Wilson Inlet and surrounds;
- Providing a range of lot sizes for a specific market/clientele base e.g. 5000-8,000 square metres to 4 ha; and
- Providing an innovative rural residential and clustered development that meets the needs of the Shire of Denmark into the future and leaves the landowners with a legacy of sustainable development that the landowners will be proud of.

Although this not a definite proposal at this point in time, it is a goal of the landowners to have the entire property developed for these uses. The draft LPS does not recognise this, given it intends to retain the majority of the property within the 'Rural' zone, which is not consistent with the surrounding land uses, nor with the previous identification of the property within adopted strategies of the Shire of Denmark.

The landowner is also seeking confirmation from the Council if they would entertain a rezoning and Structure Plan proposal based upon the justification provided within this submission. If the abovementioned development proposal is suffice, the landowner would appreciate if the Council could confirm the necessary information required to submit a rezoning and Structure Plan proposal with the Council.

		<p>The landowner respectfully requests that the entire property is identified for transitional land uses (consisting 'Urban Residential', 'Special Residential' and 'Special Rural' uses) within the draft LPS and removal of the Northern Link Road, given the ideal location of the property on the Denmark urban periphery for this type of development.</p> <p><u>Conclusion</u></p> <p>It is recommended that the property is identified for transitional land uses consisting of 'Urban Residential', 'Special Residential' and 'Special Rural' within the draft Shire of Denmark Local Planning Strategy. It is also recommended that the alignment of the Northern Link Road is removed from the property within the draft Shire of Denmark Local Planning Strategy.</p> <p>It is respectfully requested that the recommendations of this submission relating to Lot 374 Scotsdale Road, Scotsdale are incorporated within the draft Denmark Local Planning Strategy.</p>	
P177	Harley Global PO Box 778 BUNBURY WA 6231	<p>We are pleased to provide a submission on the draft Local Planning Strategy (LPS) for the Shire of Denmark. We recognise the Shire's effort to prepare and finally present a long term planning strategy for the Shire of Denmark. This document and its supporting plans are currently being advertised, with the submission period closing on the 9<sup>th</sup> August 2011.</p> <p>The following submission has been prepared for the landowners of Lot 3 South Coast Highway, Nornalup. The draft LPS currently identifies approximately half of the property being included within the Nornalup 'Indicative Rural Nodal Settlement', with the remainder being identified for 'High Quality Agriculture'.</p> <p>The purpose of the submission is as follows:</p> <ul style="list-style-type: none"> <li>• Detail support for the inclusion of the property within the Nornalup 'Indicative Rural Nodal Settlement';</li> <li>• Ensure that the entire property is included within the Nornalup 'Indicative Rural Nodal Settlement'; and</li> <li>• Advise Council of the future development intentions of the landowners e.g. seeking to pursue rural residential uses.</li> </ul> <p>This submission details the features of the property, the draft LPS classifications, the relationship of the existing Shire of Denmark Settlement Strategy to the draft LPS and the future development intentions of the landowners. The submission also details the reasons as to why the property should be wholly included within the Nornalup 'Indicative Rural Nodal Settlement'. We respectfully request that the submissions recommendations are incorporated within the LPS.</p>	Noted – the indicative rural nodal settlement 'dots' on the LPS plans are notional only and do not actually refer to land within the 'dot' being within a development area. As referenced in Part 2 Section 6.10, a 'development boundary' is to be identified as part of an initial conceptual structure plan.

### The Property

The registered proprietors of Lot 3 on Diagram 77903 (House 6479 South Coast Highway, Nornalup) are Paul John Gardiner and Drew Harry Blackburn.

Lot 3 South Coast Highway, Nornalup is located approximately 2km from Nornalup. The property is slightly undulating, with the topography varying between 16-24m AHD. It contains approximately 50 percent remnant vegetation and a small blue gum plantation. The remainder of the property contains pasture. A shed and water tank are located on the north western portion of the property.

The current use of the property is for rural lifestyle purposes. Given the size of the property and presence of remnant vegetation, it is not envisaged that it would be suitable for viable large scale agricultural land uses.

An aerial photograph of the property is shown below (*NB: omitted*).

### Classification by the LPS

As explained previously, the property is identified for dual uses within the LPS. Firstly, the majority of the property is identified as being included within the Nornalup 'Indicative Rural Nodal Settlement'. Secondly, a smaller proportion of the property is identified for 'High Quality Agriculture'. Also related to the property is that South Coast Highway is identified as a 'Regional Road'.

*Indicative Rural Nodal Settlement.*

The draft LPS has the following objective for the Nornalup 'Indicative Rural Nodal Settlement'.

*"Support Peaceful Bay, Nornalup and Bow Bridge as future long term growth settlement areas and have regard to protecting landscape and natural resource values and the recommendations of the 1999 Rural Settlement Strategy."*

In relation to the development of the 'Indicative Rural Nodal Settlements', the draft LPS has the following strategies.

- a. *"Support the residential and rural-residential development and the recommended characteristics of Nornalup, Bow Bridge and Peaceful Bay as provided in the Settlement Strategy 1999;*
- b. *Not support Kenton as a rural nodal settlement area due to environmental constraints and the ability of the other three identified rural nodal settlements to accommodate future growth;*
- c. *Control the development of the settlements in respect to service infrastructure and environmental constraints; and*
- d. *To support the development of the rural nodal settlements in the following order of priority; Peaceful Bay, Nornalup and Bow Bridge."*

In regards to the implementation of the LPS, Action 9 of Section 4.6 of the Strategy requires that:

*“Council prepare a conceptual structure plan for Nornalup which addresses infrastructure servicing and staging requirements for the rural nodal settlement.”*

This submission supports *the identification of the property as part of the Nornalup ‘Indicative Rural Nodal Settlement’* and will meet the criteria applicable to *‘Indicative Rural Nodal Settlements’* in the following manner:

- Offer support to the Structure Planning process for Nornalup, to be conducted by Council. The rezoning/subdivision/development of the property will not likely be facilitated until this occurs; and
- Recommend to Council that rural-residential land uses are implemented on the property as a suitable transitional land use between the Nornalup townsite and the surrounding agricultural land uses.

It is respectfully requested that property in its entirety is included within this classification, rather than the dual classification that is currently proposed. This will reduce future confusion as to the Shire of Denmark’s intent for the future use of the property. As is evidenced below, the classification for *‘High Quality Agriculture’* is not suitable for the property, therefore the *‘Indicative Rural Nodal Settlement’* should be extended to be applicable to the property in its entirety.

#### *High Quality Agriculture*

Land identified for *‘High Quality Agriculture’* is referred to in Section 4.8 Rural Land – Productive of the draft LPS. The following objectives are applicable to *‘Rural Land – Productive’*.

- *“Identify and protect High Quality Agriculture land of State and regional significance and the balance of the rural land not identified for settlement or future subdivision as General Agriculture Resource;*
- *To ensure appropriate land management controls occur with intensive land agriculture uses to protect water catchments and to ensure these uses occur in the appropriate location;*
- *To locate animal husbandry – intensive and horticultural pursuits in areas which are not subject to urban expansion or population pressures and are managed within environmental and management guidelines.”*

We believe that the area of the property which has been excluded from the *‘Indicative Rural Nodal Settlement’* will not be viable for use for *‘High Quality Agriculture’*, as is evidenced in the following justification:

- The size of the property, particularly the portion identified for *‘High Quality Agriculture’*, is not suitable for productive, viable and sustainable agricultural uses.

Although some small agricultural lots do exist in the Shire of Denmark, it should be noted that the Western Australian Planning Commission, particularly in the south west region, generally requires that lots to be used for horticultural purposes, have a minimum lot area of 40ha, with a minimum area of 30ha available for horticultural use (as evidenced in the *South West Rural Subdivision Guidelines*);

- There are a number of constraints applicable to the lot which will limit the possibility for agriculture to occur on a viable scale including the presence of remnant vegetation and low lying land, both of which are unlikely to be able to be utilised for agricultural purposes;
- The lot is not high quality agricultural land that is of State or regional significance. This classification of the land does not relate to the current or proposed future uses of the property;
- The development of intensive agricultural land uses on the property could have impacts on the Frankland River and Nornalup Inlet;
- The development of the property in accordance with the *'Rural Land – Productive'* objectives and guidelines could possibly have implications on the future growth and development of the Nornalup Rural Nodal Settlement; and
- The location of the property on the fringe of Nornalup will ensure that intensive agricultural opportunities, such as animal husbandry – intensive and horticulture, will be limited by the sensitive land uses occurring on the neighbouring land parcels.

It is believed that the whole of the property should be included within the Nornalup *'Indicative Rural Nodal Settlement'*. This will ensure that the edge of the property from the defined edge of the future Nornalup Rural Nodal Settlement and there will be no future contention over the proposed land uses on the property.

#### *Shire of Denmark Settlement Strategy*

The Shire of Denmark Settlement Strategy (Town Planning Scheme Policy No.28) sets out the key recommendations for urban growth within the Shire of Denmark. The Settlement Strategy was formally adopted by the Shire of Denmark in 1999. In particular reference to the property, the Settlement Strategy identifies Nornalup as one of the villages in which to promote urban growth and expansion. The purpose of this Strategy is to ensure that urban growth pressure is removed from the Denmark townsite. The development of Nornalup and other identified villages is to be guided by a Structure Plan, with the gradual provision of services such as reticulated water and sewer. The objectives and strategic directions of the Settlement Strategy have generally been reflected in the draft LPS.

The proposed inclusion of the property will meet the requirements of the Settlement Strategy, as evidenced by the following:

- It will allow the expansion of the townsite in a manner that follows proper



planning procedure;

- It will ensure transitional land uses can be developed on the property in a manner that ensure the productive potential of neighbouring good quality agricultural land can be fully utilised. It will also provide a suitable buffer of land uses to the proposed Nornalup townsite; and
- The proponent supports the Structure Planning process applicable to the townsite.

We believe the inclusion of the property in its entirety within the Nornalup *'Indicative Rural Nodal Settlement'* supports the growth and development of the Nornalup townsite as evidenced by the existing Settlement Strategy.

#### Future Development Intentions

In the short to medium term future, the landowners seeks to develop their property for rural residential purposes. As evidenced above, we believe rural residential land uses would be suited to the property, as justified by the following:

- The topography and land capability of the property being suitable for the development of rural residential lots;
- The land being located at the edge of the Nornalup *'Indicative Rural Nodal Settlement'*. The property and others in similar locations on the edge of the settlement will be required to be utilised for transitional uses to the surrounding agricultural land. Rural residential land uses fulfil this requirement;
- It will provide for a variety and choice in housing in close proximity to an identified future townsite;
- It will be easily accessible, given the property is located with direct frontage to South Coast Highway; and
- It will encourage the retention and protection of remnant vegetation on the property and providing rural residential lots based on sustainable principles.

The landowner is considering lodging an application for subdivision approval for rural residential lots and understands that their application will be impacted by the timing associated with the preparation of the conceptual Structure Plan for the Nornalup Rural Nodal Settlement by the Council. The landowner is seeking confirmation from the Council in relation to the following matters:

- (a) What is the expected timeframe for the preparation of the Nornalup Rural Nodal Settlement by the Council?
- (b) If and when an application for subdivision application for the abovementioned property is be lodged with the Western Australian Planning Commission for rural residential purposes, if a Concept Plan and justification report is prepared for the property and presented to the Council in the first instance, would the Council consider approving a rural residential subdivision without the overall Conceptual Structure Plan being finalised by the Council?

		<p>(c) If the Council is willing to entertain a subdivision application being submitted before the Conceptual Structure Plan is prepared for the Nornalup Rural Nodal Settlement, could you please confirm the necessary information required to assist you with your assessment of the subdivision proposal.</p> <p>The landowner respectively requests that the entire property is included within the Nornalup 'Indicative Rural Nodal Settlement'. The landowner also seeks further clarification on those matters raised above by the Council.</p> <p><u>Conclusion</u></p> <p>It is understood that the draft LPS seeks to guide the strategic planning direction of the Shire of Denmark for the next 20 years. We support the identification of the property in its entirety within the Nornalup 'Indicative Rural Nodal Settlement', as it will allow for future rural residential uses on the land. We would appreciate a response from you in relation to those matters raised above , particularly with respect to the timing associated with the preparation of the Conceptual Structure Plan for the Nornalup Rural Nodal Settlement and the options available to the landowner should they seek to lodge an application for subdivision for rural residential purposes.</p> <p>It is respectfully requested that the recommendations of this submission relating to Lot 3 South Coast Highway, Nornalup are incorporated within the draft Shire of Denmark Local Planning Strategy.</p>	
P178	Harley Global PO Box 778 BUNBURY WA 6231	<p>We are pleased to provide a submission on the draft Local Planning Strategy (LPS) for the Shire of Denmark. We recognise the Shire's effort to prepare and finally present a long term planning strategy for the Shire of Denmark. This document and its supporting plans are currently being advertised, with the submission period closing on the 9<sup>th</sup> August 2011.</p> <p>The following submission has been prepared for the landowners of Lot 3 South Coast Highway, Shadforth. The LPS currently identifies the property within the 'Rural Small Holdings' classification of the draft LPS, adjacent to South Coast Highway, which is identified as a 'Regional Road'. The purpose of the submission is as follows:</p> <ul style="list-style-type: none"> <li>• Recommend the reclassification of the property from 'Rural Small Holdings' to 'Rural Residential'; and</li> <li>• Recommend the inclusion of more specific 'Rural Small Holdings' definitions within the LPS, to give detailed clarification of Council's intent for 'Rural Small Holdings' areas on specific properties.</li> </ul> <p>This submission details the previous submission prepared for the draft LPS (dated November 2008 (attached)), features of the property, draft LPS classification, relevance to other State and Local Planning instruments the future intention of the landowners and the reasons as to why the property should be included within the 'Rural</p>	Noted – refer comments and associated recommendations provided in the Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations</i> .

*Residential'* classification of the LPS. We respectfully request that the submissions recommendations are incorporated within the LPS.

#### Previous Draft LPS Submission

As outlined above, a submission was previously raised on the draft LPS, outlining the objection of the proponent to the property being identified for 'Rural Small Holdings', based upon the characteristics of the property, the surrounding land use context and the future intent of the landowners to develop the property for rural residential land uses.

This submission was re-lodged with Council prior to the commencement of the current advertising period for the draft LPS. It was advised by Duncan Ross (May 2011) that Harley Global would have to prepare a new submission on the draft LPS to reflect Council's modified position in relation to the property. This submission has been updated to reflect the current draft LPS in accordance with Council's requirements.

#### Property Details

##### *Ownership and Title Details*

The registered proprietors of Lot 3 on Diagram 15267 (Hse.1670) South Coast Highway, Shadforth) are Ross Anthony Cockman and Gillian Margaret Wright - Cockman and Christopher John Wright and Elizabeth Ann Wright. The property has a total land area of 20.4ha and is contained on Certificate of Title Vol.1974 Fol.969.

##### *Current Zoning and Land Uses*

The property is currently zoned 'Rural' by Shire of Denmark Town Planning Scheme No.3 (TPS3) and is currently used as a lifestyle property with the grazing of a small number of cattle. The owner of the land does not believe that grazing uses would be viable on this small land area. There are two houses and a number of outbuildings contained on the property. The southern portion of the property is located within the *District Heritage Area H44* (South Coast Highway corridor between McLeod Road and Denmark townsite).

The zoning context plan attached to this submission shows surrounding zonings (refer to attachment – *NB: omitted; available to Councillor's upon request*). The majority of the surrounding lots are zoned 'Rural'. Activities on these lots range from intensive agriculture to hobby farms. Lot sizes in this District range from 2ha to over 100ha. Nearby land uses include:

- Agricultural pursuits;
- 300m to the north of the property is the Lapko Road Landscape Protection Zone (LP1). This development has an average lot size of approximately 5ha. However, this estate is used for lifestyle purposes and the average lot size of the property is high due to the high proportion of remnant vegetation on the lot;

- 1.5km to the northwest is 'Special Rural' zoned land (SR4). This area has a minimum lot size of 2ha; and
- Adjacent on Lapko Road (although accessed by South Coast Highway) is a 'Tourist' zoned land use, 'T7' by TPS3. This site is used for the Karma Chalets tourist accommodation.

The proposed identification of the property for 'Rural Residential' uses within the draft LPS will not compromise the land uses surrounding the property. We believe that the property should be identified for 'Rural Residential', given it is part of a naturally existing lifestyle land use corridor located between Mt Shadforth Road and South Coast Highway, extending west from the Denmark townsite.

#### *Location*

The property is located approximately 5 kilometres west of the Denmark town centre. In relation to other 'Special Rural' zones within the Shire of Denmark, the property is conveniently located for access to services and employment. Access to the property is from South Coast Highway.

#### *Environmental Considerations*

The property has the following environmental features:

- Steep topography on the western portion of the property, with a valley and drainage line/valley (Little River catchment) in the eastern portion of the property. Part of the eastern portion of the property is considered low lying;
- Extensive views of the surrounding rural hinterland (refer to attached photographs);
- The majority of the property is cleared and pastured, with a fenced area of remnant vegetation of approximately 3.4ha in area; and
- The majority of the surrounding land is vegetated, posing some fire risk.

It is believed that all of the environmental features of the property can be successfully addressed in a well designed 'Rural Residential' development, as has occurred with other such properties in this locality.

#### *Access*

Access to the property for both dwellings is attained from South Coast Highway. There are three (3) crossovers to the property from the highway. Two(2) are for access to the houses on the property. The western-most crossover is an easement burden for access to Lot 412 (#1700) South Coast Highway, Shadforth to the west.

It is likely that the future development of the property will require a shared access point from Lapko Road. This will restrict future access from the property onto South Coast Highway, which is a tourist route.

*Services*

The property is serviced by power and telecommunications. It is not anticipated that the future development of the property for 'Rural Residential' uses will require a connection to reticulated water or sewer, given the suitable capability of the property to utilise both of these services on-site.

*Fire Management*

The property is mostly cleared of remnant vegetation and is pastured. Fire threat to the property originates from surrounding vegetated lots. Buildings on the property will be required to comply with *Planning for Bush Fire Protection Edition 2*. Should a fire emergency arise on the property, the Denmark Fire Station is located approximately 6 kilometres from the property in Denmark.

*Land Capability*

The soils of the property consist of gravel and karri loams. Should Council support 'Rural Residential' development of the property, a detailed land capability analysis would need to be undertaken to determine the portions of the property capable of development and on-site effluent disposal.

*Visual Impact*

The property is in a visually prominent location on a major tourist route through the Shire. Given this, it will be vital that any subsequent rezoning, subdivision or development properly addresses visual impact.

It is envisaged that visual impact will be managed through a number of measures including, but not necessarily limited to the following:

- The extension of existing vegetation screening along South Coast Highway, particularly along the eastern half of the frontage;
- Revegetation of the low lying area of land in the south eastern corner of the property adjoining Lapko Road;
- Design measures to regulate colours and materials and building bulk;
- Identification of building envelopes; and
- Use of split level construction to follow land contours.

A visual impact assessment and resultant measures would need to be prepared should rezoning of the property be supported by the Council.

Classification by the Draft LPS*Current Classification*

As previously outlined, the property is identified for 'Rural Small Holdings' within the draft LPS. Also related to the property is that South Coast Highway is identified as a

*'Regional Road'*. It is contended that the property would be more suitably identified as *'Rural Residential'* within the LPS.

The purpose of the *'Rural Small Holdings'* classification is to provide for lot sizes between 4 – 40ha which provides a lifestyle choice for those people wanting to undertake hobby farming pursuits. However, in the context of this property, we do not believe this is an appropriate classification, based on the following reasons:

- As is outlined above, no classification has been given as to the minimum lot size permissible on individual properties. It will likely be based on the discretion of the Shire of Denmark at the time of rezoning and/or subdivision;
- Should the property be developed with a minimum lot size of 4ha, it is unlikely that the best yield for the property would be achieved, given the characteristics of the land, being capable of development of house on the western portion, but more capable of agricultural uses on the eastern portion;
- The development of *'Rural Small Holdings'* is unlikely to achieve the highest and best use of the property;
- As previously mentioned, land contained between Mt Shadforth Road and South Coast Highway to the west of the Denmark townsite has been typically used for *'Special Residential'* and *'Special Rural'* zones. Whilst the draft LPS explains that the average density of *'Special Rural'* and *'Landscape Protection'* zones exceeds 4ha, in reality the minimum lot size is more commonly 2ha (as evidenced in *'Special Rural Area No.4 and No.21'*). The average lot size of Landscape Protection Zone No.1 is approximately 5ha, but this is due to the large area of remnant vegetation on the lot (building envelopes for this property are a minimum of 6000sqm);
- Land to the west of Denmark within the above identified corridor is mostly vegetated, and would be more appropriately identified for a zone that seeks to protect remnant vegetation (i.e. *'Special Rural'* or *'Landscape Protection'*), rather than a zone that seeks to promote agricultural land uses and clearing; and
- The use of the western portion of the property is unlikely to be suitable for intensive agricultural pursuits or grazing, given the issues with slope, erosion and soil stability. Whilst these uses can occur, it is unlikely they would occur at a scale or density that would be viable.

We believe that the *'Rural Small Holdings'* classification of the property does not suit the characteristics of the property, nor will confirm with the broader pattern of land uses that exists in this locality.

*Recommended Classification*

It is recommended that the property be identified for *'Rural Residential'* within the LPS. *'Rural Residential'* land uses are identified within the LPS as lifestyle lots typically between 1 – 4ha in area. The predominant purposes of these lots is to provide a

lifestyle choice for those residents wanting to live on the larger lots to take advantage of rich rural landscapes, and are particularly appealing due to the 'tree change' and 'sea change' phenomenon.

It is believed that 'Rural Residential' would be more appropriate for the property, as evidenced by the following:

- The nutrient management of the property could be more closely monitored by Council, through requirement of various land capability studies required for rezoning. This would likely reduce nutrient run-off and improve the Little River catchment;
- Environmental issues can be addressed as a result of 'Rural Residential' development. It is unlikely that these issues would be addressed cohesively if the land was to continue to be used for agricultural land uses (such as '*Rural Small Holdings*');
- Net re-vegetation of the property would occur, through screen planting and re-vegetation of degraded areas. This will prevent future development from detracting the landscape qualities of the areas and views from South Coast Highway;
- The development would re-instate the tree-lined nature of South Coast Highway on the eastern portion of the property (as it is included within *District Heritage Area No.44*). This has been removed by clearing of the property in the past;
- The property is located in close proximity to Denmark and is easily accessible, unlike other 'Rural Residential' areas that are developed to the west of the property, including McLeod Road and Mt Shadforth Road; and
- There is the potential for tourist-related uses to occur on the property, such as a restaurant or art gallery given the property's location close to Denmark and fronting South Coast Highway and attractiveness with views across the Little River Valley to Wilson Inlet.

*Definition of Rural Small Holdings*

One of the purposes for this submission is the lack of definition regarding '*Rural Small Holdings*' within the draft LPS. Whilst this land use is outlined on the maps, there is surprisingly little explanation as to the intent of future '*Rural Small Holdings*' land uses. This particularly relates to the size of proposed '*Rural Small Holdings*' lots, which can vary between 4 – 40ha.

It is believed that Council should identify its desired lot sizes for '*Rural Small Holdings*' areas within the draft LPS (as in previous versions), with lot sizes increasing based on distance from the Denmark townsite and land capability for agricultural land uses. This will ensure that Council has clarification should it be assessing rezoning and subdivision for '*Rural Small Holdings*' in the future.

Other Applicable Statutory and Strategic Documents

*WAPC State Planning Policies*

Applicable State Planning Policies are SPP1 *State Planning Framework Policy* and SPP2.5 *Agriculture and Rural Land Use Planning*.

The purpose of SPP1 is to bring together the State and regional policies that apply to land use and development in Western Australia and to establish the general principles for land use planning and development in WA. SPP1 states *“the primary aim of planning is to provide for the sustainable use and development of land”*. It goes on to quantify this through identifying and expanding upon the five key principles that further define this statement, being environment, community, economy, infrastructure and regional development.

The purpose of SPP2.5 is to outline basic policy regarding agricultural land use. It has four key objectives, being:

- Protect agricultural land resources wherever possible;
- Plan and provide for rural settlement;
- Minimise the potential for land use conflict; and
- Carefully manage natural resources.

The proposed ‘Rural Residential’ identification of the property meets all of the above requirements in the following manner:

- By allowing the continued use of the land for rural lifestyle pursuits and cottage industries, albeit at a small scale than what is currently occurring;
- By providing this in a location that is appropriately planned for this use, as was previously identified in the Shire of Denmark Rural Settlement Strategy;
- By using screening and revegetation to reduce land use conflict with nearby agricultural land uses; and
- Protecting natural resources, in particular the natural drainage lines.

Rezoning this property to ‘Rural Residential’ will be consistent with the objectives of SPP2.5 *Agriculture and Rural Land Use Planning*.

*WAPC Development Control Policy 3.4 – Subdivision of Rural Land*

*Development Control Policy 3.4 - Subdivision of Rural Land* provides limited guidance as to the development of rural-residential land uses. It states that:

*“It is WAPC policy that the subdivision of rural and agricultural land for closer settlement (Rural-Residential and Rural-Small Holdings) and more intensive agricultural uses should be properly planned through the preparation of regional and local planning strategies and provided for in local planning schemes prior to subdivision.”*



		<p>Future development of this property will be in accordance with both of these objectives, as follows:</p> <ul style="list-style-type: none"> <li>• The property was identified as being suitable for 'Special Rural' land uses in the Shire of Denmark Rural Settlement Strategy (1999). This is explained in further detail below; and</li> <li>• This submission seeks to identify a more appropriate category of development for the property, given the site constraints and conditions, prior to rezoning, subdivision and development.</li> </ul> <p>Future development of this property will be consistent with the objectives of WAPC Development Control Policy 3.4 – <i>Subdivision of Rural Land</i>. The proposal for this property represents planned and orderly development of the land.</p> <p><i>Shire of Denmark Rural Settlement Strategy</i> The Shire of Denmark Rural Settlement Strategy (Town Planning Scheme Policy No.29) sets out the key uses within specified catchments of the Shire of Denmark. Catchments are generally allocated to drainage catchments. This document has provided rural land use direction for the Shire of Denmark since 1999.</p> <p>The property lies in <i>Policy Area No.7 - Little River Catchment</i> of the Rural Settlement Strategy. This Policy Area outlines the following objectives in relation to the property:</p> <ul style="list-style-type: none"> <li>• To allow for appropriately designed special rural development on capable and suitable land;</li> <li>• To encourage land uses that create little or no nutrient discharge into Wilson Inlet;</li> <li>• To protect remnant vegetation along waterways and adjacent to wetlands;</li> <li>• To protect remnant vegetation on ridge lines overlooking Denmark and South Coast Highway;</li> <li>• To retain the rural character and landscape of the Little River valley floor; and</li> <li>• To retain the tree lined entries to Denmark and preclude ribbon development.</li> </ul> <p>Future development of this property will achieve the objectives of the above in the following ways:</p> <ul style="list-style-type: none"> <li>• The property is capable and suitable for 'Rural Residential' development given the close location to Denmark townsite and the elevated portions of the property that are capable of development;</li> <li>• Nutrient discharge from the property would be limited through careful design;</li> <li>• No remnant vegetation of the property would be cleared as a result of the proposed rezoning. Rather there will be a net increase in vegetation cover, with plans to revegetate property boundaries and steep slopes;</li> <li>• The proposed development will not likely impact the valley floor of the property, which will likely be retained for agricultural land uses to accompany the rural</li> </ul>	
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residential development; and

- The proposal does not intend to clear trees fronting South Coast Highway and will provide additional screening.

This submission seeks to protect and enhance the landscape qualities of the land, providing appropriately located 'Rural Residential' development consistent with the relevant State and Local Planning framework.

#### Proposed Land Uses

Should this submission on the draft LPS prove successful, the landowners wish for their property to be rezoned to '*Special Rural*' within Shire of Denmark TPS3. It will be subsequently subdivided and developed for lots sizes ranging from 2 – 4 ha, subject to detailed investigations being undertaken. Future development would incorporate the following principles:

- Clustering of development on capable portions of the property (most likely on the western portion of the property);
- Revegetation and screening to ensure that the development does not detract from the rural landscape of the locality;
- Creation of tourism/commercial sites in appropriate locations, particularly the areas that are more prominent when viewed from South Coast Highway;
- Appropriate nutrient management including revegetation of the low lying areas on the south eastern portion of the property;
- Retention of remnant vegetation; and
- Re-instatement of a tree-lined South Coast Highway verge, in accordance with *District Heritage Area No.44*.

Although not a definite proposal at this point in time, it is likely that 'Rural Residential' uses on the property would likely be concentrated on the elevated western portion of the land, whilst agricultural uses will continue on the low-lying eastern portion of the property. Suitable setbacks will be incorporated to ensure that future land uses on the property do not compromise surrounding agricultural land uses.

The landowner is considering lodging an application to rezone the property for 'Rural Residential' purposes. The landowner is seeking confirmation from the Council if they would entertain a proposal of this nature based upon the justification provided within this submission. If this justification is suffice for the proposed rezoning, the landowner would appreciate confirmation that an application for a rezoning could be lodged with the Council, together with an understanding of the necessary information required to assist the Council with your initial assessment of the proposed rezoning.

The landowner respectively requests that the entire property is identified as 'Rural Residential' within the LPS. The landowner also seeks further clarification on those

		<p>matters raised above by the Council.</p> <p><u>Conclusion</u></p> <p>It is understood that this document seeks to guide the strategic planning direction of the Shire of Denmark for the next 20 years. The purpose of this submission is as follows:</p> <ul style="list-style-type: none"> <li>• Re-iterate the previous submission and the landowners response to the modified draft LPS; To recommend that Lot 3 South Coast Highway, Shadforth is identified in its entirety for 'Rural Residential' and that the 'Rural Small Holdings' classification be removed from the property; and</li> <li>• Recommend that Council includes more specific 'Rural Small Holdings' definitions within the LPS to ensure future confusion about 'Rural Small Holdings' lot sizes are avoided.</li> </ul> <p>It is believed that the 'Rural Residential' classification of the property is suitable, as evidenced by the above account and the following:</p> <ul style="list-style-type: none"> <li>• The characteristics of the property lend to a 'Rural Residential' development on the elevated portions, whilst low-lying land is conserved for agricultural land uses;</li> <li>• The property is located close to Denmark townsite;</li> <li>• The property forms part of the natural western extension of lifestyle properties occurring between Mt Shadforth Road and South Coast Highway from the Denmark townsite; and</li> <li>• The development of 'Rural Small Holdings' will not take full advantage of the opportunities of the property.</li> </ul> <p>We would appreciate a response from you in relation to those matters raised above, particularly with respect to the options available to the landowner should they seek to lodge an application for rezoning the property for 'Rural Residential' purposes.</p> <p>It is respectfully requested that the recommendations of this submission relating to Lot 3 South Coast Highway, Shadforth are incorporated within the draft Denmark Local Planning Strategy. (NB: Site Plan, Zoning Context Plan, Photos, November 2008 Submission to Draft LPS attachments have been omitted – available to Councillor's upon request).</p>	
P179	<p>Ayton Baesjou Planning 11 Duke Street ALBANY WA 6330</p>	<p>Thank you for the opportunity to comment on the 2011 Draft Denmark Local Planning Strategy.</p> <p>Denmark is very distinct from the majority of rural Western Australia. The unique characteristics of Denmark, and the Great Southern, need to be recognised in its LPS. Land uses in the region are varied and complex. Denmark has a rich and diverse history of timber production, agriculture, horticultural pursuits, and tourism. It has a very high proportion of holiday homes, it is a popular retirement destination and supports a significant number of lifestyle lots and rural retreats. Rural land uses are wide-ranging</p>	<ul style="list-style-type: none"> <li>• Noted - refer to comments provided against the Department of Food and Agriculture WA submission (Submission G11) in this regard.</li> <li>• Noted – refer to comments provided against the Department of Food and Agriculture WA submission (Submission G11) in this regard.</li> <li>• Noted – in its submission on the draft Statement of Planning Policy 2.5 and Development Control Policy 3.4, Council noted that Section 5.4a) of Development Control</li> </ul>

	<p>and multifaceted. The area has a long history of diversification in agriculture, horticultural pursuits and lifestyle lots.</p> <p>The DLPS does not give adequate recognition to the uniquely local characteristics of Denmark.</p> <p><u>Diversity of Rural Land Uses</u></p> <p>In addition to conventional agricultural pursuits (namely beef, livestock and dairy) rural properties along the south coast produce vegetables, berries, flowers, confectionary, specialised dairy products, essential oils and wine grapes (worth in excess of \$25 million annually). Small scale tourist related businesses, including galleries, retail outlets and accommodation are interspersed through the rural zone. The area has spawned many intensive and emerging primary production land uses; the majority of these are on lots which are less than 100ha in size. It is inappropriate and overly limiting to categorise these micro and boutique rural-based enterprises as “General Agriculture”. Many rural enterprises comprise multiple land-holdings, most often supplemented by off-farm income. There are many small scale primary producers; most are family based rural enterprises often supplemented by off-farm income.</p> <p>More sophisticated and accurate definitions for rural land uses are warranted to take account of the variety of rural uses and the range of rural related enterprises.</p> <p>Denmark has a clean and green reputation; many properties contain extensive areas of remnant vegetation. The generic definitions and land use categories set out in the Model Scheme Text, State Policies and thereby the draft DLPS fail to recognise the local circumstances and particular characteristics of Denmark.</p> <p>Denmark supports a diverse mix of rural, semi-rural and tourist enterprises, as well as lifestyle lots. The high landscape amenity value contributes to Denmark’s attractiveness in terms of both lifestyle and tourism. A variety of micro businesses including specialised food production and tourism enterprises are interspersed throughout the Shire.</p> <p>There is a clearly demonstrated demand in Denmark for lifestyle type lots across a range of sizes. The current draft DLPS recognises that these “provide an appealing alternate lifestyle choice ... provide a resident base close to town” and are “a legitimate form of lifestyle living”.</p> <p>Given the existing lot sizes, and the extent of bushland on some freehold lots and the Crown Reserves in this vicinity, the DLPS should give greater recognition to existing rural retreats and lifestyle lots.</p> <p>The Planning Vision should acknowledge and reflect the rich diversity of this locality; it</p>	<p>Policy 3.4 should provide the ability to create homestead lots in all agricultural areas and not just the Wheatbelt Agricultural Policy area on the basis that homestead lots:</p> <ul style="list-style-type: none"> <li>○ Are a recognized form of rural living subdivision;</li> <li>○ Do not fragment rural land;</li> <li>○ Do not result in a loss of rural character;</li> <li>○ Provide the opportunity for farmers to retain an association with the land should they desire to do so; and</li> <li>○ Support the population base for the agricultural collector district population.</li> </ul>
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should be tailored to Denmark. Unfortunately the generic definitions and standardisation of General Agriculture, Rural Small Holdings and Rural Residential zones and land uses will only serve to homogenise this unique area. Denmark is special; accordingly the definitions and planning categories set out in its Strategy should reinforce and protect the local character and attributes.

Application of state-wide Policies fails to allow for local circumstances

#### Minimum/Prevailing Lot Size

Many of the existing rural lots within the Shire of Denmark are already below 100ha. Subdivision and/or boundary adjustments may be justified and should not be unnecessarily constrained by an arbitrary and irrelevant Policy criterion. The introduction of 100ha min lot size through reliance on existing and/or draft Policy is not appropriate [e.g. draft Policy DC 3.4 Part 4.3 Prevailing lot sizes and 5.4(i) balance of lot]. Subdivision/boundary adjustments may be warranted for farm rationalisation, for intensive and emerging primary production land uses and/or landscape protection.

The Shire recently resolved to endorse the submission on the review of draft State Rural Policies, including

- the reference to new broadacre farming lots required to be greater than 100ha in size is presumptuous that the prevailing lot sizes are greater than 100ha, thus it is considered that the minimum 100ha requirement should be removed; and
- the reference that the balance lot needs to be greater than 100ha should be removed as there is an implication that only lots of this size are suitable for rural land use activities to occur.

This position should be clearly set out in the Denmark Local Planning Strategy. To avoid any confusion or over-riding of the Local Authority in the future, the DLPS should state a minimum lot size, or set out local performance criteria. It should recognise and respect local circumstances, especially the diversity in lot sizes, the variety of rural land uses, the benefits of biodiversity and landscape amenity and the significance of food production.

#### No Substantiation of Agricultural Priority Areas

The 1999 Rural Settlement Strategy and previous drafts of the Local Planning Strategy were based on comprehensive and detailed capability and soils mapping, slope analysis and vegetation assessment etc. The rural planning Units were catchment based.

There is no such mapping or detail evident in the 2011 draft and there does not appear to have been any subsequent review or update for the preparation of this latest draft. There is no obvious basis (scientific or otherwise) for the designation of High Quality and General Agriculture areas shown on Plans 2 and 3 of the 2011 draft DLPS.

The Lower Great Southern Strategy (LGSS) contains the most recently published data in regard to identification of Agricultural Land of State and Regional Significance. Fig 19 of the LGSS is referenced in the 2011 draft DLPS however there is no correlation with the Agriculture Areas (High Quality and General) shown on Plan 2 and 3.

#### Sustainable Food Production and Areas of Local Agricultural Significance

As set out in the LGSS, the Local Strategy is required to identify land of State, regional and local significance. There is no evidence that any land of local significance has been identified in the DLPS. No rationale has been provided for the designation of High and General Agriculture Areas. Furthermore, the local farming community has not been consulted on this matter.

The previously advertised draft Strategy identified areas ‘Class A1 and A2 horticultural capability’. The current DLPS should be refined to incorporate areas of local agricultural significance (in response to capability, site characteristics, local circumstances and local community expectations. More particularly the DLPS should be modified to support and promote sustainable agriculture over the long term.

As advocated in the Lower Great Southern Strategy (LGSS), subdivision for intensive agriculture is appropriate in some circumstances, particularly where adequate water supplies are available. The DLPS should provide scope for subdivision of rural land in certain circumstances.

#### Intensive and Emerging Primary Production

The WAPC Lower Great Southern Strategy advocates subdivision for more intensive production. Part 3.5.2 sets out that when preparing schemes and strategies local governments should consider opportunities for diversification and further subdivision. The Agriculture, Forestry and fishing industry employ more people than any other single category (272 persons out of total workforce of 1932 in 2006) and this should be recognised and accommodated in the Policies and Strategies applicable to Denmark. Depending on soil type, availability of water and management sustainable and viable agricultural uses, especially food production can be undertaken on lot ranging from 4 to 100ha. Productive rural uses are interspersed with lifestyle lots and Bush Blocks /as rural retreats.

The DLPS should be modified to include definitions, zonings and planning categories for rural land uses and specific to Denmark.

#### Homestead Lots Should be Permitted in the Shire of Denmark

The DLPS should specify that Homestead Lots will be supported in the Shire of Denmark. Notwithstanding that the current State Policy does not allow for the creation of Homestead Lots in Denmark because it is not identified as being within the Wheatbelt Area, there is no logical basis for precluding Homestead Lots in the Shire of Denmark. Denmark is bounded to the north and east by the Shire of Plantagenet (Area

66) and the City of Albany (Area 67), in which Homestead Lots may be considered by WAPC.

This position is supported by Council (refer item 8.1.4 May 2011) whereby it is endorsed the view that Homestead Lots should be allowed in all agricultural areas on the basis that Homestead Lots:

- are a recognised form of rural living subdivision;
- do not fragment rural land;
- do not result in loss of rural character;
- provide the opportunity for a farmer to retain an association with the land should they desire to do so; and
- support the population base for the agricultural collector district population.

It is important that this position, in support of Homestead Lots, is clearly set out in the DLPS.

#### Sustainability and Biodiversity

The DLPS should give greater emphasis to achievement of sustainability and ecological objectives across the range of Natural Resource Management elements, including incentives for rural subdivision. Landscape scale benefits including creation of macro-corridors, revegetation programs, watercourse protection, improved water quality, nutrient management, erosion control and visual amenity should be recognised and valued.

Implementation of State Sustainability objectives should be more closely integrated in rural land use policies by specifically allowing subdivision as a reward/incentive for responsible land management.

The preparation of a Local Strategy serves as an opportunity to reward responsible land managers, who have protected remnant vegetation, assisted in improving water quality and preserved rural and natural landscapes for the benefit of the wider community. It is clearly recognised that preservation of riparian vegetation, stock exclusion through fencing of water courses, revegetation programs and other landcare initiatives undertaken in Denmark are having a positive outcome. The benefits include:

- Reducing nutrification of the waterways and eutrophication of the Wilson and Irwin Inlets;
- Sustainable agriculture and improvement of productivity; and
- Maintaining biodiversity and conserving our natural environment.

The associated challenges and responsibilities include weed and vermin control and fire management. It has been clearly demonstrated that State and Local authorities do not have sufficient resources to manage all foreshore areas, creeklines and bushland. As recognised in the Lower Great Southern Strategy, protection of biodiversity values can be achieved through alternative mechanisms to the 'Conservation Estate'. Often the

		<p>best solution is for bushland to remain in private ownership where management responsibility, particularly that of vermin control and fire safety can be coordinated and shared at grass-roots level by those living on-site.</p> <p>Implementation of Sustainability objectives should be better integrated in rural land use policies and in this instance the DLPS.</p> <p><u>Conclusion</u></p> <p>The existing lot sizes and diverse mix of landuses in Denmark already sit outside the definitions and criteria proposed by the draft DLPS. More particularly, the application and implementation of elements of the Strategy, especially where it relies on generic definitions and Policies will be cumbersome and problematic for landowners and not in the community's best interest.</p> <p>Rural land uses and development issues in Denmark differ significantly to those on the periphery of the metropolitan area and the central wheat-belt. The DLPS should give greater account of local variations and the diversity of rural lot sizes and land uses. General, Agriculture, Rural Small Holdings, Rural Residential and Landscape Protection/Rural Conservation definitions specific to Denmark are warranted and should be clearly set out in the local Strategy.</p> <p>Greater emphasis should be placed on rewarding responsible land management. Achieving conservation, biodiversity and/or sustainability objectives should be considered as incentive for rural subdivision. The draft Strategy should be broadened to give greater opportunity for subdivisions which satisfy conservation objectives, especially the protection of remnant vegetation and improved water quality.</p> <p>There is no evidence of an adequate supply of suitably sized and located lots to cater for intensive primary production. As advocated in the Lower Great Southern Strategy (LGSS), subdivision for intensive agriculture is appropriate in some circumstances, particularly where adequate water supplies are available. This is the case on the South Coast and it should be reflected in the DLPS.</p> <p>The 100ha minimum lot size proposed by draft State Policy reviews is not appropriate for Denmark. The DLPS needs to clearly set out the Shire's position in support of general Agricultural Lots below 100ha, as well as support for Homestead Lots.</p> <p>The DLPS needs to be more strategic, and more responsive to local characteristics. This is a Local planning instrument: it should be modified so it is better tailored to Denmark.</p>	
P180	Ayton Baesjou Planning 11 Duke Street ALBANY WA 6330	The following submission in response to the 2011 Draft Denmark Local Planning Strategy, is lodged on behalf of the owners of lots 6720, 6722, 6723, 6724 and 6725 South Coast Highway and Sunny Glen Road, Hay.	<ul style="list-style-type: none"> <li>• Noted - refer to comments provided against the Department of Food and Agriculture WA submission (Submission G11) in this regard.</li> <li>• Noted – in its submission on the draft Statement of</li> </ul>



	<p>The subject land is located at the east of the Shire of Denmark within the Hay catchment – refer attached locality Plan.</p> <p>This area is identified as “General Agriculture” on Plan 3 of the 2011 draft DLPS. This is overly simplistic and does not recognise the unique and varied characteristics of the locality.</p> <p>The area has a long history of diversification in agriculture, horticultural pursuits and rural living. Rural land uses are varied and complex; many rural enterprises comprise multiple land-holdings, most often supplemented by off-farm income. In addition to conventional agricultural pursuits (esp. beef, livestock and dairy), the south coast produces vegetables, berries, flowers, equine and other studs, specialist dairy and products, essential oils and wine grapes (worth in excess of \$25 million annually) and supports many successful, highly innovative, rural initiatives. Properties in Sunny Glen Road support a mix of intensive and extensive rural pursuits, plantations, basic raw materials extraction and lifestyle lots. Considerable areas of bushland also occur both on freehold land and Crown Reserves in the vicinity.</p> <p>The existing lot sizes and diverse mix of landuses in the Sunny Glen Road locality sit outside the definitions and criteria proposed by the DLPS, especially where the draft Strategy relies on State Policies (existing and draft).</p> <p><u>Strategy and Definitions Need to be Tailored to Suit Denmark</u></p> <p>Application of state-wide Policies fails to allow for local circumstances. Denmark is quite distinct from the majority of rural Western Australia. The particular characteristics and attributes of Denmark and the Great Southern need to be better recognised in the DLPS. The Local Strategy is the opportunity to distinguish Denmark from the rest of the State and to set out a planning framework and vision that respond to local circumstances and reflect the intentions of the local community. The 2011 draft DLPS does not achieve this.</p> <p>A more sophisticated set of definitions and zoning categories for rural and semi-rural land is warranted in Denmark.</p> <p><u>Subdivision for Intensive Agriculture</u></p> <p>The WAPC’s Lower Great Southern Strategy advocates subdivision for more intensive production. Part 3.5.2 sets out that when preparing schemes and strategies local governments should consider opportunities for diversification and further subdivision. The Agriculture, Forestry and fishing industry employ more people than any other category (272 persons out of total workforce of 1932 in 2006) and this should be recognised and accommodated in the Policies and Strategies applicable to Denmark. Depending on soil type, availability of water and management sustainable and viable agricultural uses, especially food production can be undertaken on lot sizes as small as</p>	<p>Planning Policy 2.5 and Development Control Policy 3.4, Council noted that Section 5.4a) of Development Control Policy 3.4 should provide the ability to create homestead lots in all agricultural areas and not just the Wheatbelt Agricultural Policy area on the basis that homestead lots:</p> <ul style="list-style-type: none"> <li>○ Are a recognized form of rural living subdivision;</li> <li>○ Do not fragment rural land;</li> <li>○ Do not result in a loss of rural character;</li> <li>○ Provide the opportunity for farmers to retain an association with the land should they desire to do so; and</li> <li>○ Support the population base for the agricultural collector district population.</li> </ul> <ul style="list-style-type: none"> <li>● Noted – Shire does not support inclusion of minimum lot sizes either as it is presumptuous that the prevailing lot sizes are greater than the stated minimum lot size and there is an implication that only lots of such size are suitable for rural landuse activities to occur.</li> <li>● Noted – conservation lots are provided for in current and draft Statement of Planning Policy 2.5 and Development Control Policy 3.4.</li> </ul>
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4ha. Small scale and part-time farmers make a significant contribution to the local, regional and State economy. The locality supports a diverse mix of rural based enterprises; many and are traditionally supplemented by off-farm income.

The DLPS needs to pay greater attention to the diverse range of lot sizes and land uses that exist in rural areas across the Shire. Simplistic categories based generic definitions and lot size, rather than local circumstances fail to respect the characteristics of Denmark.

#### Questionable Basis for Designation of Agricultural Priority Areas

The 1999 Rural Settlement Strategy and previous drafts of the Local Planning Strategy were based on comprehensive and detailed capability and soils mapping, slope analysis and vegetation assessment etc.

There is no such mapping or detail evident in the 2011 draft and there does not appear to have been any subsequent review or update for the preparation of this latest draft. There is no obvious basis (scientific or otherwise) for the designation of High Quality and General Agriculture areas shown on Plans 2 and 3 of the 2011 draft DLPS.

The Lower Great Southern Strategy (LGSS) contains the most recently published data in regard to identification of Agricultural Land of State and Regional Significance. Fig 19 of the LGSS is referenced in the 2011 draft DLPS however there is no correlation with the Agriculture Areas (High Quality and General) shown on Plan 3.

#### Areas of Local Agricultural Significance Are Not Identified

As set out in the LGSS, the Local Strategy is required to identify land of State, regional and local significance. There is no evidence that any land of local significance has been identified in the DLPS. No rationale has been provided for the designation of High and General Agriculture Areas. Furthermore, the local farming community has not been consulted on this matter.

Plan 1 of the previously advertised draft Strategy identified portions of the subject land as 'Class A1 and A2 horticultural capability'. (See attached extract). As advocated in the Lower Great Southern Strategy (LGSS), subdivision for intensive agriculture is appropriate in some circumstances, particularly where adequate water supplies are available. This is the case along Sunny Glen Road. The DLPS should provide scope for subdivision/boundary rationalisation in this area.

#### Minimum/Prevailing Lot Size

Many of the existing rural lots within the Shire of Denmark are already below 100ha. Lots adjoining this section of the Hay River generally range in size from 60 to 160ha. Subdivision may be justified and should not be unnecessarily constrained by an arbitrary and irrelevant Policy criterion. The introduction of 100ha min lot size through reliance on existing and/or draft Policy is not appropriate [e.g. *draft Policy DC 3.4 Part*

4.3 Prevailing lot sizes and 5.4(i) balance of lot]. Subdivision/boundary adjustments may be warranted for farm rationalisation, for intensive and emerging primary production land uses and/or landscape protection.

In March 2011 the Shire resolved to endorse the submission on the review of draft State Rural Policies, including:

*“the reference to new broadacre farming lots required to be greater than 100ha in size is presumptuous that the prevailing lot sizes are greater than 100ha, thus it is considered that the minimum 100ha requirement should be removed.”; and*

*“the reference that the balance lot needs to be greater than 100ha should be removed as there is an implication that only lots of this size are suitable for rural land use activities to occur.”*

This position should be clearly set out in the Denmark Local Planning Strategy. To avoid any confusion or over-riding of the Local Authority in the further, the DLPS should state a minimum lot size, or set out local performance criteria.

#### Homestead Lots Should Be Allowed in the Shire of Denmark

The DLPS should specify that Homestead Lots will be supported in the Shire of Denmark. Notwithstanding that the current State Policy does not allow for the creation of Homestead Lots in Denmark because it is not identified as being within the Wheatbelt Area, there is no logical basis for precluding Homestead Lots in the Shire of Denmark. Denmark is bounded to the north and east by the Shire of Plantagenet (Area 66) and the City of Albany (Area 67), in which Homestead Lots may be considered by WAPC.

This position is supported by Council (refer item 8.1.4 May 2011) whereby it is endorsed the view that Homestead Lots should be allowed in all agricultural areas on the basis that Homestead Lots:

- are a recognised form of rural living subdivision;
- do not fragment rural land;
- do not result in loss of rural character;
- provide the opportunity for a farmer to retain an association with the land should they desire to do so; and
- support the population base for the agricultural collector district population.

It is imperative that this position, in support of Homestead Lots, is clearly set out in the DLPS.

#### Biodiversity and Landscape Protection

Plan 1 of the previously advertised draft Strategy shows a significant portion of the

		<p>freehold land and 'High Conservation and Aesthetic Value'. Achieving conservation, biodiversity and/or sustainability objectives should be considered as incentive for rural subdivision. Responsible rural land managers should be rewarded for Landcare initiatives. In particular there should be a variety of mechanisms to encourage ongoing protection and improvement of water quality in streams, rivers and particularly Wilson Inlet. Bushland does contribute to landscape amenity; this is valued by the community; there should be a corresponding benefit to landowners. The draft DLPS should be broadened to give greater opportunity for subdivisions/boundary rationalisations which satisfy biodiversity and conservation objectives, especially the protection of remnant vegetation. There is a place for landscape or rural conservation zones in Denmark.</p> <p>Greater emphasis should be placed on achieving sustainability and ecological objectives across the range of Natural Resource Management elements as incentives for rural subdivision. Landscape scale benefits including creation of macro-corridors, revegetation programs, watercourse protection, improved water quality, nutrient management, erosion control and visual amenity should be recognised and valued. Implementation of State Sustainability objectives should be more closely integrated in rural land use policies by specifically allowing subdivision as a reward/incentive for responsible land management.</p> <p><u>Conclusion</u> This submission seeks the following modifications to the DLPS:</p> <ul style="list-style-type: none"> <li>• Substantiation for the identification of High Priority and General Agriculture areas shown on Plan 2 and 3</li> <li>• Greater recognition of the diversity of rural land uses (including lot sizes) throughout the Shire</li> <li>• Introduction of Definitions that are tailored to Denmark</li> <li>• Retention of Landscape Protection (or similar) to accommodate bush retreats and vegetation conservation lots within rural areas.</li> <li>• Clear statements that rural Lots below 100ha are appropriate and will be supported.</li> <li>• Inclusion of statements that recognise and support the creation of Homestead lots within the Shire.</li> </ul> <p><i>(NB: Location Plans, Extract from 2005 DLPS Plan, and Aerial Photo attachments have been omitted – available to Councillor's upon request).</i></p>	
P181	Ayton Baesjou Planning 11 Duke Street ALBANY WA 6330	<p>Following invitation by the public advertising of the Local Planning Strategy, on behalf of the landowner of Lot 23 East River Road Denmark we lodge these comments.</p> <p><u>Background</u> Lot 23 is currently zoned Special Rural and is within Special Rural Area No. 12.</p> <p>A Subdivision Guide Plan applies to Lot 23 depicting some 6 lots of approx. 3ha from the</p>	<ul style="list-style-type: none"> <li>• Lot 23 has the capability of being further subdivided into 6 properties under the approved SGP for the area – noting 2 properties would have direct access off East River Road.</li> </ul> <p>A scheme amendment request for Lot 2 East River Road was supported by Council in January 2008 (Council Resolution: 090108). In considering this proposal, Council</p>

	<p>parent landholding. Lot 23 is the balance of title from the subdivision and creation Tully Road and the lots fronting that road. The subdivision of Lot 23 created and constructed Tully Road, upgraded local services and fire facilities and provided a substantial financial (cash) contribution to Council for the upgrading of East River Road (anecdotally this is still yet to occur).</p> <p><u>Planning</u> Following Council consideration of the submission (SAR) on adjoining Lot 2 and at the invitation of Council, Lot 23 has joined in the planning for Lot 2 – matching and joining as necessary the two development lots.</p> <p>This has involved an extensive site assessment and land capability analysis, mapping of constraints and involved with a meeting with the Manager of Planning at the Shire in May last year.</p> <p>The outcome of this meeting was that there was an accepted and identifiable potential for alternate and more responsive subdivision of Lot 23 with some additional yield( discussion was ~8 lots in total), subject to capability, fire separation, vegetation protection and other conventional requirements as well as following the amendment process to amend the Subdivision Guide Plan and relevant special provisions including the linking of Lot 23 &amp; 2 either by battleaxe legs, fire breaks or a road if necessary.</p> <p>With the above established, some months were consumed liaising with Council and reviewing original subdivision correspondence to establish the terms of a fresh contribution to the upgrading of East River Road. The terms of this needed to be established not only with council but also to identify how this could be equitably attended to between the two adjoining landowners.</p> <p>This dealing was finalised in May 2011 and correspondence to this effect was forwarded to confirm. The next step agreed from the May 2010 meeting was to scope out the preferred layout option and the requirements for the amendment documentation required for Lot 23 (and for Lot 2 as a separate process). However, the LPS has intervened and, following review, has necessitated this submission.</p> <p>Local Planning Strategy: With regard to the Background and Analysis section the following comments are made -</p> <ol style="list-style-type: none"> <li>i. Commend referencing SPP 2.5 and committing to identifying zones and areas for Rural Residential and Rural Small Holdings development. An issue arises when you refer to the plan with those commitments in mind. A very small area (with potentially very few lots) is identified in only one main location. This is a weakness as not only is very marginal expansion catered for, all the development “eggs are in the one basket”, ie; if intractable problems arise in this area as can happen, no lots may be available at all.</li> </ol>	<p>resolved that the scheme amendment should include the adjoining rural land and special rural zoned land (which is the land the subject of this submission).</p> <ul style="list-style-type: none"> <li>• Planning Services are proposing a modification for the designation of land contained within Special Rural No. 12 from ‘Rural Smallholdings’ to ‘Rural Residential’ as this has been identified as a mapping error.</li> <li>• Noted – refer comments and associated recommendations provided in the Officer’s Report titled <i>General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations</i>.</li> <li>• Draft LPS references replace Landscape Protection Zone with appropriate rural residential or rural smallholdings zone as objectives of landscape protection can be achieved with these zonings; not remove entirely as such.</li> <li>• Refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Current references in Implementation Points 7 &amp; 8 are generally correct, noting some minor modifications to be undertaken to Point 7 but not related to the issue referenced in this submission.</li> </ul>
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|  |  | <p>ii. It is noted in the Strategic Plan that the long term vision is to reinforce existing character and lifestyle opportunities. Rural Residential, Rural Small Holdings and Landscape Protection development and the lifestyles these provide is intrinsically Denmark and as a result a healthy and ongoing provision should be made.</p> <p>iii. Reference is made to a number of SARs and existing planning projects. Although it doesn't need to be outlined in the text, the ongoing work for this lot and adjoining Lot 2 is clearly an existing planning project.</p> <p>iv. The lot supply and future lot provision calculations are simplistic. It appears as if these calculations boil down to simply dividing population by persons per dwelling. There is no analysis of the vagaries and complications in the land supply system that ensure that multiples of this simple lot supply calculation need to be available at each step of the approvals process so that the number of lots actually required will be available at the appropriate time.</p> <p>Servicing, marketing, lot choice, ownership, financing, business and personal situations, taxation issues and other issues combine through the lengthy approvals process to complicate lot creation and ensure that even though there may be many times the annual lot take-up identified in a strategy just enough is available for average demand.</p> <p>v. Reference is made to Urban Residential, Special Residential and Rural Residential expansion areas around the Denmark Townsite however, as noted above, a review of the plan shows little Rural Residential (RSH?) other than the dangerous single concentration west of town.</p> <p>vi. Reference is made to a number of Rural Residential lots becoming available from "other minor areas". As Lot 23 represents infill and Lot 2 represents a minor and logical rounding out of an existing area, the landowner requires confirmation that this reference refers to this land and project.</p> <p>vii. The use of the Rural Residential classification (ostensibly proposed for rural retreat lots in the range of 1ha to 4ha) to replace Special Rural lots with a retreat function (as opposed to a productive rural use) is straight forward and may be supported. The same could be said for the Rural Small Holding classification proposed for lots with a residential use and also a supporting rural use.</p> <p>The Lot 2 &amp; 23 area clearly and simply meets the rural residential classification as existing and future lots will be retreat in primary function within the general size band, with no rural activity being possible.</p> <p>viii. On Page 100 it is noted that the text uses "shall provide" in referencing numerous studies and analysis'. The policy approach of the respective agencies (ie, DOW for UWMPs) do not make the provision of these studies mandatory but rather the need is assessed on a proposal by proposal basis. This section therefore needs to be amended accordingly.</p> <p>ix. Although not particularly relevant to Lot 23, but more generally and to enhance the character of Denmark, the arguments used to kill off the Landscape Protection</p> |  |
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zone do not stand scrutiny. Landscape Protection zones have worked and will continue to work where there is landowner/developer support (rather than imposition), and these developments could continue to work to provide for unique/different lifestyles and landscape protection on any number of lots in the Shire.

If the argument propounded is to be answered it is simply the clustering of development and site activities in areas of existing clearing showing appropriate capability and suitability. In addition, new technology and approaches are providing innovative answers to servicing requirements.

- x. The bypass road text reads as if it is a fait accompli. There is insufficient background and analysis and thus cannot be supported as presented.

Prudent and proper planning would not be identifying an alignment within a LPS until a study was completed, reviewed and finalised which identified the need and function of such a road. The next step would be to scope a number of alternative alignments to fulfil that need leading to a preferred alignment and ball park costs. Only at this stage would the LPS identify the preferred alignment in the manner shown and only then would potential policies for acquisition/protection and cost contribution be canvassed. None of these studies or background is presented and as a result the LPS appears to assume need, directs alignment with no consideration of any alternatives and imposes it without justification. At the current time and on the scant information provided, there is no identified/significant need, no identified significant traffic imperative, no consideration of alternatives or the very likely huge costs to Council, the State and the Community for things like acquisition and construction.

- xi. With regards the Opportunities and Constraints noted on page 100, for Lot 23, the proposal can build on all noted opportunities and either the nominated constraints do not apply or can be easily and conventionally managed by existing processes and approaches.

Local Planning Strategy: With regard to the Local Planning Strategy section the following comments are made -

- i. The proposal will comply with the General Objectives especially Landuse & Planning and Environmental Protection. It complies with Strategies 4.1e (future residential), 4.7b, e, f, o & p (natural resources management) and well as Implementation Points 4, 5, 19, 22 & 24. It complies with Strategies 4.9a, b (by virtue of previous council and officer decisions), c and d as well as Implementation Points 1, 2, 4, 5 & 9.
- ii. With regards 4.9b, it needs to be noted that the background and setup of the Lot 23 project as been undertaken hand in hand with council and on this basis Lot 23 appears to be one of the areas referred to indirectly in the Strategy.
- iii. With regards 4.9 Implementation Point 3 and Lot 23, as well as many other

existing Special Rural zonings around the Shire accommodating rural/bush retreat lots of 1-4ha in size, if reclassified as the LPS proposes, the appropriate replacement zone is clearly the Rural Residential classification as opposed to the Rural Small Holding classification. For example, the MST categorises Rural-Residential as *“This zone applies to rural-residential developments where the predominant use is for residential in a rural setting”* & Rural Small Holdings as *“This zone is for rural lots used for residential purposes in conjunction with a rural pursuit such as hobby farming or keeping animals”*.

On this basis the mapping appears incorrect noting Lot 23 as Rural Small Holding and Lot 2 as Gen Agriculture. This is a fundamental error in the mapping that needs to be rectified.

- iv. As also mentioned above, Landscape Protection developments are and can be compatible with Planning for Fire requirements. The simplistic and flimsy arguments presented are not a justification for disbanding this zoning or removing this form of development from council consideration or from lots that may be presented, subject to site specific study and assessment that can achieve Landscape Protection aims and provide a lifestyle unique to Denmark.
- v. The notes included in this section regarding the bypass road do not provide sufficient justification for the proposal. It appears as if the process connected with this road appearing on the LPS is flawed. Best practice would be a public process as outlined in the previous section.
- vi. With regards Page 19 Implementation; this section seems to intimate that a Local Structure Plan is required for all areas following zoning and prior to subdivision. While a LSP may be necessary in complex projects with numerous landowners and/or serious servicing/staging requirements (where these issues are not attended to within the rezoning itself) the additional step of a LSP is defiantly not required for the vast majority of Rural Residential or Rural Small Holding proposals.  
As a result this section should be reworded.
- vii. Also on Page 19 and relating to the bypass road, even if a robust and defensible analysis justifies its provision, significant Council funding will be required. Commitment from the State is not known and any contributions to the road from future development is likely to be minor (as it will only represent the minor potential use of the road by the lots created while council would be responsible for funding the proportion of equivalent costs emanating from existing road users from within and without the shire).

Any significant development contribution requirement would likely be challenged at the time of subdivision which could significantly discount funding certainty.

Finally as contributions could only be sought at subdivision, funding from this



source will be piecemeal and spread out over the long term. Some critical assessment of these significant funding issues would be prudent if such a commitment is being made to the road.

- viii. Regarding the five year review discussion, it is worth noting that most planning strategies and schemes also have this review clause and that it is most often never achieved.
- ix. Points 54 & 55 on Page 24 refer to a “Local Structure Planning Scheme”. This makes no sense. Unless yet another planning document has been invented it should possibly read “Local Planning Scheme”?
- x. As per our point iii. above, Points 83 & 85 on page 26 refer to the incorrectly depicted Rural Small Holding shading on the plans. The definition of Rural Residential (even disregarding the lot size similarity) best matched existing lots use and future development.
- xi. The proposal for Lot 23 is fully compliant with the SAR process outlined in Point 84. In fact the whole reason Lot 23 is involved is due to council’s determination on the Lot 2 SAR. In addition the proposals have been through a scoping process with senior council officers.

#### Conclusion

It is recognised that the planning for Lot 23 has been ongoing for some time. Progress has been made with regards land capability and site assessment, council & officer agreement to design approach and base line development requirements as well as the terms of the future road upgrading contribution.

The advertising of the LPS has come just at the time the project was moving to the next formal step and has required this work be put aside so the strategy can be reviewed and this comment made.

In conclusion, this version of the LPS, although discussing the unique character of Denmark and professing to seek to maintain and enhance that while providing for development and townscape improvement is a backward step in many ways from previously advertised versions.

This is particularly apparent in terms of:

- Confused and flimsy arguments against the Landscape Protection Zone.
- Simplistic analysis of lot requirements.
- Strict adherence to state policy which will likely compromise the unique character of Denmark.
- Conflict between the text and the plan (not the least of which is the text discussing Rural Residential while the mapping depicts Rural Small Holdings, previous commitment to the Lot 23 & 2 proposal, discussion in the text and this not being shown on the map).
- The text discussing general landuse classifications while the map presents as a

		<p>zoning plan.</p> <ul style="list-style-type: none"> <li>- Identifying a bypass road alignment prior to formal studies outlining need, function and analysing alternate alignments or the like.</li> </ul> <p>(NB: Location Plan and Land Capability attachments have been omitted – available to Councillor’s upon request).</p>	
P182	<p>Ayton Baesjou Planning 11 Duke Street ALBANY WA 6330</p>	<p>Following invitation by the public advertising of the Local Planning Strategy, on behalf of the landowner of Lot 2 East River Road Denmark we lodge these comments.</p> <p><u>Background</u> Lot 2 is currently zoned Rural and adjoins Special Rural Area No. 12.</p> <p>Council endorsed a SAR for future Special Rural subdivision and development subject to a number of issues in 2008. The most significant issues to be addressed was for a Land Capability and Site Assessment as well as integrating proposals for Lot 2 in with that on the adjoining zone.</p> <p><u>Planning</u> Following Council consideration of the submission (SAR) and at the invitation of Council, Lot 23 has joined in the planning for Lot 2 – matching and joining as necessary the two development lots.</p> <p>This has involved an extensive site assessment and land capability analysis, mapping of constraints and involved with a meeting with the Manager of Planning at the Shire in May last year.</p> <p>The outcome of this meeting was that there was an accepted and identifiable potential for the subdivision of Lot 2, subject to capability, fire separation, vegetation protection and other conventional requirements as well as following the amendment process to zone the land and incorporate a Subdivision Guide Plan and relevant special provisions including the linking of Lot 23 &amp; 2 either by battleaxe legs, fire breaks or a road if necessary.</p> <p>Also agreed was:</p> <ul style="list-style-type: none"> <li>- The potential for a variety of lot sizes responsive to landform, vegetation, attractive and suitable house sites.</li> <li>- A minimum lot size of 1ha with an average significantly above that (possibly 1.5-2ha).</li> </ul> <p>With the above established, some months were consumed liaising with Council and reviewing original subdivision correspondence to establish the terms of a fresh contribution to the upgrading of East River Road. The terms of this needed to be established not only with council but also to identify how this could be equitably</p>	<ul style="list-style-type: none"> <li>• A scheme amendment request for Lot 2 East River Road was supported by Council in January 2008 (Council Resolution: 090108) – noting however no layout plan was considered so the number of lots proposed at this stage are unknown although it is understood lot sizes being sought are in the order of 1ha and that this may also extend to development on the adjoining Lot 23 (refer references in Submission P181).</li> <li>• In considering this proposal, Council resolved that the scheme amendment should include the adjoining rural land (lots 5 &amp; 6 East River Road) and special rural zoned land (which is the land the subject of Submission P181 and recommended to be modified from ‘Rural Smallholdings’ to ‘Rural Residential’ as part of a modification for Special Rural No. 12 area).</li> <li>• It is recommended that the ‘Rural Residential’ designation apply to Lots 2, 5 &amp; 6 East River Road having regard to Council’s resolution above.</li> <li>• Noted – refer comments and associated recommendations provided in the Officer’s Report titled <i>General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations</i>.</li> <li>• Draft LPS references replace Landscape Protection Zone with appropriate rural residential or rural smallholdings zone as objectives of landscape protection can be achieved with these zonings; not remove entirely as such.</li> <li>• Refer comments and associated recommendations in Officer’s Report titled <i>Proposed East-West Link Road</i>.</li> <li>• Current references in Implementation Points 7 &amp; 8 are generally correct, noting some minor modifications to be undertaken to Point 7 but not related to the issue referenced in this submission.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Amend designation of Lots 2, 5 &amp; 6 East River Road from ‘General Agriculture’ to ‘Rural Residential’.</li> </ul>

attended to between the two adjoining landowners.

This dealing was finalised in May 2011 and correspondence to this effect was forwarded to confirm. The next step agreed from the May 2010 meeting was to scope out the preferred layout option in accord with the agreements above and identify requirements for the amendment documentation required for Lot 2 (and for Lot 23 as a separate process). However, the LPS has intervened and, following review, has necessitated this submission.

Local Planning Strategy: With regard to the Background and Analysis section the following comments are made -

- i. Commend referencing SPP 2.5 and committing to identifying zones and areas for Rural Residential and Rural Small Holdings development. An issue arises when you refer to the plan with those commitments in mind. A very small area (with potentially very few lots) is identified in only one main location. This is a weakness as not only is very marginal expansion catered for, all the development “eggs are in the one basket”, ie; if intractable problems arise in this area as can happen, no lots may be available at all.
- ii. It is noted in the Strategic Plan that the long term vision is to reinforce existing character and lifestyle opportunities. Rural Residential, Rural Small Holdings and Landscape Protection development and the lifestyles these provide is intrinsically Denmark and as a result a healthy and ongoing provision should be made.
- iii. Reference is made to a number of SARs and existing planning projects. Although it doesn't need to be outlined in the text, the ongoing work for this lot and adjoining Lot 23 is clearly an existing planning project.
- iv. The lot supply and future lot provision calculations are simplistic. It appears as if these calculations boil down to simply dividing population by persons per dwelling. There is no analysis of the vagaries and complications in the land supply system that ensure that multiples of this simple lot supply calculation need to be available at each step of the approvals process so that the number of lots actually required will be available at the appropriate time.

Servicing, marketing, lot choice, ownership, financing, business and personal situations, taxation issues and other issues combine through the lengthy approvals process to complicate lot creation and ensure that even though there may be many times the annual lot take-up identified in a strategy just enough is available for average demand.

- v. Reference is made to Urban Residential, Special Residential and Rural Residential expansion areas around the Denmark Townsite however, as noted above, a review of the plan shows little Rural Residential (RSH?) other than the dangerous single concentration west of town. In the area of lot 2, it would be logical and defensible from a planning perspective to extend the Rural Residential classification west to the river north of east River Road.

- vi. Reference is made to a number of Rural Residential lots becoming available from “other minor areas”. As Lot 2 represents a minor and logical rounding out of an existing zone and Lot 23 represents infill, the landowner requires confirmation that this reference refers to this land and project.
- vii. The use of the Rural Residential classification (ostensibly proposed for rural retreat lots in the range of 1ha to 4ha) to replace Special Rural lots with a retreat function (as opposed to a productive rural use) is straight forward and may be supported. The same could be said for the Rural Small Holding classification proposed for lots with a residential use and also a supporting rural use.

The Lot 2 & 23 area clearly and simply meets the rural residential classification as existing and future lots will be retreat in primary function within the general size band, with no rural activity being possible.

- viii. On Page 100 it is noted that the text uses “shall provide” in referencing numerous studies and analysis’. The policy approach of the respective agencies (i.e, DOW for UWMPs) do not make the provision of these studies mandatory but rather the need is assessed on a proposal by proposal basis. This section therefore needs to be amended accordingly.
  - ix. Although not particularly relevant to Lot 2, but more generally and to enhance the character of Denmark, the arguments used to kill off the Landscape Protection zone do not stand scrutiny. Landscape Protection zones have worked and will continue to work where there is landowner/developer support (rather than imposition), and these developments could continue to work to provide for unique/different lifestyles and landscape protection on any number of lots in the Shire.
- If the argument propounded is to be answered it is simply the clustering of development and site activities in areas of existing clearing showing appropriate capability and suitability. In addition, new technology and approaches are providing innovative answers to servicing requirements.
- x. The bypass road text reads as if it is a fait accompli. There is insufficient background and analysis and thus cannot be supported as presented.

Prudent and proper planning would not be identifying an alignment within a LPS until a study was completed, reviewed and finalised which identified the need and function of such a road. The next step would be to scope a number of alternative alignments to fulfil that need leading to a preferred alignment and ball park costs. Only at this stage would the LPS identify the preferred alignment in the manner shown and only then would potential policies for acquisition/protection and cost contribution be canvassed. None of these studies or background is presented and as a result the LPS appears to assume need, directs alignment with no consideration of any alternatives and imposes it without justification. At the current time and on the scant information provided, there is no

		<p>identified/significant need, no identified significant traffic imperative, no consideration of alternatives or the very likely huge costs to Council, the State and the Community for things like acquisition and construction.</p> <p>xi. With regards the Opportunities and Constraints noted on page 100, for Lot 23, the proposal can build on all noted opportunities and either the nominated constraints do not apply or can be easily and conventionally managed by existing processes and approaches.</p> <p>Local Planning Strategy: With regard to the Local Planning Strategy section the following comments are made -</p> <p>i. The proposal will comply with the General Objectives especially Landuse &amp; Planning and Environmental Protection. It complies with Strategies 4.1e (future residential), 4.7b, e, f, o &amp; p (natural resources management) and well as Implementation Points 4, 5, 19, 22 &amp; 24. It complies with Strategies 4.9a, b (by virtue of previous council and officer decisions), c and d as well as Implementation Points 1, 2, 4, 5 &amp; 9.</p> <p>ii. With regards 4.9b, it needs to be noted that the background and setup of the Lot 2 project as been undertaken hand in hand with council and on this basis Lot 2 appears to be one of the areas referred to indirectly in the Strategy.</p> <p>iii. With regards 4.9 Implementation Point 3 and Lot 23, as well as many other existing Special Rural zonings around the Shire accommodating rural/bush retreat lots of 1-4ha in size, if reclassified as the LPS proposes, the appropriate replacement zone is clearly the Rural Residential classification as opposed to the Rural Small Holding classification.</p> <p>For example, the MST categorises Rural-Residential as <i>“This zone applies to rural-residential developments where the predominant use is for residential in a rural setting”</i> &amp; Rural Small Holdings as <i>“This zone is for rural lots used for residential purposes in conjunction with a rural pursuit such as hobby farming or keeping animals”</i>.</p> <p>On this basis the mapping appears incorrect noting Lot 2 as Gen Agriculture and Lot 23 as Rural Small Holding. This is a fundamental error in the mapping that needs to be rectified.</p> <p>iv. As also mentioned above, Landscape Protection developments are and can be compatible with Planning for Fire requirements. The simplistic and flimsy arguments presented are not a justification for disbanding this zoning or removing this form of development from council consideration or from lots that may be presented, subject to site specific study and assessment that can achieve Landscape Protection aims and provide a lifestyle unique to Denmark.</p> <p>v. The notes included in this section regarding the bypass road do not provide sufficient justification for the proposal. It appears as if the process connected with this road appearing on the LPS is flawed. Best practice would be a public</p>	
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process as outlined in the previous section.

- vi. With regards Page 19 Implementation; this section seems to intimate that a Local Structure Plan is required for all areas following zoning and prior to subdivision. While a LSP may be necessary in complex projects with numerous landowners and/or serious servicing/staging requirements (where these issues are not attended to within the rezoning itself) the additional step of a LSP is definitely not required for the vast majority of Rural Residential or Rural Small Holding proposals.

As a result this section should be reworded.

- vii. Also on Page 19 and relating to the bypass road, even if a robust and defensible analysis justifies its provision, significant Council funding will be required. Commitment from the State is not known and any contributions to the road from future development is likely to be minor (as it will only represent the minor potential use of the road by the lots created while council would be responsible for funding the proportion of equivalent costs emanating from existing road users from within and without the shire).

Any significant development contribution requirement would likely be challenged at the time of subdivision which could significantly discount funding certainty. Finally as contributions could only be sought at subdivision, funding from this source will be piecemeal and spread out over the long term. Some critical assessment of these significant funding issues would be prudent if such a commitment is being made to the road.

- viii. Regarding the five year review discussion, it is worth noting that most planning strategies and schemes also have this review clause and that it is most often never achieved.
- ix. Points 54 & 55 on Page 24 refer to a “Local Structure Planning Scheme”. This makes no sense. Unless yet another planning document has been invented it should possibly read “Local Planning Scheme”?
- x. As per our point iii. above, Points 83 & 85 on page 26 refer to the incorrectly depicted Rural Small Holding shading on the plans. The definition of Rural Residential (even disregarding the lot size similarity) best matched existing lots use and future development.
- xi. The proposal for Lot 2 is fully compliant with the SAR process outlined in Point 84. In addition, the reason adjoining Lot 23 is involved is due to council’s determination on the Lot 2 SAR. Further, the proposals have been through a scoping process with senior council officers.

#### Conclusion

It is recognised that the planning for Lot 2 has been ongoing for some time. Progress has been made with regards land capability and site assessment, council & officer agreement to design approach and base line development requirements as well as the

		<p>terms of the future road upgrading contribution.</p> <p>The advertising of the LPS has come just at the time the project was moving to the next formal step and has required this work be put aside so the strategy can be reviewed and this comment made.</p> <p>In conclusion, this version of the LPS, although discussing the unique character of Denmark and professing to seek to maintain and enhance that while providing for development and townsite improvement is a backward step in many ways from previously advertised versions.</p> <p>This is particularly apparent in terms of:</p> <ul style="list-style-type: none"> <li>- Confused and flimsy arguments against the Landscape Protection Zone.</li> <li>- Simplistic analysis of lot requirements.</li> <li>- Strict adherence to state policy which will likely compromise the unique character of Denmark.</li> <li>- Conflict between the text and the plan (not the least of which is the text discussing Rural Residential while the mapping depicts Rural Small Holdings, previous commitment to the Lot 2 &amp; 23 proposal, discussion in the text and this not being shown on the map).</li> <li>- The text discussing general landuse classifications while the map presents as a zoning plan.</li> <li>- Identifying a bypass road alignment prior to formal studies outlining need, function and analysing alternate alignments or the like.</li> </ul> <p><i>(NB: Location Plan and Land Capability attachments have been omitted – available to Councillor’s upon request).</i></p>	
P183	<p>Ayton Baesjou Planning 11 Duke Street ALBANY WA 6330</p>	<p>Thank you for the opportunity to comment on the Draft Local Planning Strategy. This submission is lodged on behalf of Passchendaele Ridge Pty Ltd, PO Box 40 Denmark WA 6333, owners of the Forest Hill Winery, South Coast Highway.</p> <p>The subject land fronts to the Highway, and contains the winery, cellar sales outlet and restaurant. Plan 2 of the 2011 draft LPS designates the subject land as ‘General Agriculture’.</p> <p><u>Subject Land to be Designated as Rural Small Holdings</u> There is no rationale for showing Lot 401 as an isolated pocket of “General Agriculture”.</p> <p>The Shire is requested to modify Plan 2 of DLPS to show Lot 401 as Rural Small holdings, consistent with the designation nominated for the adjoining freehold properties.</p> <p>The previously advertised version of the DLPS showed the subject land “Rural Small Holdings 5”, refer attached extract. Designation as Rural Small Holdings is considered</p>	<p>Noted – refer comments and associated recommendations provided in the Officer’s Report titled <i>General Extent of ‘Rural Residential’ and ‘Rural Smallholdings’ Designations.</i></p>

to be far more appropriate for this land than General Agriculture. It is unfortunate that this draft of the DLPS has been put together without any direct consultation with the affected land owner and without due regard for the current land use.

There is no apparent justification for down grading of the land from Rural Small Holdings to 'General Agriculture'. Given that the land supports a vineyard, a form of horticulture; it is hardly accurate to show it in the Strategy as General Agriculture. The Lot is only 30ha in area; it is not currently used for "broad agriculture" and is highly unlikely to revert to "broad agriculture". Surrounding and nearby land uses include Special Rural developments (with many existing 2ha lots) and a variety of tourist related enterprises. The subject land is not High Quality Agricultural land; in fact the most recent, but as yet unpublished DAFWA mapping shows this as "Low Priority".

#### Rural Land Use Diversity

Denmark supports a diverse mix of rural semi-rural and tourist enterprises. This is particularly evident through the Scotsdale and Little River Catchments. The high landscape amenity value contributes to Denmark's attractiveness in terms of both lifestyle and tourism. A variety of large and small scale tourist related businesses, including galleries, retail outlets and accommodation are interspersed through this locality; much of it is shown as Rural Small Holdings.

The Planning Strategy should acknowledge and reflect this rich diversity; it should be tailored to Denmark. Unfortunately the generic definitions and standardization of Special and Rural Small Holding zones and land uses will only serve to homogenise this unique area. Denmark is special; accordingly the definitions and planning categories set out in its Strategy should reinforce and protect the local character and attributes.

#### Rural Land Uses and Designations Should Be Tailored to Denmark

A more sophisticated set of definitions and zoning categories for rural and peri-urban land is warranted. The definitions contained in the draft DLPS and the existing and draft State Policies do not reflect the complexity of the local circumstances. By comparison, the previously advertised and Council endorsed version of the Strategy clearly favoured commercial and productive use of rural small holdings; these areas are not, and were not proposed to be "predominantly residential". As cited in Part 6.1.3.7 of the 2006 draft DLPS "Council intends that these areas are to be developed in a way so that production occurs on the land and income can be derived". The land west of Cussons Road between Mt Shadforth Rd and South Coast Hwy supports a diverse mix of land uses in response to site characteristics soil types, topography, slope, vegetation and views.

It is not sufficient merely to suggest that for Rural Small Holdings income "may be derived" or that "This land use may also seek to preserve and enhance landscape quality, environmental and conservation attributes." Sustainable food production,



		<p>tourism enterprises, extensive areas of bushland and a range of lifestyle lots (many below 2ha) already exist in this area. Denmark is special; accordingly the definitions and planning categories set out in its Strategy should reinforce and protect the local character and attributes.</p> <p>It is imperative that Denmark's LPS and subsequent Local Planning Scheme allow for and encourage this attractive, productive, unique area to continue to be used for a variety of land uses on a range of lot sizes, based on suitability and capability.</p> <p><u>Conclusion</u></p> <p>The DLPS needs to be both strategic and local. In particular we seek the following modifications:</p> <ol style="list-style-type: none"> <li>1. Lot 401 should be shown on the Strategy Plan 2 and Rural Small Holdings, consistent with adjoining freehold properties; and</li> <li>2. The objective, definition and lot sizes applicable to Rural Small Holdings in Denmark need to be tailored to reflect local circumstances.</li> </ol> <p><i>(NB: Location Plan and 2005 DLPS Plan attachments have been omitted – available to Councillor's upon request).</i></p>	
P184	Ayton Baesjou Planning 11 Duke Street ALBANY WA 6330	<p>The following submission, in response to the 2011 Draft Denmark Local Planning Strategy, is lodged on behalf of the owners of Lots 689, 690 and 691 George Ebbett Road and South Coast Highway, Bow Bridge.</p> <p>This area is identified as "General Agriculture" on Plan 3 of DLPS. This unnecessarily simplifies the complex mix of rural land uses that occur in Denmark, and does not recognise or respect the unique and varied characteristics of the locality.</p> <p>It is also disappointing that this draft of the Strategy has been put together without any direct consultation with the affected land owners, especially given the significant modifications that have occurred since 2006.</p> <p>Denmark is very distinct from the majority of rural Western Australia. Rural land uses in the region are varied and complex; many rural enterprises comprise multiple land-holdings, most often supplemented by off-farm income. Application of state-wide Policies fails to allow for local circumstances</p> <p><u>Diversity of Rural Land Uses</u></p> <p>Denmark has a rich and diverse history of timber production, agriculture, horticultural pursuits, and tourism. Rural land uses are wide-ranging and multifaceted. There are many small scale primary producers; most are family based rural enterprises often supplemented by off-farm income.</p> <p>Denmark has a clean and green reputation; many properties contain areas of remnant</p>	<ul style="list-style-type: none"> <li>• Noted - refer to comments provided against the Department of Food and Agriculture WA submission (Submission G11) in this regard.</li> <li>• Noted – refer to comments provided against the Department of Food and Agriculture WA submission (Submission G11) in this regard.</li> <li>• Noted – in its submission on the draft Statement of Planning Policy 2.5 and Development Control Policy 3.4, Council noted that Section 5.4a) of Development Control Policy 3.4 should provide the ability to create homestead lots in all agricultural areas and not just the Wheatbelt Agricultural Policy area on the basis that homestead lots: <ul style="list-style-type: none"> <li>○ Are a recognized form of rural living subdivision;</li> <li>○ Do not fragment rural land;</li> <li>○ Do not result in a loss of rural character;</li> <li>○ Provide the opportunity for farmers to retain an association with the land should they desire to do so; and</li> <li>○ Support the population base for the agricultural collector district population.</li> </ul> </li> <li>• Noted – conservation lots are provided for in current and draft Statement of Planning Policy 2.5 and Development Control Policy 3.4.</li> </ul>

vegetation; in this instance extensive foreshore to the Irwin Inlet. The generic definitions and land use categories set out in the Model Scheme Text, State Policies and thereby the draft DLPS fail to recognise the local circumstances and particular characteristics of Denmark.

In addition to conventional agricultural pursuits rural properties in this area produce vegetables, confectionary, mead and honey, specialised dairy products and potentially truffles. Small scale tourist related businesses, including galleries, retail outlets and accommodation are interspersed through the rural zone. The area contains intensive and emerging primary production land uses; the majority of these are on lots which are less than 100ha in size. It is inappropriate and overly limiting to categorise these micro and boutique rural-based enterprises as "General Agriculture". More sophisticated and accurate definitions are warranted.

Denmark supports a diverse mix of rural semi-rural and tourist enterprises, as well as lifestyle lots. This is evident on the subject land. The high landscape amenity value contributes to Denmark's attractiveness in terms of both lifestyle and tourism. A variety of micro businesses including specialised food production and tourism enterprises are interspersed through this locality.

The Planning Strategy should acknowledge and reflect the rich diversity of this locality; it should be tailored to Denmark. Unfortunately the generic definitions and standardisation of Rural Small Holding and General Agriculture zones and land uses will only serve to homogenise this unique area. Denmark is special; accordingly the definitions and planning categories set out in its Strategy should reinforce and protect the local character and attributes.

#### Uncertain Basis for identification of Agricultural Priority Areas

The 1999 Rural Settlement Strategy and previous drafts of the Local Planning Strategy were based on comprehensive and detailed capability and soils mapping, slope analysis and vegetation assessment etc. The Rural Planning Units were catchment based.

There is no such mapping or detail evident in the 2011 draft and there does not appear to have been any subsequent review or update for the preparation of this latest draft. There is no obvious basis (scientific or otherwise) for the designation of High Quality and General Agriculture areas shown on Plans 2 and 3 of the 2011 draft DLPS.

The Lower Great Southern Strategy (LGSS) contains the most recently published data in regard to identification of Agricultural Land of State and Regional Significance. Fig 19 of the LGSS is referenced in the 2011 draft DLPS however there is no correlation with the Agriculture Areas (High Quality and General) shown on Plan 3.

#### Areas of Local Agricultural Significance Are Not Identified

As set out in the LGSS, the Local Strategy is required to identify land of State, regional and local significance. There is no evidence that any land of local significance has been identified in the DLPS. No rationale has been provided for the designation of High and General Agriculture Areas. Furthermore, the local farming community has not been consulted on this matter.

Plan 1 of the previously advertised draft Strategy identified portions of the subject land as ‘Class A1 and A2 horticultural capability’. (See attached extract) As advocated in the Lower Great Southern Strategy (LGSS), subdivision for intensive agriculture is appropriate in some circumstances, particularly where adequate water supplies are available. This is the case for some of the land in the vicinity of Bow Bridge.

The DLPS should provide scope for subdivision/boundary rationalisation in this area. The current DLPS should be refined to support and promote sustainable agriculture over the long term.

#### Minimum/Prevailing Lot Size

The majority of the existing rural lots within this area of Shire of Denmark are already below 100ha. Lots in the immediate vicinity generally range in size from 30ha to 100ha.

Subdivision and/or boundary adjustments may be justified and should not be unnecessarily constrained by an arbitrary and irrelevant Policy criterion. The introduction of 100ha min lot size through reliance on existing and/or draft Policy is not appropriate [e.g. draft Policy DC 3.4 Part 4.3 Prevailing lot sizes and 5.4(i) balance of lot]. Subdivision/boundary adjustments may be warranted for farm rationalisation, for intensive and emerging primary production land uses and/or landscape protection.

The Shire recently resolved to endorse the submission on the review of draft State Rural Policies, including

- *the reference to new broadacre farming lots required to be greater than 100ha in size is presumptuous that the prevailing lot sizes are greater than 100ha, thus it is considered that the minimum 100ha requirement should be removed; and*
- *the reference that the balance lot needs to be greater than 100ha should be removed as there is an implication that only lots of this size are suitable for rural land use activities to occur.*

This position should be clearly set out in the Denmark Local Planning Strategy. To avoid any confusion or over-riding of the Local Authority in the future, the DLPS should state a minimum lot size, or set out local performance criteria. It should recognise and respect local circumstances, especially the diversity in lot sizes, the variety of rural land uses, the benefits of biodiversity and landscape amenity and the significance of food production.

Homestead Lots Should Be Allowed in the Shire of Denmark

The DLPS should specify that Homestead Lots will be supported in the Shire of Denmark. There is no logical basis for precluding Homestead Lots in the Shire of Denmark. This position is supported by Council (refer item 8.1.4 May 2011) whereby it is endorsed the view that Homestead Lots should be allowed in all agricultural areas.

It is important that this position, in support of Homestead Lots, is clearly set out in the DLPS.

Sustainability and Biodiversity

The DLPS should give greater emphasis to achievement of sustainability and ecological objectives, including incentives for rural subdivision. Landscape scale benefits including creation of macro-corridors, revegetation programs, foreshore and watercourse protection, improved water quality, nutrient management, erosion control and visual amenity should be recognised and valued.

Implementation of State and Local Sustainability objectives should be more closely integrated in rural land use policies by specifically allowing subdivision as a reward/incentive for responsible land management.

Given the challenges, cost and responsibilities of weed and vermin control and fire management and limited resources' of Local authorities, often the best solution is for bushland to remain in private ownership. As recognised in the Lower Great Southern Strategy, protection of biodiversity values can be achieved through alternative mechanisms to the 'Conservation Estate'.

Implementation of Sustainability objectives should be better integrated in rural land use policies and in this instance the DLPS. There is scope for Landscape Protection /Rural Conservation zones and categories within the DLPS.

Summary

The existing lot sizes and diverse mix of landuses in the Bow River and Irwin Inlet catchment already sit outside the definitions and criteria proposed by the draft DLPS.

General Agriculture is not the 'best fit' given the site characteristics, the variety of lot sizes and the mix of land uses. More particularly, the application and implementation of elements of the Strategy, especially where it relies on generic definitions and Policies will be cumbersome and problematic for landowners and not in the interests of regional development. Rural land uses and development issues in Denmark differ significantly to those on the periphery of the metropolitan area and the central wheat-belt. The DLPS should give greater account of local variations and the diversity of rural lot sizes and land uses. Greater emphasis should be placed on rewarding responsible

		<p>land management.</p> <p>Achieving conservation, biodiversity and/or sustainability objectives should be considered as incentive for rural subdivision. The draft Strategy should give greater opportunity for subdivisions which satisfy conservation objectives, especially the protection of remnant vegetation and improved water quality.</p> <p>As advocated in the Lower Great Southern Strategy (LGSS), subdivision for intensive agriculture is appropriate in some circumstances, particularly where adequate water supplies are available. This is the case on the South Coast and it should be reflected in the DLPS.</p> <p>The 100ha minimum lot size proposed by draft State Policy reviews is not appropriate for Denmark. The DLPS needs to clearly set out the Shire's position in support of general Agricultural Lots below 100ha, as well as support for Homestead Lots.</p> <p>The DLPS needs to be more strategic, and more responsive to local to local characteristics. This is a Local planning instrument: it should be modified so it is better tailored to Denmark. (NB: Location Plans and 2005 DLPS Plan attachments have been omitted – available to Councillor's upon request).</p>	
P185	<p>Ayton Baesjou Planning 11 Duke Street ALBANY WA 6330</p>	<p>Thank you for the opportunity to comment on the Draft Local Planning Strategy. This submission is lodged on behalf of Passchendaele Ridge Pty Ltd, PO Box 40 Denmark WA 6333, owners of Lot 402 South Coast Highway, Shadforth.</p> <p>The subject land has frontage to the Highway, Myers Road and Cussons Road. Plan 2 of the 2011 draft LPS designates the subject land as "Rural Small Holdings" and Cussons Road is shown as "Northern Link Road".</p> <p>It is disappointing that this draft of the Strategy has been put together without any direct consultation with the affected land owner.</p> <p><u>Subject Land is Suited to Rural Residential</u> The previously advertised version of the DLPS showed the subject land, together with adjoining properties to the north as "Future Rural Residential/Landscape Protection". This earlier designation represents responsive, forward planning and efficiency in servicing, infrastructure and use of resources. Future Rural Residential is supported by the owner. There is no apparent justification for down grading of the land to Rural Small Holdings. A minimum lot size of 4ha (as defined in the Glossary) is regarded as inefficient, and does not reflect the highest and best use of the land. Furthermore, the mandating of larger lots is inconsistent with other recently approved rezoning Amendments and subdivisions in the immediate vicinity which allow for lots down to</p>	<p>Noted – refer comments and associated recommendations provided in the Officer's Report titled <i>General Extent of 'Rural Residential' and 'Rural Smallholdings' Designations</i>.</p>

3000sqm.

Insufficient New Areas Allocated to Rural Residential

There is a clearly demonstrated demand in Denmark for lifestyle type lots across a range of sizes. The current draft DLPS recognizes that Rural Residential lots (1-4ha) “provide an appealing alternate lifestyle choice ... provide a resident base close to town” and are “a legitimate form of lifestyle living”. In spite of this, the draft DLPS allocates only one new Rural Residential parcel; this is a serious shortcoming in what is supposedly a strategic document.

The Objective and Strategy b) in 4.9 Rural Land - Subdivision and Development (pg 16) are not achieved. The draft DLPS fails to provide for new Rural Residential Lots.

The Strategy should identify additional areas for Rural Residential development over and above the one parcel north Riverbend Lane. Lot 402, and the adjoining land on the western side of Cussons Road through to Mt Shadforth Road, is capable and suitable for smaller (1-4ha) lots. This would serve as a logical transition from adjacent Special Residential areas (to the north and east) thorough to Rural Small Holdings (to the west).

Rural Land Use Categories to Better Suit Denmark

Rather than down-zoning existing Landscape Protection areas and revising the existing Special Rural and Special Residential zones to conform to generic State categories and definitions, this Strategy should provide a clear, strong, local vision tailored for Denmark. Site specific “Special” provisions are warranted to reflect the richness, diversity and uniqueness of Denmark. The definition for ‘Rural Residential’ set out on page 108 of the draft DLPS does not give sufficient regard for Denmark’s natural attributes and local characteristics. Views, vegetation and landscape amenity should be protected and enhanced, not merely preserved. The emphasis on “residential purposes” and “lifestyle” also fails to recognize that many smaller properties are used for small scale businesses including family based tourism enterprises. This is a very important component of the local economy. The environmental and economic elements should not be underestimated.

DLPS Lacks Local Essence, Strategic Direction

Denmark’s Local Planning Strategy needs to be more representative of Denmark; it also needs to be more visionary. Compared to the 2006 draft, the current draft is more prescriptive and bureaucratic, more restrictive, less flexible and far less strategic. This current draft is allocates less land to Rural Residential, deletes all reference to Landscape Protection and proposes standardized rural land use and zoning categories that do not readily translate to Denmark. Adherence to generic, state-wide Policies and definitions is overly simplistic and is not in the long term interests of the Denmark community. Rather than merely replicating State Policy, this Local Strategy should reflect the aspirations of the local community and take account of local variations;

		<p>especially the diversity of rural lot sizes and land uses.</p> <p>This submission seeks the following modifications:</p> <ul style="list-style-type: none"> <li>• Lot 402 to be shown as Rural Residential on Plan 2</li> <li>• Definitions, land use and zoning categories relating to Rural Residential and Rural Small Holdings should be specific to Denmark to take account of local characteristics and diversity, incorporating relevant Landscape Protection and/or Rural Conservation elements.</li> </ul> <p><i>(NB: Location Plan and 2005 DLPS Plan attachments have been omitted – available to Councillor's upon request).</i></p>	
P186	Denmark School Council (M Neunuebel) Mitchell Street Denmark WA 6333	<p>Our concern is the half blocks opposite the school be rezoned as commercial blocks which increase traffic of heavy or industrial use.</p> <p>Traffic is at its fullest at the moment.</p>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i> .
P187	Craig Chappelle PO Box 58 (27 Riche Rd) DENMARK WA 6333	<p><u>Proposed Northern Link Road (NLR)</u></p> <p>I fully concur with the need to plan now to meet the likely need for such a facility in the future – though it is doubtful whether a bypass, as the term is generally applied, will ever be necessary for Denmark: heavy vehicles are few, and enter and leave Denmark predominantly to the east; while providing a route for general east-west traffic to avoid town would seem anathema in a place whose economy relies heavily on tourism.</p> <p>There is one section of the NLR in particular for which better alternatives exist. The section in question is shown on the amended map forming part of this submission (Diagram 1 - <i>NB: omitted; available to Councillor's upon request</i>) including suggested alternative routes.</p> <p><u>Rationale for the NLR</u></p> <p>Among the stated purposes of the NLR are:</p> <ol style="list-style-type: none"> <li><i>provide a local or district link and an alternative river crossing to South Coast Highway [which] could be used as a by-pass in the case of emergencies if the South Coast Highway bridge fails or requires major repairs, and to reduce dependency on South Coast Highway as a through road; and</i></li> <li><i>consider the implications of land use in the portion of the proposed urban residential area of 'townsite east' which lies within the defined airport buffer (4.10 Transport, p15)</i></li> </ol> <p>Among the considerations to achieve these aims Council will need to:</p> <ol style="list-style-type: none"> <li><i>identify an indicative alignment in the Local Planning Strategy [and]</i></li> <li><i>undertake a detailed assessment of a preferred alignment taking into account environmental considerations, public input and staging of construction (ibid).</i></li> </ol>	Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i> .

#### Proposed Location

The indicative proposal for the section in question was clearly a desktop “join-the-dots” exercise linking existing gazetted roads, without knowledge or reference to conditions on the ground. Consequently it would:

- encroach on private property (photo 1 – *NB: omitted; available to Councillor’s upon request*);
- require upgrading the existing single-lane Riche Rd bridge over Scotsdale Brook (photo 2 - *NB: omitted; available to Councillor’s upon request*);
- require considerable widening and upgrading of Riche Rd, destroying its intimate, country-lane feel (photo 3 - *NB: omitted; available to Councillor’s upon request*), and the clearing of several hectares of heavily vegetated river foreshore reserve;
- probably lie within the 100-year floodline (Diagram 2 - *NB: omitted; available to Councillor’s upon request*). The confluence of Scotsdale Brook and the Denmark River lies west of the disused footbridge on Riverbend Lane. To my own knowledge the brook crossing on Riche Rd has been inundated twice in the past 25 years, as well as the 2003 event shown in photo 5 (*NB: omitted; available to Councillor’s upon request*), after a new bridge had been installed.

For fire-escape purposes the NLR should avoid areas of heavy vegetation, which is impossible under the current proposal for the section in question.

At the public workshop on June 22 councillors and staff gave a verbal undertaking to investigate alternatives to the section in question.

#### Alternatives

A more logical and practical route in the vicinity is McLean Road, crossing Scotsdale Rd and the river foreshore at its narrowest point. This would not impact on private property, minimises clearing, is shorter and more direct, and links directly to the future ‘townsite east’. Environmental disturbance, inconvenience, traffic congestion and (possibly) cost could all be reduced by building a flyover, rather than an intersection and bridge.

A second alternative is to extend the recently-upgraded Jon Glade through the community park, linking to the future ‘townsite east’ via a new traffic bridge; or the CSL/TAFE area via a crossing at the site of the current footbridge.

No alternative route immediately north of the current proposal is practical, due to the existence of private properties and significant slopes flanking the east side of Scotsdale Brook – and more private properties beyond them. The closest feasible route north of the indicative proposal is via Howe Rd, with a river crossing to Church Rd.



		<p><u>Entry to Mt Barker Rd</u></p> <p>As intersections per se are no longer in favour due to their inherent dangers – especially in a 110kph zone – future western entry onto the Mt Barker Road could be located south of the present East River Rd (west) by the McLean Road alternative of the NLR continuing through the future ‘townsite east’, rather than linking to East River Rd. This would have the added advantages of not requiring clearing of native vegetation, and providing a ready-made access for future development in that area.</p>	
P188	Denmark Airport Association C/- 19 Gilbert Avenue DENMARK WA 6333	<p>The Denmark Airport Association collectively spent considerable time and effort to compile an Airport Usage Plan (AUP) in consultation with the Shire that has been accepted and adopted. Included in that plan was, obviously, the consideration given to aircraft noise.</p> <p>The Shire’s proposed Local Planning Strategy (LPS) raises considerable concern amongst members of this Association, particularly in relation to the area north of the Ag. College. This area is highlighted as a potential site for future residential use, namely ‘Townsite East Future Urban Expansion Area’ as shown on Plan 2 of 3.</p> <p>On this plan the airport buffer area is clearly shown.</p> <p>The use of this prime agricultural land for residential purposes is incompatible with the AUP, being directly under the flight path of arriving, departing and turning aircraft – Attachments 1 and 2 illustrate this (<i>NB: Attachments omitted – available to Councillor’s upon request</i>).</p> <p>Making residential lots available under the traffic pattern will inevitably lead to discord and complaints from those who purchase, totally ignoring the airport, and then demand incessantly for Council to move or shut it down. This has occurred countless times around the world, and can be avoided with careful planning.</p> <p>It seems that this proposed future expansion also makes the assumption that the area will be released by the Dept. of Education when they have previously stated that this is not in their foreseeable plans.</p> <p>What we are strongly recommending, for the above reasons, is that the LPS Plan 2 be amended by deleting the reference ‘Town Site East Future Urban Expansion Area’ and any reference to it elsewhere in the LPS.</p>	Noted – refer comments and associated recommendations in Officer’s Report titled ‘ <i>Future Urban’ Designation Over Agricultural College Land.</i>
P189	Mia Mia Housing Collective Inc and 9 x Individual Home Occupiers for Melaleuca Lane c/- 11 Melaleuca	<p>The households of Mia Mia Housing Cooperative on Melaleuca Lane will be adversely affected by the proposed development of a commercial ‘Mixed Business’ area south of Zimmerman Street immediately adjacent and east of this residential housing area. This area is an important buffer protecting residential areas from the impacts of the proposed development on noise, various types of pollution, biodiversity, public open space and aesthetics etc.</p>	Noted – as per Town Planning Scheme No. 3, Lot 139 (Reserve 13777 – purpose of ‘Sanitary Depot’) is currently zoned ‘Industrial’ and the adjoining Lot 1097 (unallocated crown land) has a reservation of ‘Parks & Recreation’. Designating the land as ‘Mixed Business’ is a better development outcome for the adjoining residential developments than what can currently be

	Lane DENMARK WA 6333	<p>Over the past 15 years Mia Mia Housing Coop has promoted and assisted with the revegetation and weed management of area, and the planted trees, shrubs and original remnant on this area form a very important buffer to residential areas on Melaleuca Lane, Zimmerman Street, Blackburn Street and Parry Street. The environmental values of this area are also an important part of the Denmark Rail Trail (and future Munda Biddi Trail) which is used by horse-riders, cyclists and walkers. It is very important for there to be a proper buffer between residential areas and commercial/business estates.</p> <p>In addition the area south of Zimmerman Street has long been promoted as an important Green Belt area (Reference: The Green Belt Report produced by the Denmark Environment Centre and Mia Mia Housing Coop in 1994 – <i>NB: report omitted – available to Councillors upon request</i>) around the denmark town site. It is vital that all existing bushland be conserved and properly managed for the multiple environmental services that this bushland provides, as well as providing a buffer against noise, pollution etc for nearby residential areas. This area is an important buffer protecting residential areas from the impacts of the proposed development on noise, various types of pollution, biodiversity, public open space and aesthetics, It is important that this areas south of Zimmerman Street be zoned and managed for conservation purposes as parks and recreation.</p>	provided for under the 'Industrial' zoning.
P190	Chair of the Denmark Seniors Advisory Committee C/- Shire of Denmark	<p><u>Local Planning Strategy – Aged Housing</u></p> <p>I write as the Chair of the Council's Seniors Advisory Committee to ensure that Council is aware of the recommendation number 15 of the Age Friendly Community Study recently received by Council.</p> <p>As you would be aware the Study was undertaken through an extremely robust community consultation exercise and the result is a document and strategy that we can all have confidence in its findings and analysis.</p> <p>Recommendation no. 15 specifically states "That Council recognise the increasing need for aged accommodation within the central town precinct and provides for this in current and future planning by reviewing the current zonings and allowing for higher density, smaller lot developments."</p> <p>As a community with the highest median age of residents in Western Australia and Denmark continuing to attract its fair share of baby boomers and retirees to enjoy our enviable climate and lifestyle, the need for Council to ensure that it plans for our aged members of our community to access the CBD within walking, gopher and 'zimmer frame' distance, is paramount.</p> <p>As Chair of the Seniors Advisory Committee on their behalf I implore the Council to</p>	<ul style="list-style-type: none"> <li>• Acknowledged – a review of the 'Future Residential' strategies and objectives identifies that specific consideration has not been given to aged housing. It is therefore recommended that an additional strategy and objective be included to address the issue of aged housing.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Add the following to Part 1 Section 4.1 Future Residential: <ul style="list-style-type: none"> <li>○ Strategy: Support the development of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site having regard to the nature of the occupants.</li> <li>○ Objective: Council support private and public developments of aged accommodation in suitable locations having regard to issues including but not limited to close proximity to commercial and community facilities, good accessibility (both vehicular and pedestrian access) and topography of the site</li> </ul> </li> </ul>

		<p>consider this important aspect when it comes time to adopt the Draft Local Planning Strategy (DLPS) and to ensure that appropriate mechanisms and planning allows for this to be taken into account.</p> <p>Accordingly it would be appreciated if you ensure that this correspondence is put to Council for consideration during deliberations regarding the DLPS in October.</p>	<p>having regard to the nature of the occupants.</p>
P191	<p>J King PO Box 765 DENMARK WA 6333</p>	<p>Due to an absence from Denmark for a few weeks when meetings and discussions on the above were taking place, it is only recently that I have been able to acquaint myself with the document. Although I share many of the concerns being expressed by other members of the community, I particularly wish to draw your attention to an apparent conflict, and I believe, inconsistency in the planning regarding 'Townsite East future urban expansion area' being located within the Airstrip buffer zone or 'Airstrip Environs Special Control Area'.</p> <p>As you know after much research and input from the aviation community and others, the Shire's planning officers prepared the "Denmark Airport Landuse Strategy" and this document was adopted by Council in December 2010.</p> <p>I wish to draw your attention to several items in that document.</p> <ol style="list-style-type: none"> <li>1. Map showing operations and circuits (second page in the attachments).</li> <li>2. Figure 29 –Airstrip environs special control area.</li> <li>3. Point 5.5 Amenity – noise impact (last paragraph page 13 – over to page 14).</li> </ol> <p><u>Regarding Point 1 – Operations &amp; Circuits</u> Please note the comment in reference to the climb out path to approximately 450 metres above ground level within which aircraft noise levels are at their highest.</p> <p>I would add a comment here, that when aircraft are in the circuit, they are within gliding distance of the airstrip there should be an engine failure. This is not the case on take-off of with a straight-in approach. Although engine failures are relatively rare, they can and do happen – usually on take-off. The only option a pilot has in this event is to land straight ahead. Statistics show that those pilots who try to turn back to the airfield at low altitudes usually crash and die.</p> <p>Given the above possibilities, and the provisions in the Denmark Airfield Landuse Strategy, and notwithstanding point 4.1.b Future Residential strategies in the DLPS, I strongly urge Council to remove the Townsite East future urban expansion area within the Airstrip special environs area from the Draft Local Planning Strategy.</p>	<p>Noted – refer comments and associated recommendations in Officer's Report titled '<i>Future Urban' Designation Over Agricultural College Land.</i></p>

## Submissions Received from Government Departments/Agencies/Service Authorities

Ref No.	Name & Address Details	Verbatim Submission	Planning Services Comment
G1	FESA 5 Hercules Crescent ALBANY WA 6330	<p>Thank you for your letter dated 07 June 2011 and the opportunity to comment on the Draft Local Planning Strategy.</p> <p>In relation to statements made in Part 2, Point 5, sub point 5.11, FESA reaffirms that Bush Fire Risk must be considered in planning decisions so as to avoid increasing the risk through inappropriately located or designed land use and development. It is recommended that the current practice of requiring all developments provide a “Fire Management Plan, to the satisfaction of the Denmark Shire” is included in the strategy. These plans will detail fire protection and control measures for the provision of ongoing fire protection for the whole of the planned land use areas.</p> <p>The reference within the strategy to 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 is supported by FESA. In addition 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 development in the area.</p>	<ul style="list-style-type: none"> <li>WAPC Policy DC 3.7 has now been superseded with the introduction of the <i>Planning for Bush Fire Protection Guidelines (Edition 2)</i>. In the document titled “A Shared Responsibility: The Report of the Perth Hills Bushfire February 2011 Review”, there is a recommendation that legislative effect be given to the Planning for Bush Fire Protection Guidelines. In-principally this is supported by Planning Services, noting that a final position will be dependent on the mechanisms proposed to give such legislative effect and the associated Act/Regulation provisions.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>Include reference in Part 2 Section 5.11 Fire Management to the document titled “A Shared Responsibility: The Report of the Perth Hills Bushfire February 2011 Review” and the relevant recommendations arising from a planning perspective.</li> <li>Modify last bullet point in Part 2 Section 5.12 Planning Implications to read: As an interim measure, adopt the <i>Planning for Bush Fire Protection Guidelines</i> as Council policy, noting that consideration is being given to providing legislative effect to the <i>Planning for Bush Fire Protection Guidelines</i>.</li> <li>Modify Implementation Point 22 in Part 1 Section 4.7 Natural Resource Management to read: Council adopt the <i>Planning for Bush Fire Protection Guidelines</i> as Council policy, noting that consideration is being given to providing legislative effect to the <i>Planning for Bush Fire Protection Guidelines</i>.</li> </ul>
G2	Great Southern Development Commission PO Box 280 ALBANY WA 6331	<p>Thank you for your letter of 7 June 2011 inviting the Great Southern Development Commission (GSDC) comment on Denmark Shire’s draft local planning strategy (LPS).</p> <p>GSDC recognises the need for robust planning strategy in light of Denmark Shire’s healthy 2.2% average annual growth rate over the past five years, according to the latest Australian Bureau of Statistics estimated resident population figures.</p> <p>GSDC notes the following in relation to the draft LPS: <u>Part 1 – Local Planning Strategy</u></p>	<ul style="list-style-type: none"> <li>Support for development of Denmark Industrial Park noted.</li> <li>Support for water re-use schemes noted.</li> <li>Noted – recommend update Section 2.4 State Water Plan accordingly.</li> <li>Noted – Shire recognises need for overall regional planning strategy to focus on the entire Great Southern Region.</li> </ul>

	<p>1. Section 4.3 Future Industry The strategic aim of developing the Denmark Industrial Park is supported by GSDC. The Commission welcomes the opportunity to continue working with Denmark Shire and Landcorp to progress the development of the selected site and in attracting suitable industrial activity.</p> <p>2. Section 4.11 Servicing Utilities The GSDC through its Regional Grant Scheme was one of several major contributors to the Denmark Golf Club's reticulated golf course project. A key aim of the project is to see the eventual use of treated waste water on the golf course. GSDC supports this effort and also the development of other industrial uses of Denmark's treated waste water as an alternative to disposing it into Wilson Inlet.</p> <p><u>Part 2 – Background and Analysis</u></p> <p>3. Section 2.4 State Water Plan The draft LPS cites the vision statement and objectives from the 'State Water Plan Draft Water Policy Framework 2006.' However, that specific discussion paper was superseded by the 'State Water Plan 2007' which contains a slightly modified vision statement and similar, but slightly modified objectives from what is contained in the draft LPS document.</p> <p>4. Section 3.0 Regional Planning Strategies The GSDC and Department of Planning are currently working to establish a senior level committee to oversee the development of a regional planning strategy that will focus on the entire Great Southern region. The current Lower Great Southern Strategy was adopted in 2007 and only encompasses Albany, Denmark, Plantagenet and Cranbrook. The proposed GS Regional Plan emanates from a recognised need for better coordination and implementation of regional planning issues.</p> <p>5. Section 6.3.1 Population The most recent estimated resident population figures from the Australian Bureau of Statistics for Denmark have been revised for 2009 and 2010, being 5,320 and 5,379 respectively.</p> <p>6. Section 6.14.4 Electricity/Gas The draft LPS document notes there are no plans to provide reticulated gas to Denmark. However, in March 2010 State Cabinet approved \$20 million to commence the land assembly process for the proposed Bunbury to Albany Gas Pipeline. The route alignment process is being undertaken by the Department of Regional Development and Lands and is due to be completed by 2012. The Shire of Denmark has been included on the list of stakeholders to be consulted over the route alignment.</p> <p>On behalf of the GSDC, I thank you for the opportunity to review Denmark's draft LPS. I commend the Shire on the strategy and wish you well in achieving WAPC approval.</p>	<ul style="list-style-type: none"> <li>• Figures referenced noted – recommend update Section 6.3.1 Population accordingly.</li> <li>• Noted – the Shire of Denmark is currently seeking the State's consideration of providing a gas service to Denmark on the basis of the range of strategic land development projects planned for the next 20 years. Recommend Section 6.14.4 Electricity/Gas be updated to reflect the current situation; an additional dot point be added to Part 2 Section 6.14.7 Planning Implications and an additional Strategy &amp; Objective be added to Part 1 Section 4.11 Servicing Utilities.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Update Part 2 Section 2.4 State Water Plan to reflect the current document.</li> <li>• Update Part 2 Section 6.3.1 Population to reflect updated ABS population data as at 31 March 2011.</li> <li>• Update Part 2 Section 6.14.4 Electricity/Gas to reflect the current situation in relation to the Bunbury to Albany Gas Pipeline.</li> <li>• Add an additional bullet point to Part 2 Section 6.14.7 Planning Implications to read: Lobby the State Government to establish a gas service to the Shire of Denmark to service the range of strategic land development projects planned for the next 20 years and beyond.</li> <li>• Add the following to Part 1 Section 4.11 Servicing Utilities: <ul style="list-style-type: none"> <li>○ Strategy: Lobby the State Government to establish a gas service to the Shire of Denmark to service the range of strategic land development projects planned for the next 20 years and beyond.</li> <li>○ Objective: Council lobby the State Government to establish a gas service to the Shire of Denmark to service the range of strategic land development projects planned for the next 20 years and beyond.</li> </ul> </li> </ul>
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G3	<p>Department of Education 151 Royal Street EAST PERTH WA 6004</p>	<p>Thank you for your letter dated 7 June 2011 regarding the Draft Local Planning Strategy.</p> <p>The Department of Education has reviewed the Strategy and wishes to make the following comments;</p> <ul style="list-style-type: none"> <li>• The Department has identified a future primary school site south of the townsite near Ocean Beach Road; this is planned to provide education facilities for the area when residential development generates the need for a second school.</li> <li>• The Department notes a forecast of 1620 lots needed between the years 2006-2031 near the Denmark townsite. Due to the expected gradual increase of lots the current Denmark Primary School should have sufficient capacity to cater for any potential increase in student yield in the short term.</li> <li>• The Strategy identifies Townsite East as future urban with a potential of 1450 lots. The Department notes that there has been no R coding allotted to this land as yet but indications are that the area will be fully residential. The Department would require a primary school to be provided within this development to cater for the anticipated student yield.</li> <li>• The Strategy identifies that Mitchell Street is being considered for increased commercial development. The Department has previously raised its concerns regarding potential development near the school site. Should development occur, the Department has some non preferred uses such as liquor outlets that it would object to. Could the Shire confirm its views in this regard.</li> </ul> <p><u>Additional Comments Received in Letter Dated 28 July 2011</u></p> <p>Further to the Department of Education's letter dated 21 June 2011 we wish to make the following additional comments in regard to the Draft Local Planning Strategy.</p> <p>In our letter of 21 June 2011 we made comment on the future "Townsite East" urban area which has the potential to generate 1,450 residential lots. The Strategy states that for this development to proceed, an agreement would need to be reached with the Department of Education regarding the land currently owned by the Denmark Agriculture College.</p> <p>The Department wishes to confirm that the whole of its landholding in this area is currently utilised by the college and it is unlikely that in future the college's requirement for utilising the land will reduce.</p> <p>The Department regrets not providing this response in the original letter and any misunderstanding that may have occurred in regards to this proposed development.</p>	<ul style="list-style-type: none"> <li>• Noted – Weedon Hill school location identified in LPS as per approved local structure plan for the area.</li> <li>• Capacity advice noted.</li> <li>• Noted – LPS currently reflects this requirement.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>Designation Over Rear of Mitchell Street Properties</i>.</li> <li>• Noted – refer comments and associated recommendations in Officer's Report titled <i>'Future Urban' Designation Over Agricultural College Land</i>.</li> </ul>
G4	<p>Department of Indigenous Affairs PO Box 5091 ALBANY WA</p>	<p>Thank you for the opportunity to comment on the Draft Local Planning Strategy. It is pleasing to see Aboriginal heritage issues addressed and although administration of the Aboriginal Heritage Act is not the responsibility of the Shire it is advisable to ensure that it is addressed early in the planning process so that any constraints can be identified.</p>	<ul style="list-style-type: none"> <li>• Noted.</li> <li>• Noted – recommend amend Objective 4 accordingly as suggested; recommend amend Objective point 2 in Section 4.7 to refer to the cultural environment as well.</li> <li>• Noted however it is considered this is a general function</li> </ul>

6330	<p>I would therefore advise the Shire to ensure they remain up to date with what is known of the heritage values of the Shire. We appreciate any support that you can provide in protecting this unique part of WA's heritage and are keen to continue to work closely on this.</p> <p>To this end in the General Objectives, (page 5) I would suggest under point 4 changing "high value natural resources" to "high value natural and cultural resources". Similarly in the section on natural resource management (4.7) it makes sense to refer to cultural (rather than just built environmental values).</p> <p>I would also suggest in section 4.5 dealing with Community, Heritage cultural and Heritage you include a reference to working with appropriate members of the Aboriginal community. This is a reality of how the Shire works and to have it spelt out in this section would make good sense.</p> <p>Some other specific points I would make in relation to the document as circulated are as follows:</p> <ul style="list-style-type: none"> <li>▪ 6.2.1 Para 1 line 3 – Suggest add , "attributed particular significance to rivers and waterways" affiliation with the land.</li> <li>▪ 6.2.1 Para 2 line 3 "Carbon" should read Charcoal"</li> <li>▪ 6.2.1 Para 4 replace "several sites identified in Denmark" with "over 40 sites recorded within the Shire of Denmark although most of the Shire has not been subject to a systematic Heritage study it is likely many more exist."</li> <li>▪ 6.2.3 replace "via" with "which in many cases should include"</li> </ul> <p>I would also suggest that in this section a statement should be added to the effect that "all Aboriginal sites are protected whether or not they are included on the State Register of Aboriginal Sites".</p>	<p>of Council and not solely related to planning issues, therefore should not form part of LPS.</p> <ul style="list-style-type: none"> <li>• Noted – recommend amend Section 6.2.1 paragraphs generally as suggested.</li> <li>• Noted – recommend amend Section 6.2.3 as suggested.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Amend Part 1 Section 3.0 General Objectives – Guiding Principles Objective 4 to read "...high value natural and cultural resources..."</li> <li>• Amend Objective Point 2 in Section 4.7 Natural Resource Management to read "... the natural, built and cultural environment..."</li> <li>• Amend Part 2 Section 6.2.1 Aboriginal paragraph 1 to read: "... close affiliation with the land, attributing particular significance to rivers and waterways, and practising effective ..."</li> <li>• Amend Part 2 Section 6.2.1 Aboriginal paragraph 2 to read 'Charcoal' instead of 'Carbon'</li> <li>• Amend Part 2 Section 6.2.1 paragraph 4 to reflect words as referenced in the submission.</li> <li>• Amend Part 2 Section 6.2.3 to read: "... development of areas which in many cases should include the preparation of an Aboriginal Heritage Survey, noting that all Aboriginal sites are protected whether or not they are included on the State Register of Aboriginal Sites".</li> </ul>	
G5	<p>Department of Water PO Box 525 ALBANY WA 6331</p>	<p>Thank you for the opportunity to comment on the above proposal.</p> <p>Please find attached a table containing comments from the Department of Water on the specific sections of the strategy.</p> <p>Additionally, the Department suggests that the Public Drinking Water Source Areas of Quickup Dam and Denmark River catchment areas should be included on LPS maps and identified as Special Control Areas. This is in accordance with State Planning Policy 2.7 – Public Drinking Water Source Policy, section 5.4. This would assist with protecting these areas from inappropriate development.</p> <p>Flood risk areas along the Denmark River and Wilson Inlet foreshores could also be identified as special control areas.</p>	<ul style="list-style-type: none"> <li>• Noted – recommend the Public Drinking Water Source Areas of the Quickup Dam and Denmark River catchment areas be identified in the LPS and subsequent incorporation as a Special Control Area in the Town Planning Scheme.</li> <li>• Noted – recommend Part 2 Section 5.5.3 Flooding includes reference to flood risk areas along the Denmark River.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• The Denmark River Flood Study references the flood fringe areas may be considered for development subject to minimum building floor levels – this approach is supported within the current TPS 3 provisions and it is</li> </ul>

	<p><u>Information Extracted from Table Referenced Above Follows:</u></p> <ul style="list-style-type: none"> <li>• Page 6 Section 4.1 - East Denmark future residential area needs to be proven for development. Under the <i>Better Urban Water Management</i> framework, the DoW would require a District water management strategy to support a structure plan to identify the constraints and risks of the site.</li> <li>• Page 13 Section 4.7 - Support the <i>Natural Resource Management</i> section objectives of preserving natural drainage and protect drinking water supplies.</li> <li>• Page 13 Section f - This strategy should <b>exclude</b> development from flood prone areas and seasonally inundated riparian floodplains.</li> <li>• Page 13 Section g - Needs to more strongly worded than <b>consider</b>. Rather <b>Use</b> land use planning controls to prevent....</li> <li>• Page 14 Section 4 - Supported</li> <li>• Page 14 Section 6 - Supported</li> <li>• Page 14 Section 8 - Supported</li> <li>• Page 14 Section 9 - Supported</li> <li>• Page 14 Section 10 - Supported, however council should also consider Wilson Inlet Nutrient Reduction Action Plan (WINRAP) when considering planning applications.</li> <li>• Page 15 Section 11 - Support</li> <li>• Page 15 Section 12 - Support</li> <li>• Page 15 Section 13 - Please reword this to be more generic so would cover a wider range of DoW plans '....<b>land use controls under various Water Management Plans as prepared by the Department of Water</b>' this wording would include drinking water source protection plans and catchment recovery plans and also will allow for future plans (not yet written) to be included also.</li> <li>• Page 15 Section 16 - Does this strategy allow for Council managed assets e.g. to allow for management strategy for Crown land foreshore reserves managed by the shire?</li> <li>• Page 16 Section 4.8b - Support</li> <li>• Page 16 Section c - Support, but plantations should be permitted in these areas due to water quality benefits</li> <li>• Page 16 Section d - Support</li> <li>• Page 16 Section 1, 2, 3 - Not supported in areas identified as drinking water catchment areas. Need to identify what is 'incompatible landuse'</li> <li>• Page 17 Section 4.9 c - Support</li> <li>• Page 19 Section 4.11 b, c, d - Support – will provide protection to Wilson Inlet</li> <li>• Page 19 Section 1, 2, 3 - Support – due to the benefits for Wilson Inlet</li> <li>• Page 66 Section 5.5 - Support policies that will provide more protection to waterways through ceding of foreshore reserves as a condition of development.</li> <li>• Page 68 Section 5.7 - This section could be reworded to be less confusing: <i>The Shire of Denmark has two active Public Drinking Water Source Areas (PDWSA) – the Quickup Dam and Denmark River – that supply drinking water for Denmark. DoW have prepared Draft Drinking Water Source Protection Plans (DWSP) for both sources. These plans identify risks to water quality and guide land use in the</i></li> </ul>	<p>considered will continue to apply given the small number of private landholdings affected.</p> <ul style="list-style-type: none"> <li>• Noted – recommend amend Part 1 Section 4.7 Strategy g) accordingly</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted – recommend amend Implementation Point 10 accordingly.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted – recommend amend Implementation Point 13 accordingly.</li> <li>• Noted – reword Implementation Point 16 to reflect Council managed assets.</li> <li>• Noted.</li> <li>• Noted – tree plantation land use not specifically excluded.</li> <li>• Noted.</li> <li>• Comments noted – amongst other things, the relevant Water Quality Protection Note relating to Land Use Compatibility in Public Drinking Water Source Areas would need to be taken in account in considering appropriate zoning provisions.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted – recommend amend Part 2 Section 5.7 Water Management paragraph 1 accordingly.</li> <li>• DWSPA for Quickup River Catchment area references run-off from the adjoining property is diverted around the dam wall and outside the catchment.</li> <li>• Noted – recommend should include this information within Part 2 Section 5.7.2.</li> <li>• Noted – recommend amend Part 2 Section 5.7.3 Other Catchments to include references to Bow River capacity and support of small-scale dams.</li> <li>• Noted – Shire could support but consider legislative provisions are more appropriate (i.e. Building Code of Australia).</li> </ul>
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		<p><i>catchment areas.</i> <i>Quickup DWSP will be finalised in 2011.</i></p> <ul style="list-style-type: none"> <li>• Page 68 Section 5.7.1 - It is a recommendation of the Draft Quickup Drinking Water Source Protection Plan to divert run-off from the private lot away from the dam, it hasn't been implemented yet.</li> <li>• Page 68 Section 5.7.2 - Denmark River Catchment was proclaimed in 1967 under the Country Area Water Supply Act 1947</li> <li>• Page 69 Section 5.7.3 - Bow River has limited capacity to support the growth of Peaceful Bay and Bow River settlements. DoW would support the construction of small scale dams that wouldn't have negative impact on the agricultural industry, but not large dams.</li> <li>• Page 69 Section 5.7.4 - Support, but the Shire could also actively support the use of grey water systems and rainwater tanks in new dwellings (compulsory?) Shire could also make requirements for high water efficiency fixture (e.g. 5 star WELS rating) with new building licences. Also encourage the use of fit-for purpose water for industrial, irrigation and other non-potable uses.</li> <li>• Pages 92 – 95 Section 6.10.1 - Support the strategy for development in the rural villages – in particular Peaceful Bay through the Peaceful Bay Pre-feasibility servicing report</li> <li>• Page 97 Section 6.11.4 - Support, especially in PDWSA where there may also be water quality benefits.</li> <li>• Page 99 Section 6.12.1 - Support the Shire's position not to require a scheme water supply for rural residential zones. Endorse self supply and water efficiency policies.</li> <li>• Page 103 Section 6.14.1 - No decision has been made yet on the use of Mitchell River as a future source.</li> <li>• Page 103 Section 6.14.2 - Support and encourage re-use of water where it will replace current scheme use e.g. irrigation of active recreational areas, POS.</li> <li>• Page 104 Section 6.14.3 - Support need for infill sewerage to protect Wilson Inlet.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> <li>• Noted.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Amend LPS Plan 3 to show Quickup Dam and Denmark River catchment areas.</li> <li>• Update Part 2 Section 5.5.3 Flooding to reference flood risk areas along the Denmark River and include the flood maps for the Denmark River and Wilson Inlet foreshores as Figures.</li> <li>• Amend Part 1 Section 4.7 Natural Resource Management Strategy g) by deleting 'Consider' and replacing with 'Use'.</li> <li>• Amend Part 1 Section 4.7 Natural Resource Management Implementation Point 10 to include reference to the Wilson Inlet Nutrient Reduction Action Plan.</li> <li>• Amend Part 1 Section 4.7 Natural Resource Management Implementation Point 13 to read: "...land use controls under various Water Management Plans as prepared by the Department of Water".</li> <li>• Amend Part 1 Section 4.7 Natural Resource Management Implementation Point 16 to read: Council prepare management strategies, as required, for coastal and foreshore reserves that are managed by the Shire.</li> <li>• Amend Part 2 Section 5.7 Water Management paragraph 1 to reflect current information in relation to Quickup Dam and Denmark River drinking water catchment areas.</li> <li>• Incorporate into Part 2 Section 5.7.2 Denmark River Catchment reference to when the Denmark River Catchment was proclaimed.</li> <li>• Amend Part 2 Section 5.7.3 Other Catchments to reference the limited capacity of Bow River and DoW support for small-scale dams.</li> </ul>
G6	Department of Environment and Conservation Locked Bag 2 MANJIMUP WA	<p>Thank you for the letter to the Department of Environment and Conservation (DEC) received on 7 June 2011 in which you seek comment on the Draft Local Planning Strategy. After reviewing the document DEC provide the following comments.</p> <p><u>Point 4.7 – Natural Resource Management (NRM)</u> DEC recommend that the following should be added to the objectives;</p>	<ul style="list-style-type: none"> <li>• Consider LPS appropriately provides for these matters.</li> <li>• Comments noted. Review of the referenced provisions in the LPS reveals that reference should actually be to clearing permit applications being considered by the Department of Environment &amp; Conservation in accordance with the <i>Environmental Protection Act 1986</i> and the <i>Environmental</i></li> </ul>

6258	<ul style="list-style-type: none"> <li>Retain and enhance current ecological linkages by retaining and where possible re-establish vegetation connectivity.</li> <li>Activities on private property should not adversely affect adjoining conservation estate.</li> </ul> <p><u>Implementation Point 1 and NRM Point 48</u></p> <ul style="list-style-type: none"> <li>S38 Environmental Protection Act (EP Act) sets out who may and who must formally refer a proposal to the Environmental Protection Authority (EPA) for a decision on whether or not the proposal is to be formally assessed under Part IV (Environmental Impact Assessment) EP Act.</li> <li>Point 1 does not correctly refer to the roles of DEC legislation and it is the Departments recommendation that Council clarifies the intent of the proposed provision and develop words that accurately reflect government agency roles and legislation, in consultation with DEC and the Office of the EPA.</li> </ul> <p>With regards to Part 4 on future residential, and future industrial development the document needs to provide guidance to ensure adequate separation between incompatible land uses and having regard for EPA Guidance Statements 3 and 33.</p> <p>Development applications including structure plans, scheme amendment and subdivisions need to be consistent with EPA Guidance Statement No's 3, 8 and 33.</p> <p><u>Draft LPS – Figures 1 – 3 Modification Plans</u></p> <ul style="list-style-type: none"> <li>Map 3 – Legend has Proposed Bibbulmun Track and Munda Bididi Trail – should read Bibbulmun Track and Proposed Munda Bididi Trail.</li> <li>Map 3 – Indicative rural nodal settlement – areas shown illustrate in Nornalup and Peaceful Bay that DEC managed land is included in development area.</li> </ul>	<ul style="list-style-type: none"> <li>Retain and enhance current ecological linkages by retaining and where possible re-establish vegetation connectivity.</li> <li>Activities on private property should not adversely affect adjoining conservation estate.</li> </ul> <p><u>Implementation Point 1 and NRM Point 48</u></p> <ul style="list-style-type: none"> <li>S38 Environmental Protection Act (EP Act) sets out who may and who must formally refer a proposal to the Environmental Protection Authority (EPA) for a decision on whether or not the proposal is to be formally assessed under Part IV (Environmental Impact Assessment) EP Act.</li> <li>Point 1 does not correctly refer to the roles of DEC legislation and it is the Departments recommendation that Council clarifies the intent of the proposed provision and develop words that accurately reflect government agency roles and legislation, in consultation with DEC and the Office of the EPA.</li> </ul> <p>With regards to Part 4 on future residential, and future industrial development the document needs to provide guidance to ensure adequate separation between incompatible land uses and having regard for EPA Guidance Statements 3 and 33.</p> <p>Development applications including structure plans, scheme amendment and subdivisions need to be consistent with EPA Guidance Statement No's 3, 8 and 33.</p> <p><u>Draft LPS – Figures 1 – 3 Modification Plans</u></p> <ul style="list-style-type: none"> <li>Map 3 – Legend has Proposed Bibbulmun Track and Munda Bididi Trail – should read Bibbulmun Track and Proposed Munda Bididi Trail.</li> <li>Map 3 – Indicative rural nodal settlement – areas shown illustrate in Nornalup and Peaceful Bay that DEC managed land is included in development area.</li> </ul>	<p><i>Protection (Clearing of Native Vegetation) Regulations 2004.</i> Recommend that Part 1 Section 4.7 Natural Resource Management needs to be amended accordingly to reflect correct reference.</p> <ul style="list-style-type: none"> <li>Noted – this will occur through structure planning, scheme amendment and or development proposal processes as required.</li> <li>Noted.</li> <li>Noted – recommend legend be amended accordingly.</li> <li>Noted – the indicative rural nodal settlement ‘dots’ on the LPS plans are notional and do not refer to land within the ‘dot’ being within a development area. As referenced in Part 2 Section 6.10, a ‘development boundary’ is to be identified as part of an initial conceptual structure plan – which is assumed would exclude any DEC managed land if there is no intention for development to occur on the land.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>Amend Part 1 Section 4.7 Natural Resource Management Implementation Point 1 to read: “..consult with the Department of Environment and Conservation in relation to applications lodged for clearing permits in accordance with the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> to ensure ...”</li> <li>Amend legend on Part 1 Section 7.2 Local Planning Strategy Modifications and LPS Plan 3 to reference “Bibbulmun Track” and “Proposed Munda Bididi Trail”.</li> </ul>
G7	<p>Water Corporation PO Box 100 LEEDERVILLE WA 6902</p>	<p>I refer to your letter dated 7 June 2011, seeking the Corporation’s comments in respect to the Draft Local Planning Strategy (LPS).</p> <p>The draft document makes a number of recommendations regarding Water Corporation infrastructure, summarised by the strategies listed under Section 4.11.</p> <p>The following comments are provided in respect of these to assist with the refinement of the document.</p> <ul style="list-style-type: none"> <li>Lobby the Water Corporation to ensure the timely upgrade of the WWTP to cater for anticipated residential growth in a timely manner.</li> </ul> <p>The Water Corporation has over the past 18 months been pursuing statutory approvals to undertake a critical and significant upgrade to the Denmark WWTP. Unfortunately significant delays have been incurred in obtaining these approvals, of which the Shire is</p>	<ul style="list-style-type: none"> <li>The Shire fully supports the upgrade of the Denmark Waste Water Treatment Plant however considers that the effluent should not be directed into the Wilson Inlet and that the Water Corporation need to ensure all upgrades are undertaken in a timely manner such that development proposals are not ‘put on hold’ - as is the case currently; which is a totally unacceptable situation to the Shire.</li> <li>Noted – the Shire considers the State should fund these re-use initiatives as part of core business rather than seeking Royalties for Regions Funding, particularly as it will assist with the health of the Wilson Inlet and the preservation of Scheme water which are key performance indicators of the Water Corporation.</li> <li>Noted.</li> <li>This is a priority requirement of the Shire’s coupled with</li> </ul>

	<p>aware. The existing plant is receiving wastewater flows which are beyond its designed treatment capacity. This scenario is of great concern to the Corporation and to prevent it exacerbating, it is unable to support and further development within the town which relies on connection to reticulation wastewater services.</p> <p>The Water Corporation is continuing to pursue approvals for the implementation of the upgrade as a matter of urgency and encourages the Shire's support in achieving this.</p> <ul style="list-style-type: none"> <li>To encourage the Water Corporation to establish more sustainable use of outflow water from its WWTP such as to reticulate local parks, the golf course, grounds of the Agricultural College, local tree farms, etc.</li> </ul> <p>Over recent years the Water Corporation has committed significant resources to reviewing Denmark's wastewater treatment and disposal systems and planning options for the disposal and reuse of treated wastewater. In doing so the Corporation has maintained an open dialogue with the Shire of Denmark, advising it of options these investigations have identified and issues surrounding their implementation.</p> <p>The Corporation's most recent correspondence to the Shire regarding this matter was provided in March of this year, and advised that the Corporation supported the full reclamation of treated wastewater from the plant for reuse by 2023, by adopting a three stage program.</p> <p>The first stage is for the irrigation of up to 20ha of the Denmark Golf Course, which would result in reuse of approximately 20% of treated wastewater from the plant. The proposed works are subject to an application the Corporation has submitted to the Department of Regional Development for Royalties for Regions Funding to be made available, and follows two previously unsuccessful attempts. The current application seeks funds of \$5.74 million and if successful could see the completion of this stage by 2013.</p> <p>The second stage, estimated to be \$9 million is to construct a storage dam adjacent to the agricultural college. The recycled water would be able to serve the needs of the college and the golf course and could be subject to funding.</p> <p>The final stage would cost in the order of \$25 million, and would extend the recycled water to the light industrial area and an irrigated tree lot. This also would be dependent on the availability of funds.</p> <ul style="list-style-type: none"> <li>To support the extension of the reticulated sewer system to open up new residential development areas and to infill existing developed areas.</li> </ul> <p>The Water Corporation supports the connection of reticulated wastewater services to</p>	<p>the upgrade to the Denmark Waste Water Treatment Plant project. Given that the upgrade works are a committed capital project in the 2011/2012 State budget it is considered that the Water Corporation and Department of Health could be progressing with Denmark's reinstatement on the Infill Sewerage Program.</p> <ul style="list-style-type: none"> <li>Given the LPS shows the buffer area around the Waste Water Treatment Plant and the intention is to progress with Town Planning Scheme No. 4 in the very near future, it is considered there is no pressing need to undertake an amendment to TPS 3.</li> </ul>
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		<p>subdivision or density development in accordance with the Western Australian Government's Draft Country Sewerage Policy.</p> <p>As discussed above however, given the Denmark WWTP is currently operating beyond its design capacity, the ability to receive and treat waste from additional connections is not available. The Corporation therefore cannot support further development within the town, until such time that critical upgrades have been completed.</p> <ul style="list-style-type: none"> <li>Lobby the Water Corporation to reinstate Denmark onto the Sewerage Infill Program arguing that it will provide a more efficient use of the system, provide a better environmental outcome and also encourage developers to further extend the service to open up new residential estates.</li> </ul> <p>The Infill Sewerage Program (ISP) is an initiative of the Western Australian State Government, which seeks to reduce the potential for health and environmental issues within built areas of the state. Whilst works and subsequent operations associated with the program are administered by the Water Corporation, prioritisation of it is determined by government in consultation with the Corporation and Department of Health.</p> <p>Notwithstanding this, given the aforementioned wastewater treatment constraints currently present, the Corporation is unable to support the reinstatement of Denmark in the ISP, until such time necessary upgrades to the Denmark WWTP have been completed.</p> <ul style="list-style-type: none"> <li>To adopt and support the buffer area around the WWTP and ensure that only compatible uses are located within its buffer.</li> </ul> <p>The Water Corporation fully supports this strategy and has sought to work collaboratively with the Shire to see its realisation.</p> <p>To this end the Corporation encourages the Council to initiate an amendment to its Town Planning Scheme No. 3, in accordance with the Water Corporation's submission lodged in October 2010. Adoption of the proposals contained within this submission would provide strong long-term land use protection of the WWTP buffer area and the achievement of this strategy.</p>	
G8	Heritage Council of Western Australia PO Box 6201 EAST PERTH WA 6892	<p>Thank you for your correspondence received on 10 June 2011 regarding the Draft Local Planning Strategy.</p> <p>The Heritage Council offers the following comments:</p> <ol style="list-style-type: none"> <li>It is encouraging to see a strong consideration of heritage within the proposed Strategy, such as the inclusion of objectives, strategies and implementation plan relating to cultural heritage, and the reference to <i>State Planning Policy 3.5, Historic Heritage Conservation</i>.</li> </ol>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted – 2011 Municipal Heritage Inventory includes some guiding principles to the preparation of a Heritage List; not necessary to include in the LPS.</li> <li>Noted.</li> </ul>

		<p>2. The draft Strategy identifies the requirement to continue to review and implement the recommendations of the Shire’s Municipal Heritage Inventory. In addition to this, it is suggested you consider the development of a policy or process to determine which MHI places will be included in the Heritage List.</p> <p>3. SSP3.5 notes that “effective heritage protection requires an integrated approach involving not only regulation, but also promotion and incentives”. While developing your strategy it is recommended that consideration is given to the provision of incentives. This will inform development of a planning scheme with appropriate mechanisms to support heritage conservation.</p> <p>We hope these comment will be of value in the development of the Shire’s Local Planning Strategy.</p>	
G9	<p>Department of Planning (State Strategic Policy Branch) Level 4, One40 William Street PERTH</p>	<p>Thank you for the opportunity for State Strategic Policy to provide comment on the tourism component of the Shire’s draft Local Planning Strategy.</p> <p>State Strategic Policy would like to highlight that Planning Bulletin 83: Planning for Tourism has been reviewed and a new version was released on 19 July 2011. Please see the attached Planning Bulletin 83 (<i>NB: omitted – available to Councillor’s upon request</i>).</p> <p>The change of policy position reflects the need for greater flexibility in planning for tourism development across WA, to encourage and support investment in the industry. The main changes to the policy means moving away from identifying ‘strategic’ and ‘non-strategic’ sites and assessing percentages of residential of a tourism proposal on a case-by-case basis.</p> <p>The new policy position states that where a Local Tourism Planning Strategy (LTPS) has been previously prepared by Local Government, a summary of the key findings and recommendations should be incorporated into the Local Planning Strategy (LPS) to establish a land use planning framework for tourism that is relevant to the locality or region.</p> <p>State Strategic Policy recognises that tourism is an important industry in the Denmark area. Given that the Shire is yet to develop a LTPS State Strategic Policy recommends that you amend the strategy outlined on page 8, section 4.4 (a) and instead develop a tourism component to your LPS that can be incorporated once completed. This will ensure that the tourism component of the LPS will better align with the policy position outlined in the recently released PB83: Planning for Tourism. The requirements of a tourism component of a LPS are outlined in the attached planning bulletin.</p> <p>A commitment to producing a tourism component of the LPS, including timelines for completion, should be written into the current draft LPS.</p> <p>Excluding the specific issues raised above in relation to 4.4 (a) the tourism objective and</p>	<p>Noted – revised Planning Bulletin 83 released after draft LPS was adopted by Council and certified by the WAPC for advertising purposes. Therefore recommend modifications to the LPS reflecting the general provisions provided for in Planning Bulletin 83, noting that the designation of strategic sites as ‘Tourist’ in the LPS is sufficient at this stage before finalising a Local Tourism Planning Strategy – noting the financial resources and timeframes associated in compiling such a document.</p> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>Amend Part 2 Section 6.7.4 Tourism Taskforce Report, Part 2 Section 6.7.5 Planning Implications and relevant Part 1 Section 4.4 Tourism Implementation Points accordingly in light of the revised Planning Bulletin 83 provisions.</li> </ul>

		strategies outlined in the draft LPS are supported by State Strategic Policy. We support the intent to encourage eco-tourism, the facilitation of new tourism developments and choices of tourism accommodation types and look forward to reviewing the tourism component to your LPS when completed.	
G10	Department of Mines and Petroleum Mineral House, 100 Plain Street EAST PERTH WA 6004	<p>Thank you for your letter dated 7 June 2011 inviting comment on the above draft Local Planning Strategy.</p> <p>The Geological Survey of Western Australia (GSWA) has assessed this document on behalf of the Department of Mines and Petroleum (DMP) with respect to access to mineral and petroleum resources, geothermal energy and basic raw materials.</p> <p>GSWA strongly suggest that all Local Planning Strategies contain relevant background information on all the natural resources of the Shire. We note that Section 5.0 on Natural Resource Management of your draft policy does not include a section on minerals and basic raw materials. These resources are included in the WAPC State Planning Policy No. 2 Environment and Natural Resources; however the Shire may prefer to have a separate section for these.</p> <p>Suggested comments on geological aspects that could be incorporated in the Local Planning Strategy are as follows;</p> <ul style="list-style-type: none"> <li>• The Shire of Denmark lies within Proterozoic (1300 – 1100 million years old) rocks of the Albany – Fraser Orogen, which trend in an easterly direction along much of the south coast of Western Australia. The Shire covers the southern domain of the Albany Fraser Orogen, which consists of granitic orthogneiss, gneiss and granite if the Nornalup Complex. The Nornalup Complex has potential for gold and base metal mineralization.</li> <li>• Eocene (53 – 33 million years old) sandstone, siltstone and spongolite occur as a thin veneer over the rocks of the Albany Frase Orogen, on the eastern and western parts of the Shire.</li> <li>• Geologically recent limestone and limesand deposits are restricted to a narrow coastal strip extending inland from the coast for a distance of 1 to 3 km. Limesand is currently being mined on the western side of Wilson Inlet and limestone has been mined at Parry Inlet.</li> <li>• Millions of years of weathering has produced a laterite caprock that is commonly overlain by sand. The laterite is a source of gravel, and has potential for bauxite and clay. A number of surficial materials also have potential for titanium – zircon mineralization, which is known to occur at Parry Inlet and William Bay.</li> </ul> <p><u>Mineral and Petroleum Tenements</u> Geology, mining and petroleum tenement, and mineral deposit information for the area can be viewed using GeoVIEW.WA – DMP’s interactive geological map viewer on <a href="http://www.dmp.wa.gov.au/7113.aspx">http://www.dmp.wa.gov.au/7113.aspx</a> Maps can be produced either directly by using this</p>	<ul style="list-style-type: none"> <li>• Noted – recommend add geological information into Part 2 Section 5 as appropriate.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Add new sub-section into Part 2 Section 5.0 Denmark Profile – Natural Resource Management having regard to comments provided in Department of Mines &amp; Petroleum’s submission and SPP No. 2 Environment &amp; Natural Resources.</li> </ul>

software, or by downloading digital data for use in GIS software, For very detailed information on Mining Act tenements relative to cadastre, use the Tengraph system at DPM's website (<http://www.dmp.wa.gov.au/3980.aspx>). It is recommended that you consider using these systems in your land-use planning studies.

There is currently one granted mining lease (held by the Shire for limesand) and four exploration licence application that are wholly or partly within the Shire of Denmark. These cover most of the freehold land in the Shire.

#### Mining of Construction Materials

On Crown land, construction materials are defined as a 'mineral' and hence there is need for mining leases under the *Mining Act 1978* for sand, limestone or gravel extraction. On private property, commercial construction material extraction is authorised by the Shire through the grant of Extractive Industry Licences. It is very likely that mining of construction materials will be required for all new infrastructure (roads, bridges, telecommunications, etc.) to be built in the Shire.

The strategy includes a section on Basic Raw Materials – Extractive Industry (Section 6.11.7), which sets out their importance and their administration. GSWA is pleased to see that the Shire has included consideration of Special Control Areas for Basic Raw Materials for long term extraction sites. We recommend that an area in the eastern part of the Shire, shown on the attached plans, be considered for Special Control Area for Basic Raw Materials (Figures 1 & 2). This area is suitable as it is close to the Denmark Township, has significant recourses of sand and gravel, is currently already largely under Extractive Industry Licences and is currently not in conflict with other land uses.

An error in policy name should be corrected in paragraph 2 of section 6.11.7 to read '..WAPC's State Planning Policy 2.4 Basic Raw Materials..'

It is important for existing resource extraction sites, where there are resources that will last for a number of years, to be identified in the Strategy and protected in the Scheme from developments that would conflict with the extraction, such as any new special rural subdivisions or Townsite expansions. Protection of construction material sites is important because all developments require supplied of cost-effective, high quality resources. The Shire should also note the requirements of the WA Planning Commission's draft State Planning Policy 4.1 for Industrial buffers, in regard extractive industries.

Ten crown reserves for 'gravel', 'sand & gravel', 'quarry' and 'mining' (R36487, R22890, R42254, R36487, R22890, R42254, R29561, R33921, R35160, R22347, R39668, R46273, R32190) occur within the Shire, as well as approximately 25 Extractive Industry Licences for sand and gravel. All these areas warrant consideration for long term use. We note that some of these sites are close to the "indicative rural nodal settlements" shown on Plan 3, and we recommend that the protection of them is taken into account in future planning.

G11	<p>Department of Agriculture and Food WA 444 Albany Highway ALBANY WA 6330</p>	<p>The Department of Agriculture and Food WA (DAFWA) welcomes the opportunity to provide feedback on the draft Local Planning Strategy for the Shire of Denmark (LPS 46). Please find below a number of comments addressing agricultural land use planning components in the draft local planning strategy.</p> <p>1. Analytical Basis For Strategy</p> <p>In the Denmark Shire, while there are some areas of direct loss of food producing land to housing/tourism developments, land use competition reflects gradual fragmentation of lots, associated effect on land values, and use for rural small holdings for part-time and possible less agriculturally productive activity compared to that under full-time farming.</p> <p>While the Strategy supports a wide range of uses for rural land in order to encourage diversification of the economic base, it does not explicitly recognise the on-going importance of broadacre or intensive agriculture to the economy of the Denmark area and beyond through to the Lower Great Southern Region.</p> <p>As a strategy for a discrete area, namely the Shire of Denmark, the document lacks: relevant analysis of the past economic and productivity trends; identification of drivers for the future; and projected trends which will drive the future land use needs and therefore the economy. These trends should be the reflective base upon which the strategy is built.</p> <p>2. Agricultural Land Use Planning</p> <p>a) DAFWA supports the Shire’s desire to assist with the identification and protection of the best productive available agricultural land in the Denmark area. However, DAFWA recommends that the shire uses the term Priority Agriculture land in the zone terminology as this is the term used in the current and draft State Planning Policy (SPP2.5). There is no definition of High Quality Agricultural Land (HQAL) that applies to planning instruments. It is also consistent with the Lower Great Southern Strategy.</p> <p>In believing that HQAL mapping will perhaps one day supersede or replace PAL mapping, the draft Denmark Shire LPS document wrongly refers to HQAL and in places the document seems to use the two terms (HQAL and PAL) interchangeably, confusing the concept of protecting rural land in the priority zone and general agriculture zone.</p> <p>b) DAFWA’s role in identifying priority agricultural land is to provide input into strategic land use planning as well as providing technical information to inform the planning process. Key data sets that the Department can provide include:</p> <ul style="list-style-type: none"> <li>• Regional scale soil-landscape mapping;</li> <li>• Regional scale interpreted mapping of land capability for agricultural land uses such as annual and perennial horticulture, viticulture, grazing and cropping; and</li> </ul>	<ul style="list-style-type: none"> <li>• Noted – Planning Services disagree that the draft LPS does not recognise the on-going importance of broadacre or intensive agriculture to the economy of Denmark and beyond.</li> <li>• Noted – recommend that all high quality agriculture references throughout the document be amended to priority agriculture.</li> <li>• Noted – draft LPS utilises factors such as soil mapping, slope and water supply availability.</li> <li>• Noted.</li> <li>• Approach provided for in draft LPS is to designate areas suitable for further consideration of rural residential/rural smallholdings development, with the developer needing to then “prove up” the case rather than the Shire/WAPC omitting lots without undertaking individual lot analysis if they are within the designated areas.</li> <li>• Noted – supports the Shire’s position in designating the ‘rural residential’ and ‘rural smallholdings’ areas as they are located such that they address any land use conflicts with adjoining agricultural landuses.</li> <li>• Noted – is therefore recommended progress with information currently available and as more data becomes available the Shire consider and determine whether an amendment to the LPS is required accordingly.</li> <li>• Noted – Shire does not support inclusion of minimum lot sizes either as it is presumptuous that the prevailing lot sizes are greater than the stated minimum lot size and there is an implication that only lots of such size are suitable for rural landuse activities to occur.</li> <li>• Noted – add new Strategy &amp; Objective into Natural Resource Management section.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>• Amend all high quality agriculture references to priority agriculture.</li> <li>• Include information in relation to Acid Sulfate Soils, including new Strategy &amp; Objective into Natural Resource Management section.</li> </ul>
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- Regional scale maps of land qualities and degradation risk such as water erosion and water logging hazard.

The Department does not produce maps of priority agricultural land which can be directly used by planners. Instead planners use the land capability information combined with other data sets to identify areas of land that can be zoned priority agriculture.

To be considered in decisions related to land use planning, Priority Agricultural Areas need to be subjected to public consultation, as part of the planning process, and endorsed by the WAPC .

- c) DAFWA supports the introduction of terminology for a “General Agriculture Zone” into the Town Planning Scheme with provisions consistent with the objectives and appropriate land use classes etc, reflective of WAPC SPP 2.5 requirements, and zone the land identified as such in the Local Planning Strategy.
- d) It would appear from page 20 that the Shire will not proactively identify areas for rural living (rural residential and rural small holdings) but will only assess on a case by case basis:
- Rural Residential Ongoing – When landowners apply for rezoning. Once land is rezoned, a local structure plan is adopted and infrastructure is available.
  - Rural Smallholdings Ongoing – When landowners apply for rezoning. Once land is rezoned, a local structure plan is adopted and infrastructure is available.

This is then supported by the following provision (page 27; Rural Land – Subdivision and Development):

*84. Council continue to require rezoning submissions for new rural residential and rural smallholding development to demonstrate land capability, environmental assessment and the coordination of design and servicing with adjoining development through subdivision guide plans.*

It is important to note that DAFWA’s position is for Shires to investigate the demand for rural living and then plan these areas to be close to services and to avoid the Priority Agricultural Land, rather than to follow an ad-hoc approach which seems to be implied from the abovementioned draft LPS statements. The approval of rural living needs to be supported by a clear demand and assessment that current supply of Rural Living lots does not meet current and future predicted demand (noting the need for the analytical basis of strategy).

- e) DAFWA supports the planning and implementation of buffers zones and/or specific separation distances to minimise conflict between agricultural and incompatible land use.

		<p>Provided agricultural practices are legally practised i.e. in accordance with existing codes of practice, it is unreasonable for new adjacent uses to demand a modification of these practices to an extent which threatens efficient agricultural operations.</p> <p>When preparing planning schemes, local governments should avoid, as far as practicable, locating residential development in close proximity to agricultural or agri-food industry land uses. Where this is not possible, mechanisms such as buffer areas and separation distances should be used to minimise conflicts.</p> <p>3. Priority Agricultural Land (PAL) vs. High Quality Agricultural Land (HQAL)</p> <p>As noted above, DAFWA recommends that the draft Denmark Local Planning Strategy should continue to refer to the Priority Agricultural Land (PAL) mapping, as published in the Lower Great Southern Region Strategy (2003).</p> <p>DAFWA did undertake to develop some revised mapping in an effort to better define high quality agricultural land based on a new methodology incorporating soil-water availability and lot size. The request to achieve this was initiated by the then Department of Planning to identify better quality agricultural land in the General Agriculture Zone in other regions where no previous style of land capability mapping had been done.</p> <p>While a draft output was created covering the Denmark Shire, the methodology is presently not suitable for undulating and high rainfall landscapes. The new methodology required considerable revision before it can be applied to any of the PAL mapping in the Lower Great Southern Region.</p> <p>While DAFWA acknowledges the proactive approach taken by the Denmark Shire to refer to its best quality agricultural land using what might become new terminology, at this stage DAFWA recommends that the Denmark Shire does not assume that any draft High Quality Ag Land (HGAL) mapping will replace the current PAL mapping.</p> <p>Therefore, DAFWA recommends that HQAL should be zoned Priority Agriculture to align with SPP 2.5 and the LGS RS. This would also align, for example, with the most recently gazetted LPS for Augusta-Margaret River Shire (September 2010). The draft SPP2.5 also uses the term Priority Agriculture in endorsed plans.</p> <p>4. Other observations / comments</p> <p>a) It is important to note that DAFWA no longer supports the inclusion of minimum lots sizes for Priority and General Agricultural Zones as set out in the current SPPP2.5; and that DAFWA does not consider that intensification of agriculture and emerging uses justify subdivision as there is currently an adequate supply of small lots in the Denmark Shire.</p> <p>b) There appears to be limited (or no) acknowledgement of the risk of Acid Sulfate</p>	
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		Soils (Ass or Potential Acid Sulfate Soils – PASS) in the draft planning strategy associated with any development in the lower lying landscape areas within the Shire. It is therefore recommended that a suitable strategy is included to “Avoid the disturbance of acid sulphate soils in areas where these are likely to occur”.	
G12	Shire of Manjimup PO Box 1 MANJIMUP WA 6258	<p>I refer to your letter and enclosed CD ROM dated 7 June 2011 and my response dated 20 July 2011 requesting additional time for Council to consider a formal response.</p> <p>I advise that the Shire of Manjimup considered its formal response on the Shire of Denmark Local Planning Strategy at its Ordinary Meeting of Council held in Walpole on 19 August 2011 and resolved as follows:  <i>“That Council advises the Shire of Denmark that:</i></p> <ol style="list-style-type: none"> <li><i>It supports sustainable development of Nornalup and Peaceful Bay in a manner that is complementary to Walpole rather than competitive and takes into account existing limitations on essential services;</i></li> <li><i>It notes that the development of up to 2,000 lots in Nornalup could have significant environmental impacts on the Frankland River and Nornalup Inlet;</i></li> <li><i>Development of Nornalup and Walpole should be coordinated between the Shires of Denmark and Manjimup in consultation with the Department of Planning given the close proximity of the two settlements;</i></li> <li><i>Any development of Nornalup and Peaceful Bay should utilise existing educational and recreational facilities in Walpole for at least the short and medium terms with consideration of any need to expand these facilities to meet demand;</i></li> <li><i>Any duplication of services currently provided in Walpole should be avoided in Nornalup;</i></li> <li><i>Consideration should be given to acknowledging the interrelationship between Nornalup / Peaceful Bay and Walpole in the Denmark Local Planning Strategy notwithstanding the two centres are located in separate local government areas and state planning regions; and</i></li> <li><i>It notes that the creation of up to 2,000 lots in Nornalup may be inconsistent with the intention of a ‘rural village’ envisaged in the Lower Great Southern Strategy but acknowledges that the exact number of lots will depend on detailed structure planning during which it is requested the Shire of Manjimup is consulted.”</i></li> </ol> <p>I have enclosed a copy of the agenda item tabled at the meeting that provides background on the above resolution (NB: omitted – available for Councillor’s upon request).</p>	<ul style="list-style-type: none"> <li>Comments provided are acknowledged and will need to be further considered when structure planning processes commence for Nornalup.</li> <li>It should be noted that the development and relevant comments referenced in Part 2 Section 6.10 will be the guiding principles but it is likely development will not be in the order of what is envisaged mainly due to environmental and social considerations, and infrastructure capacity. It is therefore recommended that paragraph 4 in Part 2 Section 6.10.2 needs to be amended to include this reference as it currently states the provisions provided for in Section 6.10 remain relevant and are not proposed to be altered by this LPS.</li> </ul> <p><u>Recommendation:</u></p> <ul style="list-style-type: none"> <li>Amend Part 2 Section 6.10.2 Nornalup paragraph 4 to read: “The ‘preferred development’ recommendations and ‘comments’ of the Rural Settlement Strategy will form the guiding principles for the structure planning process, noting however that the number of lots envisaged by the Rural Settlement Strategy may not be able to be accommodated for having regard to environmental and social considerations and infrastructure servicing issues.”</li> </ul>
G13	Shire of Plantagenet PO Box 48 MOUNT BARKER WA 6324	<p>Thank you for your letter of 7 June 2011 seeking comment on the Council’s draft Strategy.</p> <p>The Strategy has been assessed in terms of its impact on the common boundaries between the two Shire areas and no objections are raised.</p> <p>One comment I can make is in relation to the Denmark River catchment. This Council in its Planning Vision shows the upper parts of the catchment as a Special Control Area due to its</p>	<ul style="list-style-type: none"> <li>Noted – the DoW also recommended the Public Drinking Water Source Area of the Denmark River catchment areas be identified in the LPS and subsequent incorporation as a Special Control Area in the Town Planning Scheme. Planning Services have recommended this occur as a modification to the draft LPS.</li> </ul>

		drinking water catchment status. Your Council may wish to consider a similar approach of a Special Control Area over the portion of the catchment within the Shire of Denmark boundaries.	
G14	Western Power Locked Bag 2520 PERTH WA 6000	<p>Western Power wishes to advise the following in respect to the above mentioned proposal.</p> <ol style="list-style-type: none"> <li>To the best of my knowledge, there are no objections to the changes you propose to carry out for the abovementioned project.</li> </ol> <p>Please note:</p> <ol style="list-style-type: none"> <li>Perth One Call Service (Freecall 1100 or visit dialbeforeyoudig.com.au) must be contacted and location details (of Western Power underground cabling) obtained prior to any excavation commencing.</li> <li>Work Safe requirements must also be observed when excavation work is being undertaken in the vicinity of any Western Power assets.</li> </ol> <p>Western Power is obligated to point out that any change to the existing (power) system; if required, is the responsibility of the individual developer.</p>	Noted.
G15	Main Roads WA PO Box 503 ALBANY WA 6330	<p>Thank you for your letter dated 7 June 2011 seeking Main Roads comment concerning the Shire of Denmark Draft Local Planning Strategy and my apologies for not responding earlier.</p> <p>Main Roads manages the State's classified road network which comprises roads of regional or State significance. These roads typically provide the primary arterial access and freight routes between the Perth metropolitan area, regional cities and major rural towns, major mining, and industrial centres, ports and other major centres of economic activity. These roads are of primary importance to State and regional economic prosperity and serve an important social function in linking communities.</p> <p>I have attempted to outline below the strategic role of each classified road within the Shire of Denmark and the perceived future demands and risks facing the Great Southern Region's classified road network and the likely works that will need to be undertaken to address these issues. Unless otherwise stated, Main Roads comments below refer to a 10-20 year timeframe.</p> <p>Within the Denmark Shire, Main Roads manages the State's classified road network which comprises:</p> <ul style="list-style-type: none"> <li>South Coast Highway</li> <li>Denmark Mt Barker Road</li> </ul> <p><u>South Coast Highway</u> South Coast Highway forms part of a major inter-regional route between the South West and the Great Southern Region.</p>	<ul style="list-style-type: none"> <li>Noted – draft LPS currently identifies South Coast Highway and Denmark-Mt Barker Road as Regional Roads.</li> <li>Noted – refer comments and associated recommendations in Officer's Report titled <i>Proposed East-West Link Road</i>.</li> <li>Noted – Planning Services are recommending designating a number of neighbourhood connector roads throughout Denmark as a modification to the draft LPS, including designating Tindale Road as a 'Future Regional Road'.</li> <li>Noted</li> <li>Noted.</li> <li>Noted.</li> <li>Noted.</li> <li>Noted – Planning Services are recommending designating a number of neighbourhood connector roads throughout Denmark as a modification to the draft LPS, which includes the two identified on the approved Subdivision Guide Plan for Lot 5 South Coast Highway.</li> </ul>

	<p>It provides inter-town access between major rural centres and provides access to the Port of Albany.</p> <p>From a State perspective the highway serves an express function carrying long distance high speed traffic, and is a primary freight and tourist route. It is expected South Coast Highway's existing traffic capacity will not be exceeded by anticipated growth in inter-regional traffic.</p> <p>Main Roads and Shire of Denmark need to undertake strategic planning to address the future traffic demand through the Denmark Townsite.</p> <p><u>Denmark – Mt Barker Road</u></p> <p>The Denmark-Mt Barker Road provides access between Denmark and Mt Barker and the surrounding farming areas and is an important tourist and timber haulage route. The existing traffic capacity of the Denmark Mt Barker Road, will remain well above anticipated inter-regional traffic volumes.</p> <p>The Great Southern Region's classified road network has an average age of 36 years. Over this time substantial increases have occurred in the volume of all classes of traffic accessing the network. Heavy multi-combination vehicle configurations have been permitted to operate and many changes and improvements have been made to road design standards. As a result a significant proportion of the classified road network now falls below current design standards (though generally within acceptable minimum operating standards). Typical issues which result include intersection safety, inadequate passing opportunities, sub-standard curves, inadequate seal and formation width etc.</p> <p>Many of these deficiencies remain tolerable given the low traffic volumes carried by many of the Regions roads. However as traffic volumes grow on network, particularly heavy multi-combination vehicles (which on some roads are growing at well above the rate of light vehicle growth) increased problems must be expected.</p> <p>Due to Government prioritisation and funding constraints it is becoming increasingly difficult for Main Roads to obtain funding for major projects. As a result, the focus of Main Roads Great Southern Region's works over the next 20 years are expected to be largely focused on small scale projects aimed at improving road safety, transport efficiency and preservation of the road asset. Works will comprise intersection improvements, additional overtaking lanes, road shoulder widening and sealing, pavement rehabilitation works, rest area and parking bay upgrades etc. The location and timing of these works will be determined by amongst other things, safety history, network deficiency surveys, traffic demand and funding constraints.</p> <p>To ensure an adequate level of safety is maintained as far a possible on network, it is important that Main Roads ensures that where problems will be exacerbated by</p>	
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development, particularly at intersections, that these be addressed by the developer as part of the development process which is in line with the user pays policy now supported by WAPC.

A major threat to the classified road network is seen as the uncoordinated or inappropriate development of land in proximity to the classified road network due to inadequate structure planning. The result of such development could include:

- Inadequate provision of local government arterial roads to cater for urban development traffic demand, resulting in sections of the State Road network prematurely reaching capacity.
- Increasing numbers of private property accesses and local access roads connecting to the classified road network and the conflict that this must inevitably bring with high-speed through traffic, particularly where these intersections are associated with substandard road geometry.
- Increasing numbers of conflict points (e.g. intersections with local roads and property accesses) on the State Road network.
- Increasing volumes of low speed local traffic conflicting with higher speed through traffic, in the worst case leading to local traffic congestion, due to failure to develop appropriate local distributor roads.
- Heavy freight haulage through urban areas.
- Linear development of towns along the State Road network.
- Existing road intersections with the State Road network exceeding their safe traffic capacity.

These threats if not appropriately managed as part of the planning and development process will result in increased road trauma and reduced road network efficiency, with consequential impacts on the State's economic prosperity and the social well-being of the community. If this was permitted to occur, Main Roads would inevitably come under pressure from the community and business sector to upgrade the State Road network to an appropriate standard at substantial cost to the State.

It is essential that the planning framework allows an appropriate traffic assessment of both large development proposals and areas of planned development involving multiple small to mid-size developments, so that appropriate road upgrade works can be undertaken as part of these developments at the developers cost, in accordance with the State Government's user pays policy.

Planning for future development road network needs should preferably be undertaken at the district level to allow integration of the broad movement network, avoid duplication and inefficient design and minimise developer costs.

	<p>Main Roads' comments concerning the draft Denmark Local Planning Strategy (LPS) are set out below.</p> <ol style="list-style-type: none"><li>1. Sections of State Road located within townsites may function as de-facto local distributor roads. This is not a concern to Main Roads where substantial reserve traffic capacity exists in the State Road network and local traffic demand is low. However, where this is not the case and traffic demand approaches capacity, road performance will decline and a significant liability to the State may result. The LPS needs to address the potential negative impacts of future land development on the State Road network;</li><li>2. A local road hierarchy needs to be identified for the existing or future local road network so that road access impacts and road development needs can be realistically assessed as part of the scheme amendment and subdivision approval process;</li><li>3. Inclusion into the LPS for the need of District Structure Planning and a State and Local Road access strategy which has been approved by Shire of Denmark, WAPC and Main Roads, is critical to all parties involved in the development approval process;</li><li>4. New roads may only be connected to the State Road network with the approval of Main Roads. In the interest of road safety and transport efficiency, Main Roads seeks to limit both the number of access points onto the State Road network and the excessive consumption of reserve State Road traffic capacity by developers;</li><li>5. Advice from Main Roads should be sought whenever a development or subdivision proposal is likely to generate in excess of 100 total vehicle movements per hour (peak hour) or the volume of turning movements at any State Road intersection increases by more than 10%, so that Main Roads may consider the need for appropriate improvement treatments at the developers cost;</li><li>6. Heavy vehicle operations are not well suited to residential environments given issues such as noise, vibration, dust and odour, and the 24/7 operating hours typical of this industry. Also the safety concerns raised when significant volumes of heavy vehicle traffic is mixed with residential commuter traffic, particularly where school or pedestrian traffic is involved. Careful consideration should be given to protecting the alignment corridor of these roads with future development of townsites adjacent to heavy vehicle routes. Main Roads will need to maintain the minimum lane widths required for a RAV route through the main street of Denmark.</li><li>7. Linear development of the nodal settlements should be avoided and the importance of the South Coast Highway needs to be recognised given the limited opportunity to improve the alignment / performance of the highway at these locations.</li><li>8. Main Roads agree in principle to the relocation of the Zimmerman Street Depot to the new Industrial Park.</li><li>9. The development of Lot 5 South Coast Highway should allow for a local arterial distributor road as a condition of the development, to provide future connectivity from Ocean Beach Road to South Coast Highway with a suitable road reserve width to accommodate services.</li></ol>	
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