

2010/153

APPENDIX III - APPLICATION FOR PLANNING CONSENT

SHIRE OF DENMARK - TOWN PLANNING SCHEME NO 3

Name/s of owner/s Surname: FOWLER (KIMIANA NOMINEES PTY LTD)

of land on which

development is Other Robert Leslie

proposed. Names: WILLOUGHBY PARK

Address in full:

Submitted by: MICHAEL GOUNOREY

Address for correspondence: PO BOX 987

Denmark WA 6333

Contact Phone Number: 0814 882525 MICHAEL GOUNOREY @ WESTNET.COM.AU

Locality of Development:

Description of Land: Street: South Coast Highway

Lot No: 42 Location No: 678 Street No:

Plan or Diagram: NOT APPLICABLE Certificate of Title: NOT APPLICABLE

Volume: NOT APPLICABLE Folio: NOT APPLICABLE

Development Proposed: Tower Public Signs Reem Towers South Coast Hwy

Approximate Cost of Proposed Development: \$50,000

Estimated time of Completion: OCTOBER 2010

Signature of Applicant: [Signature]

Date:

Signature of all Owner/s: [Signature] Director/Sec 1

Date: 5/6/2010

This form is to be submitted in duplicate with two copies of the A3 plans (four copies if applying for a building licence).

This is not an application for a building licence. A separate application is required for a building licence.

RECEIVED 14 JUN 2010

Attachment 8.1.4

Willoughby Park  
PO Box 987  
Denmark  
WA 6333

The Planning Department  
Denmark Shire  
Denmark  
WA. 6333.

5<sup>th</sup> June 2010

Application of a Tavern Licence

Dear Sir/Madam,

I would like to submit three sets of plans for your approval of a Tavern licence situated at Willoughby Park Lot 41 South Coast Highway Denmark known as the old West Cape Howe winery.

Once these plans have been approved by your department they will go to the director of Racing Gaming and Liquor for permission to precede with the licence application.

We have based the plans on the site to catering for 70 people visiting at any one time taking into consideration the building of new toilets and the parking area.

The three sets of plans are attached and include the following

- A site plan
- The current building plan
- The new building plans

The new plans show the proposed Tavern licence area.

The brewing area.

New toilets, including toilets for the disabled.

The veranda covering the decking.

Staff room and staff toilets.

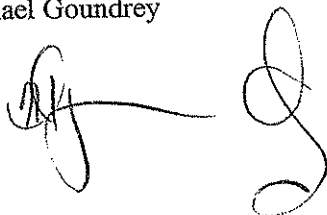
Fire safety exit doors.

Self catering kitchen and store room.

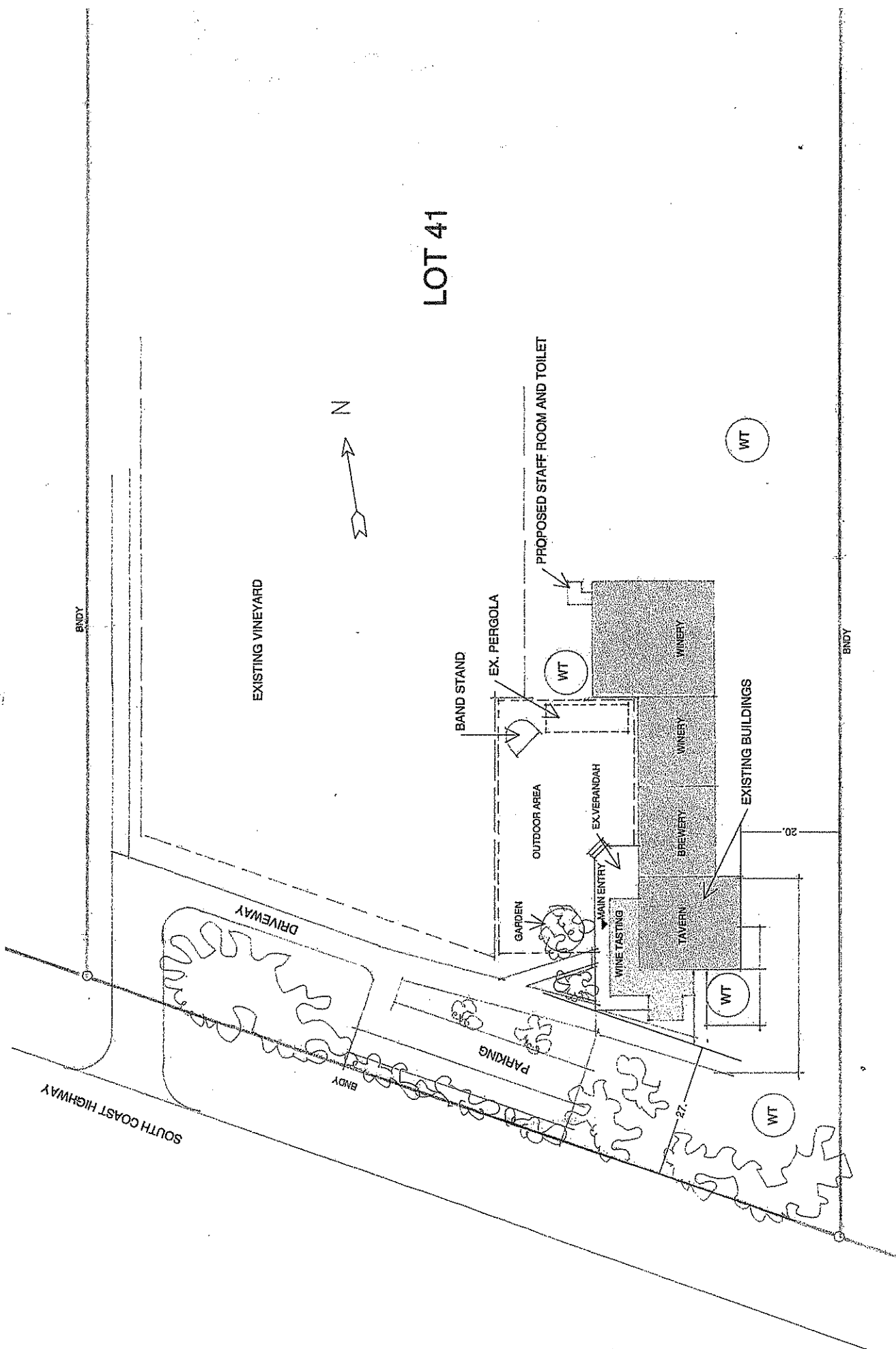
Please call me on \_\_\_\_\_ if I can assist with any of the above related to this application,  
we look forward to your earliest reply.

Yours sincerely

Michael Goundrey



RECEIVED  
14 JUN 2010  
BY.....



LOT 41



SOUTH COAST HIGHWAY

EXISTING VINEYARD

PROPOSED STAFF ROOM AND TOILET

BAND STAND

EX. PERGOLA

OUTDOOR AREA

EX. VERANDAH

WINE TASTING

TAVERN

BREWERY

WINERY

EXISTING BUILDINGS

WT

WT

WT

WT

BNDY

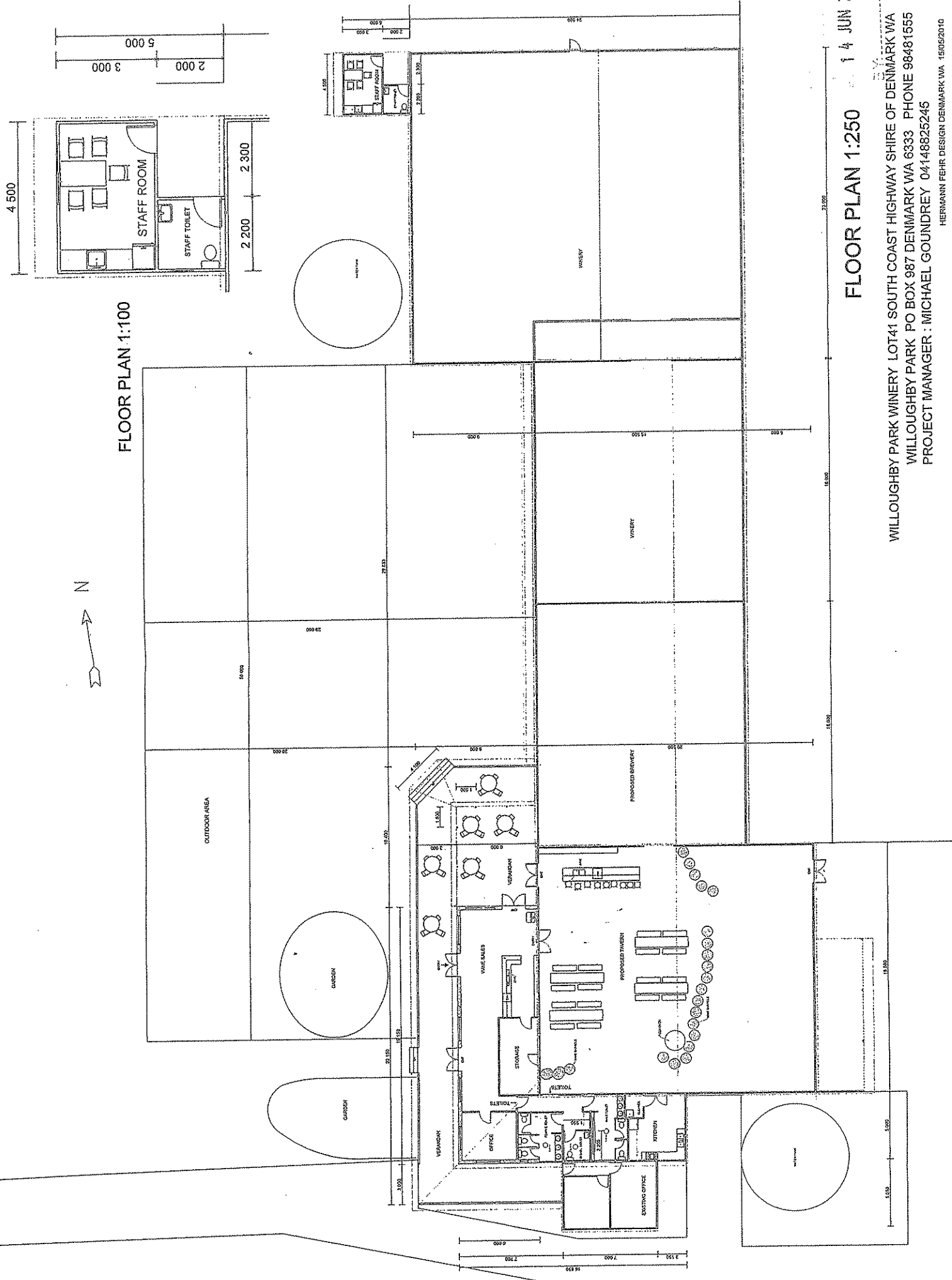
BNDY

20

27



FLOOR PLAN 1:100



FLOOR PLAN 1:250

14 JUN 2010

WILLOUGHBY PARK WINERY LOT41 SOUTH COAST HIGHWAY SHIRE OF DENMARK WA  
WILLOUGHBY PARK PO BOX 987 DENMARK WA 6333 PHONE 98481555  
PROJECT MANAGER : MICHAEL GOUNDRY 04148825245  
HERMANN FEHR DESIGN DENMARK WA. 15/05/2010

Legal flag  Non-current

Assess No A3285  
 Owner TIMIAMA NOMINEES PTY LTD  
 Property Address 678 SOUTH COAST HIGHWAY DENMARK 6333

House	678	Lot	42
Street	SOUTH COAST HIGHWAY		
Type	HIGHWAY		
Suburb	DENMARK		
Ward	03	Area	SCOTSDALE
Locality	HAY	Zoning	RURAL
Land use	RURAL		
V. G. No	1075140		
Pens No			

Valuation Details  
 Gross Rental Value \_\_\_\_\_ Unimproved Value 322000.00



**PLANNING CONSENT APPLICATION 47/2010 DECISION SHEET**

<b>App Description</b>	Microbrewery inside existing premises		
<b>Location</b>	No. 678 (Lot 42) South Coast Highway	<b>Owner</b>	Timiama Pty Ltd
<b>Officer</b>	Phil Shephard	<b>Date Received</b>	19/2/10
<b>File Ref</b>	A3285	<b>Catchment</b>	Denmark River
<b>TPS Zoning</b>	Rural	<b>R Code</b>	n/a
<b>TPS Land Use</b>	Winery/Cellar Sales	<b>Permissibility</b>	'SA' Discretionary
<b>Related Files</b>	Nil		
<b>TPS Policies</b>	No. 5 'Minimum Setbacks'		
<b>National, State Local Heritage &amp; Aboriginal Site Survey</b>	Nil		
<b>Draft DLPS</b>	<p>Land is shown as general agriculture. South Coast Highway is shown as a major highway.</p> <p><i>Note: The recently completed draft identifies the land for general agricultural purposes. South Coast Highway is shown as a regional road. The land is largely contained within the nominal industrial buffer to the future industrial area at McIntosh Road.</i></p>		
<b>Conflict of Interest</b>	Nil		

**Assessment Report:**

The proposal is to incorporate a microbrewery in conjunction with the existing West Cape Howe winery operation. The proposal involved brewing beer for tasting and sale from the premises using the existing winery tourist facilities (i.e. sales area, toilets, car park, licensed garden area etc.).

Council is presently undertaking a scheme amendment that will include a definition for microbrewery as follows:

*Microbrewery – means premises used for the purposes of brewing and sale of boutique hand crafted beers with a limited capacity (as determined by Council) in conjunction with an existing tourist operation.*

In this instance, the proposal is consistent with this definition and utilises an existing winery area. The land has been approved for winery and cellar sales and no additional advertising of the proposal is considered necessary.

The proposal has been discussed with the Director of Community and Regulatory Services who advised that there are not particular health issues that apply to the request. The proposal will require a liquor license from Office of Racing, Gaming and Liquor. Applicant has requested approval from Council prior to lodging their application with ORGL.

**Conclusion:**

The proposal shall be approved subject to conditions.

**Officer Recommendation:**

Approve     Refuse     Consult     Defer     Council

**That Council grant Planning Consent for the Microbrewery on No. 678 (Lot 42) South Coast Highway, Denmark subject to the following conditions:**

- 1. The development to be in accordance with the attached stamped approved plans and where marked in red dated 19 February 2010.**
- 2. This approval allows for the brewing and sale of hand-made beers on-site only and does not permit the sale of any products not produced on-site.**
- 3. All sales shall be undertaken in conjunction with the existing Winery cellar sales (hours of operation, liquor type restrictions, sales area etc.)**
- 4. The applicant obtaining any necessary liquor license prior to commencing operations.**

5. Any alterations to the water supply and/or upgrading of the on-site effluent disposal system shall be undertaken to the satisfaction of the Principal Environmental Health Officer.
6. Any building alterations shall be subject to the applicant obtaining a Building License from the Shire of Denmark prior to any construction commencing.
7. The maintenance of a Building Protection Zone around the building to the satisfaction of the Community Fire Manager (see Advice Note i)).

**Advice Notes:**

- i) The Building Protection Zone shall consist of a parkland cleared area for a minimum distance of 20m from the buildings and shall increase by 1m in width for every degree of incline.
- ii) Compliance with the Shire's Annual Fire Break Notice is considered a priority given the high bush fire risk in this area.
- iii) In this instance, Council has decided not to advertise the proposal on the basis that it is replacing an existing similar use. Any application for the expansion of the area will be advertised for public comment in accordance with clause 6.4 of the scheme.

..... Date: 23/2/10  
**Officer**

**Decision Made Under Delegation D100601: YES / NO**  
**Approve/Refuse as recommended:**

..... Date: .....  
**Director of Planning & Sustainability**

**ENTER INTO DELEGATION SUMMARY REPORT YES / NO**



Government of Western Australia  
Department of Environment and Conservation

Your ref:  
Our ref: SRS28420  
Enquiries: Peter Keppel  
Phone: 97 717 943  
Fax: 97 771 363  
Email: Peter.Keppel@dec.wa.gov.au

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

Shire of Denmark 10R1042051	
20 JUL 2010 A3285	
DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	✓
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	

Dear Sir

**SUBJECT: SHIRE OF DENMARK TOWN PLANNING SCHEME NO. 3 – PROPOSAL OF A TAVERN AT 678 (LOT 42) SOUTH COAST HIGHWAY DENMARK**

Thank you for your letter received at this office on 9 July 2010 requesting advice on the establishment of a proposed Tavern on the above mentioned property.

The Department of Environment and Conservation (DEC) provide the following comments.


The proposed dwelling is in close proximity to lands managed by the DEC and that some or all of the following management activities may occur in the nearby nature reserve from time to time.

- Prescribed burning for the enhancement and conservation of biodiversity and/or fire hazard reduction purposes.
- Application of herbicides and other chemicals for weed and plant disease control.
- Feral animal control (fox baiting)

The Department does not object to this application providing due consideration is given to the above advice.

Please contact Mr Peter Bamess on 9771 7929 if you have any queries regarding this advice.

Yours faithfully

  
Peter Keppel  
Regional Manager  
Warren Region

15 July 2010





Government of Western Australia  
Department of Water



looking after all our water needs  
File ref: RF774

Enquiries: Brad Rimmer

Tel: 9842-1020

Shire of Denmark  
ICR1042040

19 JUL 2010  
A3285

DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	✓
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

Shire of Denmark  
PO Box 183  
Denmark WA 6333

Attention: Sam Williams

Dear Mr Williams

**RE: Shire of Denmark Town Planning Scheme No. 3 - Proposal of a Tavern at 678 (Lot 42) South Coast Highway, Denmark**

Thank you for the above referral. The Department of Water (DoW) has assessed the proposal and has no comment to offer at this stage of the planning process.

If you wish to discuss the matter further, please contact me on 9842-1020.

Yours sincerely,

**Brad Rimmer**  
Natural Resource Management Officer  
South Coast Region

15 July 2010



Government of Western Australia  
Department of Health

Your Ref: A3285 2010/153 SW/RH  
Our Ref: EHB-0002/03  
Enquiries: Allen Tan (9388 4938)

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

Shire of Denmark	
ICR108 2260	
3 AUG 2010	
A3285	
DATE	REF
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	✓
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	

*Dunn,  
Pls note  
for report  
to Cr.  
S.*

Dear Sir/Madam

**Re: SHIRE OF DENMARK TOWN PLANNING SCHEME No. 3  
PROPOSAL OF A TAVERN AT 678 (LOT 42) SOUTH COAST HIGHWAY,  
DENMARK**

Thank you for your letter of 8 July 2010 inviting the Department of Health's (DOH) comment on the above.

It is understood that the property is about 16 acres in size. Given the size of the lot, existing and proposed developments can comply with the provisions of the draft Country Sewerage Policy.

The DOH has no objection to the proposal subject to details of the onsite wastewater treatment and disposal system serving the development being acceptable to DOH at building application stage.

Yours faithfully

**Richard Theobald  
MANAGER WATER UNIT  
PUBLIC HEALTH DIVISION**

26 July 2010

S:\EHD\Water Unit\WASTE\Typing\2010\100726ta1.doc

**Environmental Health**  
All Correspondence: PO Box 8172 Perth Business Centre Western Australia 6849  
Grace Vaughan House 227 Stubbs Terrace Shenton Park WA 6008  
Telephone (08) 9388 4999 Fax (08) 9388 4955  
wa.gov.au  
ABN 28 684 750 332



Enquiries: Chris Grant on (08) 9892 0524  
 Our Ref: 04/13075-04 D10#155625  
 Your Ref: A3285 210/153 SW/RH

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

ATTENTION: SAM WILLIAMS

Shire of Denmark ICR1082289	
4 AUG 2010 A3285	
DATE	LPH
FILE REF	
COUNCILLORS	
CEO	
DIR of FINANCE	
DIR of PLANNING	✓
DIR of INFRASTRUCTURE	
DIR of COMMUNITY	
OTHER	



ABN: 50 860 676 021

29 July 2010

*D.P.  
Pls note.  
SW.*

**TOWN PLANNING SCHEME NO 3 - PROPOSAL OF TAVERN AT 678 (LOT 42) SOUTH COAST HIGHWAY.**

**MAIN ROADS REFERENCE: SOUTH WESTERN HIGHWAY (H009) 467.76 SLK LHS.**

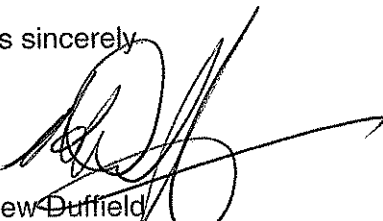
I refer to your letter dated 8 July 2010 seeking Main Roads consideration concerning Town Planning Scheme No 3 as above.

Main Roads raises no objection to the proposed Scheme Amendment Request subject to the following condition:

1. Any change of use or upgrade of the existing access to Lot 42 from South Coast Highway must be approved by the Regional Manager of Main Roads Great Southern.

If you require any further information please contact Chris Grant on (08) 9892 0524.

Yours sincerely



Andrew Duffield  
REGIONAL MANAGER



Australian Business  
Excellence Awards  
Bronze Award 2007

