

SHIRE OF DENMARK

TOWN PLANNING SCHEME No. 3

AMENDMENT No. 141

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

1. Inserting new 'General Industry' and 'Special Use' zones to Clause 3.1.1.
2. Inserting Clause 3.1.3(k) as follows:

'General Industry Zone - to provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.

To accommodate industry that would not otherwise comply with the performance standards of light industry.

Seek to manage impacts such as noise, dust and odour within the zone.'

3. Inserting Clause 3.1.3(l) as follows:

'Special Use Zone - to facilitate special categories of land uses which do not sit comfortably within any other zone.

To enable the Council to impose specific conditions associated with the special use.'

4. Adding the use class of 'Caretaker's Dwelling' to Table 1 – Zoning Table with the following symbols to apply:

	Residential	Tourist	Commercial	Industrial	Rural	Special Rural	Rural Multiple Occupancy	Special Residential	Landscape Protection	Professional Office
Caretaker's Dwelling		AA	AA		AA	Refer to Appendix 6 & Clause 5.38		Refer to Appendix 14 & Clause 5.38	Refer to Appendix 15 & Clause 5.38	AA

5. Amending Table 1 – Zoning Table as follows:

Use Class	General Industry	Special Use
Aged or Dependent Persons Dwelling		Refer to Appendix XVIII
Aquaculture		
Boarding House		
Caravan Park		
Caretaker's Dwelling		
Cellar Sales		
Child Minding Centre		
Club Premises		
Consulting Rooms		
Cottage Industry		
Education Establishment		
Extractive Industry		
Fast Food Outlet		
Feedlot Farming		
Fuel Depot	AA	
Gallery/Restaurant		
Garden Centre		
General Industry	AA	
Grouped Dwelling		
Holiday Accommodation		
Holiday Home (large)		
Holiday Home (standard)		
Home Business		
Home Occupation		
Horticulture		
Hotel		
Kennels		
Light Industry		
Market		
Medical Centre		
Motel		
Noxious Industry	SA	
Office	IP	
Piggery		
Poultry Farming		
Private Recreation		
Private Tree Plantation		
Public Amusement		
Public Worship		
Relocated Dwelling		
Residential Building		
Restaurant		
Rural Industry	SA	
Rural Pursuit		
Service Industry	AA	
Service Station	AA	
Shop	IP	
Showroom		
Single House		
Tavern		
Telecommunications Infrastructure	AA	
Transport Depot	AA	
Tree Felling		
Vehicle Repairs	AA	
Vehicle Sales and Hire		
Vehicle Wrecking	AA	
Veterinary Establishment	SA	
Warehouse	AA	
Winery		

6. Amending Table 2 – Development Standards as follows:

GENERAL INDUSTRY	15	5	10	0.6:1	(B)	2.5
SPECIAL USE	(B)	(B)	(B)	(B)	(B)	(B)

7. Adding Clause 5.39 as follows:

'GENERAL INDUSTRY ZONE PROVISIONS

5.39.1 Minimum lot size for 'General Industry' zoned lots shall be 4000m².

5.39.2 In considering an application for development approval within the General Industry zone, the local government shall have regard to matters including, but not limited to:

- (i) the Environmental Protection Authority's *Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses*;
- (ii) heights of buildings/structures, risks (including bushfire risk), hazards, health and amenity associated with the proposed use being located in proximity to existing and approved adjoining and surrounding land uses;
- (iii) the water usage requirements of the proposed industry in light of the area being unsewered; and
- (iv) the practicability and effectiveness of any amelioration measures which form part of the proposed development.

5.39.3 The use of zincalume as a roof and/or wall material for buildings is prohibited.

8. Adding Clause 5.40 as follows:

'SPECIAL USE ZONE PROVISIONS

Scheme provisions for a specific Special Use Zone shall be as set out in Appendix XVIII specifying any special provisions appropriate to secure the objectives of the zone.'

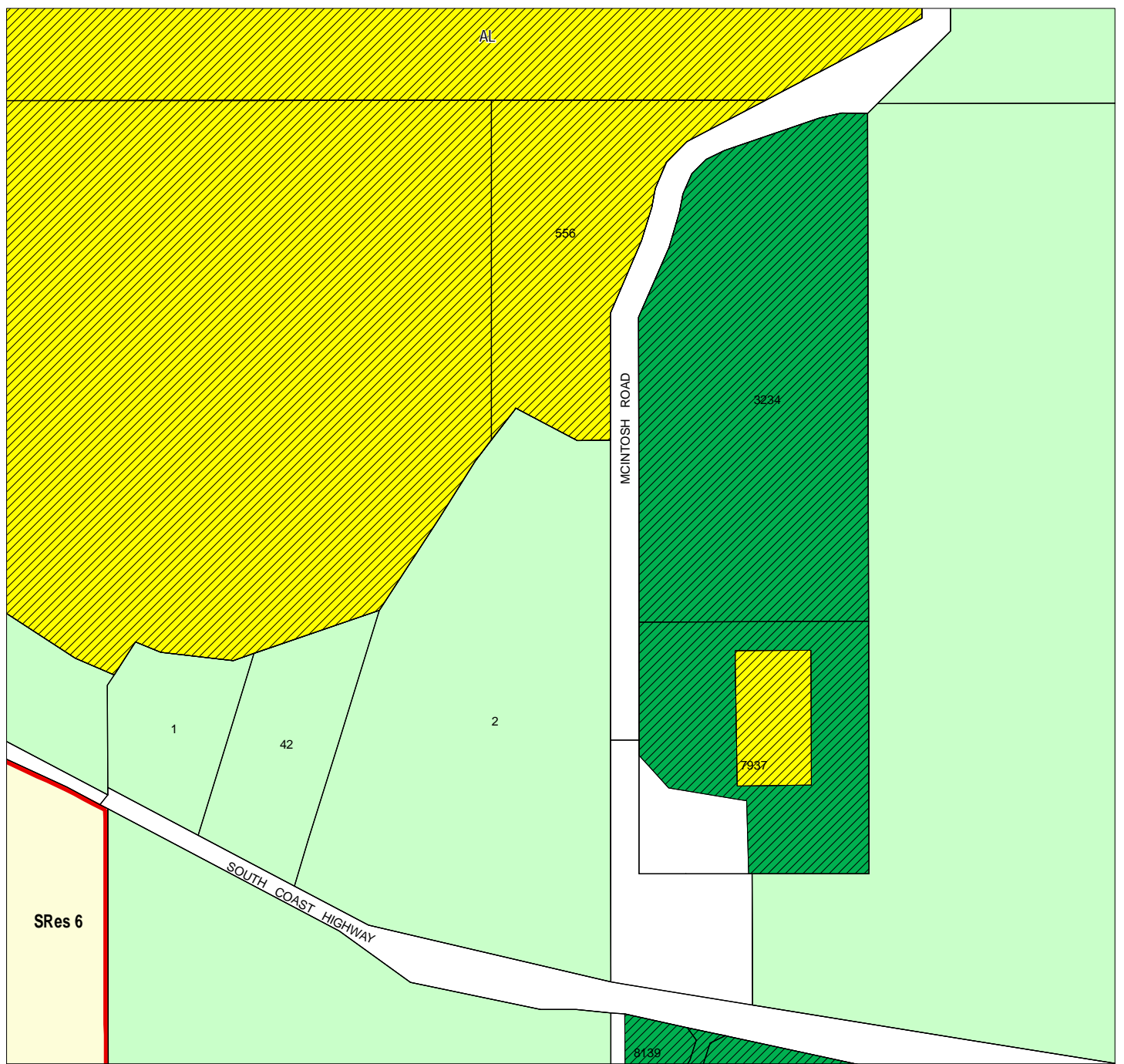
9. Adding a new 'Appendix XVIII – Special Use Zone' as follows:

SU No.	Particulars of the Land	Special Uses	Conditions

10. Updating the Table of Contents accordingly.
11. Adding 'General Industry' and 'Special Use' zones to the Scheme Map legend accordingly as per the Scheme Amendment Map.
12. Rezoning No. 99 (Lot 556) McIntosh Road, Hay from 'Public Use' reserve' to 'General Industry' zone and amending the Scheme Map accordingly.
13. Rezoning No. 652 (Lot 2) South Coast Highway, Hay from 'Rural' to part 'General Industry' zone and part 'Special Use (SU 1)' zone and amending the Scheme Map accordingly.








14. Inserting Special Use (SU1) zone provisions in 'Appendix XVIII – Special Use Zones' as follows:

No.	Particulars of the Land	Special uses	Conditions
SU1	Ptn of No. 652 (Lot 2) South Coast Highway, Hay	<p>Rural Enterprise Precinct</p> <p><u>Objectives:</u></p> <ul style="list-style-type: none"> • To provide for light industrial and ancillary residential development on one lot. • To provide for lot sizes in the range of 1 to 4 hectares. • To carefully design rural enterprise estates to provide a reasonable standard of amenity (within the precinct and the surrounding locality) without limiting light industrial land uses. • To provide a transition use between the 'General Industry' zone to the north of the precinct and South Coast Highway, acknowledging the precinct's location on South Coast Highway being the 'gateway' into Denmark. • To notify prospective purchasers of potential amenity impacts from industrial land uses on-site and from the adjoining industrial area. 	<ol style="list-style-type: none"> 1. Notwithstanding any other provisions of the scheme, the following land uses are the only permissible land uses in this zone: <ul style="list-style-type: none"> <u>'AA' Uses:</u> <ul style="list-style-type: none"> • Light Industry <u>'SA' Uses:</u> <ul style="list-style-type: none"> • Aquaculture • Garden Centre • Service Industry • Transport Depot <u>'IP' Uses:</u> <ul style="list-style-type: none"> • Single House 2. Prior to subdivision and development of the site (excluding subdivision of the subject site to reflect the boundaries of the 'General Industry' and 'Special Use' zones), a Local Development Plan is to be approved by the local government. 3. The Local Development Plan is to guide and coordinate development and subdivision of the site and shall suitably address matters including, but not necessarily limited to: <ul style="list-style-type: none"> (i) Lot configuration; (ii) Location of suitable development areas for industrial uses and ancillary residential development on-site; (iii) Adjoining land use buffer considerations; (iv) Vegetation retention and/or revegetation areas to address visual amenity impacts of the development from South Coast Highway; (v) Bushfire management considerations; (vi) Vehicular access arrangements – noting no vehicular access is permissible to South Coast Highway (other than an emergency access way); (vii) Servicing arrangements including stormwater management; (viii) Signage, building material and fencing considerations. 4. Development and subdivision shall generally be in accordance with the approved Local Development Plan.



EXISTING SCHEME MAP

Legend

-  Cadastre with Lot number
-  AL Public use : Aerial landing ground
- LPS Zones**
-  Other (see scheme text)
-  **SRes 6** Special residential area
- LPS Reserves**
-  Parks and recreation
-  No zone
-  Public use



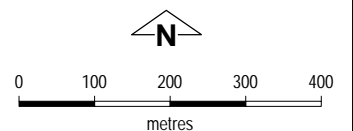
Department of Planning

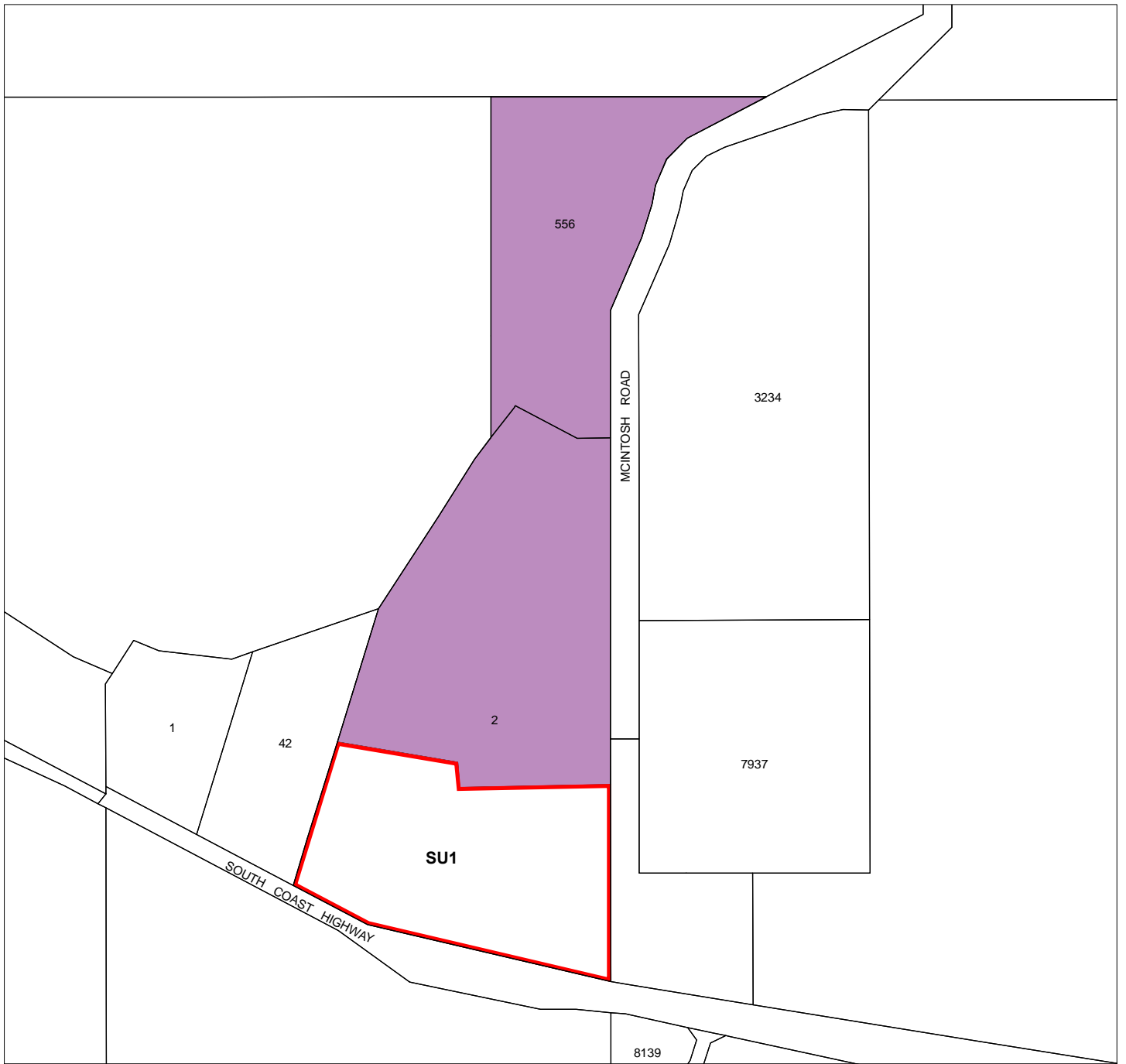
Shire of Denmark

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Produced by GeoSpatial Research and Modelling,
 Department of Planning, Perth WA
 Base Information supplied by Western Australian
 Land Information Authority LI 782-2015-3





PROPOSED SCHEME AMENDMENT MAP

Legend

-  Cadastre with Lot number
- LPS Zones
-  General industry
-  Special use
- Other (see scheme text)
-  **SU1** Special use area



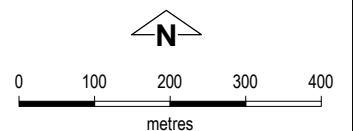
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INDICATIVE CONCEPT PLAN

Lot 556 McIntosh Road, Hay and Lot 2 South Coast Highway, Hay Shire of Denmark

LEGEND

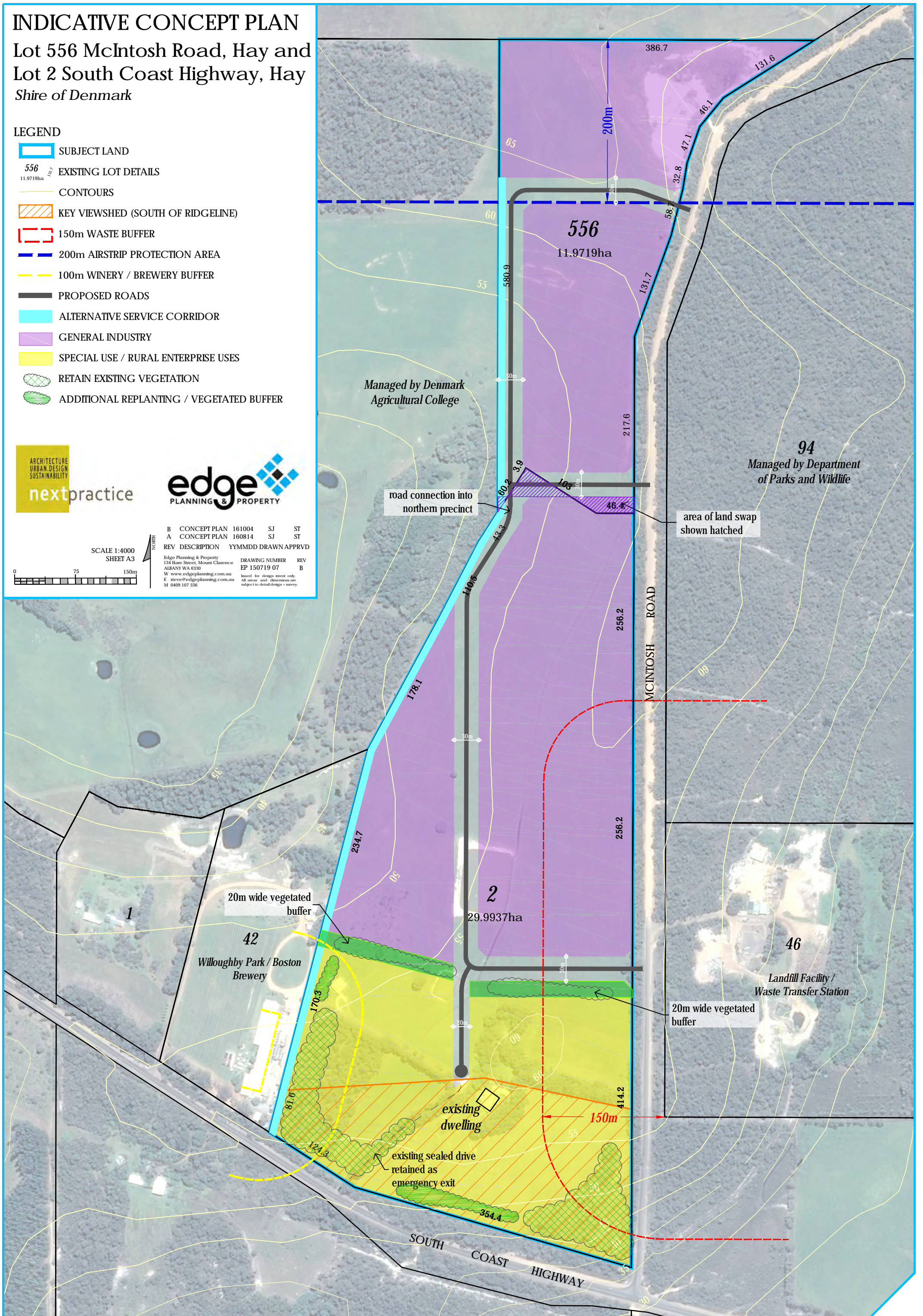
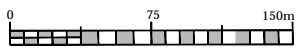
- SUBJECT LAND
- 556
11.9719ha EXISTING LOT DETAILS
- CONTOURS
- KEY VIEWSHED (SOUTH OF RIDGELINE)
- 150m WASTE BUFFER
- 200m AIRSTRIP PROTECTION AREA
- 100m WINERY / BREWERY BUFFER
- PROPOSED ROADS
- ALTERNATIVE SERVICE CORRIDOR
- GENERAL INDUSTRY
- SPECIAL USE / RURAL ENTERPRISE USES
- RETAIN EXISTING VEGETATION
- ADDITIONAL REPLANTING / VEGETATED BUFFER



B	CONCEPT PLAN	161004	SJ	ST
A	CONCEPT PLAN	160814	SJ	ST
REV	DESCRIPTION	YYMMDD	DRAWN	APPRVD
	Edge Planning & Property 134 Hans Street, Mount Clarence ALBANY WA 6330 W www.edgeplanning.com.au E steve@edgeplanning.com.au M 0409 107 336		DRAWING NUMBER EP 150719 07	REV B

based for design intent only.
All areas and dimensions are
subject to detail design + survey.

SCALE 1:4000
SHEET A3



20m wide vegetated buffer

area of land swap shown hatched

20m wide vegetated buffer

existing dwelling

existing sealed drive retained as emergency exit

150m