

PLANNING & DEVELOPMENT ACT 2005

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

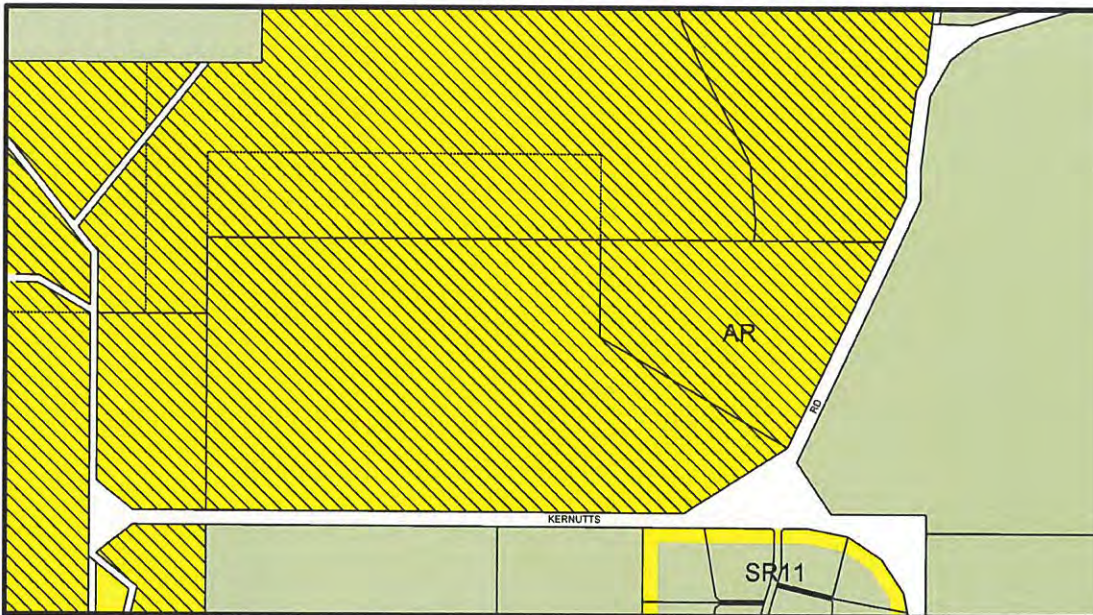
AMENDMENT No. 139

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:

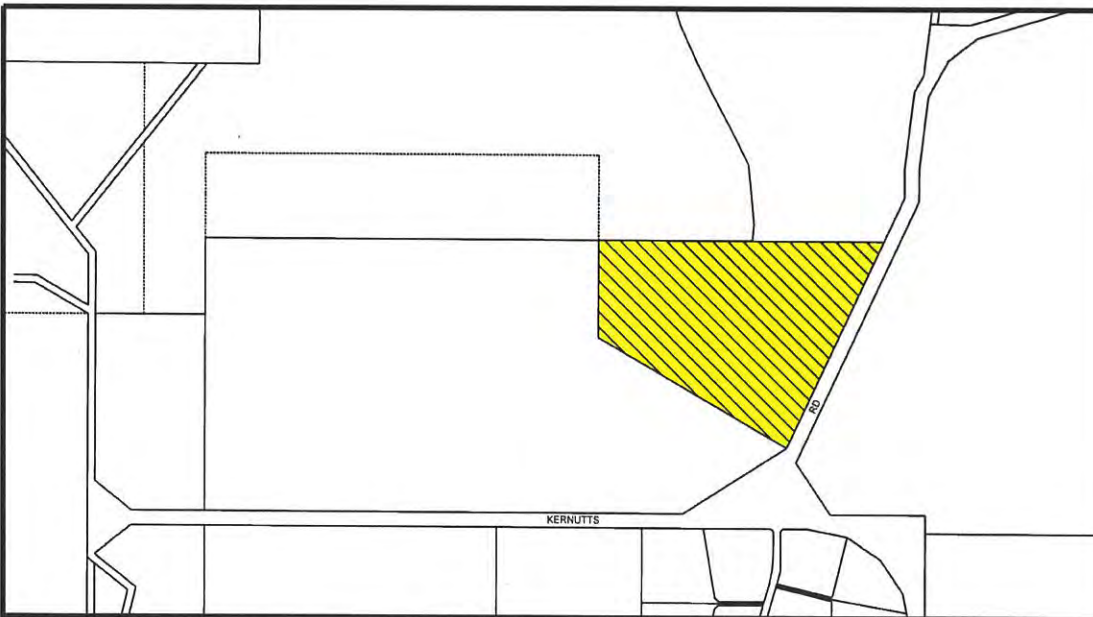
1. Amending the Scheme Map to remove the 'Agricultural Research Station (AR)' denotation over Lot 7648 Kernutts Road, Hay.

SHIRE OF DENMARK
TOWN PLANNING SCHEME No. 3

Amendment No.139




EXISTING ZONING



SCHEME (AMENDMENT) MAP

LEGEND



LOCAL SCHEME RESERVES

-  Public Use
- AR Denoted as Follows:
Agricultural Research Station

ZONES

-  Rural
-  Special Rural

OTHER

-  SR11 Special Rural Areas
(see Scheme Text)
-  No Zone



SCALE 1:20 000

**SCHEDULE OF SUBMISSIONS: AMENDMENT 139 –
PROPOSED REZONING TO REMOVE 'AGRICULTURAL RESEARCH STATION' DENOTION ON LOT 7648 KERNUTTS ROAD, HAY**

Submission Number	Name & Address	Verbatim Submission	Planning Services Comment
G1	Department Planning, Lands and Heritage (Heritage Projects)	<p>Please be advised we have checked our records and there are no Aboriginal places listed with our Department within, or in close proximity to Lot 7648 Kernutts road.</p> <p>In light of the SW settlement you may also wish to contact the South West Land and Sea Council and seek their views on the matter and establish if they have any interests or concerns about the land in question. They can be contacted at 1490 Albany Highway Cannington, WA 6107 or by email at reception@noongar.org.au</p>	Noted.
G2	Main Roads Western Australia (Great Southern Region)	<p>Thank you for your correspondence dated 12 December 2017, allowing Main Roads comments on the above amendment.</p> <p>Main Roads has now had the opportunity to review the information provided, and has no objection to the proposed amendment.</p>	Noted.
G3	Department of Water and Environmental Regulation (Water)	<p>Thank you for referring the above application to the Department of Water and Environmental Regulation (DWER) for advice.</p> <p>DWER advises that it has no objections to the proposal and provides the following comments.</p> <p>Denmark River Catchment Area Lot 7648 is located in the Mt Leay sub-catchment of the Denmark River. As this sub-catchment drains to the Denmark River downstream of the Denmark River dam, the change of purpose for the land will not have any impact on the public water source from the Denmark River. However, the inclusion of Lot 7648 into the Denmark Catchment State Forest with management from Department of Biodiversity, Conservation and Attractions, should lead to improved land practices, such as cessation of animal grazing and the regeneration of native vegetation, that will benefit water quality in the Denmark River and subsequently Wilson Inlet</p>	Noted.
G4	Department of Water and Environmental Regulation (Contaminated Sites Branch)	<p>I refer to your letter dated 12 December 2017 to the Department of Water and Environmental Regulation (DWER) regarding Lot 7468 Kernutts Road, Denmark (the site), received on 22 December 2017.</p> <p>DWER understands that the proposed rezoning will remove the 'agricultural research station' designation for the site under Scheme Amendment No.</p>	<ul style="list-style-type: none"> • Noted. • The subject land is proposed to be transferred to the adjoining Denmark Catchment State Forest, thus development of the site is considered limited as such. If however any development should occur this would be taken into consideration at that stage.

20 March 2018 - Attachment 8.1.1b

		<p>139, of the Shire of Denmark's Town Planning Scheme No.3.</p> <p>DWER understands that the site was historically used as an agricultural research station and that historical advice from the Environmental Protection Authority (Predecessor agency to DWER) indicated that a preliminary site investigation (PSI) would need to be conducted in order to assess the site for potential contamination in soil and groundwater arising from the use of chemicals such as pesticides, fertilizers and herbicides, that may have been used and stored at the site in the past.</p> <p>DWER advises that Lot 7468 is not classified under the <i>Contaminated Sites Act 2003</i>, and DWER holds no information relating to the contamination status of this lot.</p> <p>Based on the available information, DWER has no objection to the proposed Scheme Amendment No. 139. However, if Lot 7468 is proposed for development in future, an investigation for potential contamination at the site may be required and DWER may recommend a contamination condition be applied to the development approval.</p>	
G5	Department of Biodiversity, Conservation and Attractions (Parks and Wildlife Service)	<p>Thank you for your letter received on 20 December 2017 regarding the above application.</p> <p>Parks and Wildlife Service has no comments or objections to this proposal.</p>	Noted.
G6	Department of Primary Industries and Regional Development (Agriculture & Food)	<p>I am writing further to this departments letter to you of 3 January 2018 in relation to the above town planning amendment.</p> <p>A review of our records and further information provided by the Department of Planning, Lands and Heritage shows that the previous advice is in error and should therefore be disregarded.</p> <p>Please be advised that this Department has no objection to the scheme amendment proposal.</p>	Noted.