

16 February 2021 - Attachment 9.1.2a

FIGURE 1 - REGIONAL LOCATION
LOT 305 SOUTH COAST HIGHWAY, OCEAN BEACH



**Shire of Denmark
Town Planning Scheme No. 3
Amendment No. 148**



Williams Consulting – Town Planning and Project Management

P: 0418 116 216 E: samwilliams@westnet.com.au M: PO Box 69, Denmark WA 6333

16 February 2021 - Attachment 9.1.2b

SHIRE OF DENMARK
TOWN PLANNING SCHEME No. 3
AMENDMENT No. 148

File No:

Part of Agenda:

MINISTER FOR PLANNING

Proposal to amend a Local Planning Scheme

1.	Local Authority:	Shire of Denmark
2.	Description of Local Planning Scheme:	Town Planning Scheme No.3
3.	Type of Scheme:	District Zoning Scheme
4.	Serial No. of Amendment:	148
5.	Proposal:	<ul style="list-style-type: none">a) Rezoning No. 2201 (Lot 305) South Coast Highway, Ocean Beach, from 'Rural' to 'Tourist (T15)' zone.b) Inserting Tourist (T15) and associated provisions into Appendix XIII – Schedule of Tourist Zones of the Scheme Text; andc) Amending the Scheme Map accordingly

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

**Shire of Denmark
Local Planning Scheme No. 3
Amendment No. 148**

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

- a) Rezoning No. 2201 (Lot 305) South Coast Highway, Ocean Beach, from 'Rural' to 'Tourist (T15)' zone.
- b) Inserting Tourist (T15) and associated provisions into Appendix XIII – Schedule of Tourist Zones of the Scheme Text; and
- c) Amending the Scheme Map accordingly

This Amendment is standard under the provisions of the Planning and Development (Local Planning Scheme) Regulations 2015 for the following reason(s):

- Any other amendment that is not complex or basic amendment;

Dated this day of 20....

.....
Chief Executive Officer

AMENDMENT REPORT

DOCUMENT CONTROL

Control Version	Date	Status	Distribution	Comment
A	26.10.2020	Draft	QA/Client	
B	29.10.2020	Final	Shire	Changes to Sec 3.2.3, Figures and AA land uses

Prepared by: SW

Reviewed by: DC

Date: 29 October 2020

Job Name: Lot 305 South Coast Highway, Ocean Beach

Version: B

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Scheme Map Amendment No. 148
Local Development Plan

Scheme Amendment No. 148 proposes to rezone No. 2201 (Lot 305) South Coast Highway, Ocean Beach from 'Rural' to 'Tourist' under the Shire of Denmark's Town Planning Scheme No.3 (TPS3).

The site is located in the William Bay locality approximately 10 km west of the Denmark Town Centre via South Coast Highway, and is deemed to be of high tourism value based on general location and site specific criteria. It is within close proximity to both major tourist attractions and activities, including; William Bay National Park, Elephant Rocks, Mad Fish Bay, Greens Pool, breweries/cideries/wineries, walk/bike trails and the Valley of the Giants.

The site comprises an area of around 26 hectares of general agricultural land, and is of an insufficient size to support traditional agricultural activities as a sustainable stand-alone operation. As such, the landowner has transitioned to what is effectively a tourist land use, by developing a boutique premium food and beverage tourism centre ("*tourist centre*"). Underpinning development of the tourist centre is the broad compatibility of the land use in this rural locality. The main opportunity for the site to support a viable stand-alone operation now rest with tourism in the form of expanding the tourist centre and providing a complementary tavern that will include a restaurant (café), bar, cellar sales (in association with an approved distillery), the sale of take away packaged alcohol and the hosting of events. This will be complemented by tourist accommodation and a spa retreat.

This will provide an opportunity for Denmark to attract more domestic and international visitors and increasing the overall appeal of the Shire as a tourist destination. Another significant outcome arising is economic a benefit provided to other local tourist businesses and operators, and opportunities to bring new investment and employment into the area.

This report provides additional detailed information in support of the amendment.

2 SITE CONTEXT AND BACKGROUND

2.1 LEGAL DESCRIPTION

Details of the landholding and ownership are contained in **Table 1** below. A copy of the Certificate of Title is included at **Appendix A**.

Landowner	Lot No.	Vol/Folio	Plan/Diagram	Area (Ha)	Road Name/No.
K. Birkbeck	305	2809/900	P75450	26.8270	South Coast Highway/2201

Table 1: Land and ownership details

2.2 LOCAL CONTEXT

The site is located in the William Bay locality within the Shire of Denmark, approximately 10 km west of the Denmark Town Centre via South Coast Highway. It is within close proximity to William Bay National Park (~1km), Greens Pool (~4km), Elephant Rocks (~4km) and Mad Fish Bay (~4.5km). A location plan and site plan showing the local context and zoning are provided in **Figures 1 and 2**.

The site is located on the south west corner of the intersection of South Coast Highway and Wentworth Road (Ocean Beach), and has approximately 1.3km of frontage onto South Coast Highway and 400m of frontage onto Wentworth Road. The southern boundary of the site fronts onto the Denmark-Nornalup Heritage trail.

Primary access to the site is derived from Wentworth Road with a secondary access point provided onto South Coast Highway for use in the event of a bushfire emergency. Both existing access points will be retained accordingly.

Land immediately surrounding the site is zoned Rural with the exception of road reserves and the heritage trail. Approximately 500m east of the site house no. 2048 (Lot 550) South Coast Highway is dual zoned Tourist (T5) and LP2 (Rural Residential).

The nearest dwelling is located on Lot 908, approximately 220m from the northern boundary of the site on the opposite side of South Coast Highway.

The locality can be generally described as undulating, agrarian land with strands of mature karri trees and high scenic landscape qualities.

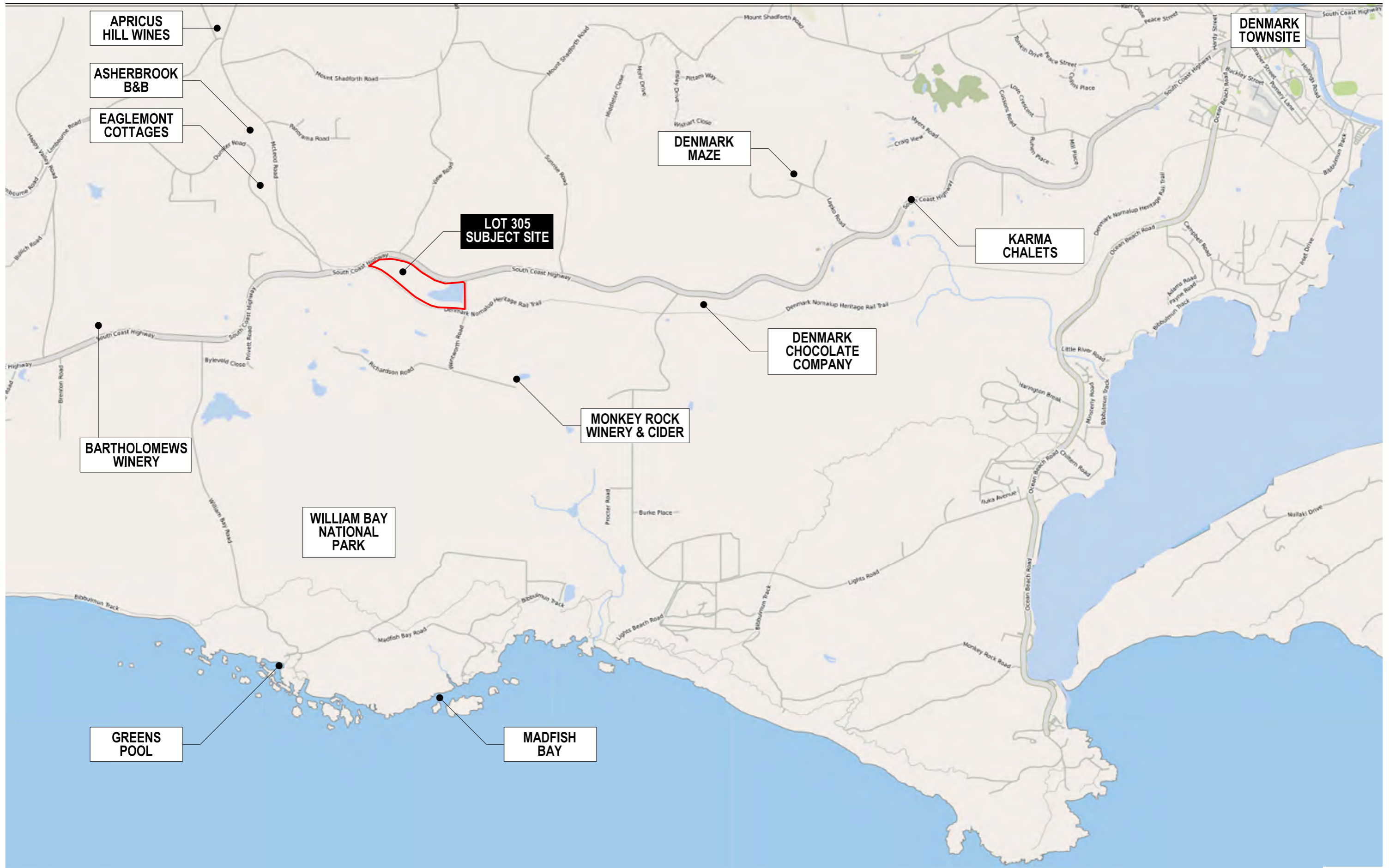


FIGURE 1 - REGIONAL LOCATION
LOT 305 SOUTH COAST HIGHWAY, OCEAN BEACH



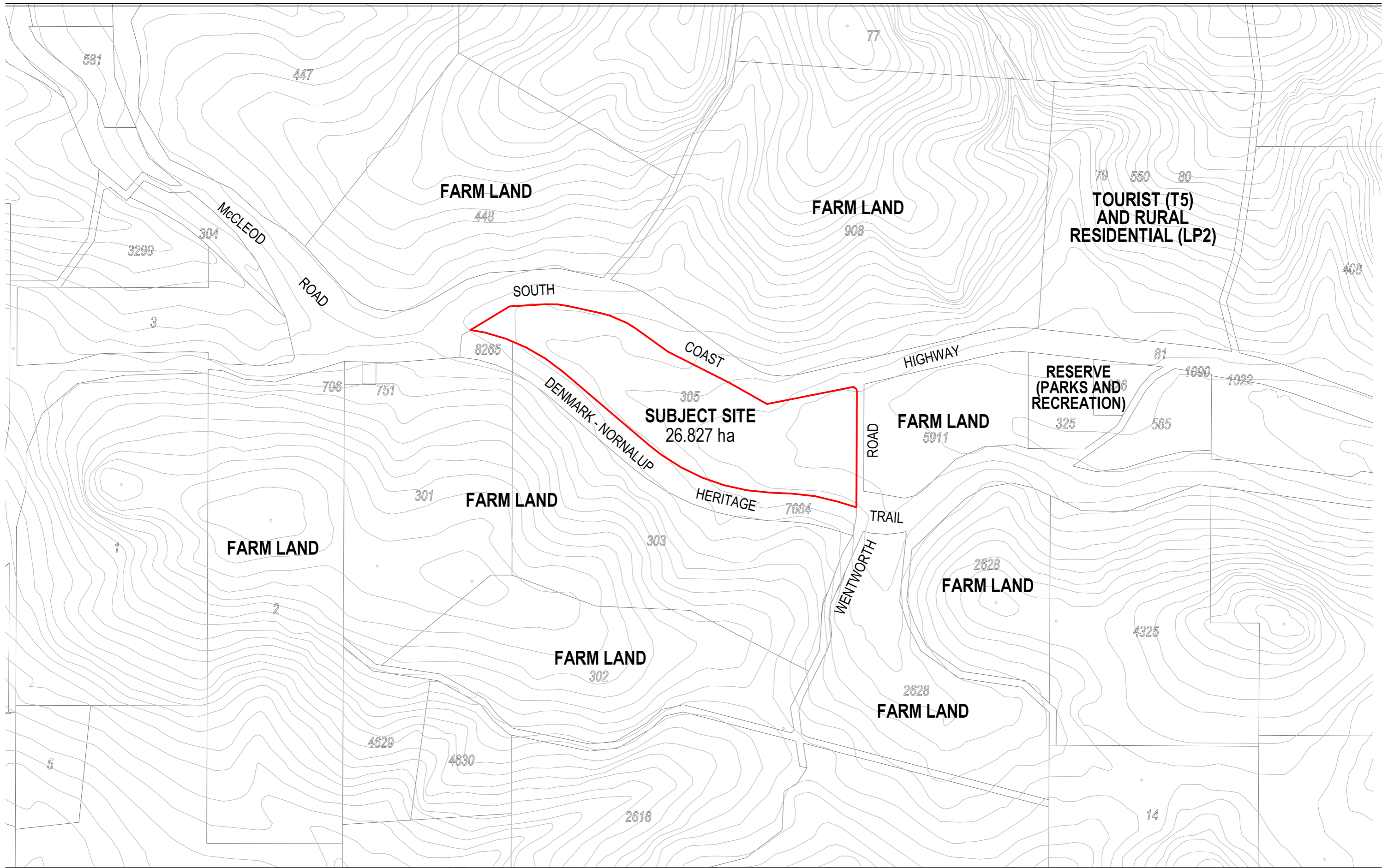
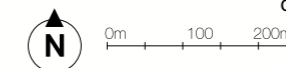


FIGURE 2 - SITE PLAN / LOCATION PLAN
LOT 305 SOUTH COAST HIGHWAY, OCEAN BEACH



2.3 EXISTING DEVELOPMENT AND LAND USE

The eastern portion of the site contains a series of manmade dams which are interconnected via numerous embankments. A tourist centre is located adjacent to the dams. The premium food and beverage tourist centre has been constructed to accommodate the proposed tavern and associated uses. Through this amendment the landowner proposes to increase the capacity of the tourist centre. This will enable the landowner to attract corporate clients and private events from markets which they are currently unable to service due to constrained capacity. Tourist accommodation on the site will provide tourist centre guests with the ability to stay onsite overnight following an event. This is an important factor for many corporate and private events when deciding where to host an event.

Most of the site has been previously cleared to enable agriculture to occur. Cleared areas contain pastures and support grazing of a limited number of cattle.

Strands of mature karri trees have been retained in strategic areas to assist with environmental management, and to prevent alluvial soils being deposited in the dam. These trees also increase the rural character and ambiance of the site for tourist centre guests.

Photographs of the site are provided in **Figures 3,4 and 5**.



Figure 3: Aerial photo of the site looking east towards Denmark town



Figure 4: Tourist Centre



Figure 5: Tourist Centre and Dams

2.4 OPPORTUNITIES AND CONSTRAINTS

The small size of the land holding restricts its capacity to support traditional agricultural activities as a sustainable stand-alone operation. As such, the landowner has diversified the uses occurring on the site by constructing a tourist centre overlooking a series of dams that may be used for marron farming and provide a source of water for a distillery.

The bucolic amenity and environmental features of the site have proven successful to support the development of a tourist centre and dams. As the site has a marginal ability to sustain productive agricultural activities, the main opportunity to support a viable stand-alone operation rests with tourism in the form of expanding the tourist centre and providing a complementary tavern including a restaurant (café), bar, cellar door sales (in association with the approved distillery), tourist accommodation and spa retreat.

The site is generally flat, sloping gently from approximately 110m in the west down to 70m in the east, with an average grade of 2 degrees. The site well drained and of a suitable size to support a low key tourist development. Given the site is in close proximity to unique tourist attractions and landmarks of both local and State significance (including William Bay, Greens Pool, and Elephant Rocks), its strategic proximity to walking and bike trails (including Denmark-Nornalup heritage trail, Munda Biddi trail and the Bibbulmun Track) and located adjacent a major tourist route (South Coast Highway), there is an opportunity to develop an intermodal tourist development catering for tourists travelling on foot, bike and in vehicles.

An intermodal tourist development on the site will provide tourists with the unique ability to access all track/trails from a single location, increasing track/trail usage and improve upon the overall tourism appeal of the Shire. This will provide an opportunity for Denmark to become a world class trails destination.

Various forms of tourist accommodation are proposed to accommodate the variety of tourists, including; lodges, chalets and nature based camping sites (i.e. – glamping). The existing tourist centre presents an opportunity for its expansion and the complementary development of a tavern that will include a restaurant (café), bar, cellar sales (in association with an approved distillery), the sale of take away packaged alcohol and the hosting of events. This will provide a new tourist attraction to both guests and tourists visiting the Shire.

The series of dams located at the western end of the site will be retained as these provide increased amenity to tourists and guests. These dams also provide a suitable water source to support future land uses and development, as well as in the event of a bushfire emergency.

Any development within this locality should be suitably planned to protect the high scenic landscape value of the area. Accordingly, clustering of built-form around the dams is deemed preferable to ribbon development along the boundary, as this will minimise any potential visual impacts to surrounding

properties and people travelling on South Coast Highway. This area of the site also contains the highest level of tourism amenity, which is an important consideration when planning for tourism.

Higher elevated portions of the site containing pastures are more suited for caravan and nature based camping grounds (i.e. – glamping), with the mature karri trees providing shade, screening and amenity to caravan and camping sites. The temporal occupancy and low impact character of caravan and nature based camping grounds (including limited or controlled artificial light and noise intrusion) are better suited to the site than park home park sites which have a higher potential visual impact.

A large strand of mature karri trees has been retained at the western end of the site, and centrally on an east-west axis where a gully channels winter rainfalls downhill and into the dams. This vegetation will be retained and protected through scheme provisions and a Local Development Plan to assist with environmental management of the holding. Retained vegetation constrains any form of development with the possible exception of walk trails, picnic tables or similar.

In addition to the above, the site is not:

- Located in a floodway or floodplain, or subject to seasonal inundation
- Registered on the contaminated soils database
- Registered on the local or State heritage register
- Subject to acid sulphate soils

There are not other known environmental constraints for the site or locality other than those detailed above.

As illustrated in an opportunities and constraints plan shown in **Figure 6**, the physical attributes of the site are suited to low intensity tourist development. The *Local Development Plan*, by designating and identifying developable areas, will ensure the long term protection of areas containing remnant vegetation and the environmental aspects they serve.

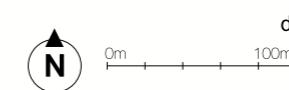


LEGEND

- SUBJECT SITE
- EXISTING VEGETATION
- EXISTING DAMS
- EXISTING BUILT FORM
- EXISTING ACCESS

**FIGURE 6 - OPPORTUNITIES AND CONSTRAINTS PLAN
LOT 305 SOUTH COAST HIGHWAY, OCEAN BEACH**

WILLIAMS CONSULTING | TOWN PLANNING & PROJECT MANAGEMENT
ph: 0418 116216 | email: samwilliams@westnet.com.au



date - 16 OCT 2020 | ref - 18-007-004
scale - 1:5000@ A3



4 PROPOSED DEVELOPMENT

4.1 BACKGROUND

Traditional broad acre farming on rural zoned lots increasingly requires larger landholdings to remain economically sustainable. Many small rural lots (including the subject site) are unable to sustain traditional farming practices as a viable stand-alone operation, and either need to adapt and diversify their activities or become quasi-lifestyle properties where primary income is generated off-site.

As discussed in **Section 3.3.2**, tourism is an important contributor to the local economy in Denmark and provides the second highest number of jobs next to agriculture. Caravan and camping grounds play an important role in accommodating tourists and visitors in the Shire, with an annual average of 16,500 (or 18% of all) domestic visitors, and 5,300 (or 46% of all) international visitors staying in a caravan park or camping ground in 2003 and 2004.

To address the limited agricultural function of the site, the landowner has transitioned to what is effectively a tourist land use, by developing a tourist centre that caters for the local community, tourists, farmers, Indigenous communities, corporate clients and private events.. Underpinning development of the tourist centre is the broad compatibility of this land use in this rural locality.

Whilst the tourist centre effectively serves a tourist purpose, amending the sites zoning to Tourist will provide an opportunity for further complementary tourist development. This will enable the landowner to market their services to a wider range of corporate clients and private events, provide services and accommodation forms that meets the needs of a variety of tourist needs, draw more visitors to the Shire and increase visitor numbers to tourist attractions. This will also provide economic benefits to other tourism businesses and bring new job opportunities and investment into the Shire.

4.1.1 EXISTING AND PROPOSED ZONING

The site is currently zoned Rural under TPS₃. This amendment supports rezoning the site to a Tourist zone.

The ultimate tourist development will be co-ordinated and controlled through a Local Development Plan, site specific planning control measures proposed to be introduced into Appendix 13 of TPS₃ and conditions of development approval.

4.2 PROPOSED TOURISM DEVELOPMENT

The ultimate tourist development will consist of three complementary and integrated uses:

- i. Tourist Centre.
- ii. Tavern - restaurant (café), bar, cellar sales (in association with an approved distillery), the sale of take away packaged alcohol and the hosting of events.
- iii. Tourist accommodation and Spa Retreat.

Each of the above is discussed in more detail in the following sections. An indicative Concept Plan showing the broad layout of the proposed tourist development is included in **Figure 8**. It is noted, this Concept Plan is shown as a guide only and is subject to review.



Figure 8: Concept Plan

4.2.1 TOURIST ACCOMMODATION AND SPA RETREAT

A number of forms of tourist accommodation are proposed to cater for different tourist needs, including; lodge(s), chalets and camping sites (i.e. caravan and glamping).

A lodge/boarding house is proposed adjacent to the main entry of the site which will overlook the dams. This location will assist to minimise traffic movements on-site and provide a separate precinct for larger groups of people. The lodge will cater for groups and provide for up to 20 guest beds.

A spa retreat is located adjacent to the lodge. This will provide, but not be limited to, massage therapy, holistic healing, beauty therapy and aromatherapy.

Chalets are proposed to be located to the north of the tourist centre and will overlook the dams. These chalets will provide for up to two guest beds and cater for small groups, families or corporate clients.

Nature based camping sites (i.e. glamping) are proposed to the west of the dams in areas that have been cleared and contain pastures. A limited number of caravan sites may also be supported in this area. These sites will provide accommodation for backpackers, campers, as well as cyclists and hikers using the Munda Bididi trail, Bibbulmun Track and Denmark-Nornalup heritage trail.

A Local Development Plan has been prepared and included at **Appendix B** illustrating the location of the tourist accommodation and its relationship with other elements of the tourist development and surrounding areas. The final layout and detailed design of the tourist accommodation and caravan and camping sites will be determined through the development application process.

4.2.2 TOURIST CENTRE AND TAVERN

Future expansion of the tourist centre will incorporate a, tavern that will include a restaurant (café), bar, cellar sales (in association with an approved distillery), the sale of take away packaged alcohol and the hosting of events and provide guests and visitors with another unique tourist attraction to visit.

The distillery, which currently forms part of the tourist centre will source local ingredients to produce alcoholic beverages with up to 98% local content. Tourists and guests will be provided with an opportunity to take guided tours to better understand where their beverages come from and how they are produced. The tavern will provide opportunities for product sampling and “farm gate” sales in a new and exciting beverage category of low calorie/alcohol seltzers as well as traditional distillery outputs; gin, vodka and schnapps. A copy of the landowners Alcohol Management Plan is included at **Appendix E**.

Agritourism, otherwise known as food tourism, encompasses a wide variety of activities where agriculture and tourism intersect, including the production of wine, craft beer and spirits. This sector of tourism is becoming increasingly important to regional economies and for some regions (e.g. - Margaret River) agritourists contributes more to the local economy than agriculture.¹

Growth of the agritourism sector is forecast to continue as consumers and tourists increasingly seek to better understand where their food comes from, learn how it is produced and experience the ultimate in low food miles by enjoying produce where it is produced. Agritourism also allows regional economies to showcase what’s good about the region, its unique growing conditions, natural resources (clean air, water and soils) and provides a tourist drawcard from which other regional tourism businesses and experiences can benefit.

This amendment provides an opportunity to responsibly integrate different tourist uses on a single site. This will further assist with promoting Denmark as a desirable tourist destination, provide economic benefits to other tourism businesses and bring new job opportunities and investment into the Shire.

¹ <https://www2.deloitte.com/au/en/pages/consumer-industrial-products/articles/agritourism.html>

6 LOCAL DEVELOPMENT PLAN

A Local Development Plan (LDP) has been prepared to support this amendment (refer **Appendix B**), and provide guidance to decision makers when considering an application for tourist development over the site. This LDP is a guide only and is subject to review independent of any formal Town Planning Scheme Amendment process.

Key provisions of the LDP include the following:

- **Clustering of built-form** centrally within the site, away from the property boundary, will assist to reduce any potential visual impacts from the public realm or surrounding properties. Clustering around the series of dams provides a high level of amenity and ensures that permanent structures are located on a portion of the site with the least bushfire risk.
- A **tourist centre and tavern** with associated uses are identified on a portion of the site where the existing tourist centre is located. Expansion of the tourist centre to include a tavern will overlook the series of dams, and provide a high level of amenity. This location is also close to the primary access to the site, will assist to minimise vehicle movements on-site, and avoid vehicle interactions with nature based camping and chalet guests.
- A **lodge/boarding house** (max 20 beds) and a **spa retreat** are located adjacent to the primary access to the site, overlooking the series of dams. It is anticipated the maximum number of guest vehicles using the lodge/boarding house will be 10. This location provides a high level of amenity to guests and minimises vehicle movements on-site. It is also sufficiently setback from the tourist centre building to overcome potential noise impacts, but in close enough proximity to allow guests to walk to the tourist centre, distillery, tavern and restaurant.
- **Chalets** are located north of the tourist centre looking back over the dams towards the tourist centre/distillery and tavern. It is anticipated the maximum number of guest vehicles using the chalets will be two per chalet. This location provides a high level of amenity to guests and minimises vehicle interactions with the nature based camp sites. It is also sufficiently setback from the tourist centre building to overcome potential noise impacts, but in close enough proximity to allow guests to walk to the tourist centre/distillery and tavern.
- **Caravan and nature based camping** sites (i.e. – glamping) are located west of the built-form development on areas of the site which have been cleared and contain pastures. The caravan and camp sites are sufficiently distanced from the built-form and each other to provide privacy and natural ambiance to guests. Most of the sites are located adjacent to mature karri trees in order to provide screening from other land uses, help reduce visual and noise impacts, improve privacy and contribute to a desirable setting for camp ground users. Existing vegetation in the road reserve provides visual screening to the caravan and camp sites for vehicles travelling on South Coast Highway.

- Existing strands of mature karri trees located on the western and central portions of the site are to be retained and protected via the identification of a “***tree retention area***” identified on the Local Development Plan. This will assist with environmental management of the land, including preventing alluvial soils being deposited into the dams, as well as protecting this portion of the site from future built-form development. These areas of vegetation serve not only to assist with environmental management of the land holding, but also provide important visual screening and setbacks to future tourist development from surrounding lots. Additional planning control measures are proposed within Appendix 13 of TPS 3 prohibiting development or clearing of vegetation in areas identified as *tree retention area*.

7. CONCLUSION

This amendment proposes to rezone No. 2201 (Lot 305) South Coast Highway, William Bay from Rural to Tourist, and seeks to introduce a number of site specific planning control measures into Appendix 13 of TPS₃.

The salient points of summary and support for this scheme amendment are:

- The site currently provides limited opportunity to derive an income from agriculture, as its size is insufficient to support primary production as a sustainable stand-alone operation. As such, the landowner has transitioned to what is effectively a tourist land use, by developing a tourist centre that caters for corporate clients and private events. Underpinning development of the tourist centre is the broad compatibility of the land use in this rural locality. The main opportunity to support a viable stand-alone operation for the site now rests with tourism in the form of expanding the tourist centre and providing a complementary tourism development.
- Expanding the tourist centre and providing a complementary tavern (and associated uses), spa retreat and tourist accommodation will enable the landowner to attract more corporate clients and private events from markets which they are currently unable to service. Tourist accommodation on the site will provide tourist centre guests with the ability to stay onsite overnight following an event. This is an important factor for many corporate and private events when deciding where to host an event.
- The site is identified as being suitable for low intensity tourism development. Clustering of built-form centrally within the site will assist with screening and ensure that the rural character of the natural environment is retained, and visual landscape qualities of the locality are protected.
- The site is located in close proximity to unique tourist attractions and landmarks of both local and State significance including William Bay National Park (~1km), Greens Pool (~4km), Elephant Rocks (~4km) and Mad Fish Bay (~4.5km), and is deemed to have a high tourism value based on location and site specific criteria that provide guidance when identifying suitable tourist sites in a local planning scheme.
- The site is in close proximity to walking and bike trails (including Denmark-Nornalup heritage trail, Munda Biddi trail and the Bibbulmun Track) and located adjacent a major tourist route, providing an opportunity to develop an intermodal tourist development catering for tourists travelling on foot, bike and in vehicles. This will provide tourists with the unique ability to access all track/trails from a single location, increase track/trail usage and improve upon the overall tourism appeal of the Shire. This will also provide an opportunity for Denmark to become a world class trails destination, attracting more domestic and international visitors and increasing the overall appeal of the Shire as a tourist destination. A significant outcome arising from this is the economic benefit provided to other local tourist businesses and operators, and opportunities to bring new investment and employment into the area.

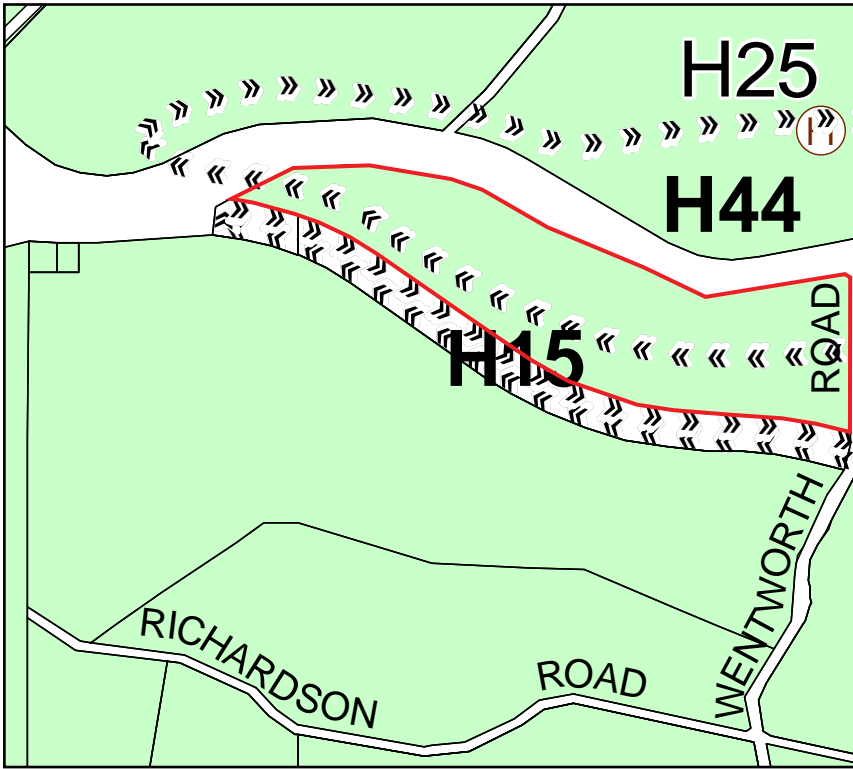
- Future tourist development on the site will improve upon existing tourist linkages to major tourism attractions by providing additional tourism experiences adjacent to a number of major tourist routes, including; South Coast Highway, Munda Biddi trail and Denmark-Nornalup heritage trail. Improving tourist linkages not only benefits other tourism operators and businesses, but positively contributes to the overall appeal and reputation of the Shire as a tourist destination.
- This amendment supports the objectives and criteria of local and State Planning policies and strategies when planning for tourism, and will provide an opportunity for the future development of a range of tourist accommodation types (lodges, chalets and nature based camping sites) and new tourism facilities (distillery and tavern) that complement the tourist centre and the surrounding land holdings.
- Management of potential impacts and/or mitigation approaches associated with rezoning the site to Tourist have been substantially resolved with planning control measures proposed within Appendix 13 of TPS₃ and a Local Development Plan. Additional planning control measures are able to be provided through the development application process to ensure suitable social and environmental outcomes are achieved.
- There are no constraints to development of the site over and beyond the usual local conditions that can't be dealt with through appropriate development controls to be included in Appendix 13 of TPS₃ and conditions of development approval.
- Zoning the site Tourist in TPS₃ will assist to protect the site for this purpose and enable further complementary tourist development in a strategic location in close proximity to existing tourist attractions.

As a result of the above it is respectfully requested that the Shire of Denmark commence the statutory processes to enable the rezoning to proceed as per the *Scheme Amendment Map* overleaf.

SHIRE OF DENMARK

Town Planning Scheme No.3

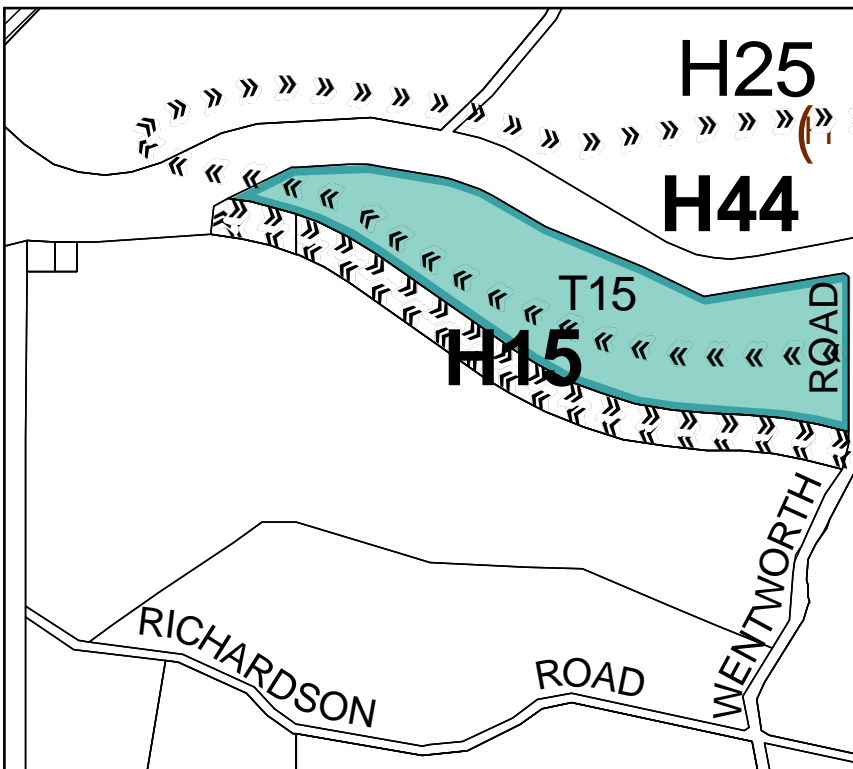
Amendment No. 148



EXISTING ZONING

LEGEND

- LOCAL SCHEME ZONES**
- RURAL
 - TOURIST
- OTHER CATEGORIES**
- H44 DISTRICT HERITAGE BOUNDARY
 - T15 TOURIST AREA
 - PLACE OF HERITAGE VALUE
 - NO ZONE
 - SUBJECT SITE



PROPOSED ZONING



OCTOBER 2020

TOWN PLANNING
SCHEME NO.3

AMENDMENT NO. 148

Planning and Development Act 2005
Shire of Denmark
Town Planning Scheme No.3 **Amendment No.148**

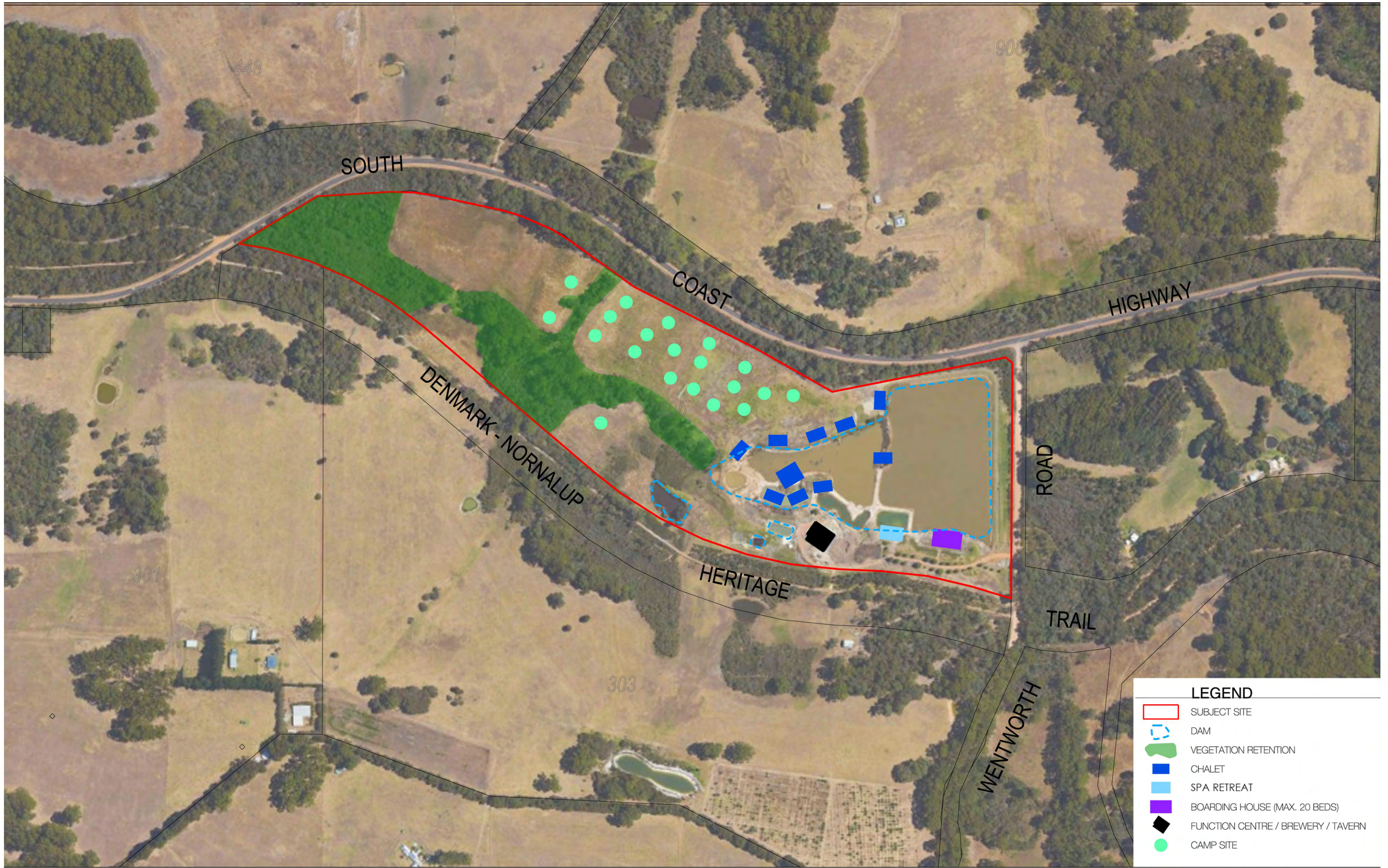
The Council of the Shire of Denmark under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Town Planning Scheme by:

- a) Rezoning No. 2204 (Lot 305) South Coast Highway, Ocean Beach, from 'Rural' to Tourist (T15) zone and amending the Scheme Maps accordingly.
- b) Inserting Tourist T15 provisions in Appendix XIII – Schedule of Tourist zones as follows:

PARTICULARS OF THE LAND	TOURIST USE	CONDITIONS OF TOURIST USE
<p>T15 No. 2204 (Lot 305) South Coast Highway, Ocean Beach</p>	<p>Notwithstanding any other provisions of the scheme, the following land uses are only permitted (P) land uses and shall include:</p> <ul style="list-style-type: none"> • Single House • Boarding House (Lodge) • Holiday Accommodation (Chalets) • Spa Retreat • Caravan Park (camping grounds) • Managers Residence • Microbrewery (Distillery) • Tavern • Restaurant (café) • Dam and water features <p>AA uses are permitted, only when they are incidental to a P use occurring on the site.</p> <p>AA uses shall include:</p> <ul style="list-style-type: none"> • Market 	<ol style="list-style-type: none"> i. Development shall generally be in accordance with the Local Development Plan (Ref: 18-007-005) dated 16-Oct-2020 or any minor variation to that plan approved by Council. ii. All development shall be connected to Alternative Treatment Units (ATU) approved by the Council and/or Health Department of WA iii. All new development shall be setback a minimum: <ul style="list-style-type: none"> • 30 metres from South Coast Highway • 20 metres from all other boundaries <p>Unless otherwise approved by Council.</p> iv. All buildings within the zone shall be constructed to be sympathetic to the existing landscape in terms of colour finishes, location and height, to the satisfaction of Council. Zincalume, white and off-white colours are prohibited. v. The development of all new buildings shall be undertaken to comply with the requirements of AS3959-2018 Construction of buildings in Bushfire Prone Areas (as amended) vi. No development shall be permitted within the Development Exclusion Area(s) / Tree Retention Areas as shown on the Local Development Plan. vii. The proponent shall implement the recommendations of a Bushfire Management Plan approved by the Council to the satisfaction of Council as a condition of development approval. viii. The proponent shall prepare and implement the recommendations of an approved Local Water Management Strategy to the satisfaction of

T15			<p>Council as a condition of development approval.</p> <p>ix. All fencing (internal and boundary) shall be of a rural construction such as pine/steel posts and wire to the satisfaction of Council.</p> <p>x The following requirements will apply to the strata titling of the development:</p> <ul style="list-style-type: none"> • Provision of a management statement for the strata scheme to provide for integrated common management of the strata lots as a tourism facility. Any changes to the management statement require the approval of the WAPC and the management statement must bind successive owners. • In the event of the staged development and strata titling of the property, Council may permit development of associated common property in stages. • The external form of development to be of uniform and complementary architectural theme, character, colours and materials.
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APPENDIX B - LOCAL DEVELOPMENT PLAN



LEGEND	
	SUBJECT SITE
	DAM
	VEGETATION RETENTION
	CHALET
	SPA RETREAT
	BOARDING HOUSE (MAX. 20 BEDS)
	FUNCTION CENTRE / BREWERY / TAVERN
	CAMP SITE

LOCAL DEVELOPMENT PLAN
LOT 305 SOUTH COAST HIGHWAY, OCEAN BEACH

WILLIAMS CONSULTING | TOWN PLANNING & PROJECT MANAGEMENT
 ph: 0418 116216 | email: samwilliams@westnet.com.au



date - 16 OCT 2020 | ref - 18-007-005
 scale - 1:5000@ A3



Schedule of Modifications - Amendment 148 – No. 40 (Lot 305) Wentworth Road, Ocean Beach

Section	Comments
Throughout including plans	Clarify if the address is 2201 South Coast Highway or 40 Wentworth Road. Landgate's Map Viewer outlines it is 40 Wentworth Road.
Throughout	Noting the overall scale of development, clarify if the term 'low intensity tourism development' is appropriate.
Proposal Page, Resolution Page	<ul style="list-style-type: none"> Clarify if it is Tourist Zone No. 13 or No. 14. Introduce definition of 'Spa Retreat' (or a related Model Scheme Text use).
Resolution Page	Change to 'Complex' amendment rather than a 'Standard' amendment given the Local Planning Strategy designates the site as General Agriculture. Change throughout the document.
1 and 2.2	Clarify if the site is within the William Bay locality, noting Landgate outlines it as Ocean Beach.
3.2.1	Clarify if the site can meet the criteria for a nature based caravan park including being in a 'natural setting' given associated impacts of noise and artificial light.
3.2.3	<ul style="list-style-type: none"> Need Bushfire Management Plan/report associated with BAL Contour Plan. Based on the Local Development Plan (LDP), most camp sites will be in BAL-FZ.
3.3.1	Add Heritage Place No. 44 and comments on implications.
Figure 8	<ul style="list-style-type: none"> There are differences in the number of glamping/camping sites with the Local Development Plan. Clarify green boxes in legend.
4.3.1	<ul style="list-style-type: none"> Clarify if Wentworth Road has a 60kph speed zoning or has a default speed limit. Add there is a need for the landowner to seal Wentworth Road between South Coast Highway and the main access to the site. Outline the sealing is expected to be 7.2m wide (or to the satisfaction of the Shire). Query whether there is 'good visibility and suitable sightlines' from the main access to the south on Wentworth Road. There may be a need for advisory signage and/or other mitigation measures to enhance safety.
4.3.2	Add diesel generators are not proposed to reduce noise impacts on neighbours and to promote renewable energy.
4.3.3	Add a comment that the dams have gained relevant approvals.
4.3.4	Are any of the previous technical studies relevant to be added to the scheme amendment documentation?
4.3.5	Refer to the Site and Soil Evaluation and key findings.
4.3.6	Change 'Soild' to 'Solid'.
Page 37	<ul style="list-style-type: none"> Outline support for additional landscaping adjoining the South Coast Highway frontage in relevant locations. There are no 'Development Exclusion Areas' shown on the LDP.
Figure 10	Show proposed planting in relevant locations to assist with minimising visual impacts.

5	Change 'Environmantal' to 'Environmental'.
Scheme provisions	<ul style="list-style-type: none"> • Review permissibility with most uses changed from 'P' to 'AA'. • Introduce definitions of 'Spa Retreat' (or a related Model Scheme Text use). • Ensure definitions include 'Distillery' and clarify if also intend to make beers etc. • Change 'Managers Residence' to 'Caretaker's Dwelling'. • Possibly add 'private recreation' and 'Reception Centre' as an AA use and Rural Pursuit and Outbuildings as a P use. • Add conditions including: <ul style="list-style-type: none"> - Preparing and implementing a Bushfire Emergency Evacuation Plan, Management Plan and Landscape/Revegetation Plan; - Limiting stay to 3 months in a 12 month period other than for the single house and caretaker's dwelling; - Lighting and signage; - Contributions to sealing Wentworth Road between the intersection of South Coast Highway/Wentworth Road and the entrance/crossover to the site on Wentworth Road; and - Need to secure an easement for on-site sewerage disposal on adjoining Lot 304 prior to occupation of development on Lot 305.
Appendix B	<ul style="list-style-type: none"> • Show landscape screening in relevant portions of the northern boundary adjoining South Coast Highway. • Show key access from Wentworth Road. • Show emergency access to South Coast Highway. • Update the LDP to address the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> including clause 48. • Add provisions to ensure it is a 'standalone' document. • Add a signing box.
Appendix C: Traffic Impact Assessment	<ul style="list-style-type: none"> • The report only focuses on the tavern and not traffic associated with chalets and other accommodation including possible camping and caravan sites. The report needs to be updated to address all proposed development and traffic impacts associated with the amendment. • The section on sight distances and safety needs to be addressed in greater detail. It is important for the engineering consultant to have inspected the site to review sight distances in both directions at the intersection of Wentworth Road/South Coast Highway to confirm that it is safe and suitable. The engineering consultant may outline that mitigation measures such as a 'bulge' near the intersection are required. • It is understood that Main Roads measures Safe Intersection Sight Distance (SISD) in accordance with Austroads Guide to Road Design Part 4A. Main Roads standard is to design for 10km/hr over the posted speed limit to allow for speeding vehicles. Ensure this is addressed in the report. • Noting the possibility of caravans, add comments regarding the suitability of slow accelerating vehicles towing caravans, entering and leaving the site, with faster moving highway traffic. • At the site entrance/crossover on Wentworth Road, there are reduced sight distances when viewed to the south. Need to review safety and mitigation measures.

	<ul style="list-style-type: none"> Section 9.13 sets out the current construction of standard of Wentworth Road is acceptable. This needs to be updated to reflect that development beyond the current tavern application will require the developer to seal Wentworth Road at their cost between the intersection of South Coast Highway/Wentworth Road and the entrance/crossover to the site on Wentworth Road.
Appendix D	Need Attachment J showing irrigation area on adjoining Lot 304.
Appendix E	This document references 'The Dam Noise Management Plan' on page 13 . Need to provide.
Other comments	
Bushfire assessment	Need a bushfire management plan and consider timing to prepare a Bushfire Emergency Evacuation Plan.
Land use compatibility	Expand discussion on possible impacts to neighbouring properties including from noise and lighting.
Acoustic assessment	Need a Noise Management Plan to address SPP 5.4 and consider impacts of noise from proposed development (including outdoor events/music) on adjoining/nearby properties.
Dam safety	Unless previously addressed, consider the mitigation measures to address safety for children to the dams.
Clarify process	It is expected the Shire will run the scheme amendment and LDP process concurrently. Written support is required from the applicant to support the concurrent advertising.
Trails	Discuss relationship of site to the surrounding trails network and any land exchanges, easements or ceding that may form part of this proposal into the future.
Future Strata Title	Need to address and condition the nature of future strata title (if proposed). Seek to ensure common management and strata after construction to plate height – see Karri Mia provisions