

**Location Plan**

16 February 2021 - Attachment 9.1.3a

## APPENDIX XIII - SCHEDULE OF TOURIST ZONES (Cont'd)

PARTICULARS OF THE LAND		TOURIST USE	CONDITIONS OF TOURIST USE
79	Portion of Plantagenet Loc 1935 South Coast Highway, Springdale Denmark.	<ol style="list-style-type: none"> <li>1. Notwithstanding Table One of the Scheme, the following uses are the only permitted (P) uses: <ul style="list-style-type: none"> <li>• Single House</li> <li>• Cottage Industry</li> <li>• Caretakers Dwellings</li> <li>• Holiday Accommodation</li> <li>• Reception Centre</li> <li>• Restaurant</li> <li>• Shop (max. 150m2 GLA)</li> </ul> </li> <li>2. Notwithstanding Table One of the Scheme, the following uses are permitted if incidental to the predominant use of the land (IP): <ul style="list-style-type: none"> <li>• Day Care Centre</li> <li>• Private Recreation</li> <li>• Public Amusement</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>1. All development shall be subject to the issue of Planning Consent.</li> <li>2. Applications for Planning Consent shall require the submission of: <ul style="list-style-type: none"> <li>• A completed "Application for Planning Consent" form as per appendix 3 of the Scheme.</li> <li>• Development Guide Plan/s for the total zone showing the precise ground conditions, site works and the location, size and use of all the buildings proposed for the total zone, replanting and landscaping proposals and the fire protection measures to be adopted.</li> <li>• Scaled elevation plans showing elevations from public roadways and internal roadways as well as the materials and colours to be used.</li> </ul> </li> <li>3. No development shall be permitted within the Development Exclusion Area as shown on the Subdivision Guide Plan.</li> <li>4. The total density of holiday accommodation units shall not exceed 3.33 units per hectare of gross site area.</li> <li>5. Car parking for holiday accommodation uses shall be provided and located to Council's satisfaction based on one bay per unit. Car parking requirements for other site uses shall be at the discretion of Council.</li> <li>6. All signage to be subject to the prior approval of Council in accord with Scheme requirements, Local Law and adopted policy.</li> <li>7. Potable water shall be provided via the reticulated system.</li> <li>8. Electricity supplies shall be reticulated underground.</li> <li>9. Requirements for onsite effluent disposal shall be determined by Council and the Health Department of Western Australia.</li> <li>10. A Foreshore Management Plan shall be prepared to the satisfaction of Council and the Waters and Rivers Commission to assess and manage the relationship and impacts on the foreshore.</li> <li>11. Any walkways to connect with the Foreshore shall require the approval of Council and the Waters and Rivers Commission in terms of their location, design and construction.</li> <li>12. A landscaping plan shall be prepared and implemented based on a minimum site coverage of 10%, utilising local native species and providing for replanting as shown on the Subdivisional Guide Plan for Loc 1935.</li> <li>13. Additional tree/shrub planting may be required as a condition of development approval.</li> <li>14. Low fuel areas at least 20m wide shall be established and maintained around all buildings.</li> </ol>







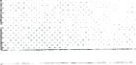



16 February 2021 - Attachment 9.1.3b

## APPENDIX XIII - SCHEDULE OF TOURIST ZONES (Cont'd)

PARTICULARS OF THE LAND		TOURIST USE	CONDITIONS OF TOURIST USE
79	Portion of Plantagenet Loc 1935 South Coast Highway, Springdale Denmark. (Cont'd)		<p>15. A strategic fire break shall be provided and maintained so as to separate buildings from the northern and western boundaries and the development exclusion area and shall connect to public roads. This strategic fire break may take the form of dedicated fire access track/s and/or internal access ways.</p> <p>16. Other fire safety equipment/features shall be provided to the satisfaction of Council and the Fire &amp; Emergency Services Authority and may take the form of gutter guards, fire blankets, fire extinguishers, hose reel/s or hydrants, down pipe plugs and the like.</p> <p>17. All buildings constructed within the zone shall be sympathetic to existing landscape elements (namely landform and vegetation) in terms of their location, scale, height, building materials and colour.</p> <p>18. All buildings shall be single storey except where it can be proven to Council that a variation to the height restriction would not adversely affect the visual amenity of surrounding lots as well as the locality.</p> <p>19. Proposals to vary the height restrictions pursuant to 18 above, shall be accompanied by such plans, elevations and sketches as is determined by Council to assess the effect on visual amenity and the natural screening properties of vegetation and topography.</p> <p>20. The use of pale, white, off white or reflective materials and finishes such as zincalume will not be permitted. Council shall require the use of tonings that blend into the landscape, vegetation and/or the structure's backdrop. Council shall prefer the use of natural materials such as stone, brick, rammed earth and/or timber and advocate green to brown tonings/natural hues.</p> <p>21. All buildings shall be set back a minimum of 20m from the western boundary and 10m from all other boundaries.</p> <p>22. All external illumination shall be of low level, controlled spill lighting, with any variations requiring Council Approval.</p> <p>23. Provision shall be made to Council's satisfaction to ensure prospective purchasers of land within Tourist Zone No. 9 acknowledge that the zone is located in a predominantly rural area where rural activities are carried out.</p>

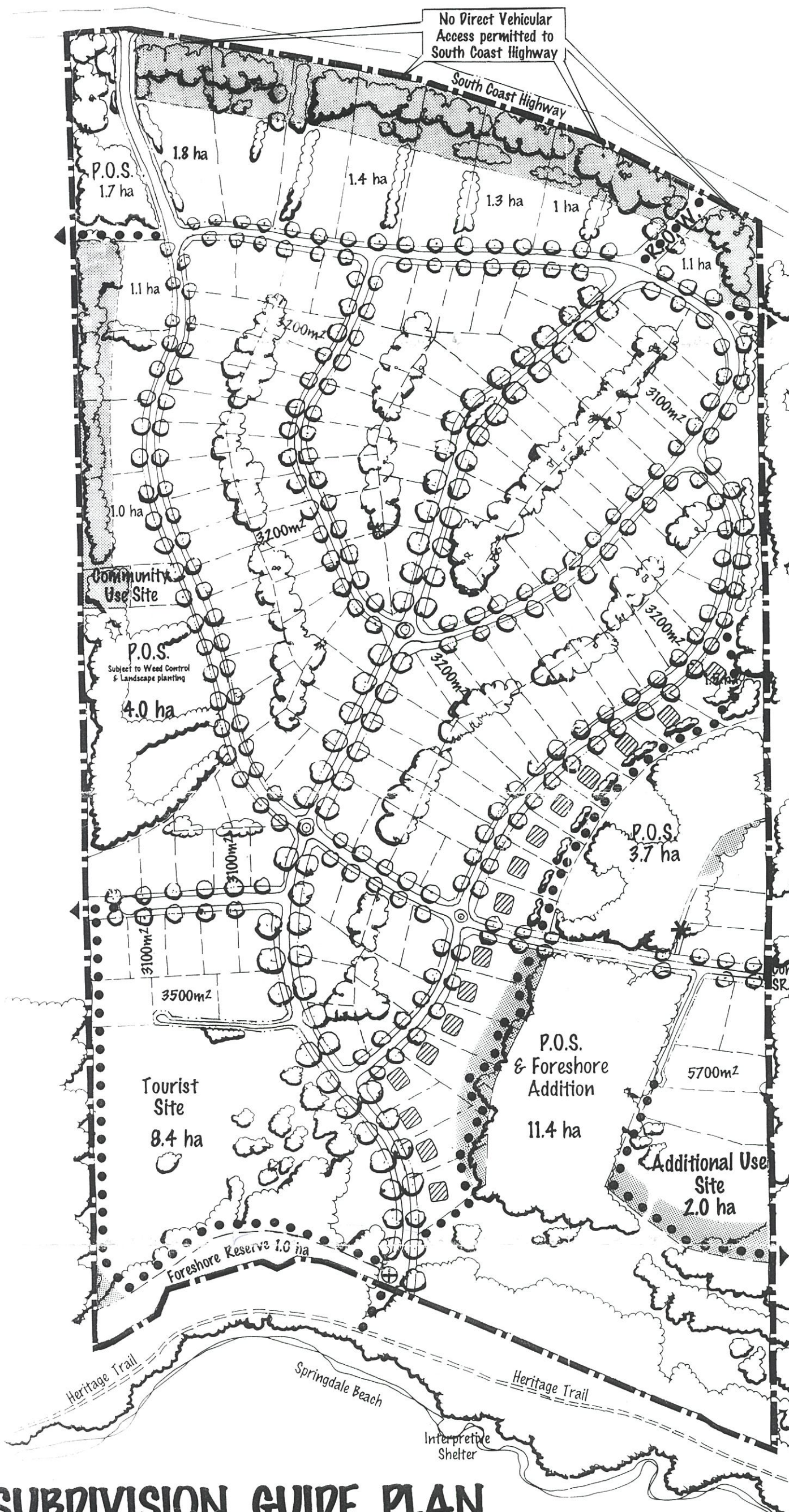
ALL AREAS AND DIMENSIONS SUBJECT TO SURVEY

**LEGEND**

-  Subject Land
-  Vegetation Cover - existing & proposed
-  Proposed Subdivisional Roads
-  Proposed Lot Boundaries
-  Foreshore Access Node
-  Strategic Fire Break & Linkage
-  Development Exclusion Areas
-  Dwelling Areas (500m<sup>2</sup>)
-  Single Driveway with Reciprocal Rights of Access
-  N
- March 2000
- Scale 1 : 5 000
- Orig Size - A3

**NOTES:**

1. All Areas & Dimensions Subject to Subdivision & Survey.
2. Replanting is to be based on the Public Open Space and Replanting Strategy prepared and implemented at the time of subdivision. Strategy is to include Road Reserve plantings.
3. Potential impacts on Foreshore to be managed via Foreshore Management Plan/s to be prepared at the subdivision stage.
4. Development Plans to be prepared for both the Tourist and Additional Use sites.
5. Pine harvest staged with subdivision to minimise visual impact.
6. Foreshore access node to include associated recreational facilities such as: picnic area (with BBQs) and possibly a boat launching ramp-subject to Foreshore Management Plan & specific approvals.
7. Strategic Fire Break alignment, within Tourist Site, dependent on Development Plan, Condition 15 of Tourist Zone No. 9 and Fire Management Plan.
8. P.O.S. provision and improvement to be subject to the preparation of Public Open Space & Replanting Strategy.
9. No direct vehicular access permitted to South Coast Highway.
10. For lots with identified "Dwelling Areas", refer to provisions (i) c, d & e.



Adopted by Resolution of the Council of the Shire of Denmark at the ORDINARY meeting of the Council, held on the 27<sup>th</sup> day of JUNE 2000

  
Chief Executive Officer

SRZ Area No. 8

**SUBDIVISION GUIDE PLAN**  
Location 1935 South Coast Hwy.  
Shire of Denmark TPS No. 3 Amendment 66

Amended September 2001

# SHIRE OF DENMARK

## TOWN PLANNING SCHEME No. 3

### AMENDMENT No. 149

16 February 2021 - Attachment 9.1.3c

**MINISTER FOR PLANNING**

**PROPOSAL TO AMEND A TOWN PLANNING SCHEME**

LOCAL AUTHORITY: **SHIRE OF DENMARK**

DESCRIPTION OF LOCAL  
PLANNING SCHEME: **TOWN PLANNING SCHEME No. 3**

TYPE OF SCHEME: **DISTRICT SCHEME**

SERIAL No. OF AMENDMENT: **AMENDMENT No. 149**

**PROPOSAL:**

*To move portion Lot 9008 Beaufortia Gardens, Hay, Shire of Denmark, from the Tourist (T9) zone and Parks and Recreation reserve to the Special Residential (SRes6) zone, to rezone Lots 193, 194, 195 & 196 Pimelea View & portion Lots 181, 181, 182 & 184 Beaufortia Gardens from the Tourist (T9) zone to the Special Residential (SRes6) zone, to move a portion of Reserve 52123 from the Tourist (T9) zone to the Parks and Recreation reserve and to delete Tourist Zone (T9) from Appendix XIII of the Scheme.*

# **TOWN PLANNING SCHEME No. 3**

## **AMENDMENT No. 149**

### **CONTENTS**

1. RESOLUTION
2. REPORT
3. EXECUTION

**PLANNING AND DEVELOPMENT ACT 2005**

**RESOLUTION DECIDING TO AMEND A  
TOWN PLANNING SCHEME**

**SHIRE OF DENMARK**

**TOWN PLANNING SCHEME No. 3**

**DISTRICT SCHEME**

**AMENDMENT No. 149**

RESOLVED that the local government pursuant to Section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. *Rezoning portion Lot 9008 Beaufortia Gardens, Hay, Shire of Denmark, from the Tourist (T9) Zone to Special Residential (SRes6) Zone;*
2. *Moving portion Lot 9008 Beaufortia Gardens, Hay, Shire of Denmark, from the Parks & Recreation Reserve to the Special Residential (SRes6) Zone;*
3. *Moving portion Reserve 52123, from the Tourist (T9) Zone to the Parks & Recreation Reserve;*
4. *Rezoning portion Lots 181, 181, 182 & 184 Beaufortia Gardens from the Tourist (T9) Zone to the Special Residential (SRes6) Zone;*
5. *Rezoning Lots 193, 194, 195 & 196 Pimelea View from the Tourist (T9) Zone to the Special Residential (SRes6) Zone;*
6. *Delete Tourist Zone (T9) from Appendix XIII; and*
7. *Amending the Scheme maps accordingly.*

The amendment is 'Complex' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason.

- The amendment is not consistent with the Shire of Denmark Local Planning Strategy which designates the site for tourism development.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

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**CHIEF EXECUTIVE OFFICER**



**SHIRE OF DENMARK**

**TOWN PLANNING SCHEME NO. 3**

**AMENDMENT NO. 149**

**PLANNING REPORT**

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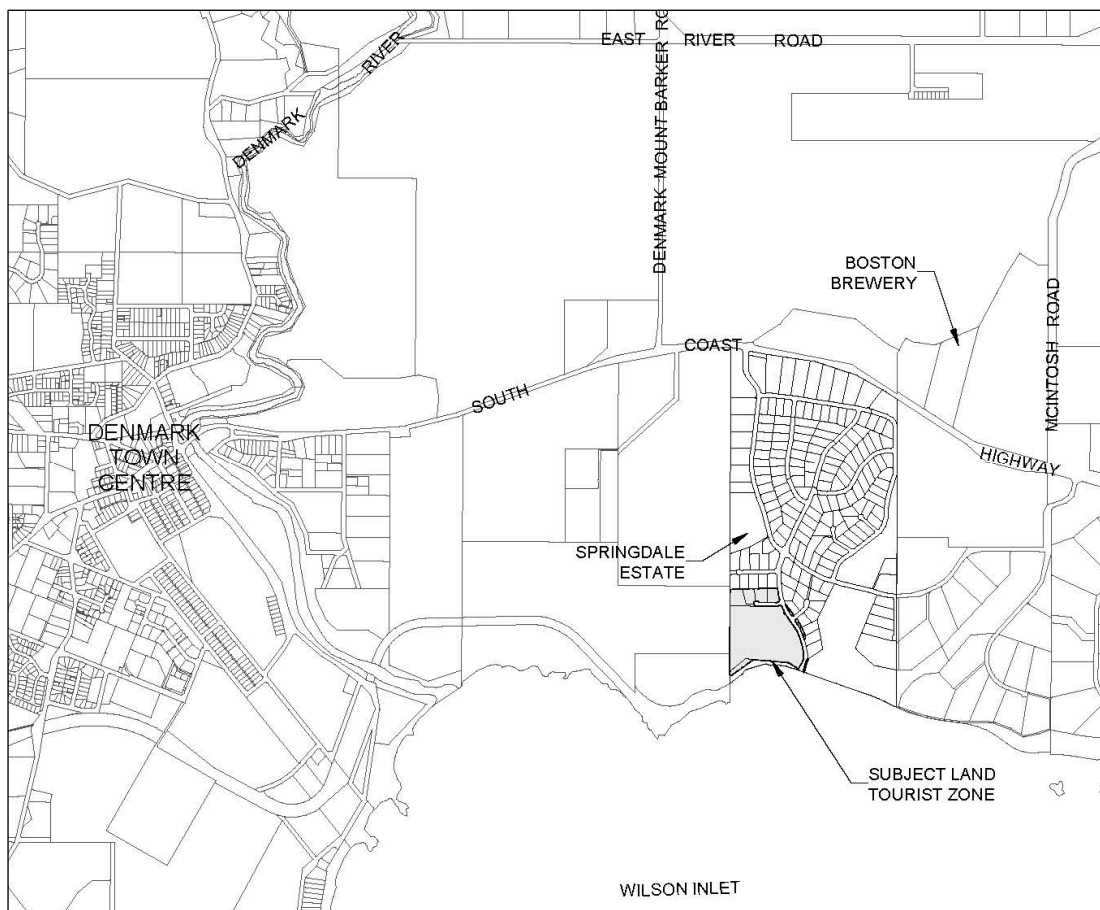
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Appendix B	Flora and Fauna Assessment – Opus - January 2006.
Appendix C	Fire Management Plan – FirePlan WA – Oct 2015 & BAL Contour Plan, Bushfire Management Statement – BioDiverse Solutions - Nov 2017
Appendix D	Coastal Vulnerability Assessment - MP Rogers & Assoc - October 2020
Appendix E	Preliminary Assessment of Proposed Scheme Amendment Springdale Beach Tourist Zone Site, Denmark 2018 & Nutrient Input Comparison - October 2020- Land Assessment Pty Ltd

## 1. INTRODUCTION

The main purpose of this scheme amendment is to rezone portion of Lot 9008 South Coast Highway located within the Springdale Beach Estate from the Tourist zone to the Special Residential zone. At the same time the scheme amendment seeks to rationalize the zoning of a number of adjoining Special Residential Lots that are under the Tourist zone and transfer the Tourist zone that exists over portion of Reserve 52123 to the Parks & Recreation Reserve and a portion of Parks & Recreation Reserve on Portion Lot 9008 to the Special Residential zone. The Estate is located approximately 5.6 kms to the east of the Denmark Townsite. Refer Location Plan below.



Location Plan

The Springdale Beach Estate was zoned and gazetted in October 2001. The relevant portion of Lot 9008 is located adjacent to the Wilson Inlet foreshore and is accessed by Beaufortia Gardens which is one of the main subdivisional roads within the Special Residential Estate.

Despite the fact that all the supporting infrastructure has been in place for many years, the developer, LWP Denmark, has been unable to attract any interest to develop portion Lot 9008 for tourism development.

In accordance with the WAPC's Planning Bulletin 83/2013: 'Planning for Tourism', it is requested approval be granted to rezone the Tourist Site to the 'Special Residential' zone.

The following report provides supporting background information and justification for the rezoning proposal.

## **2. BACKGROUND**

The majority of the Springdale Beach Estate is zoned 'Special Residential' with a 'Tourist' zone located in the south west corner of the property. A Subdivision Guide Plan formed part of the rezoning documentation and is attached overleaf.



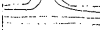



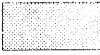


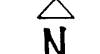
The Tourist site had an overall area of 9.4ha, one hectare of which was to be excised and incorporated into the adjoining foreshore reserve.

The site was included in the Schedule of Tourist Zones in Appendix XIII of the Shire's Town Planning Scheme No 3 and included the following permitted uses:

- Single house
- Cottage Industry
- Caretaker's Dwellings
- Holiday Accommodation
- Reception Centre
- Restaurant
- Shop (max 150m<sup>2</sup>)

ALL AREAS AND DIMENSIONS SUBJECT TO SURVEY

**LEGEND**

-  Subject Land
-  Vegetation Cover - existing & proposed
-  Proposed Subdivisional Roads
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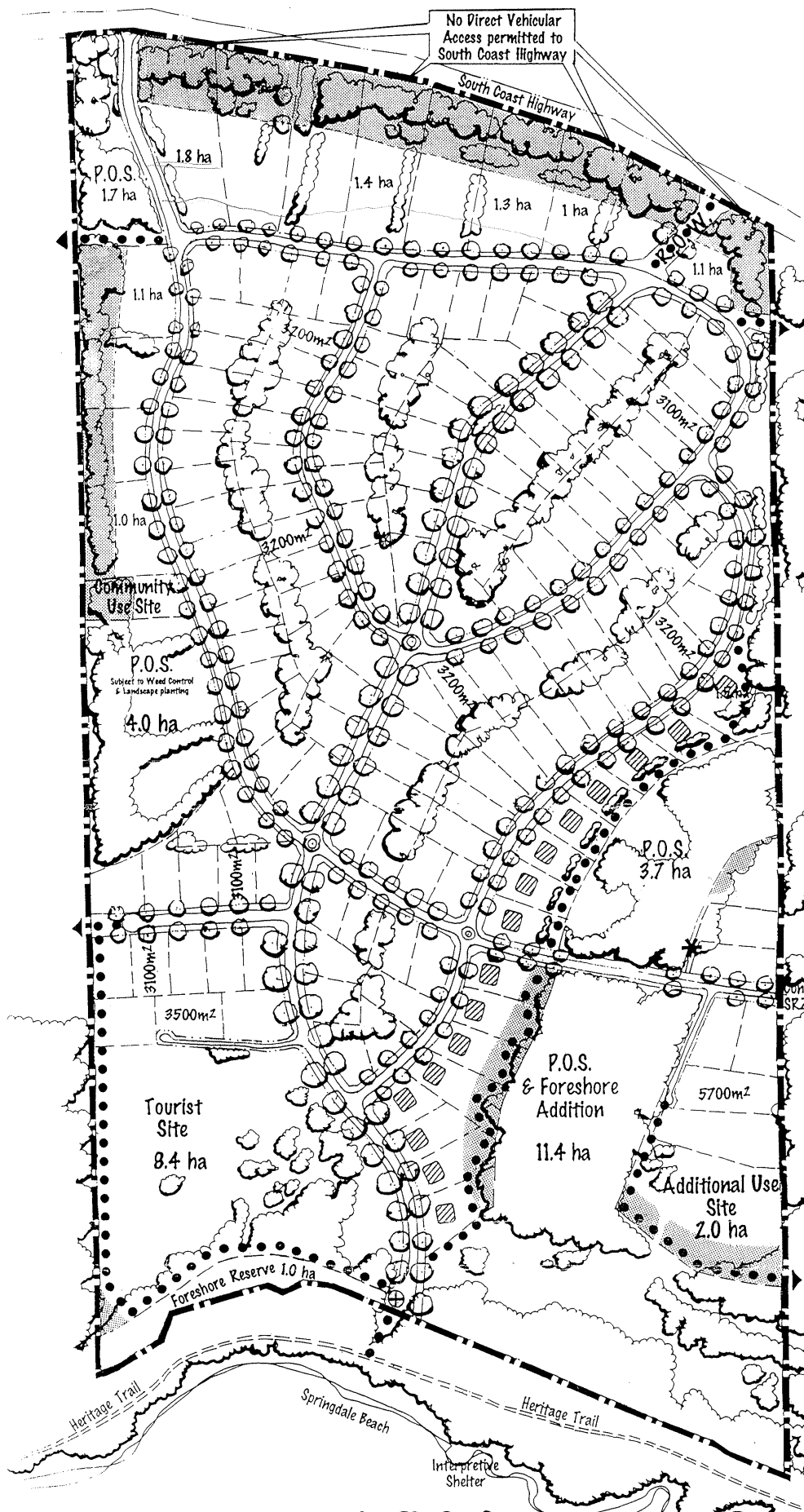
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3. Potential Impacts on Foreshore to be managed via Foreshore Management Plan/s to be prepared at the subdivision stage.
4. Development Plans to be prepared for both the Tourist and Additional Use sites.
5. Pine harvest staged with subdivision to minimise visual impact.
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8. P.O.S. provision and improvement to be subject to the preparation of Public Open Space & Replanting Strategy.
9. No direct vehicular access permitted to South Coast Highway.
10. For lots with identified "Dwelling Areas", refer to provisions c) i) e, d & e.

Adopted by Resolution of the Council of the Shire of Denmark at the ..... meeting of the Council, held on the ..... day of ..... 2000

Chief Executive Officer

SRZ Area No. 8



**SUBDIVISION GUIDE PLAN**  
 Location 1935 South Coast Hwy.  
 Shire of Denmark TPS No. 3 Amendment 66

Approved September 2001

The following uses could also be permitted if incidental to the predominant use of the land:

- Day Care Centre
- Private Recreation
- Public Amusement

Condition No 4 of the Schedule provides guidance in terms of the density of the holiday accommodation and stipulates that the total density of holiday accommodation shall not exceed 3.33 units per hectare of gross site area.

Following acquisition of the property by LWP Denmark, the property has been progressively developed with Stages 1A, 1B, 2A, 2B, 2C, 2D, 3A, 3B, 4A and 4B completed and Stage 2E currently under construction. Refer plan overleaf.

The tourist site formed part of the Stage 4 subdivision application and while a portion of the site was excised and ceded to the Shire as a foreshore reserve, the tourist lot was not created. A subsequent subdivision application (WAPC Reference 156128) proposed to create the tourist lot but was withdrawn and cancelled on 2 January 2020.

The decision not to create the tourist site was based on the realisation that there had been no interest from potential developers to acquire the site for tourism development. The key reasons for the lack of interest appear to be:

- The site is not located on a strategic tourist route but instead is located at the end of a long cul-de-sac which runs through a residential estate.
- The site is heavily vegetated which restricts the views to the Inlet and requires significant buffers to meet bushfire guidelines.
- Since the site was created, the Boston Brewery has been developed on the opposite side of South Coast Highway. The success of this development which is located on a strategic tourist route, increases the unlikelihood of a signature restaurant being developed on the site.

- The growing residential community on the estate are generally not supportive of a tourist development which will draw significant traffic through their predominantly residential area.
- While Springdale Beach may have historically been a waterfront destination, the presence of seaweed, algae and associated smell detracts from its attraction. At the same time other beachfront destinations such as Ocean Beach and Greens Pool were developing and are now significantly more attractive.

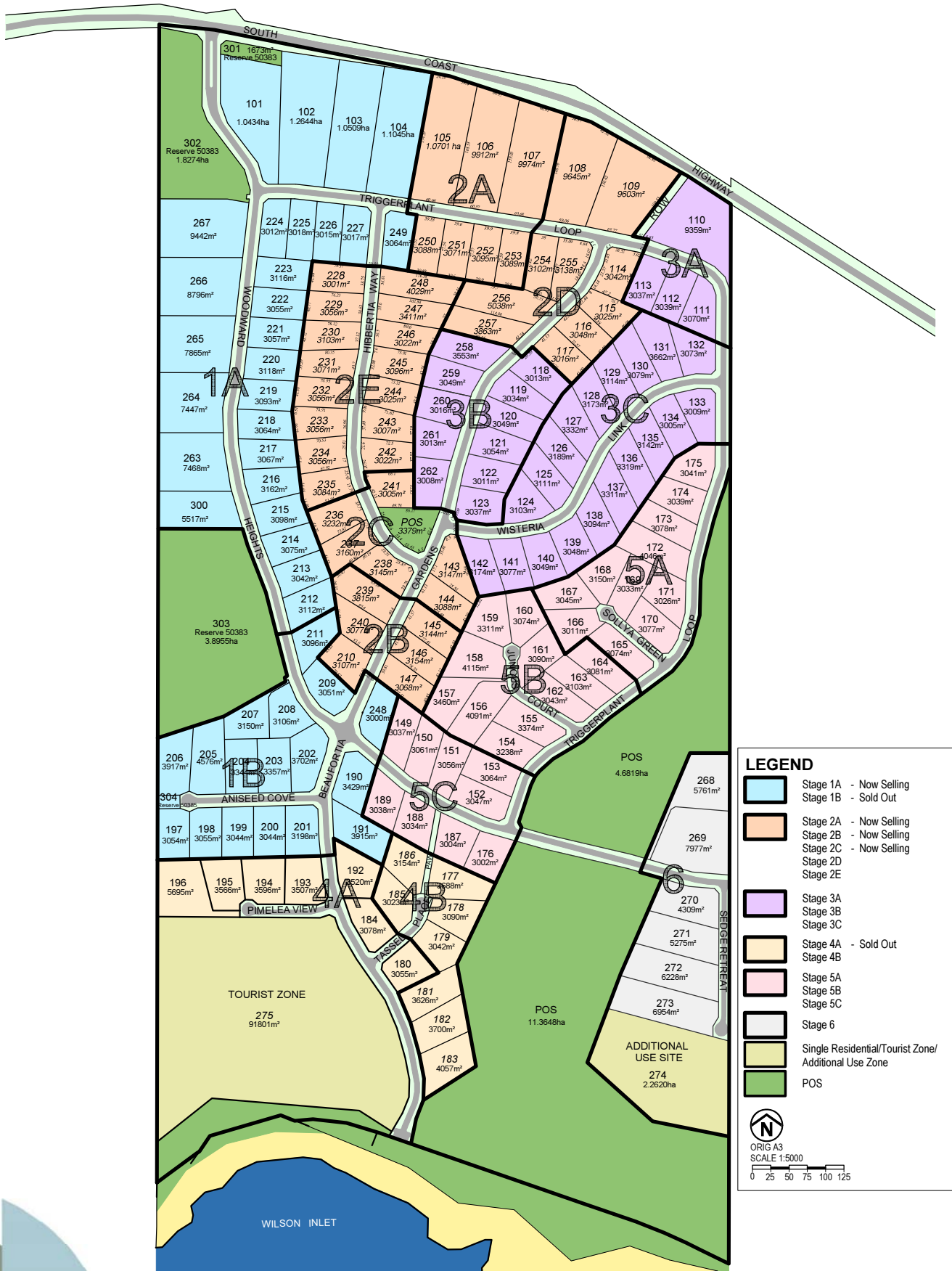
In view of the above, the proponents seek to rezone the site to the Special Residential zone in conformity with the surrounding land use and at the same time remove Tourist Zone (T9) from the Scheme.

In addition, as a consequence of detailed survey, subsequent subdivision approvals and detailed design work, it is necessary to correct some legacy zoning issues/ zoning anomalies in the area around portion Lot 9008. This revolves around:

- Removing existing Special Residential Lots surrounding portion Lot 9008 from the (incorrect) Tourist (T9) zone and including them in the prevailing Special Residential zone with the relevant controls applied.
- Ensuring Reserve 52123 is wholly within the Parks & Recreation Reserve and not the Tourist zone.
- Ensuring the Parks & Recreation reserve follows the boundaries of Lot 9008 established at the subdivision of Lot 9008.

It is worth noting that regarding these last two points, the areas being transferred from the Tourist zone and Parks & Recreation Reserve are the same; there is no loss of land from the Parks & Recreation reservation.

# Springdale Beach Subdivision Plan



**LEGEND**

- Stage 1A - Now Selling
- Stage 1B - Sold Out
- Stage 2A - Now Selling
- Stage 2B - Now Selling
- Stage 2C - Now Selling
- Stage 2D
- Stage 2E
- Stage 3A
- Stage 3B
- Stage 3C
- Stage 4A - Sold Out
- Stage 4B
- Stage 5A
- Stage 5B
- Stage 5C
- Stage 6
- Single Residential/Tourist Zone/  
Additional Use Zone
- POS

ORIG A3  
SCALE 1:5000  
0 25 50 75 100 125



## 5. PROPOSED DEVELOPMENT

Subject to rezoning of the tourist site to the 'Special Residential' zone, development is predicated on the acceptance that the minimum lot size of 3000m<sup>2</sup>, which applies to the Springdale Beach Estate, will also apply to the subject land.

Under the provisions of the Government Sewerage Policy, land which is not connected to a reticulated sewerage service within a "Sewerage Sensitive Area" is required to have a minimum lot size of one Hectare. The associated notes indicate that:

*"Land in a Sewerage Sensitive Area that is already zoned for urban use with a residential density coding of R2 to R10 under a Local Planning Scheme or Structure Plan endorsed by the WAPC, may be subdivided in accordance with the existing density coding."*

The definition of "Urban" in the Government Sewerage Policy is:

*"Land zoned 'urban' or 'urban deferred' in a region scheme and/or land that can be subdivided under a local planning scheme to create lots less than one hectare for residential or commercial uses and has the potential to be subdivided."*

In this case the density of tourist accommodation is 3.33 units per hectare.

In view of the above, a report has been prepared by Land Assessment to compare the likely nutrient inputs into the subject land from special residential development and tourist development of the site.

The report demonstrates that the level of nutrient inputs to the subject land under a special residential development to be less than that which could occur for a tourism development under the existing Scheme zoning and land use conditions. The report is attached in Appendix 'E'.

The proposed concept plan will create a total of 17 lots with lot sizes ranging from 3028m<sup>2</sup> to 4760m<sup>2</sup>. This is in contrast to the 30 holiday units that could be developed under the current tourist zoning, as well as a manager's residence, reception centre and restaurant.

The detailed site testing carried out in winter conditions by OPUS in association with MPA Williams and Associates, confirms that:

- The minimum site requirements for on-site sewerage disposal outlined in Section 5 and Schedule 2 of the Government Sewerage Policy can be met.

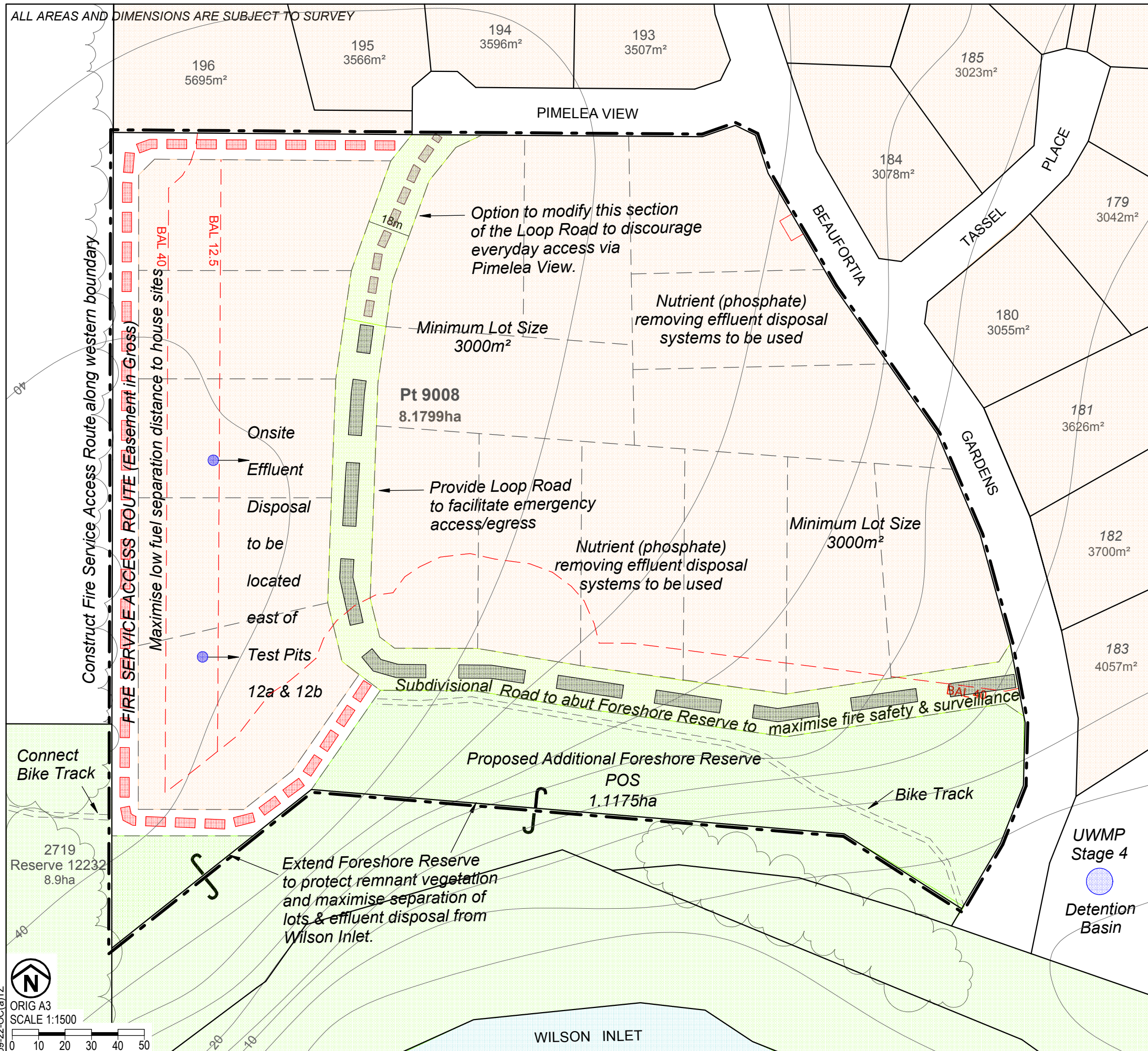
Other key elements of the proposed development are outlined in the Opportunities & Constraints Plan, which informs the Indicative Concept Plan. The plan includes:

- An additional 1.2 hectares of foreshore reserve is proposed to be added to the one hectare which has already been ceded to the Shire. The additional foreshore area will ensure that all development and effluent disposal systems will be located a minimum of 135 metres from the Wilson Inlet. It will also enable passive surveillance of the POS/foreshore reserve and allow for the remaining remnant vegetation on the site to be consolidated with the remnant vegetation to the south and incorporate a bike path which will utilise the existing gravel track which runs up from Beaufortia Gardens.
- The minimum lot size of 3000m<sup>2</sup> provides ample scope for appropriate effluent disposal systems to be accommodated in accordance with the Sewerage Policy requirements.
- The proposed 'Special Residential' lots will be serviced by a loop road which will run from Beaufortia Gardens in a westerly direction immediately abutting the expanded foreshore reserve to the south. It will then run north to connect up with Pimelea View which in turn connects back to Beaufortia Gardens. The alignment provides sufficient setback from the vegetated reserves to the west to accommodate a 10m wide fire service access route (perimeter road) which runs along the western boundary of the site and a further 30 metre setback which will enable building envelopes to achieve a BAL of 12.5. The fire service access route runs along flat terrain which will facilitate ease of access by fire service vehicles. This arrangement allows for direct access from the dwellings on lots 13 to 17 onto the proposed loop road, should a fire originate in the vegetation to the west.

Refer the Opportunities & Constraints Plan and the Indicative Concept Plan on following pages.

# OPPORTUNITIES & CONSTRAINTS PLAN

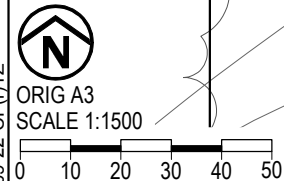
Pt Lot 9008 Beaufortia Gardens  
Springdale, Shire of Denmark



ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY

# INDICATIVE CONCEPT PLAN Special Residential Lots (min 3000m<sup>2</sup>)

Pt Lot 9008 Beaufortia Gardens  
Springdale, Shire of Denmark



**AYTON BAESJOU**  
P L A N N I N G  
59 Peels Place  
ALBANY WA 6330  
Ph 9842 2304 Fax 9842 8494

- The proposal to create a loop road through the site connecting to Pimelea View is desirable in order to meet Bushfire Management Guidelines. However, it has the potential to impact on the amenity of the four lots, which currently front onto the existing cul-de-sac, by increasing through traffic. At the detailed stage of subdivision design, it is recommended that traffic management measures are provided which encourage traffic to utilize access and egress to the site from Beaufortia Gardens and that access via Pimelea View is restricted where possible for emergency access/egress only. It is noted that the loop road will also benefit the existing Pimelea View residents in relation to emergency access. Traffic management could be achieved by providing a reduced width carriageway along the northern section of the loop road with associated turning area/traffic calming devices and signage.
- The subdivisional road avoids the steeply sloping land within the proposed foreshore reserve and minimizes and impact on the associated vegetation.
- From a fire management perspective, the combination of a public road abutting the steeply sloping and vegetated foreshore reserve, together with a perimeter fire service access road along the western boundary will maximise access for fire fighting purposes and ease of access/egress for residents in an emergency.
- The proposed subdivisional road alignment will enable stormwater management to be integrated with the Urban Water Management Plan which was prepared for Stage 4 of the Springdale Beach Estate subdivision.

## **6. JUSTIFICATION – TOURIST SITE TO SPECIAL RESIDENTIAL DEVELOPMENT**

Tourist development is recognised as being one of the riskiest forms of development and in order to be sustainable it needs to be located on a strategic tourist route with access to a significant tourist attraction.

While Springdale Beach historically may have been a tourist attraction, as evidenced by a few tourist chalets which were located on the subject land, that is no longer the case. The chalets were allowed to fall into disrepair and the beach itself has been detrimentally affected by the build up of seaweed, algae and the associated unpleasant smell. At the same time competing tourist attractions have become far more popular in areas such as Ocean Beach, Greens Pool and the coast line that runs between these sites. Recent scheme amendment requests at Lot 305 Wentworth Road and Lot 3 William Bay Road will expand the range of short stay accommodation and related tourism facilities in the district.

Direct access to a strategic tourist route has also become increasingly important and the current tourist zone suffers from being located at the end of a long cul de sac that services a residential subdivision. The location of the Boston Brewery opposite the Springdale Beach Estate on South Coast Highway, demonstrates how important the location on a strategic tourist route is to the success of tourist development. Its success will further diminish the likelihood that a restaurant and associated reception centre can be developed on the subject land.

As the Springdale Beach Estate has developed, it is also apparent that the residents are concerned that tourist traffic will be drawn through their residential estate and affect the amenity that they enjoy. The WAPC's Planning for Tourism Bulletin 83/2013 recommends that such a potential conflict should be avoided.

Section 6 of the Tourism Bulletin identifies general location criteria to assist in determining the tourism value of a site. These include;

Accessibility, Uniqueness, Setting, Tourism activities and amenities, Supply of land, Suitability in a land use context, Capability, Size and Function.

### **Accessibility**

As already noted, a major failing of the site is its lack of access onto a strategic tourism route. It is not conveniently located and lacks visibility.

### **Uniqueness**

While the site is located in proximity to Wilson Inlet, it is not unique in this aspect. There are more attractive and conveniently located tourism sites closer to Denmark town centre and Ocean Beach.

### **Setting**

While the site has an aspect and outlook overlooking Wilson Inlet, it is not immediately adjacent to the beach and access is via a steeply sloping track. Views are compromised by foreshore vegetation and the amenity of the beachfront is poor.

### **Tourism activities and amenities**

The site does have access to the historic railway dual use path, however, there are no cafes, restaurants or shops in close proximity. A jetty originally provided access to the Inlet but no longer exists and no provision has been made to replace it.

### **Supply of land**

The site is not considered to have an element of scarcity in that it may be the only opportunity, or one of a limited number of opportunities to achieve a significant tourism development in the area. There are other more attractive areas available elsewhere along the Denmark coastline.

### **Suitability in a land use context**

The site is compromised by being located adjacent to and having its main access through a residential area.

### **Capability**

The site is located in a sewerage sensitive area which may be impacted by overly intensive tourism development. The heavily vegetated foreshore and surrounding area creates a fire management issue as tourism development is deemed to be a vulnerable use. Associated clearing to maximise views of the inlet is also a potential issue.

### **Size**

While the site is 8ha in area, its development capacity will be limited by the fact that it is not connected to a reticulated sewer system, is located in a residential and bushfire prone area.

## **Function**

The site does not meet a particular accommodation or market need that cannot be better provided for elsewhere in Denmark.

The owner of the tourist site has for many years been unable to attract any interest from a developer to develop the site. It has now become increasingly evident why any interest is unlikely to be forthcoming. Consequently, it is recommended that a more compatible land use would be to develop it for Special Residential lots.

With regards the Local Planning Strategy Objectives and Strategies, the following additional notes are made:

- Without any demand for the site as a tourism venture despite its long-term availability, objectives for local economic benefit, local investment, local employment and the like are not being met (s4.4 Tourism Strategy e & f).
- Without any demand for the site as a tourism venture despite its long-term availability, the objectives of having appropriately zoned land available for new development are not being met (s4.4 Tourism Strategy g).
- The site is not located near a specific identified strategic tourism site (s4.4 Tourism Strategy h).



## **7. CONCLUSION**

The tourist zone in the south west corner of the Springdale Beach Estate was gazetted almost 20 years ago and prior the WAPC's Planning Bulletin 83/2013 - Planning for Tourism.

While the idea to designate a portion of the Estate for tourist development was based on the fact that limited tourist development had occurred on the site in the past, 'Planning for Tourism' recommends a more strategic and considered approach is required to ensure a quality, sustainable tourism outcome.

This report concludes that portion Lot 9008 does not meet the criteria to guarantee a successful tourism development and requests consideration be given to rezoning the site for special residential development.

It is also requested that the prevailing residential density of the Estate be applied to the site in accordance with the guidelines provided in the Government Sewerage Policy.

The report demonstrates that up to 17 special residential lots with a minimum lot size of 3000m<sup>2</sup> will produce less nutrients than a tourist development comprising up to 30 chalets, manager's accommodation, reception centre and restaurant.

Land capability assessment also indicates that the site is suitable for onsite effluent disposal without endangering public health or the environment and that the minimum site requirements outlined in the Sewerage Policy can be met.

It is respectfully requested that Council initiate the proposed rezoning of portion Lot 9008 along with the correction of the zoning anomalies affecting Reserve 52123 and existing Special Residential Lots surrounding Lot 9008.

**PLANNING AND DEVELOPMENT ACT 2005**

**SHIRE OF DENMARK**

**TOWN PLANNING SCHEME No. 3**

**AMENDMENT No. 149**

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. *Rezoning portion Lot 9008 Beaufortia Gardens, Hay, Shire of Denmark, from the Tourist (T9) Zone to Special Residential (SRes6) Zone;*
2. *Moving portion Lot 9008 Beaufortia Gardens, Hay, Shire of Denmark, from the Parks & Recreation Reserve to the Special Residential (SRes6) Zone;*
3. *Moving portion Reserve 52123, from the Tourist (T9) Zone to the Parks & Recreation Reserve;*
4. *Rezoning portion Lots 181, 181, 182 & 184 Beaufortia Gardens from the Tourist (T9) Zone to the Special Residential (SRes6) Zone;*
5. *Rezoning Lots 193, 194, 195 & 196 Pimelea View from the Tourist (T9) Zone to the Special Residential (SRes6) Zone;*
6. *Delete Tourist Zone (T9) from Appendix XIII; and*
7. *Amending the Scheme maps accordingly.*

## Existing Zoning



## LEGEND

### LOCAL SCHEME RESERVES

Parks and Recreation

### LOCAL SCHEME ZONES

Special Residential

Tourist

### OTHER CATEGORIES

(see scheme text for additional information)

Scheme Area Boundary

A1 Additional Uses

SRes1 Special Residential Area

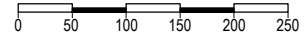
T1 Tourist Area

No Zone

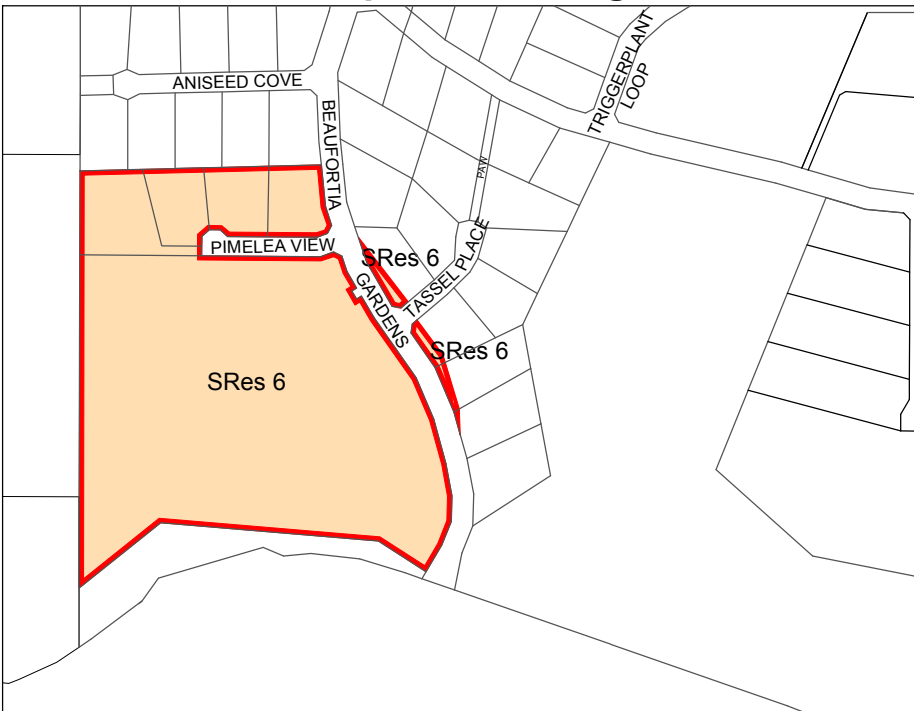
Waterbodies



ORIG A4  
SCALE 1:7000



## Proposed Zoning



09-22-ZP(b)