

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF JERRAMUNGUP

LOCAL PLANNING SCHEME NO.2

AMENDMENT No.9

The Shire of Jerramungup under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Rezoning Pt Lot 50 Wellstead Road and Lot 2100 Point Henry Road, Bremer Bay from 'Rural' zone to 'Rural Residential' zone, and amendment in the Scheme Maps accordingly;
2. Inserting provisions relating to the subdivision, development and use of Rural Residential Zone No.6 into Schedule 11 of the Scheme Text.

**Schedule 14 – Rural Residential Zone [cl.5.5.13]**

No	PARTICULARS OF LAND	REQUIREMENTS
RRes 6.	Pt Lot 50 Wellstead Road and Lot 2100 Point Henry Road, Bremer Bay	<p>1. Objective of Zone</p> <p>The objective is to facilitate the creation of a rural-residential retreat with an emphasis on fire management, in keeping with the natural and visual attributes of the site and area in general.</p> <p>2. Plan of Subdivision</p> <p>(a) Subdivision is to be generally in accordance with a Subdivision Guide Plan endorsed by the Chief Executive Officer.</p> <p>(b) No further breakdown of lots shall be supported by the local government.</p> <p>(c) Minimum setbacks for the building envelopes are to be 30 metres from the road frontage and 20 metres from all other lot boundaries.</p> <p>(d) All buildings shall be located within the building envelopes shown on the Subdivision Guide Plan.</p> <p>(e) Despite (c) above and Clause 5.25.3(f)(ii) of the Scheme building envelopes for proposed Lots A - C are not to exceed 10% of the total lot area, generally in accordance with the Subdivision Guide Plan.</p> <p>(f) Written approval of the local government is required for any effluent disposal system proposed to be located outside of the building envelope shown on the Subdivision Guide Plan. The local government has the discretion to permit effluent disposal systems to be located outside the designated building envelope only where-</p> <p>(i) The applicant has demonstrated it is necessary due to soil conditions; and</p>

		<p>(ii) It does not conflict with the Bushfire Management Plan.</p> <p>3. Vegetation Protection</p> <p>(a) No trees or substantial native vegetation shall be felled or removed without the prior written approval of the local government or where-</p> <ul style="list-style-type: none"> <li>(i) Required for approved development or subdivision works;</li> <li>(ii) Required to fulfil the provisions or requirements of an approved Bushfire Management Plan;</li> <li>(iii) Required by a Council Firebreak Order; or</li> <li>(iv) Trees are declared to be dead, diseased or dangerous.</li> </ul> <p>4. Bushfire Management Control</p> <p>(a) The local government may request the Commission to require all subdividing landowners to contribute to a fund administered by the local government and used solely for fire fighting facilities or equipment provided as a condition of subdivision.</p> <p>(b) The local government will require all owners to contribute annually to the special fund to be administered by the local government and used solely for the maintenance of fire fighting facilities or equipment.</p> <p>(c) Where the local government requires an owner of land to contribute to a special fund administered by local government, the owner must pay the contribution to the local government within 28 days of the requisition being made.</p> <p>(d) Where an owner does not pay a contribution required by the local government within 28 days of the requisition being made, the local government may recover it as well as the costs of the proceedings for that recovery in a court of competent jurisdiction.</p> <p>(e) Development shall comply with the Bushfire Management Plan endorsed by FESA and the Shire of Jerramungup.</p> <p>(f) The local government may request the Commission to impose a condition at the time of subdivision requiring the implementation of the requirements of the Bushfire Management Plan.</p> <p>5. Shared Use Path Contribution</p> <p>(a) The local government may request the Commission to impose a condition requiring a contribution to be made to the Cycle and Shared-Use Trail Plan for Bremer Bay/Point Henry at the time of subdivision.</p>
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