

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF JERRAMUNGUP

LOCAL PLANNING SCHEME NO. 2

AMENDMENT NO. 8

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. Creating a new 'Rural Enterprise' zone by:

- a) Adding a notation to the Scheme Map legend;
- b) Adding a new dot point to Clause 4.2 (Objectives of the Zones) of the Scheme text as follows:
'Rural Enterprise Zone

'To provide for the establishment of land uses which accommodate residential dwellings as well as light/ rural industry type land uses on the same site in a live and work arrangement.'

c) Amending Table 1 – Zoning Table by adding a new column and annotations as follows:

USES		RURAL ENTERPRISE
1	aged or dependent persons dwelling	X
2	agriculture-extensive	X
3	agriculture-intensive	X
4	agroforestry	P
5	ancillary accommodation	X
6	animal establishment	D
7	animal husbandry – intensive	X
8	aquaculture	D
9	bed and breakfast	X
10	caretaker's dwelling	D
11	civic use	A
12	club premises	A
13	educational establishment	A
14	fast food outlet	X
15	fuel depot	X
16	grouped dwelling	X
17	home business	P
18	home occupation	P
19	hotel	X
20	industry – cottage	D
21	industry – extractive	X
22	industry – general	X
23	industry – light	D
24	industry – rural	P
25	industry – service	D
26	motel	X
27	motor vehicle repair	X
28	multiple dwelling	X

29	office	X
30	place of worship	X
31	plantation	P
32	plant nursery	D
33	recreation – private	D
34	residential building	X
35	restaurant	X
36	rural home business	P
37	rural pursuit	P
38	service station	X
39	shop	X
40	single house	P
41	tavern	X
42	tourist accommodation	X
43	transport depot	X
44	veterinary centre	D
45	warehouse	D

d) Adding a new Clause as follows:

5.28 RURAL ENTERPRISE ZONE

5.28.1 Site Requirements

Unless otherwise provided on the Subdivision Guide Plan, the minimum building setbacks are to be:

Front : 30.0m

Rear : 20.0m

Side : 20.0m

5.28.2 General Requirements

- (a) A Subdivision Guide Plan is to be prepared for a specific area illustrating the following:
 - (i) the proposed ultimate subdivision including approximate lot sizes;
 - (ii) those physical features it is intended to conserve and the methods to be put in place by the applicant to ensure those areas will be appropriately managed; and
 - (iii) retention of vegetation and creation of revegetation using local native species, of wildlife corridors linking with areas of native vegetation on adjoining land.
- (b) Subdivision and development is to generally be in accordance with the Subdivision Guide Plan adopted by the local government for the land. No further subdivision of the lots as indicated on the Subdivision Guide Plan adopted by the local government is to occur.
- (c) In addition to the Subdivision Guide Plan the provisions for making recommendations on subdivision and development in specific Rural Enterprise zones shall be in accordance with Schedule 13.
- (d) Not more than 1 dwelling per lot is to be erected.
- (e) No Rural Enterprise use will be permitted to operate solely on a property without a residential dwelling.

5.28.3 Applications for Planning Approval

In dealing with applications for planning approval in the Rural Enterprise Zone the Council will have regard for the following criteria and where appropriate will require the applicant to implement measures to address the following matters:

- Separation of incompatible land uses;
- Relevant guidelines and/or Codes of Practice prepared by the Environmental Protection Authority;
- Land Capability and other studies prepared for the Rural Enterprise Zone;
- Sustainable water supply for the proposed land uses;
- Effluent disposal requirements, and capability;
- Emission of noise, dust or odour;
- Building height and setbacks;
- Overshadowing and access to sunlight for housing;
- External appearance, colours and finishes;
- Advertising signage;
- Boundary fencing;
- Security lighting intruding into housing;
- Extent and standard of landscaping;
- Impact of roads;
- Standard of sealing and draining or driveways and car parks;
- Hours of operation; and
- Any other relevant factors.

- e) Adding a new 'Schedule 13 – Rural Enterprise Zone' with the following new Rural Enterprise area as follows:

No	PARTICULARS OF LAND	REQUIREMENTS
RE 1	Pt Lot 11 Borden-Bremer Bay Road, Bremer Bay	<p>1. Objective</p> <p>To provide for the establishment of land uses which accommodate residential dwellings as well as light/ rural industry type land uses on the same site in a live and work arrangement.</p> <p>2. Subdivision and Development</p> <p>a. Subdivision is to be generally in accordance with a Subdivision Guide Plan endorsed and signed by the Chief Executive Officer.</p> <p>b. Subdivision shall have a minimum lot size of 1ha.</p> <p>c. A Local Water Management Strategy shall be prepared for the property at the time of subdivision.</p> <p>d. Driveways are to be located and constructed to the satisfaction of the local government having regard for the objective to minimise soil erosion.</p> <p>e. The materials and colours of external walls and the roofs of all buildings are to be non-reflective and, blend with the landscape to the satisfaction of the local government.</p> <p>f. Buildings are to be designed to be compatible with the rural setting and rural character of the immediate locality.</p> <p>g. Appropriate buffers and other measures (e.g. landscaping, screening, noise attenuation through built form etc) are to be demonstrated as part of a planning application and are to be implemented to ensure that the residential and industrial type</p>

		<p>land uses co-existing on each lot do not have detrimental impacts on each other.</p> <p>h. Water supply and effluent disposal for each lot is to be the responsibility of the owner.</p> <p>i. A dwelling is not to be occupied unless water storage tank(s) of minimum total capacity of 135 kilolitres and an approved method of effluent disposal have been installed and are operating. A minimum roof catchment area of 450m² is also required.</p> <p>j. Suitable water supply (e.g. catchment area and storage capacity) is to be demonstrated by the applicant for each proposed industrial type land use, to the satisfaction of the local government. The approved water supply is to be installed prior to occupancy of the building.</p> <p>k. No signs are to be erected without the prior written approval of the local government except for a lot and homeowner identification sign no larger than 0.1m² in area.</p> <p>l. At the time of subdivision, the WAPC may impose a condition requiring that purchasers of the lots are to be provided with copies of the special provisions of Rural Enterprise Area No. 1.</p> <p>m. At the time of subdivision, the WAPC may impose a condition requiring that notifications be put on the titles of the lots to advise purchasers of the lots of potential impacts from surrounding land uses.</p> <p>3. Development Precincts</p> <p>a. Precinct A</p> <p>This precinct comprises Lots 1, 2, 18, 19, 20, 21, 32 and 33 as depicted on the SGP. Land uses permissible in this precinct are as follows:</p> <ul style="list-style-type: none"> • Agroforestry; • Animal Establishment; • Aquaculture; • Caretaker's Dwelling; • Home Business • Home Occupation • Industry - Cottage • Industry - Light; • Industry - Rural; • Industry - Service; • Plantation; • Plant Nursery; • Recreation- Private; • Rural Home Business; • Rural Pursuit;
--	--	---

		<ul style="list-style-type: none"> • Single House; • Veterinary Centre; and • Warehouse. <p>Discretionary land uses in this precinct are as follows:</p> <ul style="list-style-type: none"> • Civic use; • Club premises; • Educational establishment; • Fuel depot; • Industry – General; • Motor Vehicle Repair; and • Transport Depot. <p>b. Precinct B</p> <p>This precinct comprises all of the remaining lots (i.e. those not in Precinct A) as depicted on the SGP. Discretionary and permissible land uses for this precinct shall be in accordance with the Zoning Table for the Rural Enterprise zone.</p> <p>4. Effluent Disposal</p> <ol style="list-style-type: none"> a. Effluent disposal will be by on-site means at the cost of the landowner. b. No effluent disposal system shall be located within the exclusion area shown on the Subdivision Guide Plan adopted by the Shire and endorsed by the Western Australian Planning Commission. c. The type of effluent disposal system to be used for each lot shown on the Subdivision Guide Plan shall be approved by the local government. d. Appropriate Alternative Treatment Units and filtration systems will need to be provided on site for sewerage and waste water in relation to the proposed industrial type land uses. The appropriate systems are to be negotiated with and approved by the local government. <p>5. Fire Protection</p> <ol style="list-style-type: none"> a. The local government may require the preparation of a fire management plan at the time of subdivision. b. The local government may request the Commission to impose a condition at the time of subdivision requiring the installation of a 50,000L water tank or equivalent for fire fighting purposes and associated infrastructure. c. The local government may request the Commission to impose a condition at the time of subdivision requiring access rights to water contained in any dams located within RE 1. <p>6. Landscaping/ Revegetation</p> <ol style="list-style-type: none"> a. The local government may request the Commission to impose a condition at the time of subdivision requiring the planting of vegetation buffers as depicted on the Subdivision Guide Plan.
--	--	---

		<ul style="list-style-type: none">b. The local government may request the Commission to impose a condition at the time of subdivision requiring the preparation and implementation of a foreshore management plan for Bitterwater Creek, in consultation with the relevant agency. This may include, but not limited to, fencing of the foreshore area, stabilisation of the creek banks and the planting of riparian vegetation for Bitterwater Creek.c. The local government may require additional landscaping around proposed industrial uses to screen these uses from surrounding development.
--	--	---

2. Rezoning Pt Lot 11 Borden-Bremer Bay Road from 'Rural' to 'Rural Enterprise' and amending the Scheme Map accordingly.