8. AMENDMENT PROPOSAL

The amendment proposes to rezone the property to Rural Conservation zone No. 9 and Special Use zone No. 16, to enable the creation of approximately 61 lots ranging in size from 1 to 3 ha. The rezoning and subdivision proposal are based on the land capability and site suitability assessment, as well as existing land uses including the sand pits, small scale gravel extraction and 'rural industry'. The proposal is in accordance with the Shire's adopted Strategic Framework.

This proposal for a composite rural living/ business enterprise zone for Lot 8 Hopetoun-Ravensthorpe Road provides for a range of additional housing lifestyle and low-key business options that will facilitate job creation and economic development. The proposed 'composite lots' are attractive for small and home business operators. The subdivision will have reticulated mains water, it is in close proximity to town and the relatively flat site is unconstrained.

Hopetoun is again experiencing population growth associated with the resource development projects within the Shire of Ravensthorpe. Provision of lots for Rural Living, with the additional features and benefits afforded by the composite business enterprise zone, will assist in meeting the demand for lots.

The subdivision layout and the Special Use zoning respond to the site's characteristics and constraints its location on the periphery of the wind turbine noise buffer area and adjacent the odour buffer. These issues are addressed in detail in the accompanying environmental assessment report and reflected on the constraints and opportunities map.

Tree planting may be appropriate along the eastern boundary of the zone to assist in screening the development from the Hopetoun-Ravensthorpe Road.

Notwithstanding the relatively low fire hazard rating of the majority of the property, fire safety elements are incorporated into the subdivision design. The layout includes loop roads and has been designed to ensure alternative emergency egress to all lots.

Fire hydrants are to be provided along subdivisional roads. The small pocket of retained/replanted vegetation in the south west corner of the site is separated from the nominated Development Envelopes by a Hazard Separation zone and a fire management track. Relevant special provisions are proposed for the zone in relation to the siting of buildings and the establishment and maintenance of low fuel zones around buildings.

Storm water runoff will be managed though on-site detention. Modifications to the existing drainage channel may result from the detailed engineering assessment and design for stormwater.

Infrastructure will be provided to the proposed Rural Conservation lots in accordance with the standards specified by the Shire of Ravensthorpe and relevant Western Australian Planning Commission and agency polices and requirements. Roads, water, power and telecommunication will be extended to service the subdivision. Waste water will be managed through on-site effluent disposal systems.

In line with adjoining subdivisions and conventional standards for this form of development, general landuse and development controls will be applied and special controls are included within the zone provisions to cover issues such as:

- Limiting landuse to residential dwellings and low intensity business activities;
- Excluding the keeping of stock and intensive agriculture;
- Limiting building heights and potential visual dominance using vegetation (including establishing a landscape screen adjacent to the main road and retaining vegetation within the ridgeline buffer);
- Protecting against land degradation and providing for remediation and rehabilitation;
- Providing suitable building setbacks; and
- Ensuring landowners are aware of the objectives and controls of the zone as well as ensuring they are aware of bush fire safety measures and requirements.

The current WAPC Policies and definitions for Rural Small Holdings typically encompass lots in the 4 to 40ha range and are not an ideal fit for this project. In this instance, a base Rural Conservation zone is considered to be the most suitable designation in terms of planning and land use objectives, capability, environment, landscape protection and compatibility with surrounding development.

Permitted uses in this zone include a single house and family day care. Council has discretion on uses such as ancillary accommodation, bed & breakfast, home occupations/businesses, cottage industry, child care, consulting rooms and the like; generally uses that can be carried out from a dwelling or its curtilage and uses that do not apply a significant load on the land, servicing and or neighbours.

3.1 Proposed Rural Conservation zone - Area No. 9

The proposed Rural Conservation zone - Area No. 9 is divided into two Precincts.

- Precinct 1 - Rural Living and Associated Enterprises comprises thirty four (34) predominantly 1ha lots.
- Precinct 2-– Sand Extraction/Rehabilitation Area is currently used for small scale extraction of raw materials and consists of twelve (12) lots. The existing sand and soft rock limestone pits will continue to operate in the short term. Once the raw materials extraction has been completed, these areas will be re-contoured and stabilised prior to subdivision and the issue of Titles.

Across the zone, it is proposed to encourage low-key business enterprises in order to facilitate employment generation. In addition to Home businesses and Cottage Industry, Bed & Breakfast, Family Day Care and other incidental and low impact use are advocated.

3.2 Proposed Special Use zone - Area No. 16

The Special Use zone is located in the north west corner of the property where it abuts the Water Corporation WWTP buffer and incorporates rural industry which has been established on three (3) of the proposed lots. The intent is to consolidate an area for composite rural living/rural enterprise which will help to maximise buffer/separation distances from the property which will be zoned 'Rural Conservation'.

A total of fourteen (14) lots are proposed within the Special Use zone wherein selected Service, Light and Rural Industry, together with associated Caretaker's Dwellings may be considered. Sharing of buffer areas will enable some lots to achieve up to 200metre separation distance from habitable dwellings. For those lots which are located opposite 'Rural Conservation' lots, a minimum separation distance of 77.5metres can be achieved by locating the caretaker dwellings to the front of the lots with the businesses to the rear and by taking into account the 20 metre road reserve width and the 7.5 metre front setback on the Rural Conservation lots. The only exception is one lot which directly abuts a Rural Conservation (Sand extraction/rehabilitation) lot where a minimum setback of 55metres can be achieved.

Specific zone objectives and development control mechanisms are proposed in regard to amenity, materials, setbacks, signage and landscape screening.

The Subdivision Guide Plan (SGP) allows for staging and timing of subdivision of the respective precincts to occur concurrently or independently in response to demand.

As a result, there are no significant planning constraints to the form of development proposed.

9. CONCLUSION

Lot 8 Hopetoun – Ravensthorpe Road falls within an area identified for potential 'rural living' in the Shire of Ravensthorpe's Local Planning Strategy.

The proposed Rural Conservation Zone and Special Use zone, together with associated provisions respond to the constraints and opportunities which have been identified in the area.

These include the:

- Waste water treatment plant and its associated buffer to the west.
- The wind turbine buffers and extractive industry buffers which impact on the south west corner of the site.
- The location of rural industry in the north west corner of the site.
- The demand for extensive light and service industry sites which cannot be accommodated on conventional lots in the Hopetoun townsite.
- The presence of extractive industry with the potential to expand to fully utilise BRM resources in the south west corner of the property prior to subdivision.
- The capability and suitability of the site to accommodate 1ha rural living lots.
- The opportunity for job creation by encouraging small scale business activities in association with rural living.

It is considered the proposal is consistent with the guiding principles and recommendations contained in the relevant WAPC strategies and policies, as well as the Shire of Ravensthorpe's local Planning Strategy. It is requested initiate the proposed scheme amendment, in order to facilitate the development of the property.

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF RAVENSTHORPE

TOWN PLANNING SCHEME No. 5

AMENDMENT No. 25

The Ravensthorpe Council 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:

i) Rezoning portion of Lot 8 Hopetoun-Ravensthorpe Road, Hopetoun from the General Agriculture zone to Rural Conservation zone No. 9;

ii) Incorporating the specified area of locality and provisions into Schedule 9, Rural Conservation Zone Provisions of the Scheme Text in the following manner:

(a) Specified Area of Locality	(b) Provisions relative to (a)
Rural Conservation Zone No. 9 – being Oldfield Lot 8 Hopetoun-Ravensthorpe Road, Hopetoun.	**1. Objectives** (a) The objectives of Rural Conservation zone No. 9 are to: • Allow for a range of lot sizes for small scale rural retreats and business enterprises. • Encourage a mix of low-key commercial activity in conjunction with rural living. • Integrate development with the rural landscape while providing for bushfire protection and management. • Utilise water sensitive and passive solar design principles to ensure effective and efficient use of resources (water and energy). • Ensure the amenity of the locality is maintained through appropriate design and location of buildings and compatible land uses. • Within Precinct 2, maximise extraction of basic raw materials. **2. Subdivision** (a) Subdivision of Rural Conservation zone No.9 is to generally be in accordance with the Subdivision Guide Plan as signed by the Chief Executive Officer. (b) The minimum average lot size shall be 1 ha. (c) Rural Conservation zone No. 9 is divided into two Precincts. The staging and timing of subdivision of the respective precincts may occur concurrently or independently in response to demand. Subdivision of lots within the Sand Extract/Rehabilitation Area is to occur following completion of raw materials extraction.

3. Land Use

(a) In addition to those uses listed in the Zoning Table, notwithstanding the requirements of part 4.3 and 4.4 of Town Planning Scheme Number 5, within Rural Conservation zone No. 9:

i) The following uses may be permitted at the discretion of the local government;

- Civic use.
- Club Premises.
- Home Office.
- Storage.
- Plant Nursery.
- Other incidental or non-defined activities considered appropriate by Council which are consistent with the objectives of the zone; and

ii) Within Precinct 2 – Sand Extraction/Rehabilitation Area the following uses may be permitted at the discretion of the local government:

- Industry – Extractive.

(b) In order to ensure non-residential uses provide for the protection of rural-living amenity the Council will not grant planning consent unless it is satisfied that the proposed use would not have an adverse impact on amenity;

(c) In addition to the general development provisions, in granting development approval, the Council may assess and where appropriate apply conditions in relation to any of the following matters:

- advertising signage,
- vehicle access and parking,
- building location and setbacks,
- external appearance, colours and finishes,
- size and scale of non-residential buildings and land-uses,
- storage and disposal of wastes,
- emission of noise, dust and odour,
- extent and standard of landscape screening,
- hours of operation.

(d) It is acknowledged that on-going small scale extraction of raw materials, in particular sand and soft rock limestone will occur. Areas subject to sand and limestone extraction to be re-contoured and stabilised prior to issue of Titles.

(e) Intensive agricultural pursuits are not permitted and the keeping of livestock shall be at the discretion of the Council.

(f) Where, in the opinion of Council, dust nuisance, soil or land degradation is occurring or likely to occur, Council shall require landowner to rehabilitate or stabilise the land to Council's satisfaction.

4. Building Design, Materials & Location

(a) Dwellings and outbuildings shall be designed and constructed of materials in keeping with the amenity of the site. The Council will be supportive of traditional Australian rural style dwellings with wide verandahs, simple forms and passive solar orientation. Unpainted Zincalume and highly reflective finishes will not be permitted. Walls and roofs with green, brown red or natural, muted tonings will be supported.

(b) Sheds are to be designed and constructed using materials and colour schemes which are complementary to the main dwelling on the site.

(c) Dwelling houses shall not exceed 7.5 metres in height which is measured vertically from the natural ground level. The maximum height of all outbuildings will be at the discretion of Council in order to minimise the visual impacts of such buildings when viewed from surrounding roads.

(d) Within Precinct 1, Buildings are to be setback a minimum of 10m from Steeredale Road and 20m from the Hopetoun-Ravensthorpe Road lot boundaries, otherwise 10m from another boundary where Building Protection Zones are shared or 20m elsewhere.

(e) Within Precinct 2 Buildings are to be setback a minimum of 20m from all lot boundaries and on those lots where a 'Development Envelope' is designated on the Subdivision Guide Plan, buildings should be confined to the Envelope.

(f) No residence or other sensitive use is to be located within the noise buffer that is required for the electricity generating facilities,

(g) Notwithstanding (d) and (e) above, the Council may approve a minor variation to the siting requirements where it can be justified on the basis of existing structures, vegetation, visual amenity and/or fire safety, provided such variation is consistent with the objectives of the zone.

(h) In granting approval for any commercial, industrial or business enterprises in the Zoning Table or listed in Clause 3 a) (i), the Council may specify the number of on-site car parking bays to be provided by the developer. Any such parking shall be constructed and finished to a suitable standard (compacted gravel, limestone, metal dust or the like) so as to minimise dust and nuisance and shall be appropriately screened from the street.

(i) Any commercial vehicles, trucks, trailers or other machinery parked on private property and any materials stored on site shall be adequately screened from the street and maintained in a neat and tidy manner.

(j) Any rubbish or other waste material on the site shall be stored discretely in containers that are screened from public view.

(k) Notwithstanding any requirements specified elsewhere in the Town Planning Scheme any advertising signage associated with an approved commercial, industrial or business enterprise shall be limited to one advertising device, not exceeding 1.5sqm in area located at the front boundary of the subject lot.

(l) Tree Planting/Landscape screening may be required as condition of development approval.

5. Service Requirements

(a)1 Lots are to be connected to a reticulated potable water supply to an appropriate standard as determined by the license holder.

(b) Fire hydrants are to be provided at intervals of 200 metres along subdivisional water mains.

(c) On-site effluent disposal shall be the responsibility of the individual landowner.

(d) The disposal of liquid waste is to be carried out with an effluent disposal system approved by Council and the Health Department of WA.

(e) On those lots identified on the Subdivision Guide Plan as possibly requiring detailed waste water assessment, further on-site testing may be warranted to determine the appropriate type and location of effluent disposal system. This might entail ATUs , nutrient absorbing waste water systems or use of inverted leach drains.

(f) No more than one effluent disposal system will be permitted on each lot.

6. Bushfire Management Control

(a) Individual landowners are responsible for the installation and maintenance of firebreaks and a 20m wide Building Protection Zone around residential buildings.

(b) Within Precinct 1, the Building Protection Zone may, subject to approval/agreement of the neighbour, extend beyond the property boundary.

(c) Within Precinct 2 the vegetation in the area between the Fire Management Track and the Development Envelope is to be maintained in a low fuel state to serve as a Hazard Separation Zone.

(d) In cases where only part of the zone is developed, Council may request the Commission to impose a condition at the subdivision stage requiring the installation of interim strategic firebreaks. Where fences are erected on those lots with interim Fire Breaks, unlocked gates shall be installed.

7. Vegetation Protection

(a) Retention of trees and vegetation within the noise buffer and ridgeline in the south west corner of the zone is supported, however priority is to be given to the utilisation of basic raw materials.

(b) Clearing for the purpose of creating and maintaining fencelines, firebreaks and/or Building Protection Zones is to be by way of slashing.

(c) Within Precinct 2 no structures or boundary fencing is permitted in areas of vegetation retention/replanting as shown on the SGP. Within such areas, delineation of property boundaries shall be by way of bollards, cairns or other appropriate means.

(d) Council may request the Commission to impose a condition at the subdivision stage requiring the planting of a landscape screen, as shown on the SGP.

8. Advice to Prospective Owners

(a) Provision shall be made to Council's satisfaction to ensure prospective purchasers of land within Rural Conservation zone No.9 are given a copy of these Special Provisions prior to entering into an agreement to acquire property.

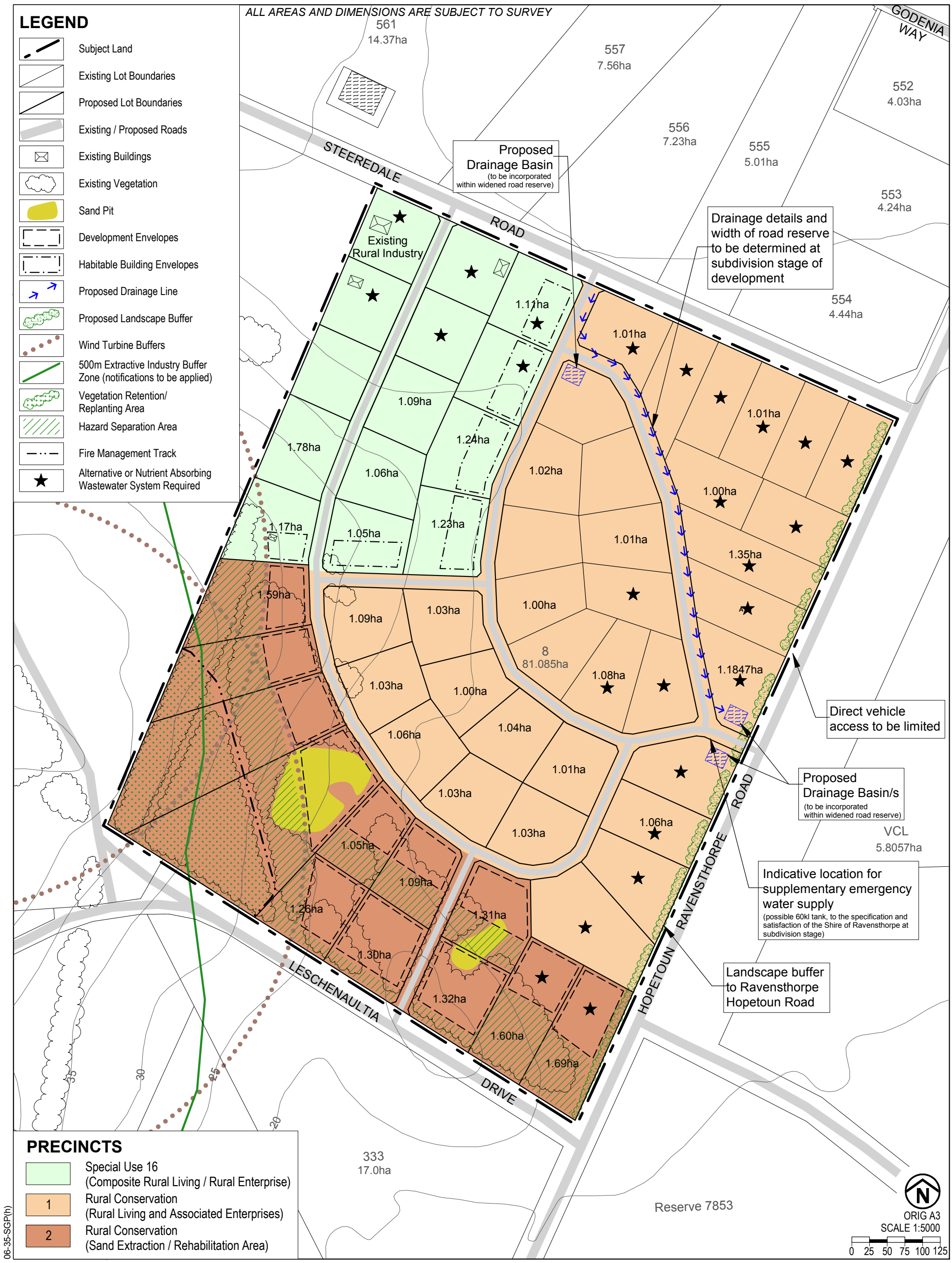
iii) Rezoning portion of Lot 8 Hopetoun-Ravensthorpe Road, Hopetoun from the General Agriculture zone to Special Use zone - Area 16;

iv) Incorporating the specified area of locality and provisions into Schedule 2, Special Use Zones of the Scheme Text in the following manner:

No.	Description of land	Special Use	Conditions
16	Portion Oldfield Lot 8 Hopetoun-Ravensthorpe Road (cnr Steeredale Road) Hopetoun.	Composite Rural Enterprise with the following uses and level of permissibility as provided by clause 4.3.2 of this Scheme. Caretaker's Dwelling (provided it is incidental to an approved enterprise) (D) Garden Centre (D) Industry – Cottage (P) Industry – Light (D) Industry – Rural (D) Industry – Service (D) Plant Nursery (D) Salvage Yard (A) Single House (provided it is within a designated Habitable Building Envelope) (P) Storage (P) Warehouse (P)	The Objective of the zone is to Encourage a mix of commercial, service trade and light industry activity in conjunction with rural living. Subdivision of Special Use Zone No.16 is to generally be in accordance with the Subdivision Guide Plan as signed by the Chief Executive Officer. In granting development approval, the Council may assess and where appropriate apply conditions in relation to any of the following matters: ▪ advertising signage, ▪ vehicle access and parking, ▪ Building location and setbacks, ▪ External appearance, colours and finishes, ▪ Size and scale of non-residential buildings and land-uses, ▪ Storage and disposal of wastes, ▪ Emission of noise, dust and odour, ▪ Extent and standard of landscape screening, ▪ Security lighting impacting on housing ▪ Hours of operation ▪ Separation of incompatible uses; or ▪ Relevant Guidelines and/or Codes of Practice prepared by the Environmental Protection Authority Buildings are to be setback a minimum of 20m from the Steeredale Road lot boundaries and 10m from the front boundary and 5m from side and rear lot boundaries. The 'Habitable Building Envelope' on those lots so designated on the SGP shall be used only for residential uses and associated out buildings. The disposal of liquid waste is to be carried out with an effluent disposal system approved by Council and the Health Department of WA. In granting approval for any commercial, industrial or business enterprises in the Zoning Table or listed in Column 3, the Council may specify the number of on-site car parking bays to be provided by the developer. Any such parking shall be constructed and finished to a suitable standard (compacted gravel, limestone, metal dust or the like) so as to minimise dust and nuisance and shall be appropriately screened from the street.

			Any commercial vehicles, trucks, trailers or other machinery parked on private property and any materials stored on site shall be adequately screened from the street and maintained in a neat and tidy manner. Any rubbish or other waste material on the site shall be stored discretely in containers that are screened from public view. Notwithstanding any requirements specified elsewhere in the Town Planning Scheme any advertising signage associated with an approved commercial, industrial or business enterprise shall be limited to one advertising device, not exceeding 1.5sqm in area located at the front boundary of the subject lot. Tree Planting/Landscape screening may be required as condition of development approval. Where, in the opinion of Council, dust nuisance, soil or land degradation is occurring or likely to occur, Council shall require landowner to rehabilitate or stabilise the land to Council's satisfaction

v) Amending the Scheme Maps accordingly.

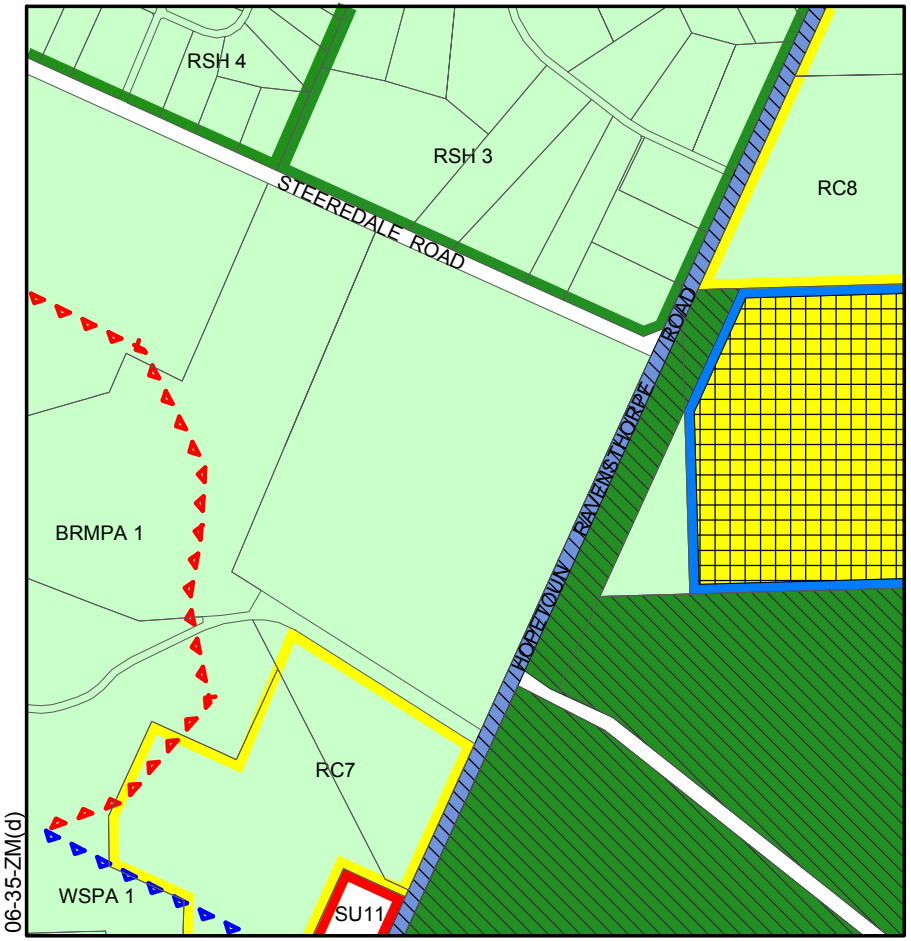


AYTON BAESJOU
PLANNING
11 Duke Street
Albany WA 6330
Ph 9842 2304 Fax 9842 8494

SUBDIVISION GUIDE PLAN

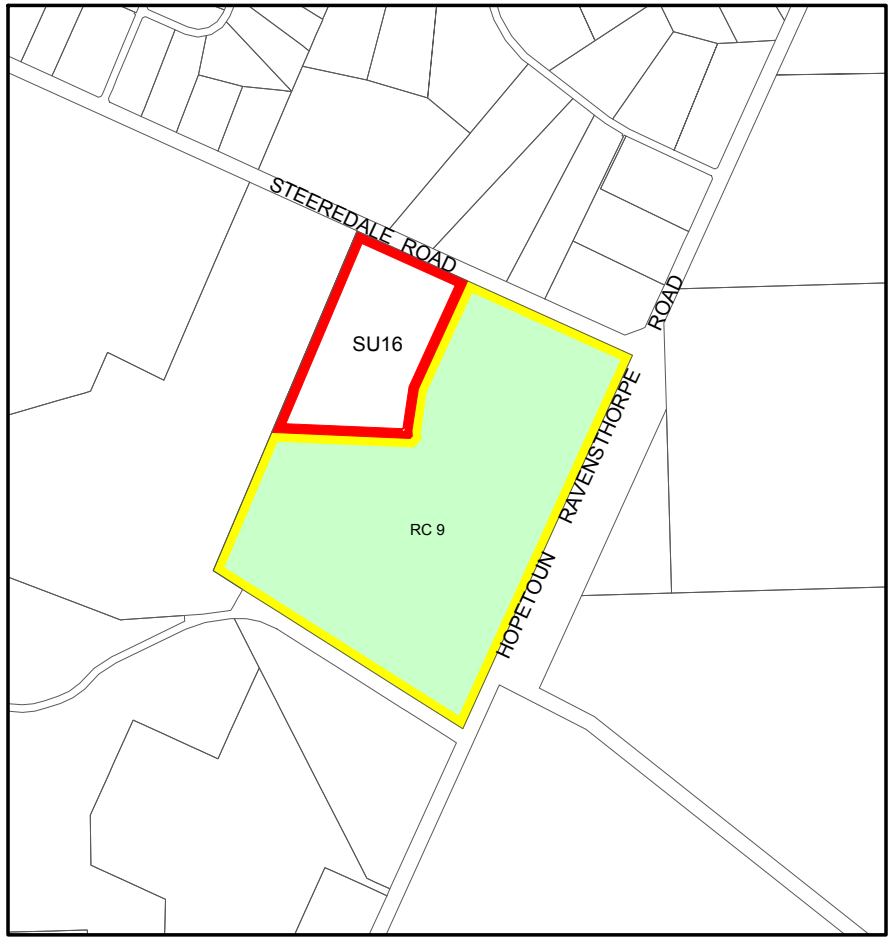
Lot 8 Hopetoun Ravensthorpe Road (cnr Steeredale Road) Hopetoun Shire of Ravensthorpe

Existing Zoning



06-35-ZM(d)

Proposed Zoning



ORIG A4
SCALE 1:20000
0 100 200 300 400 500

LOCAL SCHEME RESERVES
- RECREATION
- IMPORTANT REGIONAL ROAD
- AERIAL LANDING GROUND

ZONES
- GENERAL AGRICULTURE
- RURAL SMALL HOLDINGS
- RURAL CONSERVATION
- SPECIAL USE

OTHER
- SU 11 SPECIAL USE AREA (see scheme text)
- WSPA WATER SUPPLY PROTECTION AREA SPECIAL CONTROL AREA (see scheme text)
- RC 9 RURAL CONSERVATION AREA (see scheme text)
- BRMPA SCA - BASIC RAW MATERIAL PROTECTION AREA (see scheme text)

AYTON BAESJOU PLANNING
11 Duke Street
Albany WA 6330
Ph 9842 2304 Fax 9842 8494

SHIRE OF RAVENSTHORPE
TOWN PLANNING SCHEME 5
AMENDMENT NUMBER 25