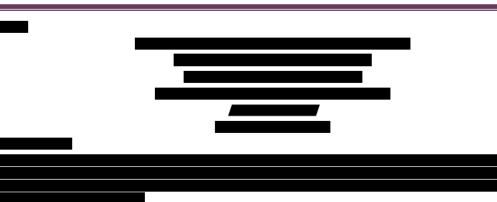
## **PLANNING**



PL402

## PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Denmark

Local Planning Scheme No. 3 Amendment No. 149

File: TPS/2735

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the abovementioned amendment to the Shire of Denmark Local Planning Scheme No. 3 on 04 June 2024 for the purpose of—

- 1. Rezoning portion Lot 9010 Beaufortia Gardens, Hay, Shire of Denmark, from the Tourist (T9) Zone to Special Residential (SRes6) Zone;
- 2. Reserving portion Lot 9010 from Tourist (T9) Zone to the Parks & Recreation Reserve;
- 3. Reserving portion Lot 9010 Beaufortia Gardens, Hay, Shire of Denmark, from the Special Residential (SRes6) Zone to the Parks & Recreation Reserve;
- 4. Rezoning portion Reserve 52123, from the Tourist (T9) Zone to the Parks & Recreation Reserve;
- Rezoning portion Lots 180, 181, 182 & 184 Beaufortia Gardens from the Tourist (T9) Zone to the Special Residential (SRes6) Zone;
- Rezoning Lots 193, 194, 195 & 196 Pimelea View from the Tourist (T9) Zone to the Special Residential (SRes6) Zone;
- 7. Reserving portion of Beaufortia Gardens, Tassel Place and Pimelea View from the Tourist (T9) Zone and the Special Residential (SRes6) Zone to Road Reserve;
- 8. Reserving a portion of PIN 1195438 from the Special Residential (SRes6) zone to Parks and Recreation Reserve.
- 9. Delete Tourist Zone (T9) from Appendix XIII;
- 10. Modify Appendix XIV—S Res 6 Special Provisions as follows—
  - Prior to provision (i) add the following—
    - The following provisions (i) to (xi) apply to all lots except where varied by (xii) provisions.
      - Delete the words "Livestock Grazing—see clause (viii)a)" from the Proposed Uses column.

- Delete provisions a), b), c) and d) of provision viii) and replace with— Intensive horticulture and grazing of livestock is not permitted;
- 11. Add the following to SRes 6 Special Provisions in Appendix XIV
  - xii) For the purpose of subdivision and development of land contained within that area generally bound by Beaufortia Gardens to the east, Wilson Inlet to the south, Pimelea View and Lot 196 to the north, and Reserve 12232 to the west, the following additional provisions shall apply, noting in the event of any conflict these additional provisions will prevail—
    - (a) The Special Residential lots should comply with the onsite sewerage requirements of the State Planning Framework including demonstrating capability for 1 hectare lot sizes within a sewerage sensitive area.
    - (b) In addition to the minimum setback requirements prescribed under provision ii) (a) above, all buildings, site works and retaining walls shall beset back a minimum of 20 metres from the western boundary with Reserve 12232. No further reduction in this setback will be permitted.
    - (c) Subdivision proposals for the site shall be accompanied by the following supporting documents prepared consistent with State and local planning frameworks and any locally specific management documents—
      - 1) A site-specific Flora and Fauna Assessment.
      - 2) An Urban Water Management Plan approved by Department of Water and Environmental Regulation.
      - 3) A Site and Soil Evaluation report to inform appropriate lot design and yield, method of on-site effluent disposal, building envelopes, remediation works (where applicable) approved by Department of Water and Environmental Regulation and Department of Health.
      - 4) A Foreshore Management Plan that addresses, amongst other matters: protection of vegetation and fauna habitat, erosion control, weed management, walkways/ bike paths and access controls, revegetation, setbacks and parking and any other matters appurtenant to or impacting adjacent foreshore area approved by Department of Water and Environmental Regulation.
      - 5) A Landscape Management Plan for the balance of the development area to address the provision of street trees, identification, and protection of trees to be retained, areas for replanting, the protection of fauna habitat, a preference for use of locally indigenous native species in domestic gardens and public reserves, fertilizer/nutrient input, mechanisms for implementation and timing, lighting to incorporate dark sky principles and consideration of estate covenants.
      - 6) A Bushfire Management Plan that addresses and responds to the requirements and recommendations of the Flora and Fauna Assessment, Foreshore Management Plan, and Landscape Management Plan
      - 7) A Construction Management Plan to address such matters as erosion and sediment transport control and dieback control (including land-based movement and groundwater movement).
    - (d) All buildings, retaining walls and effluent disposal systems are to be contained within an approved building envelope.
    - (e) No clearing of significant trees or endemic vegetation shall be permitted unless—
      - Such clearing is approved in conjunction with a development application granted by the Shire of Denmark.
      - Trees are diseased or dangerous as confirmed in writing by a qualified arborist and verified by the Shire of Denmark.
      - Such works have been mandated under the Shire of Denmark's Fire Management Notice.

and

12 Amending the Scheme maps accordingly.

K. GIBSON, President. D. KING, Chief Executive Officer.