



**SHIRE OF MERREDIN
LOCAL PLANNING SCHEME No 6**

AMENDMENT No 4

OMNIBUS 2
Group Housing in General Rural Zone
Burracoppin Townsite
Bates St Primary School Site

August 2015

PLANWEST

(WA) PTY LTD A.B.N. 77 665 477 168

**CONSULTANTS IN PLANNING,
DESIGN AND MANAGEMENT**

PLANNING & DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

Shire of Merredin

LOCAL PLANNING SCHEME No 6

AMENDMENT No 4

RESOLVED that the Council in pursuance of Section 75 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

- 1) modifying Table 1 – Zoning Table to permit ‘Group Housing’ in a General Rural zone as a ‘D’ use, and insert provisions to outline conditions under which group housing may be approved in a General Rural zone;
- 2) reclassifying Lots 45 and 46 Plimpton Street, **Burracoppin**, from ‘Parks and Recreation’ local scheme reserve to ‘Townsite’ zone with a residential density code of ‘R10/30’; and
- 3) reclassifying Crown Reserve 13876 Bates Street, **Merredin**, from ‘Public Purposes – Primary School’ local scheme reserve to ‘Public Purposes – Civic and Cultural’ local scheme reserve and ‘Residential’ zone with a residential density code of ‘R10/50’;

as more clearly shown on the scheme amendment maps.

Dated this 18th day of August 2015


.....
Chief Executive Officer

28.8.2015
.....
Date

FILE NO.....

PART OF AGENDA.

MINISTER FOR PLANNING

PROPOSAL TO AMEND A SCHEME

1. **LOCAL AUTHORITY:** Shire of Merredin
2. **DESCRIPTION OF TOWN PLANNING SCHEME:** Local Planning Scheme No. 6
3. **TYPE OF SCHEME:** District Zoning Scheme
4. **SERIAL NUMBER OF AMENDMENT:** Amendment No. 4
5. **PROPOSAL**
To;
1) modify Table 1 – Zoning Table to permit 'Group Housing' in a General Rural zone as a 'D' use, and insert provisions to outline conditions under which group housing may be approved in a General Rural zone;
2) reclassify Lots 45 and 46 Plimpton Street, **Burracoppin**, from 'Parks and Recreation' local scheme reserve to 'Townsite' zone with a residential density code of 'R10/30'; and
3) reclassify Crown Reserve 13876 Bates Street, **Merredin**, from 'Public Purposes – Primary School' local scheme reserve to 'Public Purposes – Civic and Cultural' local scheme reserve and 'Residential' zone with a residential density code of 'R10/50';
as more clearly shown on the scheme amendment maps.

REPORT BY: Shire of Merredin

1 INTRODUCTION

The Shire of Merredin seeks the WA Planning Commission's support and the Hon. Minister's approval to a Scheme Amendment that seeks to 1) modify Table 1 – Zoning Table to permit 'Group Housing' in a General Rural zone as a 'D' use, and insert provisions to outline conditions under which group housing may be approved in a General Rural zone; 2) reclassify Lots 45 and 46 Plimpton Street, **Burracoppin**, from 'Parks and Recreation' local scheme reserve to 'Townsite' zone with a residential density code of 'R10/30'; and 3) reclassify Crown Reserve 13876 Bates Street, **Merredin**, from 'Public Purposes – Primary School' local scheme reserve to 'Public Purposes – Civic and Cultural' local scheme reserve and 'Residential' zone with a residential density code of 'R10/50' as more clearly shown on the scheme amendment maps.

2 BACKGROUND

The Shire of Merredin Scheme No 3 was gazetted on 27 December 2013. The Scheme is consistent with the Model Scheme Text as outlined in the Town Planning Regulations.

This Amendment has been prepared to address various unrelated changes to the Scheme. These changes have come about due to development proposals that will have a positive impact on Merredin and as such the Council is keen to be pro-active in response to these proposals.

3 PART 1 – GROUP DWELLING IN A RURAL ZONE

3.1 EXISTING PROVISIONS

In the existing Scheme a Grouped dwelling is not a permitted use in a General Rural zone. In the previous Scheme (gazetted on 14 June 1996) a Dwelling was designated as a 'P' use in a Rural zone, however no other dwelling or house type was listed in Table 1 - Zoning Table.

The previous Scheme (Scheme No 1) was a simple Scheme that provided flexibility in the translation of the permissibility of dwellings in a rural area.

Figure 1 shows an extract from the existing scheme before this Amendment. Figure 2 shows the proposed change in red. This change needs to be read in conjunction with a new Scheme clause that provides the basis on which the Council may determine whether additional dwellings may be approved on a General Rural zoned lot.

FIGURE 1 - EXTRACT FROM EXISTING TABLE 1 - ZONING TABLE

USE CLASSES	ZONES									
	RESIDENTIAL	TOWN CENTRE	COMMERCIAL	HIGHWAY SERVICE	LIGHT INDUSTRY	GENERAL INDUSTRY	TOWNSITE	SPECIAL RESIDENTIAL	RURAL RESIDENTIAL	GENERAL RURAL
Grouped dwelling	P	X	D	X	X	X	D	X	X	X

Source: Shire of Merredin Local Planning Scheme 6

FIGURE 2 - EXTRACT FROM PROPOSED TABLE 1 - ZONING TABLE

USE CLASSES	ZONES									
	RESIDENTIAL	TOWN CENTRE	COMMERCIAL	HIGHWAY SERVICE	LIGHT INDUSTRY	GENERAL INDUSTRY	TOWNSITE	SPECIAL RESIDENTIAL	RURAL RESIDENTIAL	GENERAL RURAL
Grouped dwelling	P	X	D	X	X	X	D	X	X	D ¹

1 Subject to clause 5.11.

Source: PLANWEST, Shire of Merredin Local Planning Scheme 6

3.2 DISCUSSION

The Department of Planning's default position opposes the permissibility of any dwelling - other than a single house - in a General Rural zone. This policy is understood as it could

allow, and even encourage, the construction of many houses on a single rural lot, thus making them 'Grouped dwellings'.

The consequence of allowing several houses on each lot in the General Rural zone would increase the demands on the Council to provide more services and facilities that may be expected in an urban environment. This has the potential to impose additional pressures on the Council's resources that are already stretched.

However the Council is supportive of allowing the construction of a second dwelling on a rural lot, or even a third under special circumstances where it is for either a family member or worker.

To ensure there is no undue pressure for more than three dwellings on a single lot this Amendment seeks to insert a clause to not permit a fourth dwelling on a single lot in a General Rural zone.

3.3 PROPOSAL

The Council is keen to permit group housing in the General Rural zone under certain conditions. These conditions include establishing the genuine application of the policy to allow workers or relatives to live where they work.

The Council considers that there is minimal risk of promoting a surge of such applications as people do not generally want to live in a rural area unless they are related to the owners or have employment on site. The approval of an additional dwelling will not be a basis on which the Council will support subdivision of the land, however this does not impact the application of the WA Planning Commission's 'Homestead Lots' policy.

In addition to the change to Table 1 – Zoning Table the following new clause below will be inserted in the Scheme text as follows;

5.11 Residential Development in a General Rural Zone

Notwithstanding the right to develop a single house on an existing lot, residential development in the General Rural zone shall comply with the specific requirements of the Council, however these shall not be less than the setback requirements specified for the Residential Design Code R2.

The erection of more than one (1) single house per lot will generally not be supported, except where it can be demonstrated that the additional house(s) is for workers' accommodation or a family member. A maximum of 3 group dwellings will be permitted on a lot in a General Rural zone.

The approval of a grouped dwelling in a General Rural zone will not be a consideration for the Council to support a subdivision application.

4 PART 2 – LOTS 45 AND 46 PLIMPTON STREET, BURRACOPPIN

4.1 BACKGROUND

On 3rd November 2014 an email was received from Mr Terrance O’Leary representing his wife whom is the owner of the Burracoppin Hotel and the two lots in Plimpton Street, Burracoppin – lots 45 and 46.

The owners have had the property on the market for a period of time and have been considering their options to sell the property; whether to reopen as a hotel/food/commercial premise or to sell it as a dwelling.

As part of this process it was established that Lots 45 and 46 Plimpton Street were inadvertently designated as a Parks and Recreation Reserve in Scheme 6. These Scheme Reserves are generally applied to Crown land, UCL and public lands.

4.2 COMMENT

In 2006 Council completed a local planning scheme review culminating in the Local Planning Strategy map. The maps used to achieve the strategy are based on the Town Planning Scheme 1 maps.

Those maps showed Plimpton Street lots as Recreation Reserves. There was no reason to doubt the authenticity of those maps and the Admins efforts in 2007 – 2009 were concentrated in Merredin town site to achieve growth.

Freehold privately owned land is not reserve land and the lots should have been zoned Town site R10/20. The designation also severely restricts the use of the land which was not the intention of the Local Planning Scheme No. 6.

The rest of the land in Plimpton Street is Vacant Crown Land and should remain as ‘Parks and Recreation’.

Figure 3 shows the relationship of the subject land to the existing hotel whilst **Figure 4** shows the existing and proposed zoning.

FIGURE 3 – LOTS 45 and 46 PLIMPTON ROAD, BURRACOPPIN



Source: Landgate, Planwest

FIGURE 4 – EXISTING and PROPOSED ZONING OF LOTS 45 and 46



Source: WAPC, Planwest

4.3 PROPOSAL

This Amendment seeks to designate Lots 45 and 46 Plimpton Street to 'Townsite' zone with an R Code density of R10/30 consistent with the rest of the Burracoppin Townsite zoning.

5 PART 3 – BATES STREET PRIMARY SCHOOL

5.1 BACKGROUND

The Council has been given a management order over the old primary school site in Bates Street. The School site occupies the whole street block surrounded by Duff, Bates, Coronation and Fifth Streets and is no longer required for that purpose. **Figure 5** provides an aerial photograph of the site.

The school buildings are not heritage listed and the Council is keen to ensure the buildings can provide for a useful function.

5.2 DISCUSSION

Council proposes to excise a 7,000m² portion of the 2.3 ha site for aged persons' accommodation. This area at the eastern end of the Reserve was used for a playing field and this use is in accordance with the use of the Reserve.

The aged persons' facility will provide for about 30 homes designed to accommodate access and mobility

The development will be progressed in consultation with the Central East Aged Care Alliance (Inc) (CEACA).

CAECA is delivered through the Royalties for Regions (RfR) Country Local Government Fund Regional process in which the Wheatbelt local governments have identified aged care as a key priority for the region. In 2012 the North East Wheatbelt Regional Organisation of Councils and Wheatbelt East Regional Organisation of Councils formed the CEACA to undertake a study through Verso Consulting to determine aged care needs in the Central East Wheatbelt (across 11 local governments) and a process of implementation.

FIGURE 5 – BATES STREET PRIMARY SCHOOL SITE



Source: Landgate, Planwest

The proposed density of the land is consistent with the surrounding areas to the west, east and south that are already coded R10/50 designed to encourage greater densities to capitalise on existing services and infrastructure.

As can be seen in **Figure 6** the land on the east side of Bates Street is zoned 'Commercial' and the land to the south is zoned 'Town Centre'. These areas will provide useful amenities and facilities to service increased densities.

FIGURE 6 – PRIMARY SCHOOL PROPOSED ZONING



Source: Landgate, DoP, Planwest

The school infrastructure will be converted to a variety of civic and cultural activities. These uses may include a visitors' centre, a telecentre, library and provision for a general community meeting area.

5.3 PROPOSAL

The proposed retirement village area at the eastern end of the property will be zoned as 'Residential' R10/50 to provide the flexibility of using the land for Aged Person's Accommodation (with increased density under the provisions of the R Codes) or purely residential in the event that the retirement village proposal is not sustainable or funding is not available.

The school infrastructure area (1.65 hectares at the western end) will be reclassified from 'Public Purposes – Primary School' to 'Public Purposes – Civic and Cultural'.

6 CONCLUSION

The Council considers that this Amendment is minor and should be advertised once a response from the Environmental Protection Authority is received.



SHIRE OF MERREDIN LOCAL PLANNING SCHEME No 6 AMENDMENT No 4

SCALE 1:5,000
(at A4)

ZONES

- Residential
- Town Centre
- Commercial
- Highway Service
- Townsite
- Special Use

- A Airstrip
- Ab Abattoir
- ARS Agricultural Research Station
- HA Homes for the Aged
- R/FP Residence/Funeral Parlour
- R Restaurant
- T Tourist Development
- VH Veterinary Hospital
- WF Wild Farm

- Light Industry
- General Industry
- General Farming
- Rural Residential
- Special Residential

OTHER

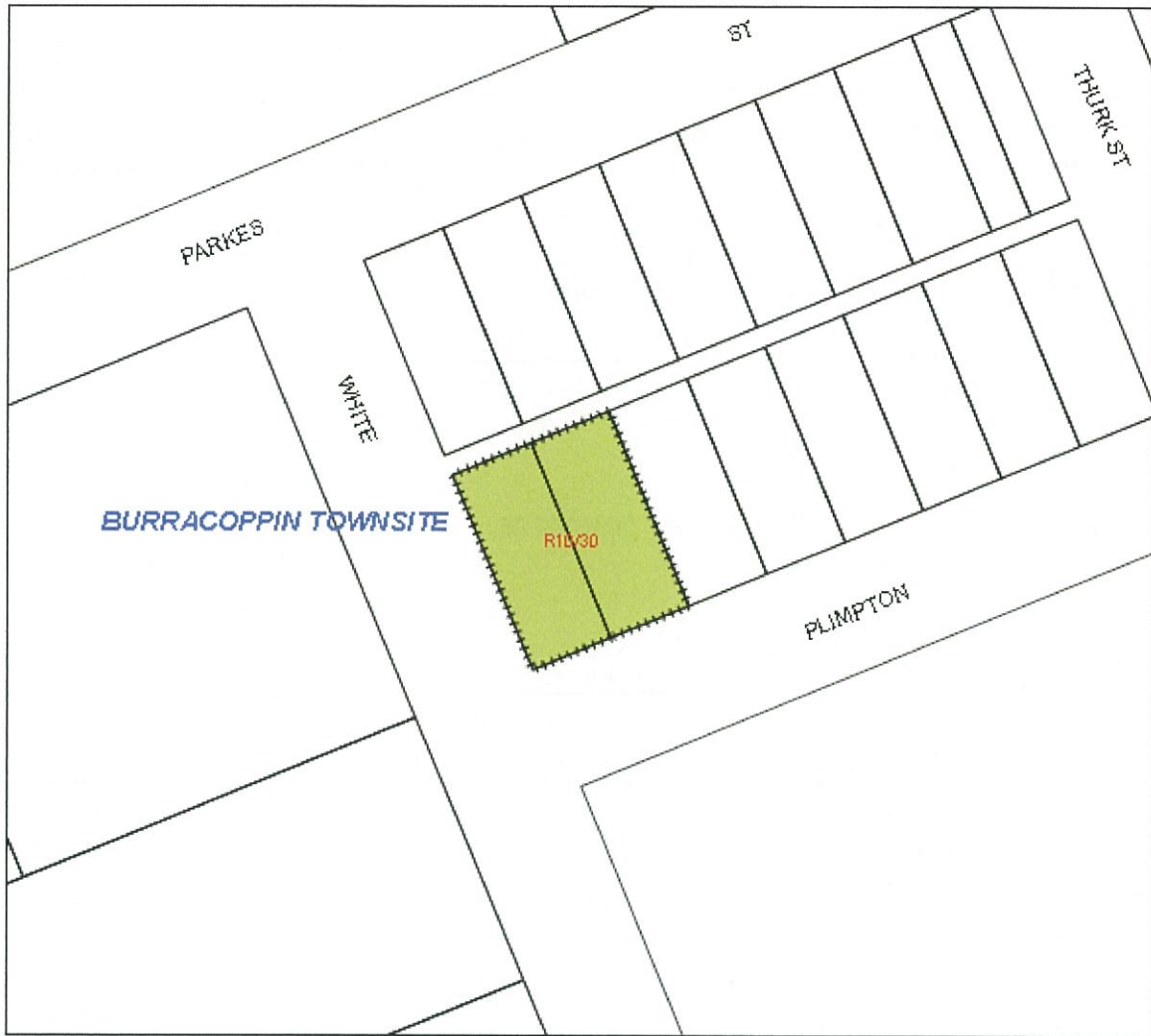
- Townsite Boundary
- R Code Boundary
- Scheme Boundary
- Special Control Area

SCHEME RESERVES

- Parks and Recreation
- Conservation
- Railway
- Public Purposes

- C Cemetery
- CC Club and Cultural
- CH Community Health
- CP Car Park
- DR Drivage
- EE Educational Establishment
- FESA Fire & Emergency Services
- H Hospital
- HS High School
- K Kindergarten
- PS Primary School
- PU Public Utility
- SC Senior Centre
- SO Shire Office
- WWTP Wastewater Treatment Plant

EXISTING SCHEME MAP



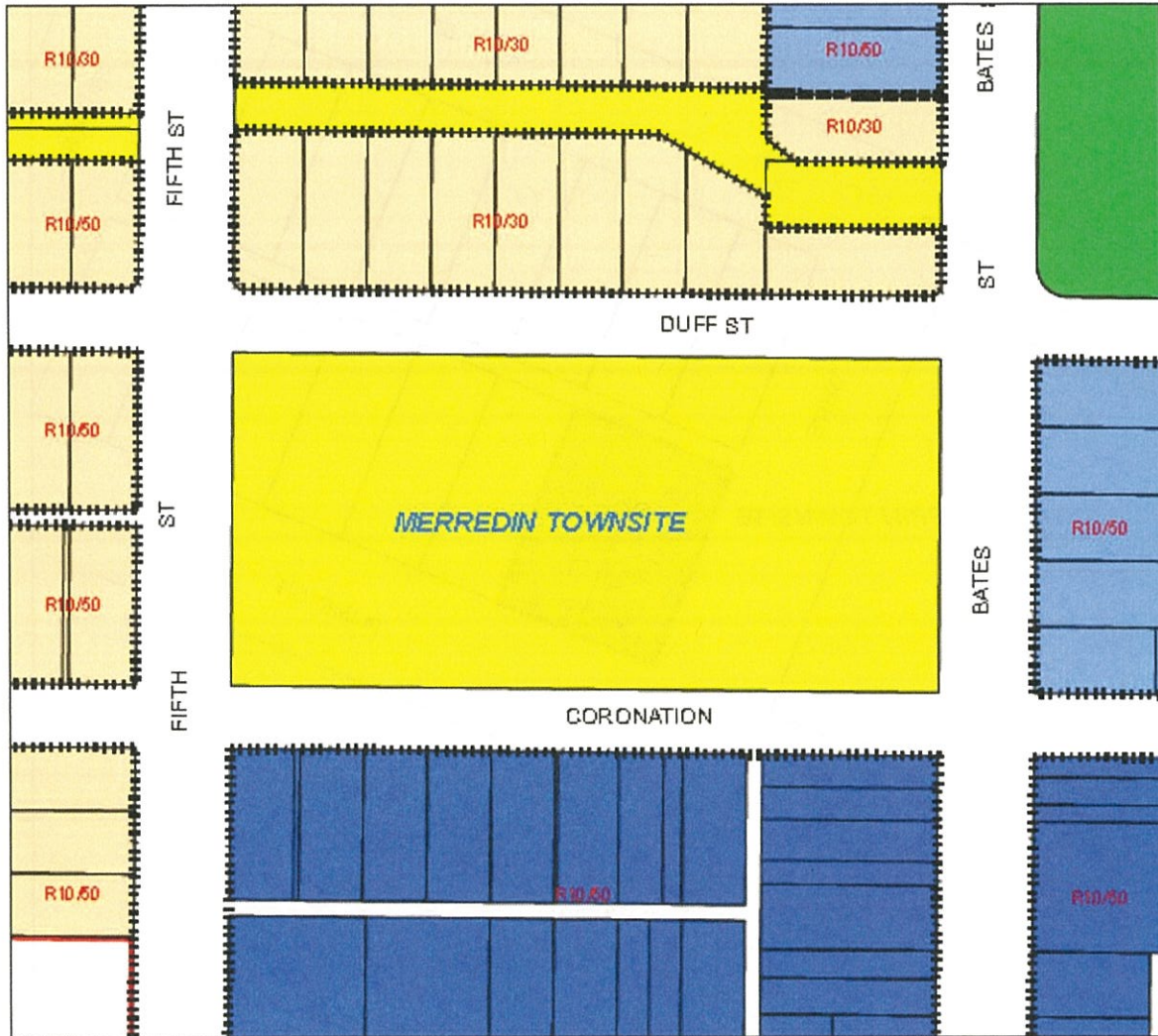
SHIRE OF MERREDIN
LOCAL PLANNING SCHEME No 6
AMENDMENT No 4



ZONES
 Townsite

OTHER
 R Code Boundary

SCHEME AMENDMENT MAP



SHIRE OF MERREDIN LOCAL PLANNING SCHEME No 6 AMENDMENT No 4

SCALE 1:5000
(1A6)

ZONES

- Residential
- Town Centre
- Commercial
- Highway Service
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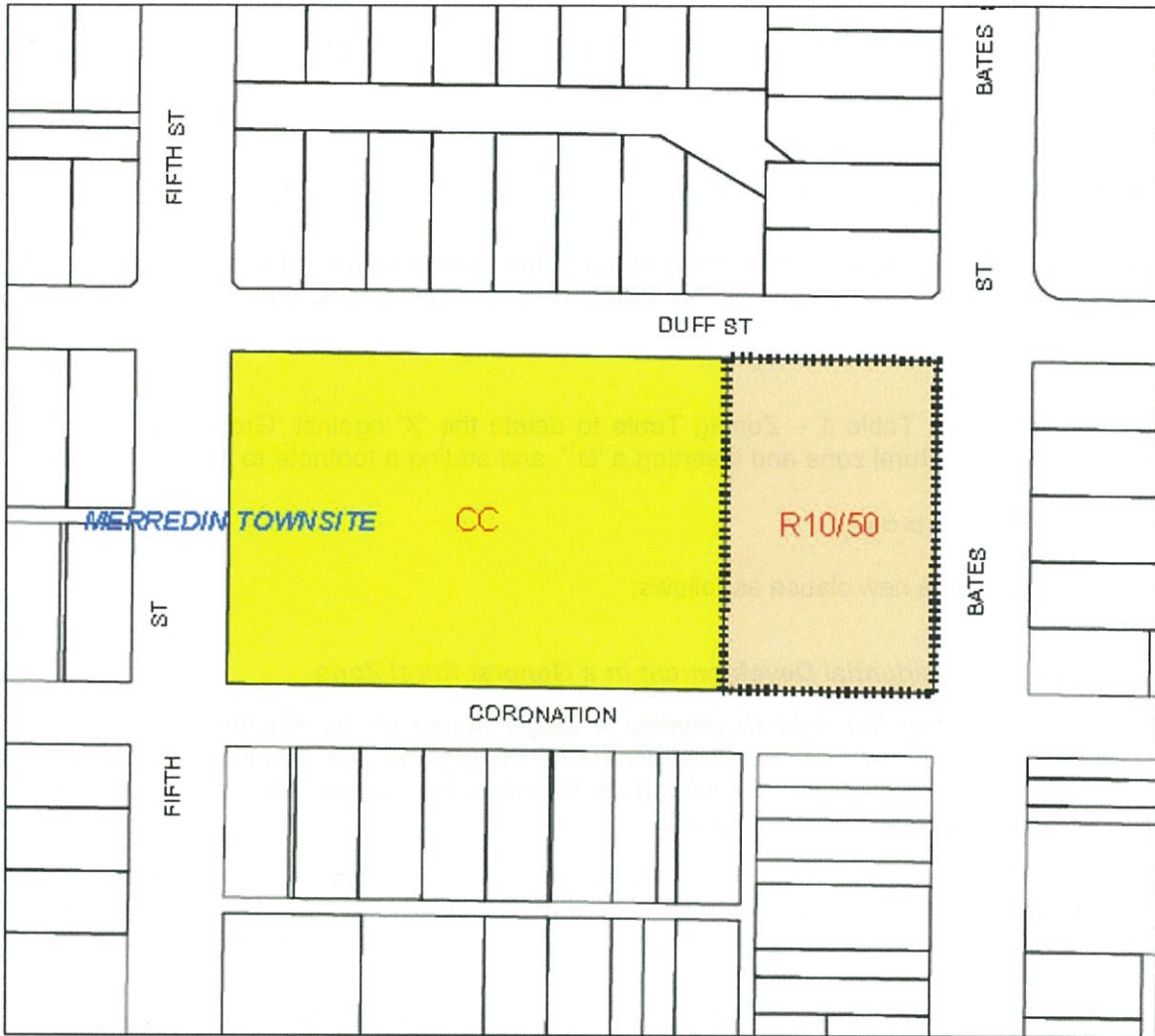
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- WWTP Wastewater Treatment Plant

EXISTING SCHEME MAP



SHIRE OF MERREDIN
LOCAL PLANNING SCHEME No 6
AMENDMENT No 4

SCALE 1:5,000
 (at A4)

ZONES
 Residential

SCHEME RESERVES
 Public Purposes
 CC Civic and Cultural

OTHER
 R1000 R Code Boundary

SCHEME AMENDMENT MAP

PLANNING AND DEVELOPMENT ACT 2005

Shire of Merredin

LOCAL PLANNING SCHEME No. 6

AMENDMENT No 4

The Merredin Shire 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 Local Planning Scheme by:

- 1) modifying Table 1 – Zoning Table to delete the 'X' against 'Group Housing' in a General Rural zone and inserting a 'D'¹, and adding a footnote to Table as follows;

¹ Subject to clause 5.11'

- 2) inserting a new clause as follows;

'5.11 Residential Development in a General Rural Zone

Notwithstanding the right to develop a single house on an existing lot, residential development in the General Rural zone shall comply with the specific requirements of the Council, however these shall not be less than the setback requirements specified for the Residential Design Code R2.

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- 4) reclassifying Crown Reserve 13876 Bates Street, **Merredin**, from 'Public Purposes – Primary School' local scheme reserve to 'Public Purposes – Civic and Cultural' local scheme reserve and 'Residential' zone with a residential density code of 'R10/50';

as more clearly shown on the scheme amendment maps.

PLANNING & DEVELOPMENT ACT 2005

Shire of Merredin

LOCAL PLANNING SCHEME No. 6

AMENDMENT No. 4

ADOPTION

Adopted by resolution of the Council of the Shire of Merredin at the Ordinary Meeting of the Council held on the 18th day of August 2015

[Signature]
SHIRE PRESIDENT

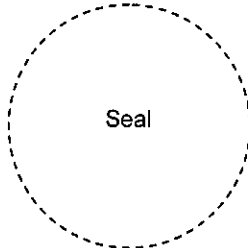
28.8.15
Date

[Signature]
CHIEF EXECUTIVE OFFICER

28.8.15
Date

FINAL APPROVAL

Adopted for final approval of the Shire of Merredin at the meeting of Council held on the day of 20... and the Common Seal of the Shire of Merredin was hereunto affixed by the authority of a resolution of the Council in the presence of:



SHIRE PRESIDENT

Date

CHIEF EXECUTIVE OFFICER

Date

RECOMMENDED/SUBMITTED FOR FINAL APPROVAL

Delegated under S. 16 of PD Act 2005

Date

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date

