



Shire of Dowerin Local Planning Scheme No.2

Scheme Amendment No.2

**Rezoning Part Lot 28 (No. 59) Goldfields Road, Dowerin from
"Parks and Recreation" to "Mixed Use" Zone**

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PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME
SHIRE OF DOWERIN
LOCAL PLANNING SCHEME No.2

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

1. Rezoning portion of Lot 28 (59) Goldfields Road, Dowerin from "Parks and Recreation" to "Mixed Use" zone;
2. Insert into Table 1: Zoning Table of the Scheme, the new 'Mixed Use' zone and associated permissibility as follows:

USE CLASSES	MIXED USE
RESIDENTIAL USES	
Aged or Dependent Persons Dwelling	D
Caretaker's Dwelling	D
Grouped Dwelling	D
Home Business	D
Home Occupation	D
Home Office	D
Home Store	D
Residential Building	D
Single House	D
TOURIST AND ENTERTAINMENT USES	

USE CLASSES	MIXED USE
Amusement Parlour	A
Bed and Breakfast	D
Hotel	A
Motel	A
Tourist Development	D
OTHER USES	
Funeral Parlour	A
Service Utility	D
Telecommunications Infrastructure	D
Veterinary Centre	A
COMMERCE USES	
Betting Agency	D
Bulky Goods Showroom	D
Cinema/Theatre	D
Consulting Rooms	P
Convenience Store	D
Dry Cleaning Premises	D
Fast Food Outlet	D
Lunch Bar	P

USE CLASSES	MIXED USE
Market	A
Medical Centre	A
Office	P
Reception Centre	D
Recreation – Private	D
Restaurant/Café	A
Service Station	D
Shop	D
Trade Display	D
INDUSTRY USES	
Warehouse/Storage	A
CIVIC AND COMMUNITY USES	
Child Care Premises	P
Civic Use	D
Club Premises	D
Community Purpose	D
Educational Establishment	D
Exhibition Centre	A
Family Day Care	D

All other land uses are to be designated as 'X' (prohibited)

3. Insert under clause 3.2 – Objectives of the Zones – the following text between 'Townsite zone' and 'Special Use zone':

Mixed Use Zone

The objectives are;


- To provide for the development of a range of residential, office, commercial and other compatible uses that enhance the local amenity to a high standard and provide for the safe and efficient movement of pedestrians and vehicles.
- To provide a compatible interface and transition between commercial, light industrial and residential areas.

4. Insert new clause 4.11 – Development in the Mixed Use zone as follows:

Unless otherwise specified on the Scheme map, residential development in the 'Mixed Use' zone shall be in accordance with the R10/35 Code and shall satisfy the mixed use requirements of the Residential Design Codes.

5. Amend the Scheme Map accordingly.

Dated this.....*12TH*..... day of*JUNE*..... 20 *18*


.....
CHIEF EXECUTIVE OFFICER

File No:.....
Part of Agenda:.....

MINISTER FOR PLANNING, LANDS & HERITAGE

PROPOSAL TO AMEND A SCHEME

1. *LOCAL AUTHORITY:* Shire of Dowerin

 2. *DESCRIPTION OF LOCAL PLANNING SCHEME:* Local Planning Scheme No.2

 3. *TYPE OF SCHEME:* District Zoning Scheme

 4. *SERIAL No. OF AMENDMENT:* Amendment No.2

 5. *PROPOSAL:* Introduce the 'Mixed Use' zone and relevant provisions in Local Planning Scheme No.2 and reclassifying Part Lot 28 (No. 59) Goldfields Road, Dowerin from "Parks and Recreation" to "Mixed Use".
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SCHEME AMENDMENT REPORT



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1.0 EXECUTIVE SUMMARY

The purpose of this Amendment to the Shire of Dowerin Local Planning Scheme No.2 (LPS2) is to –

- introduce the 'Mixed Use' zone as a new zone in LPS2;
- provide, as appropriate, zone objectives, land use permissibility (Table 1 of the Scheme) and site and development standards for the 'Mixed Use' zone;
- rezone part of Lot 28 (59) Goldfields Road, Dowerin from "Parks and Recreation" to "Mixed Use" Zone; and
- amend the Scheme Map accordingly.

For the purposes of the *Planning and Development (Local Planning Schemes) Regulations 2015*, this proposed Scheme Amendment is a 'Standard' Scheme Amendment.

2.0 INTRODUCTION

The 'Mixed Use' Zone is intended to allow for the development of a broad mix of varied but compatible land uses such as housing, offices, showrooms, eating establishments and appropriate land uses activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.

The Scheme Amendment request follows the recommendations of the Shire of Dowerin Residential Property Portfolio adopted by Council at the February 2018 Ordinary Council Meeting. The Residential Property Portfolio aims to provide asset management plans for Council-owned properties, and to inform and guide future decisions of Council regarding its properties.

3.0 LOCATION & SITE DETAILS

The subject land comprises a portion of Lot 28 (No.59) Goldfields Road, Dowerin. Lot 28 is described on Certificate of Title Volume 2625, Folio 462. (Refer **Annexure 1** – Certificate of Title).

The registered proprietor of the site is outlined below:

Lot Details:	Registered Proprietor:	Volume	Folio
<i>Lot 28 on Deposited Plan 46654</i>	<i>Shire of Dowerin of Post Office Box 111, Dowerin</i>	2625	462



Figure 1: Location Plan (Source: Landgate)

The subject site is currently zoned "Residential R10/35" and "Parks and Recreation" by Shire of Dowerin Local Planning Scheme No.2. It is proposed to rezone that portion of the land currently classified "Parks and Recreation" (highlighted green on **Figure 1**) to "Mixed Use" zone.

The subject site currently comprises the former Dowerin Bowling Club building and slopes down from south to north. The Club has recently relocated to the new Dowerin Community Club whereby members have access to a state of the art 10 rink synthetic bowling green complete with lights. The Dowerin Community Club is located at 1 Memorial Ave in Dowerin. The land characteristics include limited remnant vegetation on the Stacey Street boundary. Refer **Figure 1**.

The subject site has the following locational attributes:

- The site has access to most urban infrastructure services;
- The site is within walking distance from Dowerin's commercial centre and Dowerin District High School; and

- There are no environmental and/or fire management issues on the site which cannot be addressed and which might otherwise prevent further development.

4.0 SCHEME AMENDMENT PROPOSAL

4.1 Amendment Specifics

The purpose of the proposed Amendment is to:

1. Insert into Table 1: Zoning Table of the Scheme, the new 'Mixed Use' zone and associated permissibility as follows:

USE CLASSES	MIXED USE
RESIDENTIAL USES	
Aged or Dependent Persons Dwelling	D
Caretaker's Dwelling	D
Grouped Dwelling	D
Home Business	D
Home Occupation	D
Home Office	D
Home Store	D
Residential Building	D
Single House	D
TOURIST AND ENTERTAINMENT USES	
Amusement Parlour	A
Bed and Breakfast	D
Hotel	A

USE CLASSES	MIXED USE
Motel	A
Tourist Development	D
OTHER USES	
Funeral Parlour	A
Service Utility	D
Telecommunications Infrastructure	D
Veterinary Centre	A
COMMERCE USES	
Betting Agency	D
Bulky Goods Showroom	D
Cinema/Theatre	D
Consulting Rooms	P
Convenience Store	D
Dry Cleaning Premises	D
Fast Food Outlet	D
Lunch Bar	P
Market	A
Medical Centre	A
Office	P
Reception Centre	D
Recreation – Private	D

USE CLASSES	MIXED USE
Restaurant/Café	A
Service Station	D
Shop	D
Trade Display	D
INDUSTRY USES	
Warehouse/Storage	A
CIVIC AND COMMUNITY USES	
Child Care Premises	P
Civic Use	D
Club Premises	D
Community Purpose	D
Educational Establishment	D
Exhibition Centre	A
Family Day Care	D

All other land uses are to be designated as 'X' (prohibited)

2. Insert under Clause 3.2 – Objectives of the Zones – the following text between 'Townsite zone' and 'Special Use zone':

Mixed Use Zone

The objectives are;

- To provide for the development of a range of residential, office, commercial and other compatible uses that enhance the local amenity to a high standard and provide for the safe and efficient movement of pedestrians and vehicles.
 - To provide a compatible interface and transition between commercial, light industrial and residential areas.
3. Insert new Clause 4.11 – Development in the Mixed Use zone as follows:

Unless otherwise specified on the Scheme map, residential development in the 'Mixed Use' zone shall be in accordance with the R10/35 Code and shall satisfy the mixed use requirements of the Residential Design Codes.
 4. Amend the Scheme Map by reclassifying Part Lot 28 (59) Goldfields Road, Dowerin from "Parks and Recreation" reserve to "Mixed Use" zone.

4.2 Rationale in Support of Amendment No.2

The proposed rezoning of the subject land is supported by the Shire of Dowerin's Local Planning Strategy. Further rationale in support of the Scheme Amendment is outlined in response to the various Planning requirements associated with the site, detailed in Section 5.0 of this Report.

5.0 STRATEGIC & STATUTORY FRAMEWORK

5.1 Local Planning Context

5.1.1 Local Planning Scheme No. 2

The subject land is classified "Parks and Recreation" in the Shire of Dowerin Local Planning Scheme No.2 (LPS2).

As outlined under 4.1 (Amendment Specifics) of this document, the Scheme Amendment seeks to introduce the 'Mixed Use' zone in LPS2. The objectives of the Mixed Use zone will be inserted under clause 3.2 of LPS2. Table 1 – Zoning Table of the Scheme will be augmented to include the Mixed Use zone and list of uses that may be considered in this zone.

Refer LPS2 Zoning Map Extract at **Figure 3**.

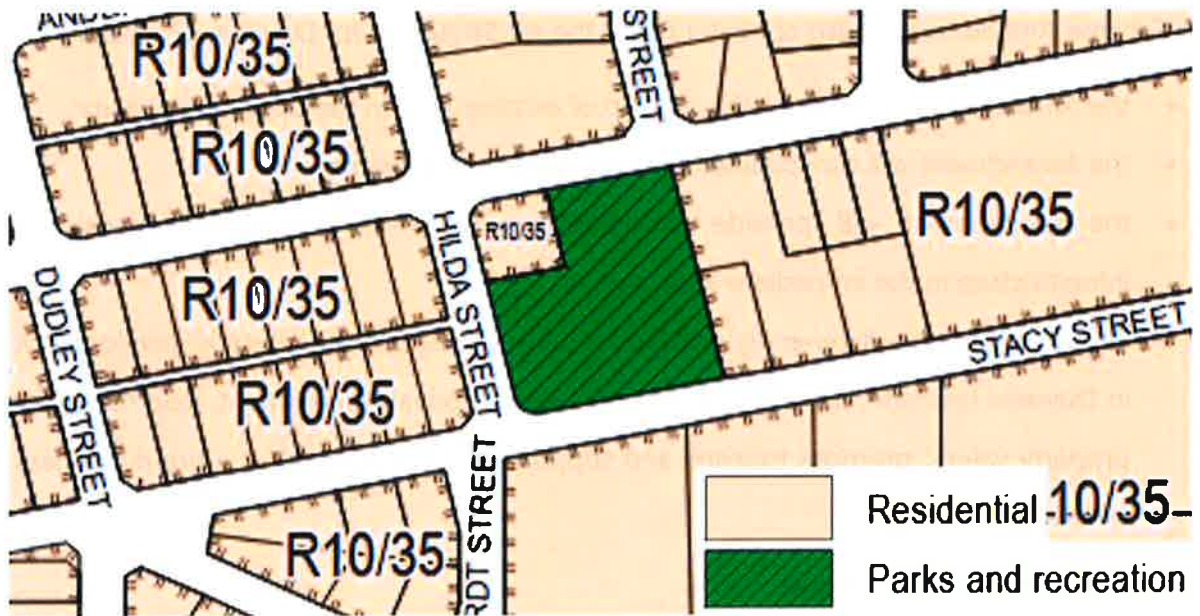


Figure 3: Excerpt – LPS2 Zoning Map (Current Zoning)

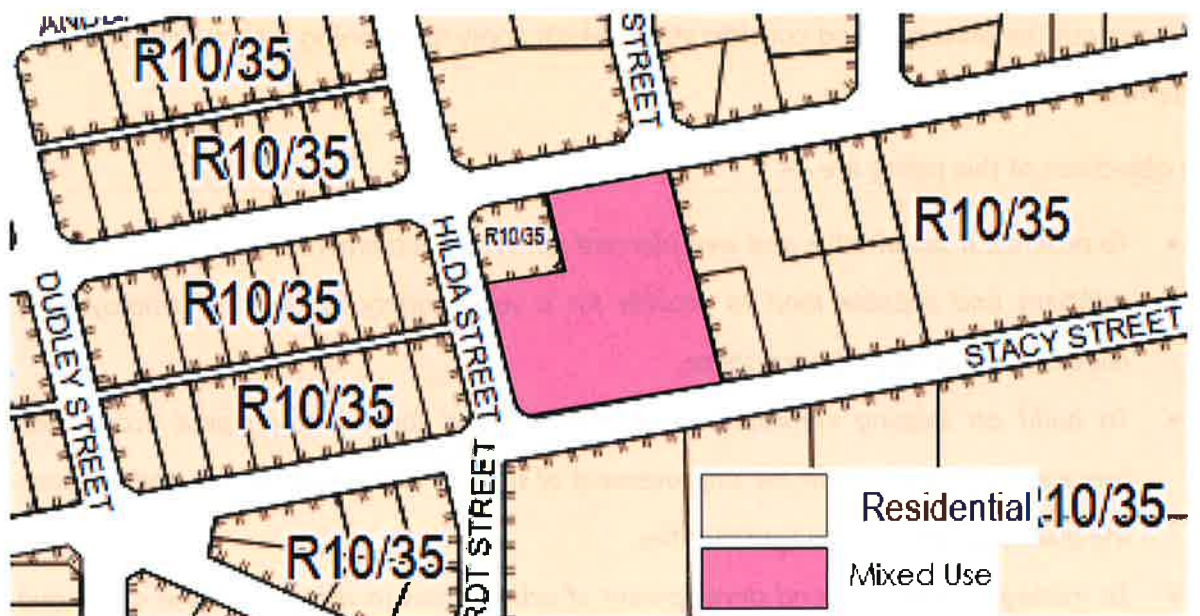


Figure 4: Proposed Zoning ('Mixed Use')

5.1.2 Shire of Dowerin Local Planning Strategy

The Shire of Dowerin Local Planning Strategy (LPS) endorsed by the Western Australian Planning Commission on 11 June 2013, shows the subject site is to be retained for Parks and Recreation (annotated green on the Strategy Map).

While the Mixed Use zone is considered to be an intermediate stage between Residential and Commercial, and while the LPS is silent on the establishment of an intermediate zone such as the Mixed Use zone, the LPS is generally supportive of the addition of future commercial areas.

This Scheme Amendment is also consistent with the set Strategies for Dowerin given that: -

- the Amendment encourages the take up of existing land in the Dowerin townsite;
- the Amendment will consolidate development within Dowerin;
- the Amendment will provide for development which capitalises on existing infrastructure in the immediate area; and
- This Amendment will generally provide for much-needed mixed use type development in Dowerin townsite, has the potential to increase private investment, lead to higher property values, promote tourism, and support the development of a good business climate in Dowerin.

5.2 State Planning Context

State Planning Policy 3 Urban Growth and Settlement (SPP3)

SPP3 sets out the principles and considerations which apply to planning for urban growth and settlement in Western Australia.

The objectives of this policy are —

- *To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- *To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*
- *To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.*
- *To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*
- *To coordinate new development with the efficient, economic and timely provision of infrastructure and services.*

The key requirements for sustainable communities in SPP3 relevant to this Amendment proposal are —

- *sufficient and suitable serviced land in the right locations for housing, employment, commercial, recreational and other purposes, coordinated with the efficient and economic provision of transport, essential infrastructure and human services; and*
- *making the most efficient use of land in existing urban areas through the use of vacant and under-utilised land and buildings, and higher densities where these can be achieved without detriment to neighbourhood character and heritage values; the cost-effective use of urban land and buildings, schools and community services, infrastructure systems and established neighbourhoods; and promoting and encouraging urban development that is consistent with the efficient use of energy;*

5.3 Other Planning Considerations

5.3.1 Services

The site will be provided with reticulated power, telecommunications and scheme water.

5.3.2 Roads

The site is highly accessible and enjoys street frontage to 3 existing roads, namely Goldfields Road to the north, Stacey Street to the south and Hilda Street to the west.

6.0 CONCLUSION

It is considered the Scheme Amendment is consistent with the objectives of the Shire's Local Planning Strategy, and is in accordance with the Commission's State Planning Policies.

WESTERN



AUSTRALIA

REGISTER NUMBER 28/DP46654	
DUPLICATE EDITION 3	DATE DUPLICATE ISSUED 15/4/2015

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2625** FOLIO **462**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 28 ON DEPOSITED PLAN 46654

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

SHIRE OF DOWERIN OF POST OFFICE BOX 111, DOWERIN

(T M964079) REGISTERED 10/4/2015

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

- M964078 THIS EDITION WAS ISSUED PURSUANT TO SECTION 75 OF THE TLA. REGISTERED 10/4/2015.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP46654
PREVIOUS TITLE: 2625-460
PROPERTY STREET ADDRESS: 59 GOLDFIELDS RD, DOWERIN.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF DOWERIN

The key requirements for sustainable communities in SPP3 relevant to this Amendment proposal are —

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- *making the most efficient use of land in existing urban areas through the use of vacant and under-utilised land and buildings, and higher densities where these can be achieved without detriment to neighbourhood character and heritage values; the cost-effective use of urban land and buildings, schools and community services, infrastructure systems and established neighbourhoods; and promoting and encouraging urban development that is consistent with the efficient use of energy;*

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6.0 CONCLUSION

It is considered the Scheme Amendment is consistent with the objectives of the Shire's Local Planning Strategy, and is in accordance with the Commission's State Planning Policies.

ANNEXURE 1
Certificate of Title



REGISTER NUMBER	
28/DP46654	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
3	15/4/2015

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UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 2625 FOLIO 462

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REGISTRAR OF TITLES

LAND DESCRIPTION:

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(FIRST SCHEDULE)

SHIRE OF DOWERIN OF POST OFFICE BOX 111, DOWERIN

(T M964079) REGISTERED 10/4/2015

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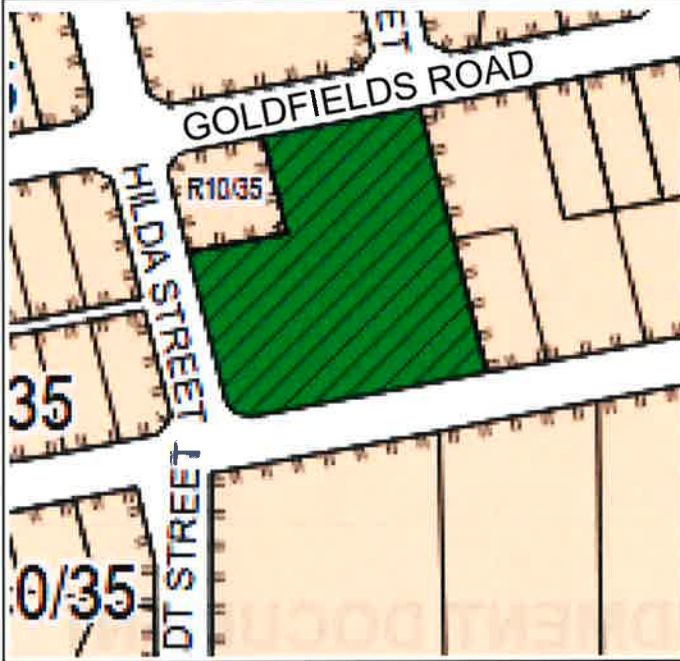
SKETCH OF LAND: DP46654
 PREVIOUS TITLE: 2625-460
 PROPERTY STREET ADDRESS: 59 GOLDFIELDS RD, DOWERIN.
 LOCAL GOVERNMENT AUTHORITY: SHIRE OF DOWERIN

SCHEME AMENDMENT MAPS

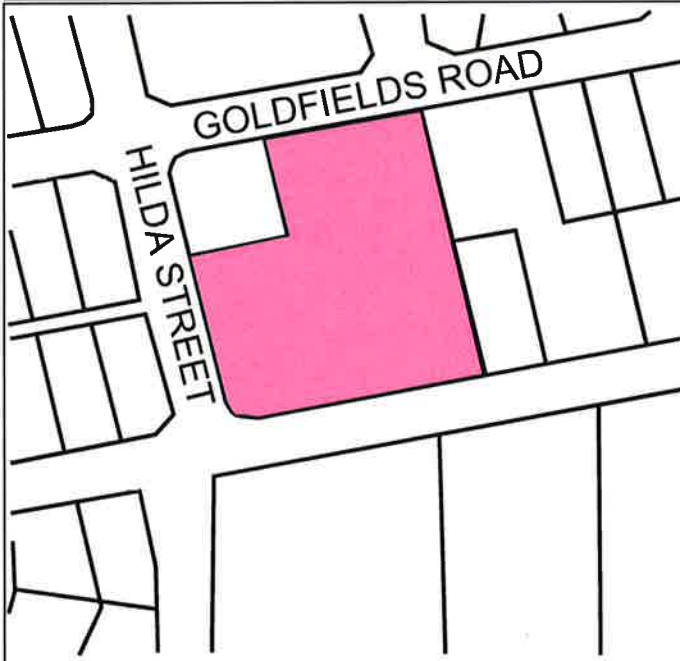


Planning and Development Act 2005
SHIRE OF DOWERIN
LOCAL PLANNING SCHEME NO.2
SCHEME AMENDMENT NO.2

EXISTING ZONING



PROPOSED ZONING



LEGEND

LOCAL SCHEME RESERVES



Parks and recreation

LOCAL SCHEME ZONES



Residential



Mixed Use

OTHER CATEGORIES



R20 R Codes

SCHEME AMENDMENT DOCUMENT

PLANNING AND DEVELOPMENT ACT 2005
SHIRE OF DOWERIN
LOCAL PLANNING SCHEME No.2
AMENDMENT No.2

The Council of the Shire of Dowerin 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 portion of Lot 28 (59) Goldfields Road, Dowerin from "Parks and Recreation" to "Mixed Use" zone;
2. Insert into Table 1: Zoning Table of the Scheme, the new 'Mixed Use' zone and associated permissibility as follows:

USE CLASSES	MIXED USE
RESIDENTIAL USES	
Aged or Dependent Persons Dwelling	D
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Bed and Breakfast	D
Hotel	A
Motel	A
Tourist Development	D
OTHER USES	
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Service Utility	D
Telecommunications Infrastructure	D
Veterinary Centre	A
COMMERCE USES	
Betting Agency	D
Bulky Goods Showroom	D
Cinema/Theatre	D
Consulting Rooms	P
Convenience Store	D
Dry Cleaning Premises	D
Fast Food Outlet	D

USE CLASSES	MIXED USE
Lunch Bar	P
Market	A
Medical Centre	A
Office	P
Reception Centre	D
Recreation – Private	D
Restaurant/Café	A
Service Station	D
Shop	D
Trade Display	D
INDUSTRY USES	
Warehouse/Storage	A
CIVIC AND COMMUNITY USES	
Child Care Premises	P
Civic Use	D
Club Premises	D
Community Purpose	D
Educational Establishment	D
Exhibition Centre	A

USE CLASSES	MIXED USE
Family Day Care	D

All other land uses are to be designated as 'X' (prohibited)

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Mixed Use Zone

The objectives are;

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- To provide a compatible interface and transition between commercial, light industrial and residential areas.

4. Insert new clause 4.11 – Development in the Mixed Use zone as follows:

Unless otherwise specified on the Scheme map, residential development in the 'Mixed Use' zone shall be in accordance with the R10/35 Code and shall satisfy the mixed use requirements of the Residential Design Codes.

5. Amend the Scheme Map accordingly.

ADOPTION

Adopted by resolution of the Council of the Shire of Dowerin at the Meeting of the Council held on the 28TH day of MARCH 2018



SHIRE PRESIDENT



CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

ADOPTED for Final Approval by resolution of the Shire of Dowerin at the Meeting of the Council held on the day of 20..... and the Common Seal of the Shire of Dowerin was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

.....
**DELEGATED UNDER S.16 OF
THE PD ACT 2005**

Date

Final Approval granted

.....
MINISTER FOR PLANNING

Date
