

Cr Garner disclosed a Financial interest in the Item 10.4.1 – see 6.1

Cr Garner left the meeting at 6:23pm and did not discuss or vote on the matter.

10.4. PLANNING AND BUILDING

10.4.1. RESOLUTION TO AMEND LOCAL PLANNING SCHEME No 4, AMMENDMENT No 1

Applicant:	Shire of Wyalkatchem
Location:	Shire of Wyalkatchem
Date:	12 April 2023
Reporting Officer:	Peter Klein, CEO via Paul Bashall, Planning Consultant
Disclosure of Interest:	No interest to disclose
File Number:	7.10
Attachment Reference:	Attachment 10.4.1.1 – Final Approval Report for The Minister of Planning Attachment 10.4.1.2 – Notice of Advertising Attachment 10.4.1.3 – Schedule of Submissions and copies.

INTRODUCTION

The Shire of Wyalkatchem seeks the WA Planning Commission's support and the Hon. Minister's approval to a Scheme Amendment to change the permissibility of a Grouped dwelling in a Rural zone from an 'X' use to a 'D' use (discretionary). The Amendment will be supported by the adoption of a Local Planning Policy (LPP) outlining the application of the Council's discretion.

BACKGROUND

The Wyalkatchem Shire Council is experiencing an increased demand for a second dwelling on rural properties. The demand reflects the aging demographic of farmers in the region.

The need for the second dwelling is twofold; firstly, to provide for relatives that may be responsible for taking over the farm management without the need for the retiring farmer to vacate the property, and secondly, to provide for farm workers to reside on site.

The Council is aware of the implications of allowing increased number of dwellings in the rural areas of the Shire, and as a result, has prepared a LPP to address these issues.

These implications include the possibility of an increased demand for urban services like rubbish collection and road upgrades – none of which the Council is keen to comply with. It is also possible that the residents of the additional dwelling may be less likely to use the townsite retail outlets, amenities, services and facilities. Following this latter point, the Council considers it appropriate that grouped dwellings in close proximity to a townsite, should be encouraged to locate in the townsite.

It has been shown that an increased grouping of dwellings in a rural area is likely to increase the demand for its own community and recreational facilities that the Council will want to avoid where possible.

Currently, Table 1 – Zoning Table of the Council’s Scheme designates a Grouped dwelling as an ‘X’ use in a Rural zone. This means that the Council cannot approve more than one dwelling on a rural property – even if it was minded to support such a proposal.

PROPOSAL

This Amendment seeks to change the permissibility of a ‘Grouped dwelling’ in a ‘Rural’ zone from an ‘X’ use to a ‘D’ use. The Council will only support a Grouped dwelling in the ‘Rural’ zone where it is designed to house a family member or a station worker. The Council has prepared a LPP to more clearly outline its discretion in determining such Development Approval (DA) applications (**Attachment 10.4.1.1**).

STRATEGIC IMPLICATIONS

The Wyalkatchem Local Planning Strategy (the Strategy) was endorsed by the WA Planning Commission on 23 March 2011. This Amendment has no implications on the Strategy.

ADVERTISING

The Amendment was advertised from 17th March 2023 to 21st April 2023. The Notice was published on the local government Website, Facebook, CRC Library Notice Board, Shire Notice Board and Local Magazine – Wylie Weekly.

Attachment 10.4.1.2 provides a copy of the Council’s Notice of advertising.

SUBMISSIONS

During the advertising period, the Council received 3 submissions. One from a private resident, one from the Water Corporation and one from an adjoining local government (Shire of Koorda).

Attachment 10.4.1.3 provides a Schedule of the submissions.

None of these submissions opposed the Amendment.

Attachment 10.4.1.3 provides a copy of each submission.

CONCLUSION

The Council notes the submissions and the Amendment and can now proceed to adopt the proposed Local Planning Policy.

The draft LPP should now be advertised as the Amendment heads towards final approval as it refers to the Scheme as adopting the Amendment proposals.

CONSULTATION

- Council
- Paul Bashall – Planwest, Town Planning Consultant

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Wyalkatchem Local Planning Scheme No 4

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

There are small advertising financial implications in relation to this item.

STRATEGIC/RISK IMPLICATIONS

There are no strategic or risk implications applicable to this item.

COMMUNITY & STRATEGIC OBJECTIVES

This item is consistent with the Council’s objective, outlined in its Corporate Plan (objective 2) to deliver Council services that support & facilitate local business activity.

Goal No.	Action No.	Actions
5 Growth in business opportunity	5.5	Town planning strategies support industry growth
10 Transparent, accountable and effective governance	10.1	Ensuring a well-informed Council makes good decisions for the community
	10.4	Maintaining Integrated Strategic and Operational plans
12 Form strategic partnerships & advocate for the community	12.2	Ensuring that the Shire of Wyalkatchem is well positioned to meet future needs

VOTING REQUIREMENT

Absolute Majority

OFFICER’S RECOMMENDATION/ COUNCIL RESOLUTION

(55/2023) Moved: Cr Stratford

Seconded: Cr Petchell

That Council adopt the Report for Final Approval subject to Council having full discretion to approve a ‘Grouped Dwelling within a Rural Zone’, and forward the report and recommendations to the WA Planning Commission requesting its recommendation for the Minister for Planning’s Final Approval.

CARRIED 5/0

Cr Garner returned to the meeting at 6:36pm.