



Shire of West Arthur
Local Planning Scheme No 2
Scheme Review Report

November 2022

Report of Review

Shire of West Arthur Local Planning Framework

1.0 Background and Purpose

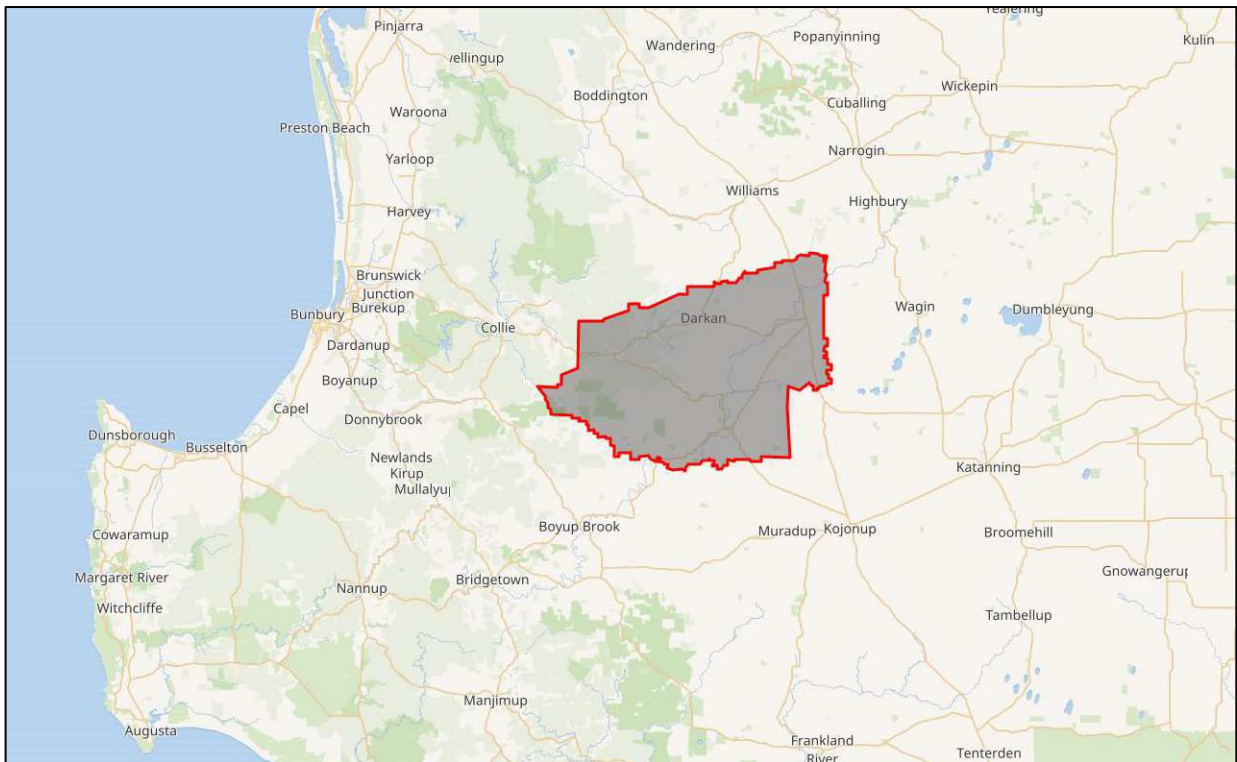
The following report has been prepared to satisfy the requirements under Regulations 65 and 66 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) for the Shire of West Arthur to carry out a review of Local Planning Scheme No. 2 (LPS2) and prepare a report of review.

This Report of Review is the result of the Regulations which requires that, in each 5th year following the date a Scheme was last published in the Government Gazette, the local government shall prepare a review by way of a report to the Western Australian Planning Commission (WAPC) on the operation of the Scheme.

Location

Situated 204km south of Perth and 115km east of Bunbury, the Shire of West Arthur is located between the forests of the south-west and the Wheatbelt to the east and it has an area of 2,850 sq km. Darkan is the main town and administrative centre. There are a number of smaller settlements being Duranillin, Moodiarrup, Bowelling, Arthur River, Hillman, and Cordering.

Figure 1 Location Plan



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Population

The Shire had a population of 815 persons in 2016. The expected population changes as referenced in WA Tomorrow are shown in Table 1, with the percentage growth rates in Table 2.

The WA Tomorrow forecast comprises five bands; with Band A - low, Band B - medium-low, Band C - median, Band D - medium-high and Band E – high. Based on the middle medium bands, the Shire has a relatively static population.

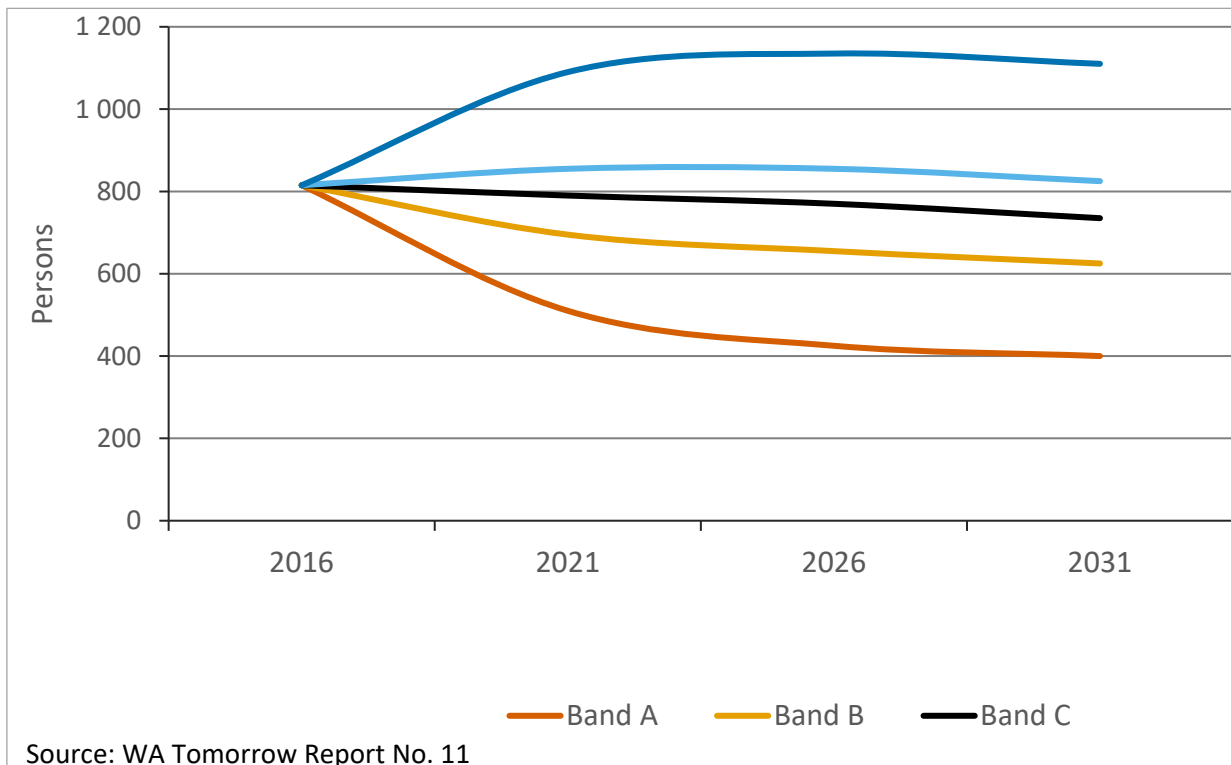
Table 1 Total Population

	Band A	Band B	Band C	Band D	Band E
2016	815	815	815	815	815
2021	510	695	790	855	1,090
2026	425	655	770	855	1,135
2031	400	625	735	825	1,110

Table 2 Annual Growth since 2016

	Band A	Band B	Band C	Band D	Band E
2021	-8.95%	-3.14%	-0.62%	0.96%	5.99%
2026	-6.30%	-2.16%	-0.57%	0.48%	3.37%
2031	-4.63%	-1.75%	-0.69%	0.08%	2.08%

Figure 2 Population Growth



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Economy

The main economic activity in the Shire is agriculture and businesses that support agriculture. Traditionally the Shire was a wool producing region, but primary producers have moved into grain and meat production in more recent years with most operating mixed farming enterprises. There are also more intensive rural activities including piggeries, bulk grain regional handling facilities as well as plantations.

The tourist industry is developing and Lake Towerrinning is a major local feature. Lake Towerrinning is a 256ha and is used for recreation all water sports including skiing, and has a tourist caravan and camping ground. It attracts water skiing enthusiasts from a large area including the Wheatbelt.

There are two primary regional roads within the Shire being Albany and Coalfields Highways. In addition, the Boyup Brook - Arthur Road is a significant district and tourist road. The Coalfields Highway bisects the Shire extending from Arthur River on Albany Highway in the east through to Collie townsite. It is a regional freight route especially for grain being transported from the Wheatbelt region east of the Shire to the Bunbury Port. The Highway has been subject to significant upgrading in recent years.

Environment

The shire can be divided into two main land systems. The eastern half, which is a region of Tertiary broad alluvial terrace and plains, cut into the lateritic Tertiary surfaces that drain south westerly to the Blackwood River. The western region lies in the rejuvenated area where steeper valleys cut the dissected Tertiary land surface, draining west to the Collie River.

Rainfall varies across the shire from about 800mm in the west to about 500mm in the east. The wetter western half, west from Darkan, is occupied by Jarrah – Marri Woodland, with the eastern half with some interfingering just west of Darkan, by Marri – Wandoo Woodland.

The western portion of the Shire is within the Wellington Dam PDWSA with special clearing controls under the Country Areas Water Supply Act 1947. This area is also been significantly developed for plantations. In the eastern portion of the Shire there are several paleochannels (old underground river channel). The most significant of these is the Beaufort paleochannel which supplies water to the Duranillin townsite and intensive rural industries within the Shire and adjoining Shires.

Development Activity

Development activity within the Shire is generally low. Since January 2017 until today there have been 31 building permits issued comprising of:

- 7 - new houses, 1 - extension,
- 5 - carports & patios,
- 5 - sheds (in townsites)
- 3 - Telstra and Optus telecommunications towers,
- 1 - historic building reconstruction,
- 1 - public toilet, and
- 1 - swimming pool.

It is noted that under Schedule 4 of the Building Regulations 2012, that no building permit is required for a Class 10 building outside of the townsites and this includes rural sheds and farm buildings.

Subdivision Activity

Subdivision activity has predominantly related to applications for boundary re-alignments and the creation of homestead lots. There has not been any subdivision to create new residential or rural residential lots.

A subdivision approval has been issued for ten (10) industrial lots in Growden Place, Darkan. It is also noted that DevelopmentWA has released thirteen (13) residential lots ranging in size from 946sqm – 1518sqm in King Street, Darkan. These were existing crown lots rather than a freehold subdivision.

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Vacant Land

It is estimated that there are less than 20 vacant residential properties within the Darkan townsite. The largest of these is Lot 309 Burrowes Street being 3.7 hectares, while all the other lots are the standard 1,012 sqm townsite lots.

Lot 309 has an historical subdivision approval for the creation of twenty – five (25) 1,000sqm lots which has now lapsed. The current requirements for on-site effluent disposal would now significantly reduce this lot yield.

Rural Residential Zone No 1 contains 26 vacant lots. Rural Residential Zone No 2 (Lot 3 Darkan – Quindanning Road) has an area of 56 hectares. It has not been subdivided, but due to site constraints it is likely to only yield between 10 to 15 lots.

2.0 Strategic Context

2.1 Local Planning Strategy

Strategy Details

The local planning strategy for the Shire of West Arthur was endorsed by the West Australian Planning Commission on the 23rd of November 2006. As generally required the strategy documents general matters relevant to the Shire, population figures at the time, reports on settlement pattern infrastructure, economy and employment and gives some detail with respect to physical features in the environment.

The strategy then outlines a strategic plan including with focus on particular issues including:

- Rural Land;
- Special Control Areas;
- Rural Residential Land;
- Darkan Townsite;
- Other Town sites; and
- Strategies and Actions

Strategies and actions included management of environmental matters including particularly catchment management, land management including soils, water quality and vegetation/biodiversity. Guidelines for development are covered specifically including guidelines for subdivision, land use, development of dwellings and industrial uses.

Amendments

There have not been any amendments made to the Local Planning Strategy.

2.2 Local Planning Scheme

The Shire of West Arthur's Local Planning Scheme No. 2 was gazetted on the 2nd of May 2007. A Contents Summary of the Scheme is contained in Appendix 1.

There have been two Amendments to the Scheme as referenced in Table 1. Amendment 2 was in effect a mini review of the Scheme zoning table and definitions while predating the introduction of the 2015 Regulations.

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Table 3 Scheme Amendments

No	Gazettal Date	Details
1	14/12/2010	Rezoning a portion of Lot 6 Coalfields Highway, Darkan from 'Rural' to 'Industrial'.
2	21/02/12	<p>Inserted 48 new use classes into the Zoning Table.</p> <p>Replaced "Aged or Dependent Persons Dwelling" with "Ancillary Accommodation" within the Zoning Table.</p> <p>Replaced "Dwelling" with "Single house" within the Zoning Table.</p> <p>Deleted "Holiday Accommodation" within the Zoning Table.</p> <p>Inserted ancillary accommodation, cabin, chalet, farm stay, grouped dwelling, guesthouse, holiday home, home business, kennels, single house, rural home business and tourist resort into Schedule 1 – Definitions.</p> <p>Modified betting agency, child care premises, family day care, plantation and restricted premises within Schedule 1 – Definitions.</p> <p>Moved industry from Schedule 1.2 Land Use definitions to Schedule 1.1 General Definitions.</p> <p>Deleted dwelling and holiday accommodation from schedule 1.2 Land Use definitions.</p> <p>Replaced the definition of animal establishment within Schedule 1.2 Land Use Definitions.</p>

2.3 Local Planning Policies

The Council has adopted three Local Planning Policies as set out below.

Table 4 Local Planning Policies

Local Planning Policy	Approval Date	Details
1	22nd December 2015 22nd October 2019	<u>Permitted Development</u> The policy sets out what matters are exempt from requiring a development approval under Clause 61 of the Deemed Provisions
2	17th December 2019	<u>Rural Sheds</u> The policy clarifies the need for a development application for a farm shed/outbuilding meaning a building used in conjunction with local farming operations.
3	21st June 2022	<u>Heritage Places</u> The policy provides guidance on the assessment of development applications for Category 1 and 2 heritage places as contained in the Shire's Heritage List identified in the Local Heritage Survey.

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3.0 Officer's Comments

There have not been any major development issues in the administration of the Local Planning Scheme or Strategy.

However, since the adoption of the Local Planning Strategy, there been significant changes in the strategic planning framework. The Local Planning Scheme needs to be revised and updated to reflect both the Deemed Provisions and the Model Scheme Text.

Evolving development issues which will need to be considered include:

- a) The level of governance in relation to town planning provisions and potential compliance issues. This may include avoiding duplication of provisions that other Government agencies regulate.
- b) Housing requirements for the expected population structure, affordability, diversity, and infill development.
- c) Lack of industrial land;
- d) Flexibility of zoning provisions in the Commercial zone along Burrowes Street to allow for more mixed semi residential uses.
- e) The revised Government Sewerage Policy which makes it more difficult to develop land within town sites without any reticulate sewerage system. This is an issue for any promotion of residential units within the townsite.
- f) There is more likely to be more pressure for the development of tree plantations and off set planting especially with the cessation of timber harvesting in native forests.
- g) Demand for extractive industry may increase to access basic raw materials such as sand, gravel or rock. With the expanding nature of larger settlements particularly those west of the Shire there could be increased pressure to access basic raw materials and it would be beneficial to have guidelines and policy in place for consideration of such proposals.
- h) Management of environmental issues such as vegetation protection, water quality, fire risk, water quality. This includes management of the paleochannels and associated high value agricultural land.
- i) An increased interest in relocated dwellings /buildings as being perceived as being more affordable housing. Similarly, the development of single bedroom small dwellings on 1,000sqm lots would seem to be an inefficient use of land but is restricted by the need to provide on-site effluent disposal.
- j) The continued use of sea containers as permanent buildings and ensuring that such structures are not unsightly.
- k) Intensive rural land uses such as piggeries and feedlots. Proposals for unusual uses such as industrial or stock feed supplies or uses requiring large buffer areas.
- l) The future of the Darkan Tannery Site which is an additional use zone in the Scheme, but no longer in operation and is an "orphaned" site with significant contamination.
- m) Tourist accommodation in both urban and rural areas with the potential revised definitions in the Planning Commission's 2021 draft Position Statement for Tourist Developments; and Planning Guidelines for Tourist Developments.
- n) Retaining Scheme provisions requiring approval for development of lots with no constructed or gazetted road access.
- o) Sheds on vacant residential or local rural land and storage of unsightly material, and vehicles.

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4.0 Conclusion and Recommendations

In summary, the Shire of West Arthur has not been experiencing any significant need for a major review of the local planning strategy and scheme. However, the Local Planning Scheme needs to be revised and updated to reflect both the Deemed Provisions and the Model Scheme Text.

The local planning strategy should be updated to recognise changes that have occurred in the Shire, community aspirations and the policy framework since its approval. It should make recommendations on the variety of issues outlined above and within this report to inform a scheme review and potentially adoption of additional policies to guide land use.

This is consistent with the Shire of West Arthur's Strategic Community Plan 2021 Outcome 4.4 – Appropriate planning and development which states that the strategies and plans to achieve this include:

- Implement the town planning scheme and policies to ensure any planning and development is appropriate through the Shire.

It is recommended that Council, pursuant to Regulation 66(3) of the Planning and Development (Local Planning Schemes) Regulations 2015 recommend to the Western Australian Planning Commission that:

1. That the current Local Planning Scheme is considered to be operating satisfactorily given the low level of development within the municipality.
2. It is recognised that the Scheme needs to be updated by incorporating both the Deemed Provisions and the Model Scheme Text. It is the Council's preference that this be done by a major amendment to the Scheme, rather than preparing a new Local Planning Scheme as no zoning changes are required and the cost of a preparing a new Scheme is significant.
3. That a new Local Planning Strategy for the municipality should be prepared to reflect changes in the planning policy and regulatory framework, altered conditions and current community expectations within the Shire.

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