

SHIRE OF SHARK BAY

LOCAL PLANNING STRATEGY

Endorsed by the Western Australian Planning Commission
27 August 2013

DISCLAIMER

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Part 1

Gray & Lewis Landuse
Planners

SHIRE OF SHARK BAY LOCAL PLANNING STRATEGY

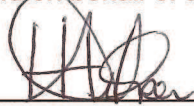
THE STRATEGY

June 2013

ADVERTISING

The Shire of Shark Bay Local Planning Strategy certified for advertising on 27 November 2012.

Signed for and on behalf of the Western Australian Planning Commission



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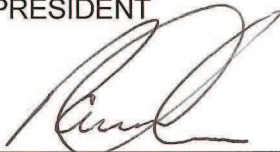
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ADOPTED

The Shire of Shark Bay hereby adopts the Local Planning Strategy, at the Ordinary meeting of the Council held on the 29th day of May 2013.



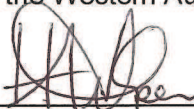
SHIRE PRESIDENT



CHIEF EXECUTIVE OFFICER

ENDORSEMENT

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Report file name	Report Status	Date
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AA V7 Part 1 Strategy December 2012 advertising	Version 7	December 2012
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LIST OF ATTACHMENTS:

- Attachment 1 Draft Town Centre Strategy Plan
- Attachment 2 Existing Special Use Zones in the Shire of Shark Bay Local Planning Scheme No 3

LIST OF ACRONYMS USED IN THIS STRATEGY:

ABS	Australian Bureau of Statistics
ACRIS	Australian Collaborative Rangeland Information System
DEC	Department of Environment and Conservation
DoP	Department of Planning
DoW	Department of Water
LPS	Local Planning Strategy
MRWA	Main Roads WA
NRMMC	Natural Resource Management Ministerial Council
NRM	Natural Resource Management
ODP	Outline Development Plan
SPP	State Planning Policy
UCL	Unallocated Crown Land
UNESCO	United Nations Educational, Scientific and Cultural Organisation
WALGA	Western Australian Local Government Association
WAPC	Western Australian Planning Commission
WWTP	Waste Water Treatment Plant

1.0 INTRODUCTION

This Strategy is based on the Western Australian Planning Commission '*Local Planning Manual – A Guide to the preparation of Local Planning Strategies and Local Planning Schemes in Western Australia*' (March 2010) and is divided into two separate parts;

Part 1 The Local Planning Strategy which outlines the major characteristics and issues relevant to future planning and development for the Shire of Shark Bay, and incorporates strategic plan and actions required to implement the strategy and Council's objectives.

Part 1 essentially provides the main recommendations for future strategic planning for the Shire of Shark Bay, concentrating on Denham townsite.

Part 2 The Background Information and Analysis which examines the state and local planning context, and provides a rationale for the Strategy.

Part 2 provides general information about relevant planning documents, the general characteristics of Shark Bay and provides the background context for the main Strategy in Part 1. Part 2 assists to provide background context information for any person or party unfamiliar with the local area and examines the major natural, social, and economic influences on planning for the future.

The Local Planning Strategy is a non statutory document that provides strategic planning direction for the next 15 years or longer as distinct from the local planning scheme, which manages landuse control and growth within a statutory framework.

The Strategy has to consider a wide range of issues including;

- the local character,
- sustainability,
- water management,
- landuse compatibility,
- streetscape,
- urban design,
- drainage,
- environment,
- natural resource management,
- townsite expansion,
- provisions of community facilities,
- accommodation needs,
- tourism,
- open space,
- employment,
- commercial opportunities,
- local economy,
- heritage, and
- infrastructure.

As a significant portion of the Shire area forms part of a World Heritage Listed area, this Strategy focuses on the strategic direction for the Denham townsite. Background information on the Shire in general is provided in Part 2 to provide a proper context for Part 1.

2.0 VISION AND PLANNING PRINCIPLES

2.1 Vision

Through effective governance, leadership, management and the support of the community, the Shire of Shark Bay is a safe, attractive, healthy, diverse and unique place to live, work, retire or visit. The Shire is proud of its history, location on the coast, its natural environment (containing many scenic places of rare beauty), World Heritage Listing, popularity as a tourist destination, and its friendly relaxed atmosphere.

The Council will plan for the future expansion of its main Denham townsite whilst preserving and enhancing the character, culture, and quality of life enjoyed by its community.

2.2 Principle

The main principle of this Strategy is to provide a strategic plan which will plan for the future townsite expansion of Denham in a responsible manner that reflects the aspirations of the Shire and local community, accommodates future needs, creates opportunity to enhance local attributes, and support long term objectives and goals.

The Strategy needs to be clear, comprehensive, easy to understand, informative, logical, transparent and be a 'leadership' document that provides strategic planning direction for the next 15 years or longer (as distinct from the local planning scheme which manages growth within a statutory framework and provides statutory development standards and controls).

3.0 OBJECTIVES

The objectives of the Strategy are;

1. To identify key components of the long-term direction for the Shire of Shark Bay that are crucial to orderly growth and development of the Denham townsite, and to recommend strategies to pursue these.
2. To ensure that the Denham town centre is vibrant and is the focus of future retail, commercial, and office uses in the Shire.
3. Encourage the development of businesses that will strengthen the economic base of the Denham townsite whilst respecting the local character, amenity, streetscape, surrounding built form, views, topography, urban design, and the Shires vision for the Town Centre.
4. Ensure that there is sustainable provision of land to meet existing and future needs for housing, business, community facilities, recreation, open space, industry, tourist accommodation, foreshore facilities, and civic uses.
5. To provide a range of quality services and amenities to meet the existing and future needs of the local community and support local tourism in a manner that enhances the existing townsite and does not adversely impact on local character and amenity.
6. Enhance and develop a distinct 'main street' character for Denham townsite and create an identity that complements the history of the area and relaxed coastal nature of the town.

2.

7. Support ongoing improvements and expansion of infrastructure and provide a basis for coordinated decision making on future servicing of the local government area by local, state government, and service providers.
8. Protect the natural environment, resources and coastal areas from inappropriate development that may have any undesirable or negative impact in terms of amenity, social, environmental, or visual.
9. Promote sustainable development and conservation of water resources.
10. Provide for greater housing choice and aged accommodation through medium density residential development and maximize the number of people living within walking distance of the town centre.
11. Provide convenient access and circulation for cars, service vehicles, pedestrians, and cyclists.
12. Promote Shark Bay and its World Heritage Listing as a place for recreation and nature-based tourism, and ensure that the local community continues to enjoy a natural lifestyle experience.
13. Give direction to the Shire of Shark Bay, the DoP, WAPC, the Minister, and the State Administrative Tribunal in assessment of Scheme Amendments, subdivision, applications, development, applications for review, and provide strategic planning support for this decision making.

The Strategy needs to identify any further studies or investigation required to meet objectives for creating good quality environments.

4.0 STRATEGIC PLAN

The development of the Denham townsite and immediate surrounds is to be in general accordance with the Strategy Plan which has been compiled by examining the existing landuse pattern, uses, and having regard for the background and planning implications identified in Part 2 of the Strategy Report.

The Strategy Plan is included as [Figure 1](#).

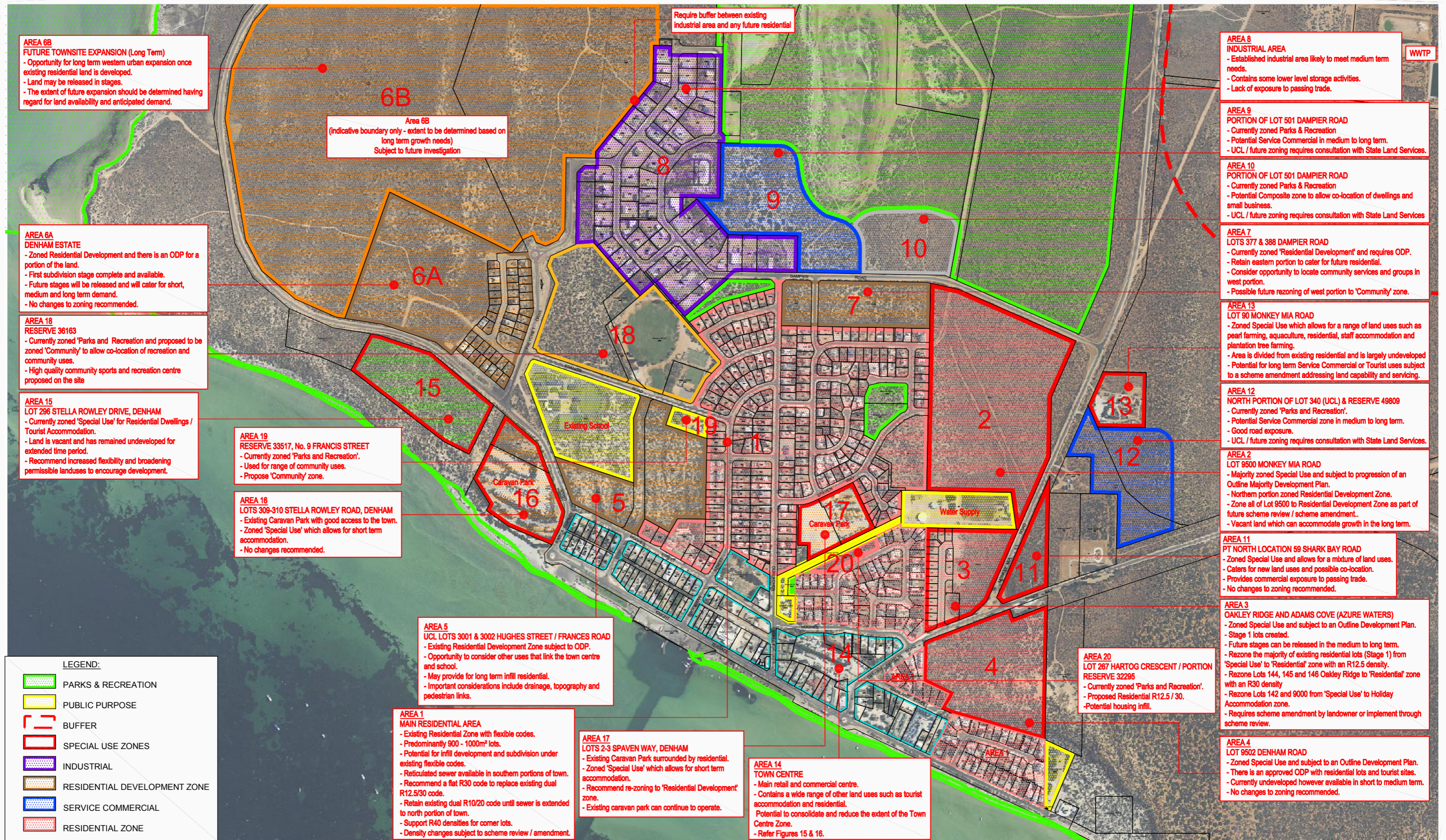
4.1 Existing and future housing areas

4.1.1 Area 1: Main Residential area (established)

There is an existing residential area located to the immediate north and east of the Denham town centre generally including the main roads of Brockman Street, Durlacher Street, Capewell Drive, Spaven Way, Hartog Crescent, and Fry Court.

The area is already zoned 'Residential' under the current Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme') with flexible residential density codes of 'R10/20' and 'R12.5/30'.

The existing densities allow for a range of lot sizes and significant infill development (subject to connection to reticulated sewerage). Despite the above it is clear from cadastral information that retention of larger lot sizes have prevailed and remain dominant in the area.



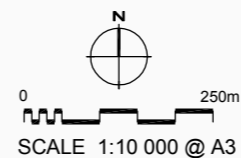
LOCAL PLANNING STRATEGY

DENHAM TOWNSITE

SHIRE OF SHARK BAY

JOB REFERENCE: 100791 (V8) DATE: JUNE 2013

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GRAY & LEWIS
LAND USE PLANNERS

Figure 1

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This is likely due to a number of factors such as;

- There has been no major population increase or demand pressure for vacant lots, and there are still vacant lots available throughout Denham.
- The northern portion has servicing constraints and is not connected to reticulated sewerage.
- The topography of some areas makes development and subdivision costly.
- For lifestyle choice residents may seek to retain larger lots to accommodate boats and storage sheds.
- There is anecdotal evidence that a portion of residents reside in other areas such as Perth for part of the year, and then retain larger lifestyle lots in Denham for summer.
- There are a number of large houses in the area with second storeys to capture coastal views. This can be more easily achieved on a larger lot.
- Costs of development are significant and increased densities may assist stimulate increased infill.
- The flexible codes can cause confusion over development and subdivision potential.

There is potential for further infill development within existing residential areas, there are still vacant lots scattered throughout Area 1 and some larger areas that have not been subdivided – an example is Lot 188 Spaven Way – Figure 2.

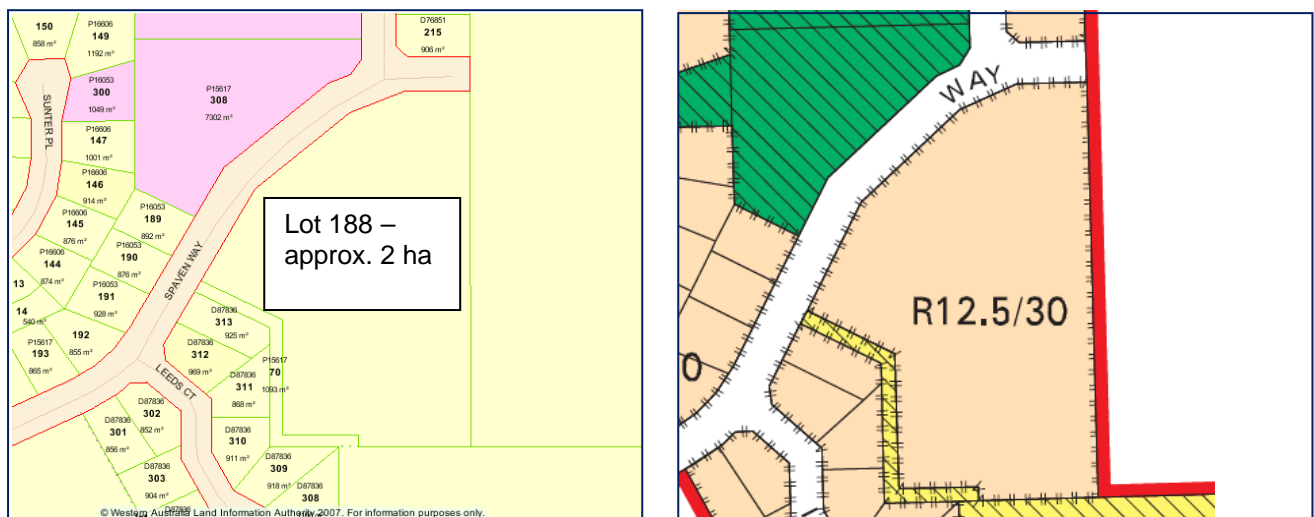


Figure 2 – Example of infill areas within Area 1 and the associated current Scheme zoning map
Source of cadastral plan - Landgate

Under the current Scheme there is a generic clause (5.4.1) which stipulates that the higher code shall only be permitted within dual coded areas if development is provided with reticulated sewerage or the Health Department of WA forms the view that there are exceptional circumstances to warrant a variation to the requirement for reticulated sewer.

The use of flexible codes causes confusion to the general public and results in complicated explanations of subdivision and development potential.

This Strategy recommends that sewered areas be provided with a flat density code as part of any future Scheme review/ amendment and that opportunities for increased infill be maximised as follows;

1. Introduce a flat R30 density Code for all sewered areas currently zoned Residential R12.5/30. R30 development can still only occur where development can be provided with adequate sewer connection (unless exempted by the Department of Health).
2. Retain the existing R10/20 dual code as it is concentrated in the northern part of town where sewer has not yet been extended. If sewer is further extended to the north then it is recommended that a flat density code of R20 or R25 be applied as part of a Scheme review or longer term future scheme amendment.
3. Include a new clause in the Scheme to allow existing corner lots with access to two constructed road frontages to develop up to a density of R40 – refer Table 1. This will maximise use of existing infrastructure and take advantage of available existing road frontages.

Different streetscapes already occur on corner lots as secondary streets form a side boundary. Secondary street frontages are generally characterised by side fences and walls. Allowing increased densities will facilitate new dwellings fronting onto secondary streets.

4.1.2 Area 2: Lot 9500 Monkey Mia Road (Certificate of Title 2705/172)

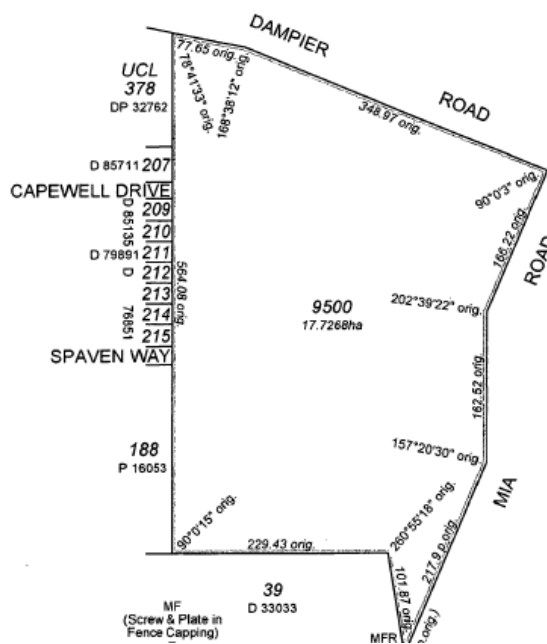


Figure 3 – Plan showing Lot 9500 Monkey Mia Rd

A northern triangular portion of Area 2 is zoned ‘Residential Development’ however the southern portion is zoned ‘Special Use - 3’ under the Scheme which allows for short term accommodation, incidental tavern, restaurant, private recreation and residential.

All development must be in accordance with an approved ODP which has yet to be progressed for this area. The land is currently vacant and has an approximate area of 17.7 hectares – Figure 3.

Access into any future subdivision or development of Area 2 can be from Spaven Way existing to the west, and any access to Monkey Mia Road would come under the jurisdiction of Main Roads WA which may seek to limit direct connections.

Any future population increases in the long term can be accommodated in this area. Given that Denham is well serviced with existing vacant residential lots it is unlikely that any subdivision of this area will occur in the short to medium term.

Retention of two separate zones over Lot 9500 is undesirable and should be resolved as part of any future Scheme review. As the land is predominantly to cater for future residential expansion, it is recommended that a ‘Residential Development’ zone be implemented as part of a Scheme review and there be a decreased reliance on ‘Special use’ zones.

An Outline Development Plan is required for any Residential Development zone ensuring co-ordinated and planned development. It is considered that uses such as restaurant, incidental tavern, and private recreation would be better located in the Town Centre. If the owner intends to develop the land for some commercial uses then they could be included as 'Additional Uses' with conditions ensuring greater protection of residential amenity and would have to be identified on any ODP.

4.1.3 Area 3: Oakley Ridge and Adams Cove

As per Area 2, Area 3 is also zoned 'Special Use - 3' under the Shires Scheme and is subject to an approved ODP with discretion to include a range of uses including residential.

Stage 1 of subdivision of this area has been released and created 18 residential lots which are generally 700m² in area. The subdivision created a new road, Oakley Ridge, connecting from Denham Road and has been advertised under an estate name of 'Azure Waters'.



Advertising sign and view of subdivision (Oakley Ridge Road) from Denham Road (July 2010)

The approved Outline Development Plan includes some Residential R30 sites and Tourist Accommodation. There is no density code applied to the Tourist Accommodation lots therefore Council has broad discretion at development stage – refer [Figure 4](#).

There is a road connection from Oakley Ridge to the east (Adams Cove) so there is potential for future subdivision stages to be released on the balance land (Lot 9000 - approximately 2.8 hectares) – refer [Figure 5](#).

A house has been constructed on one of the lots however it has been unoccupied for an extended time, and the remainder of the lots are vacant.

The lots in this subdivision have taken a long time to sell. Most remain undeveloped which demonstrates the current low demand for residential lots.

On a broader level however it is also symptomatic of the timing of the lots coming onto the market, the recent global financial crisis and local economic climate, current difficulties associated with obtaining funding from financial institutions, and general low property sales in regional areas with minimal population growth.

In the event that demand does increase in the short to medium term, it can be met from existing vacant lots available in Area 2. In the longer term new residential lots can also be accommodated when Lot 9000 is subdivided.

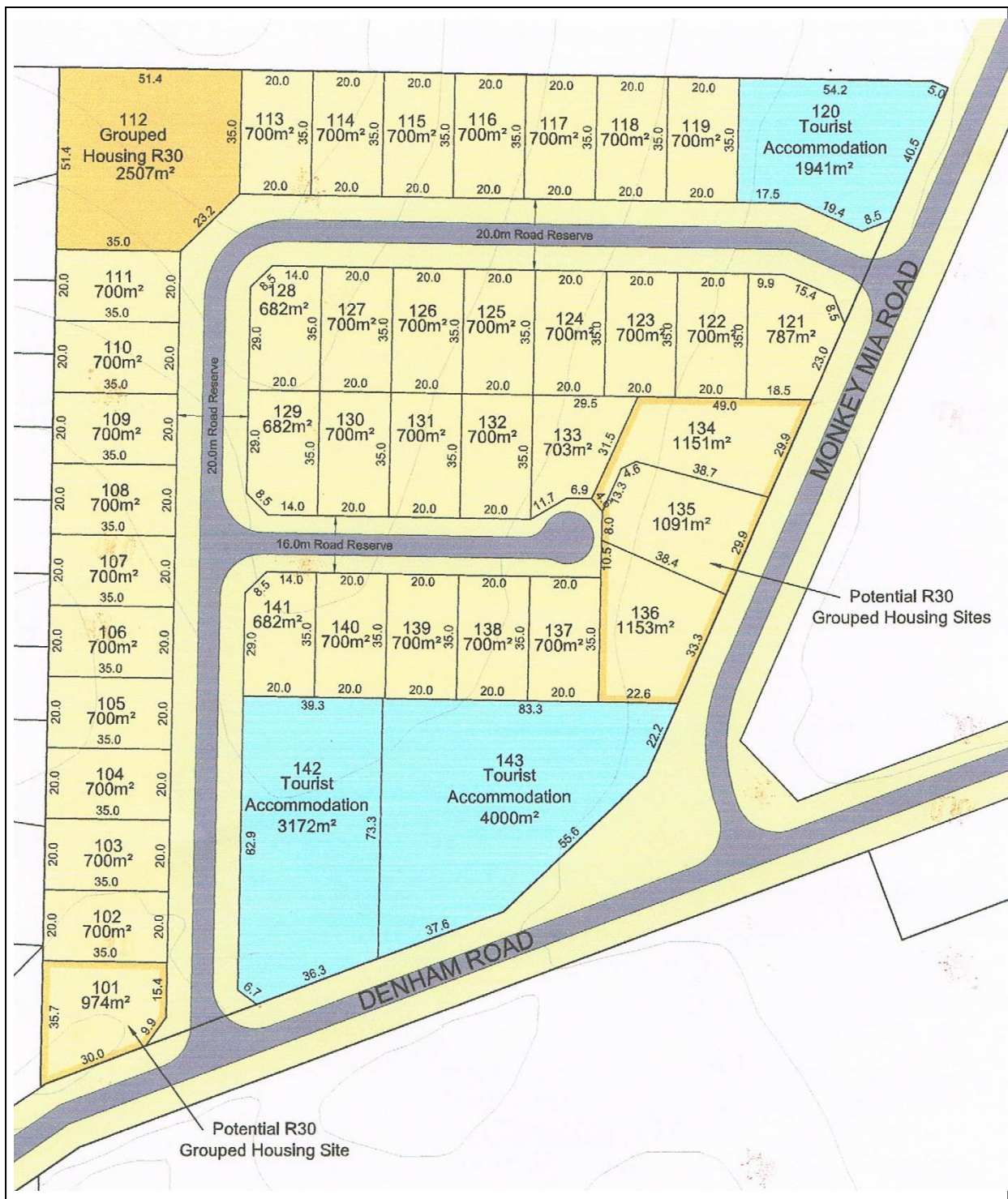


Figure 4 – Approved Outline Development Plan

It is recommended that the zoning of Area 3 be examined through an amendment or as part of a future scheme review as follows;

- (i) Recognise the majority of residential lots already created in Stage 1 as 'Residential' with an R12.5 density code. Lots 144, 145 and 146 Oakley Ridge should be zoned 'Residential' with an R30 density Code.

This will reduce complications over development assessment and effectively implement the approved ODP and subdivision plan.

The blanket R40 density proposed for all corner lots will apply once the land is zoned 'Residential', as discussed under 4.1.1 (for Area 1) and Table 1.

- (ii) Re-zone the balance Lot 9000 and Lot 142 from 'Special Use' zone to 'Holiday Accommodation' zone for R50 grouped holiday accommodation homes. The current 'Special Use' zone restricts the permissible landuses to short term accommodation, incidental tavern, restaurant, private recreation and residential. Some of the commercial uses are more likely to locate in the Town Centre, however can be retained as 'additional uses' depending on the landowners' intentions.

The existing 'Special Use' zone is restrictive and Council seeks wider discretion to allow for short and long term holiday accommodation that will allow flexibility for holiday homes or tourist accommodation without a restriction on the maximum stay length.

If the land remains undeveloped the owner still has options to pursue a modified Outline Development Plan. Modifying the zoning from 'Special Use' to 'Holiday Accommodation' zone will increase flexibility and future development options.

- (iii) Once the balance Lot 9000 and Lot 142 becomes developed or subdivided, then the zonings should be reviewed to effectively reflect the approved development or residential subdivision. A future Residential zone and flat density code can be implemented for any approved subdivision.

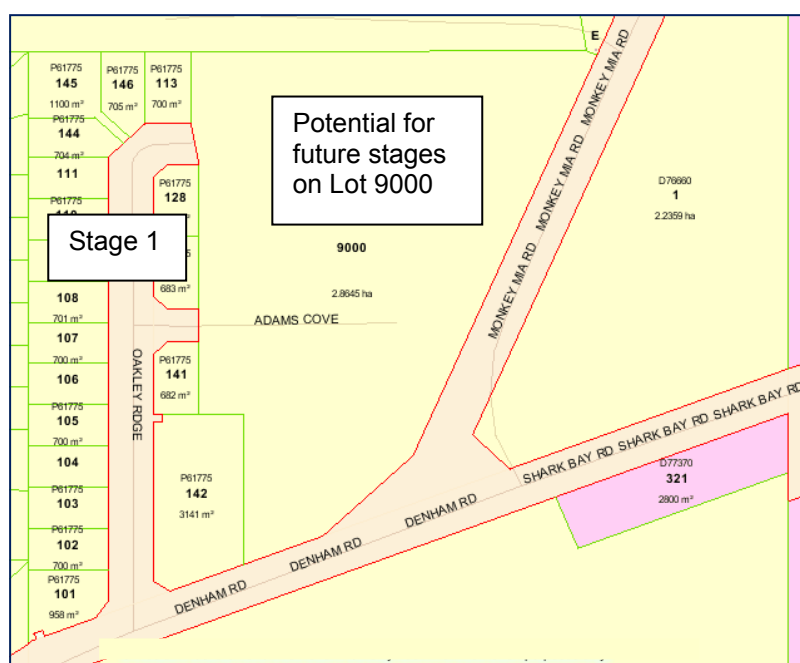


Figure 5 – Existing subdivision / vacant lots in Area 1 Oakley Ridge.
Source: Landgate

Whilst the current approved Outline Development Plan allows for tourist accommodation, there is already reasonable supply of tourist accommodation in the Town Centre close to the beach. If the 'Tourist Accommodation' on the approved ODP remains undeveloped and there is a lack of demand, then consideration to alternative uses permissible under the Scheme may be necessary. A 'Residential Development' zone will allow for increased flexibility over the range of landuses that can be approved by Council.

4.1.4 Area 4: Lot 9502 Denham Road (Certificate of Title 1705/174)

Area 4 is zoned 'Special Use - 3' under the Scheme and is subject to progression of an ODP with discretion to include a range of uses including residential.

An ODP has been developed for this area, has been adopted by the Shire and endorsed by the WAPC on the 10 November 2011. The ODP proposes tourist development sites and open space fronting onto Denham Road (to the rear of an information bay).

The southern portion of the ODP is proposed to be developed with 53 residential lots ranging from approximately 700m² to 1636m². The majority are proposed as single residential lots at an R15 density with the balance being R30 grouped dwelling sites.

Any future population increases in the long term can be accommodated in this area although timing for lot release is unknown as will be determined by the private landowner and is dependent on demand.

Retention of the 'Special Use' zone is recommended for this land to allow for sufficient control over the tourist sites supported by Council, special characteristics of the site and dune protection.

4.1.5 Area 5: Unallocated Crown Land (Lots 3001 and 3002) Hughes Street / Francis Road)

There is approximately 6.8 hectares of UCL located to the immediate east and south of the school. The land is zoned 'Residential Development' under the Scheme and is within walking distance of the town centre.

In the long term this land could accommodate infill residential development and allow families to live in close proximity to the school.

Any development requires an ODP under the Scheme and pedestrian linkages between the school, local oval and the town centre will be an important factor for future planning. Drainage and topography will also need to be carefully examined.

4.1.6 Area 6A- 6B: Freycinet Drive / Stella Rowley Drive

4.1.6.1 Background

A Denham Townsite Structure Plan (1991) was prepared by the then Department of Land Administration when the state government acquired a pastoral lease.

It was necessary to consider future expansion and townsite growth as part of that process as the Peron land (pastoral lease) was being acquired for national park. The structure plan identified a 22 hectare area to be excluded from the national park.

A Draft Denham Structure Plan (October 2004) was developed and plans for significant expansion of the Denham townsite to the west - [Figure 6](#).



Figure 6 – Draft Denham Structure Plan – Western Sector
Produced by LandCorp and Taylor Burrell Barnett (2004)

4.1.6.2 Area 6A – Denham Estate

Area 6A is currently zoned ‘Residential Development’ under the Scheme, and is subject to ODP requirements.

An ODP for Stage 1, 2 and 3 within a portion of Lot 338 Stella Rowley Drive has been developed and formed part of an ODP report (December 2005).

An extract of the ODP is included as Figure 7.

This plan clearly demonstrates that there is sufficient land to cater for long term growth of the town likely for the next 10-15 years.

The Draft Plan mainly caters for residential expansion however also identifies potential sites for schools, aged care, recreation and the like. Some of the plan has come to fruition as a new school was built in the Shire approximately 4 years ago.

In 2004 Taylor Burrell Barnett (planning consultants) and LandCorp held a workshop with key agencies to establish key characteristics for the first stage of residential development in this area.

Stages 2 to 3 will cater for medium and long term needs and can proceed under the existing 'Residential Development' zone under the Scheme.

4.1.6.3 Area 6B: Future Townsite Expansion (Long Term) – Subject to Future Investigation

It is clear that there is sufficient existing residential land available to cater for residential development in the short, medium and long term in Area 6A (and other areas in the town).

Once existing land throughout the townsite is fully developed, then there will be opportunity for future long term urban growth in a western direction to be further investigated.

Portions of land to the west and north-west of the existing LandCorp subdivision (Denham Estate) are zoned 'Rural / Pastoral' and will require re-zoning to facilitate subdivision. It will be important to consider current available residential lots and demand for new lots as part of any strategic planning for growth.

It is critical that any long term western urban expansion is not unduly constrained; however it is also essential that the Shire examine opportunities for infill of the existing residential zones to maximise use of infrastructure and sewered areas.

There will also be opportunities to consider the need to set aside land for further community facilities to meet any identified needs at the time that future planning for the area proceeds, such as aged care, consulting rooms, light industrial, incubator businesses etc. It is important that any ODP identify the level of demand for landuses such as light industry and best use of the land to meet the needs of the community at that time.

If Shire resources are limited, future long term planning and progression of a refined ODP for Area 6B may be considered in stages.

Open space requirements for Area 6B should be reviewed having regard for current limited community use of the existing oval in Francis Street, the planned new recreation centre in Freycinet Street, proximity to the coastal foreshore, limited Shire resources for maintenance and water restrictions. Retention of corridor natural open space for local wildlife is an important consideration in identifying the correct level of open space provision.

Further expansion into Area 6B should be subject to detailed future investigation and only be pursued when the existing vacant land in town becomes more developed, and there is evidence of increased demand and construction of housing on existing vacant lots.

4.1.7 Area 7: Lot 377 and 388 Dampier Road/ Poland Road - Unallocated Crown Land (Certificate of Title LR3128/363 & LR3128/364)

The land in Area 7 is Unallocated Crown Land (UCL) zoned 'Residential Development' under the Scheme and is comprised of Lots 377 and 388 located on the corner of Dampier and Poland Road. An ODP is required to be endorsed by the Shire prior to any development or subdivision.

Given the amount of land available for residential uses in Denham in the short, medium and long term there is opportunity to consider incorporating alternative uses for Lot 377 such as community related uses as required.

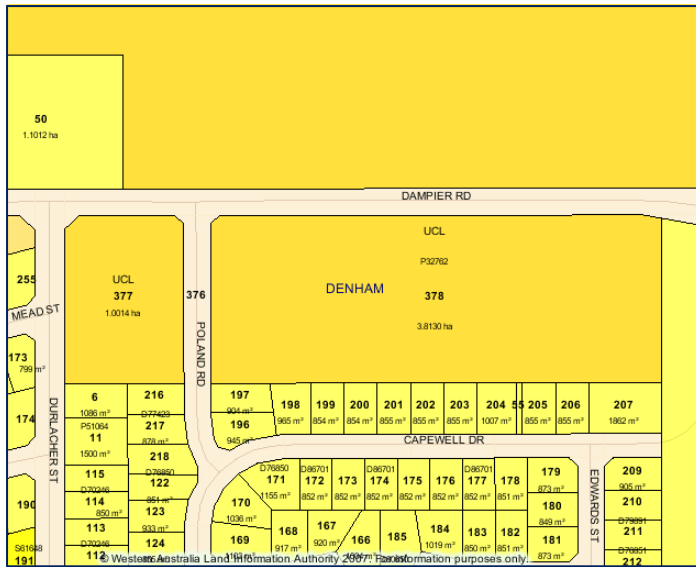


Figure 8– Location Plan for Lots 377 – 378 (UCL)

The Shire has advised it may require land to service organisations such as St Johns Ambulance, State Emergency Services, Volunteer Marine rescue and the like.

Lot 377 has excellent road access, can accommodate a variety of land requirements, and has good connections to the town centre which is important for emergencies.

It is recommended that the Shire consider zoning Lot 377 which is the western portion of Area 7 to accommodate community and emergency uses. A Public Purpose zoning is not recommended as not all groups are government or public agencies, and land may be held in freehold title or private ownership (subject to negotiation and liaison with State Land Services).

A new 'Community' zone could be introduced in the Scheme for Lot 377. A similar zone has been utilised in areas such as Port Hedland.

It is recommended that the western portion of Area 7 be re-zoned to 'Community' zone as required to cater for local community organisations, services and groups. The zoning should also allow for caretakers accommodation and accommodation that is associated with any community use or its volunteers and workers.

Provisions outlining the objectives for a new 'Community' zone would need to be included in the Scheme – refer Table 1.

The eastern portion of Area 7 (Lot 378) can be retained as 'Residential Development' to cater for long term residential needs. Suitable buffers, setbacks and landscaping should be provided between any non residential uses and residential dwellings.

4.1.8 Closed residential settlement : Useless Loop

In addition to the main residential area in Denham, there is a closed mining settlement at Useless Loop which provides accommodation and facilities to service the workers and families associated with a solar salt operation and gypsum mine, which has operated since 1968.

The settlement is not open to the public and has no facilities for tourists. It is zoned 'Special Use' under the Shires Scheme and no changes to the zoning is recommended.

Planning Implications:

- There is wide scope and potential for future infill to maximise use of existing infrastructure.
- Increased densities for corner lots to R40 are recommended to provide greater flexibility, development incentive and to take advantage of two road frontages.
- The existing dual codes can be replaced with flat density codes for simplification in the seweraged areas / southern portions of the Denham townsite.
- There is sufficient existing residential zoned land to cater for short, medium and long term needs.
- There is a need for land to cater for community use and emergency services. A new 'Community' zone is recommended.
- The number of special use zones should be decreased and Residential Development zones should apply where the main objective is to allow for residential subdivision.
- Commercial uses such as shops and restaurants should be concentrated in the Town Centre.

4.1.9 Specific recommendations for existing and future housing areas

The Shire may undertake a full Scheme review or support amendments to the existing Scheme to implement the main findings and recommendations in this Local Planning Strategy.

Broad recommendations on zoning changes have been made in Section 4.1 and are illustrated on a Draft Scheme Amendment map – [Figure 18](#). A summary of the proposed changes are included in the [Table 1](#) with drafted new scheme provisions.

TABLE 1
Specific recommendations for existing and future housing areas

No.	Summary	Draft provisions
1.	Introduce a flat R30 density Code for all seweraged areas currently zoned Residential R12.5/30.	Identified for Area 1. Map change – refer Figure 18 .
2.	Allow a higher R40 density code for existing corner lots in the Residential zone.	Identified for Area 1. Draft Scheme Provisions: <i>“5.4.2 Residential zone 5.4.2.1 The Council may permit grouped dwelling development of an existing corner lot zoned ‘Residential’ to a maximum density of R40 provided: (a) The lot has frontage to two constructed roads; and (b) The created lots are not of an irregular shape; and (c) Any residence to be retained is of a good quality and externally upgraded to the equivalent standard and appearance of a new dwelling in the opinion of Council; and (d) The development complies with any relevant Local Planning Policy.</i> ”

No.	Summary	Draft provisions
2.	Continued.	<p>5.4.2.2 <i>The Council may recommend support of survey strata subdivision (with or without common property) of an existing corner lot zoned 'Residential' to a maximum density of R40 provided:</i></p> <p>(a) <i>The lot has frontage to two constructed roads; and</i></p> <p>(b) <i>The created lots are not of an irregular shape; and</i></p> <p>(c) <i>A planning consent has been issued for grouped dwellings on the lot; and</i></p> <p>(d) <i>A notification is placed on the Certificate of Title to advise prospective purchasers that development is to be in accordance with a planning approval issued by the Shire and / or</i></p> <p>(e) <i>Construction of development has substantially commenced to the satisfaction of Council. "</i></p> <p>5.4.2.3 <i>The amalgamation of abutting lots with an existing corner lot in order to create a larger lot for the purpose of development and / or re-subdivision at a higher density is not consistent with the intent of the provisions and the R Code as depicted on the Scheme map shall apply to the amalgamated lot."</i></p>
3.	Extend the existing 'Residential Development' zone on Lot 9500 Monkey Mia Road to the south. Zone the entire Lot 9500 "Residential Development' zone.	Identified for Area 2. Map change – refer Figure 18.
4.	<p>Include the current permissible uses for 'Special Use' zone 3 as 'Additional Uses' in Schedule 2 of the Scheme applicable to Lot 9500.</p> <p>Include conditions for development.</p>	<p>Identified for Area 2.</p> <p>List Lot 9500 Monkey Mia Road in Schedule 2 with additional uses as follows:</p> <p><i>"Council shall only consider the following additional uses where they are associated with short term and long term accommodation;</i></p> <ul style="list-style-type: none"> • <i>Tavern as an incidental use to restaurant or short stay accommodation.</i> • <i>Restaurant – A</i> • <i>Private Recreation – D"</i> <p><i>Note: Incidental Use is defined in Schedule 1 of the Scheme.</i></p> <p>List the following conditions in Schedule 2:</p> <p><i>"Development shall be in accordance with an Outline Development Plan approved by the Council and endorsed by the Western Australian Planning Commission.</i></p>

No.	Summary	Draft provisions
4.	4. Continued.	<p><i>Council shall only have the ability to consider additional uses of Restaurant, Private Recreation, and Tavern in locations clearly nominated on an approved Outline Development Plan and where they are associated with short term accommodation.</i></p> <p><i>In considering an application Council shall have regard for:</i></p> <ol style="list-style-type: none"> 1. <i>The need to ensure that commercial uses do not negatively impact on the amenity of residential development by virtue of noise, traffic, odour and emissions. Accordingly any application shall be accompanied by a detailed report addressing these matters.</i> 2. <i>Adequate landscaping buffers to adjacent residential lots or uses to be provided to the satisfaction of Council.</i> 3. <i>Demonstrated provision for adequate on site carparking, loading / unloading areas, truck turnaround areas, service area and bin locations.</i> 4. <i>The need to ensure that development is small scale with a limited seating capacity as deemed suitable by the Council. “</i>
5.	Re-zone Lots 101-111, 113, 128-129, 141, 144-146 Oakley Ridge from ‘Special Use’ zone to ‘Residential’ zone with an R12.5 density code.	Identified for Area 3. Map change – refer Figure 18..
6.	Re-zone Lot 142 Denham Road and Lot 9000 Monkey Mia Road / corner Denham Road from ‘Special use’ to ‘Residential Development’ zone.	Identified for Area 3. Map change – refer Figure 18..
7.	Rezone Lot 377 Dampier Road, Denham from ‘Residential Development’ zone to ‘Community’ zone	Identified for Area 7. Map change – refer Figure 18.
8.	Introduce a new ‘Community’ zone with zone objectives.	<p>Identified for Area 7.</p> <p><i>“Community Zone:</i></p> <p><i>The objective of this zone is to provide sufficient land for a wide range of landuses generally relating to health, emergency services, rescue, education, social, recreation, community purpose or other uses that have direct benefits to the local community. The zone may also provide for accommodation associated with any use approved by the local government. “</i></p> <p>Note: The ‘Community’ zone will also need to be included in Table 1 of the Shires Scheme, with suitable landuse controls. This will be examined as part of a future Scheme review.</p>

No.	Summary	Draft provisions
9.	The Community zone allows for Community purpose and Emergency services. Community purpose is already defined in the Shires existing Town Planning Scheme. A new definition for 'Emergency services' should be included in the Landuse Definitions in Schedule 1.	Identified for Area 7. <i>'Emergency services' land or buildings used to store and maintain emergency vehicles and equipment, coordinate response to emergency events and may include training facilities, caretakers dwelling and sleeping quarters or accommodation for emergency workers, volunteers or for use in an emergency."</i>
10.	The 'Community' zone will need to be included in Table 1 of the Shires Scheme, with suitable landuse controls.	This will be examined as part of a future Scheme review.

4.2 Existing and future industrial / business locations

4.2.1 Area 8: Industrial Area

There is an existing Industrial area which was developed by LandCorp to the north west of the main Denham townsite. The subdivision is of a good quality and has been located in an area which provides appropriate buffers to existing residential areas.

Initial demand for industrial land was low, and subsequently the take up of lots was gradual. Large sheds have been built on many of the lots to comply with sale conditions that they be developed within a stipulated time period.

Some of these sheds are only used for storage and not actively used for industrial purposes.



Sheds constructed in the existing industrial area.

Despite the above, there are some businesses actively operating in the area such as a fish factory, a Mitre 10 hardware store, metal fabrication and service industries. The existing Industrial area will cater for the medium term needs of Denham.

Future population increases and growth may make the area more viable to attract additional service industries to cater for local needs.

One of the main issues associated with the Industrial area is that many of the lots do not have exposure to major traffic routes and visitors to Denham would unlikely be aware of the

businesses operating from the Industrial area. The lots along Dampier Road that are opposite Durlacher Street have some more exposure, which is where Mitre 10 currently operates.

The Shire has identified areas for future Service Commercial in order to ensure there is 'development ready' land to cater for future needs and maximise flexibility as new opportunities arise.

4.2.2 Area 9: Portion of Lot 501 Dampier Road (Unallocated Crown Land)

Area 9 is Unallocated Crown Land currently zoned 'Parks and Recreation' under the Shires Scheme. The Shire has identified a need to earmark land to cater for future service commercial uses which require road exposure and are not necessarily suited to the Industrial zone or Town Centre.

There is recognition that the lot sizes available in the existing Industrial zone are of a limited range, and there is need to provide flexibility to cater for new business opportunities as they may arise. There is also recognition that development costs for service commercial uses would be lower in this location, as land in the Town Centre is premium and entails site works costs associated with building up floor levels for flooding protection.

A 'Service Commercial' zone would cater for a range of compatible landuses which would not ordinarily locate in the Town Centre, such as showrooms, warehouses, service station and other commercial uses which are service orientated. It is important to ensure that the Town Centre remains the focus area for retail uses.

In the short term, some service commercial type uses can be accommodated in Area 11 which has stronger links to the Denham Townsite. There will be scope to create new 'Service Commercial' zones in the medium to longer term as demand requires (subject to consultation with State land Services).

4.2.3 Area 10: Portion of Lot 501 Dampier Road (Unallocated Crown Land)

Area 10 is Unallocated Crown Land currently zoned 'Parks and Recreation' under the Shires Scheme.

There is an existing Residential Development zone south of Dampier Road and the Shire seeks opportunity to provide a future development interface north of Dampier Road.

The Shire sees particular benefits in creating a Composite Enterprise zone north of Dampier Road to allow for a dwelling unit and a small business to co-locate on the same lot, particularly as Area 10 has reasonable road exposure and connections to the existing Industrial area to the west.

A Composite Enterprise zone would cater for small businesses that cannot sustain purchase of a lot in the Town Centre, are of a low scale compatible with residential and particularly cater for small businesses and tradespersons such as plumbers, electricians, handyman, carpenters and the like.

An amendment to the Scheme would be required to implement a new 'Composite Enterprise' zone. The extent of any amendment area would be dependent on service availability and demand. Issues such as amenity, interface with remaining residential and managing landuse compatibility would need to be carefully addressed.

It is noted that a similar zoning allowing for co-location of dwellings and businesses exists in the Shire of Plantagenet as an 'Enterprise' zone. In addition, the Draft WAPC State Planning Policy 2.5 makes allowance for an Enterprise zone which combine light industry and ancillary housing "*provided they are carefully planned close to urban areas, are serviced and have suitable design features and buffers that address amenity issues.*"

The Composite Enterprise zone is only shown schematically on the Strategy map as land may be released in stages according to demand. Once Area 10 is developed there is latitude to extend to the east along Dampier Road.

4.2.4 Area 11: Part North Location 59 Monkey Mia Road (Certificate of Title 855/216)

Area 11 is located on the corner of Monkey Mia Road and Shark Bay Road which are major tourist traffic routes. Lot 1 is zoned 'Special Use – 4' under the Scheme which allowed for roadhouse, restaurant, and bulk fuel.

Scheme Amendment No. 2 has been approved to provide greater flexibility for development of this site and allow for a wider range of uses such as:

- garden centre,
- hire service,
- industry – service,
- motor vehicle repair,
- boat or caravan sales,
- office,
- showroom,
- convenience store,
- motor vehicle wash (car and boat wash),
- laundromat,
- service station
- restaurant.

The 'Special Use' zoning has been retained however the Scheme includes special conditions and development controls in Schedule 4.

It is not anticipated that all of the permissible uses will locate on the site however it does provide opportunities for businesses which are not suited to the town centre, require commercial exposure, visibility and passing trade, have larger land requirements, and are not appropriately catered for in the more isolated industrial area.

It may be likely that a mixture of small businesses may co-locate on the site. The site is currently vacant and is likely to meet service industry and commercial business needs for the short to medium term.

Scheme Amendment 2 has been approved by the Minister for Planning and was gazetted on the 25 January 2011. No changes to the scheme are recommended.

4.2.5 Area 12: North Portion of Lot 340 and Reserve 49809

Once Area 11 becomes substantially developed, there may be opportunity to investigate expansion through a new service commercial area on unallocated crown land (north portion of Lot 340) and a portion of Reserve 49808.

The Shire seeks to earmark possibilities for future service commercial areas for long term planning purposes, however it is recognised that the area requires further investigation and consultation with State Land Services.

Any future service commercial development should only occur in the longer term once Area 11 has been developed and there is evidence of demand with a clear need for cater for new businesses. Area 12 is only shown schematically on the Strategy map and its boundaries may require refinement. If the area is developed successfully then expansion can occur in an easterly direction along Denham Hamelin Road.

4.2.6 Area 13: Lot 90 Monkey Mia Road (Certificate of Title 2124/43)

Area 13 is zoned 'Special Use – 11' under the Scheme which allows for a range of uses including pearl farming, aquaculture, residential, staff accommodation, and plantation tree farming.

The site is largely undeveloped and there may be future latitude to provide greater flexibility over landuse permissibility considering exposure to Monkey Mia Road, however it largely depends on landowners aspirations and service availability.

The subject land has excellent road exposure and in the longer term may cater for some form of service commercial zone, or special use zone with adequate landuse controls to ensure commercial uses do not compete with the Town Centre zone.

It is not recommended that the land be re-zoned as part of a scheme review or that a scheme amendment be initiated until such time as a detailed land capability report and engineering services report is provided to the Shires satisfaction. Area 11 already caters for some commercial uses in the short to medium term, therefore Area 13 may be a longer term strategic prospect.

The Shire is prepared to support a future Scheme Amendment to facilitate either 'service commercial' uses or 'tourist uses' on the site where the uses will not adversely impact on the role and function of the Town Centre, and the combination of landuses are compatible.

Planning Implications:

- There are sufficient Industrial lots to cater for the Shire's needs in the short to medium term. Although the lots have been built on, many of the buildings are used for storage uses.
- The need for further Industrial or Light Industrial land can be examined as part of a future review or investigation, once the existing Industrial area has been actively developed or there is a need to cater for larger land requirements or specific new industries.
- The Shire has identified a need to earmark land for future service commercial uses, and cater for new development not suited to the Industrial zone or Town Centre zone.
- The Shire sees benefits in planning for a Composite Enterprise zone to allow for co-location of a dwelling and small business on the same lot.

4.2.7 Specific recommendations for existing and future industrial and business locations

No changes to the Industrial zone are recommended, however a review of the permissible uses in the zoning table applicable to the Industrial zone will need to be examined as part of a separate future Scheme review.

Broad recommendations on zoning changes to create new service commercial zones and a Composite Enterprise zone are illustrated on the Strategy Map (Figure 1) and the Draft Scheme Amendment map – Figure 18. A summary of the proposed changes are included in the Table 2 with drafted new scheme provisions.

TABLE 2
Specific recommendations for existing and future business locations

No.	Summary	Draft provisions
1.	Introduce a service commercial zone for a portion of Lot 501 Dampier Road	Identified for Area 9. Map change – refer Figure 18.
2.	Introduce a service commercial zone for a portion of Lot 340 Denham Hamelin Road and north portion of Reserve 49809	Identified for Area 12. Map change – refer Figure 18.
3.	Introduce new Service Commercial zone provisions.	<p>Identified for Area 9 and Area 12. Draft Scheme Provisions:</p> <p><i>“Service Commercial” zone:</i></p> <p><i>The objective of this zone is to cater for a wide range and mix of compatible business uses such as showroom, warehouse, light industry and other appropriate uses that would not ordinarily locate in the Town Centre and which do not generate nuisances detrimental to the amenity of the area or health, welfare and safety of residents and workforce.</i></p> <p><u><i>Design Requirements</i></u></p> <p><i>The following development requirements shall apply to the Service Commercial zone:</i></p> <p>(1) <i>Buildings shall not cover a total of more than 75 percent of the area of any lot.</i></p> <p>(2) <i>Buildings to be designed with a quality facade addressing available street frontages. Facades are to predominately be constructed out of brick, concrete, steel and glass or other materials approved by Council.</i></p> <p>(3) <i>Adequate off street parking shall be provided on site with sufficient space for staff parking, loading and unloading, truck movements, deliveries, and visitor parking.</i></p>

No.	Summary	Draft provisions
3.	Continued	<p>(4) A minimum landscaping area of 3 metres along the frontage of all lots shall be provided.</p> <p>(5) Development shall be designed to maximise integration of carparking and accessways with adjacent lots.</p> <p>(6) Building bulk as presented and viewed from the street shall be minimised and buildings to be designed to positively contribute towards streetscape.</p>
4.	Introduce a Composite Enterprise zone for a portion of Lot 501 Dampier Road	Identified for Area 10. Map change – refer Figure 18 .
5.	Introduce Composite Enterprise zone objectives	<p>Identified for Area 10. Draft Scheme Provisions:</p> <p>“Composite Enterprise” zone:</p> <p><i>The objective of this zone is to cater for co-location of businesses with a residential dwelling on the same lot and provide flexibility for owners and operators to live and conduct a business on the same property. All businesses must be compatible with residential uses to avoid landuse conflict.”</i></p>
6.	Introduce Composite Enterprise zone provisions.	<p>Identified for Area 10. Draft Scheme Provisions:</p> <ol style="list-style-type: none"> 1. All development including a single house, ancillary development, outbuildings, storage, and changes of landuse require planning approval from the local government. 2. Council shall not grant planning consent unless; <ol style="list-style-type: none"> (i) It is satisfied that the proposed development allows for sufficient area to accommodate a residential dwelling and sufficient area to accommodate a business on the same site. (ii) The proposed use is considered to be of a scale and nature that it is compatible with residential uses. (iii) Any potential emissions can be effectively managed so as not to detrimentally impact on residential amenity, in the opinion of the local government. (iv) The business building height, scale external appearance and signage is of a low scale compatible with that of a residential dwelling. (v) Adequate on site carparking, access, loading areas, landscaping, and effluent disposal is provided to the satisfaction of the local government.

No.	Summary	Draft provisions
6.	Continued	<p>3. Notwithstanding Table 1 – Zoning Table, Council has discretion to approve a shop and retail sales associated with, and ancillary to, any business where:</p> <p>(i) The sale is of goods and products serviced, refurbished, constructed, processed, repaired, made or produced on the same site; and</p> <p>(ii) The sale does not involve clothes or food stuffs; and</p> <p>(iii) The gross retail floorspace for the display of goods for sale does not exceed 200m².</p>
7.	The Composite Enterprise zone will need to be included in Table 1 of the Shires Scheme, with suitable landuse controls.	This will be examined as part of a future Scheme review.

4.3 Existing and future retail and commercial centres (Town Centre)

4.3.1 Background

The Denham Town Centre is the main commercial and retail area servicing the townsite and is zoned 'Town Centre' under the Scheme.

The 'Town Centre' zone includes the land mainly along the waterfront generally bounded by Knight Terrace, Stella Rowley Drive, Hughes Street, Mainland Street and includes a pocket between Brockman Street and Durlacher Street – refer [Figure 9](#).

The Town Centre zone is expansive and contains a wide range and mixture of landuses including short stay accommodation, hotels, residential, shops, offices, tourist uses and restaurants. Many of these landuses have developed over a long time period and are intermingled within streetscapes.

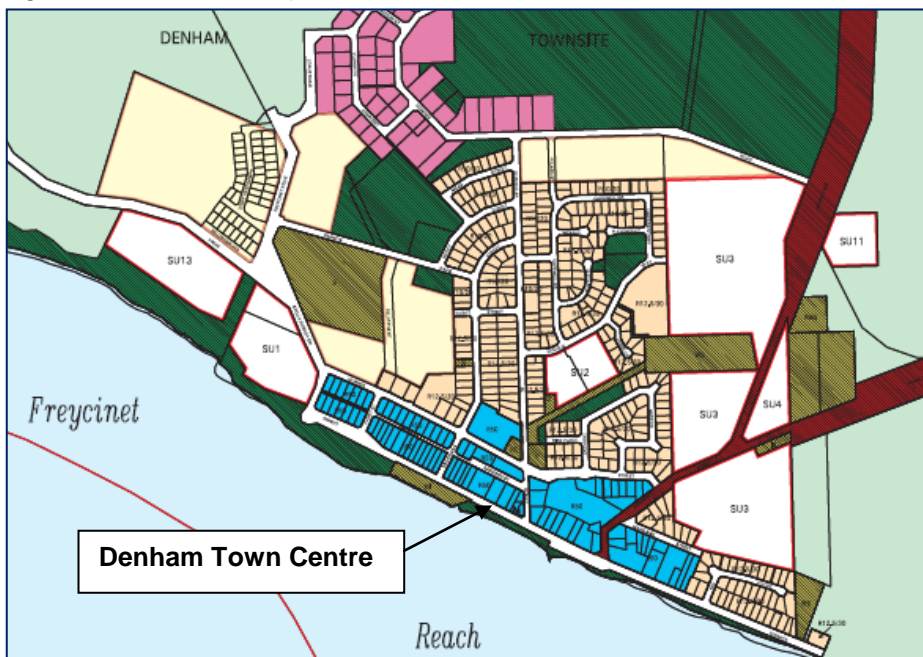


Figure 9 – Extract of Shire of Shark Bay Local Planning Scheme No 3 map

Although this section of the Strategy is to focus on retail and commercial uses, it has to examine all of the uses in the existing town centre so includes some areas that have been subdivided and developed for residential use.

The Shires existing (2006) Town Centre Strategy divides the Town Centre into a number of recognisable precincts and provides recommendations for priority landuses within each precinct. Rather than exist as a separate document, the Shire has requested that the Town Centre Strategy essentially form part of the Local Planning Strategy.

For ease of reference, this Local Planning Strategy examines each precinct consistent with those already established in the 2006 Town Centre Strategy – refer [Figure 10](#).

The existing Town Centre has been reviewed and is represented in this Strategy in two ways;

1. Broadly as Area 14 on the Local Planning Strategy map.
2. A new (draft) Town Centre Strategy map – [Attachment 1](#).

Some of the information in the Local Planning Strategy is replicated in the separate new (draft) Town Centre Strategy map. The (draft) Town Centre Strategy Map is included as an Attachment so that it can still be used by the Shire as a 'stand alone' plan.

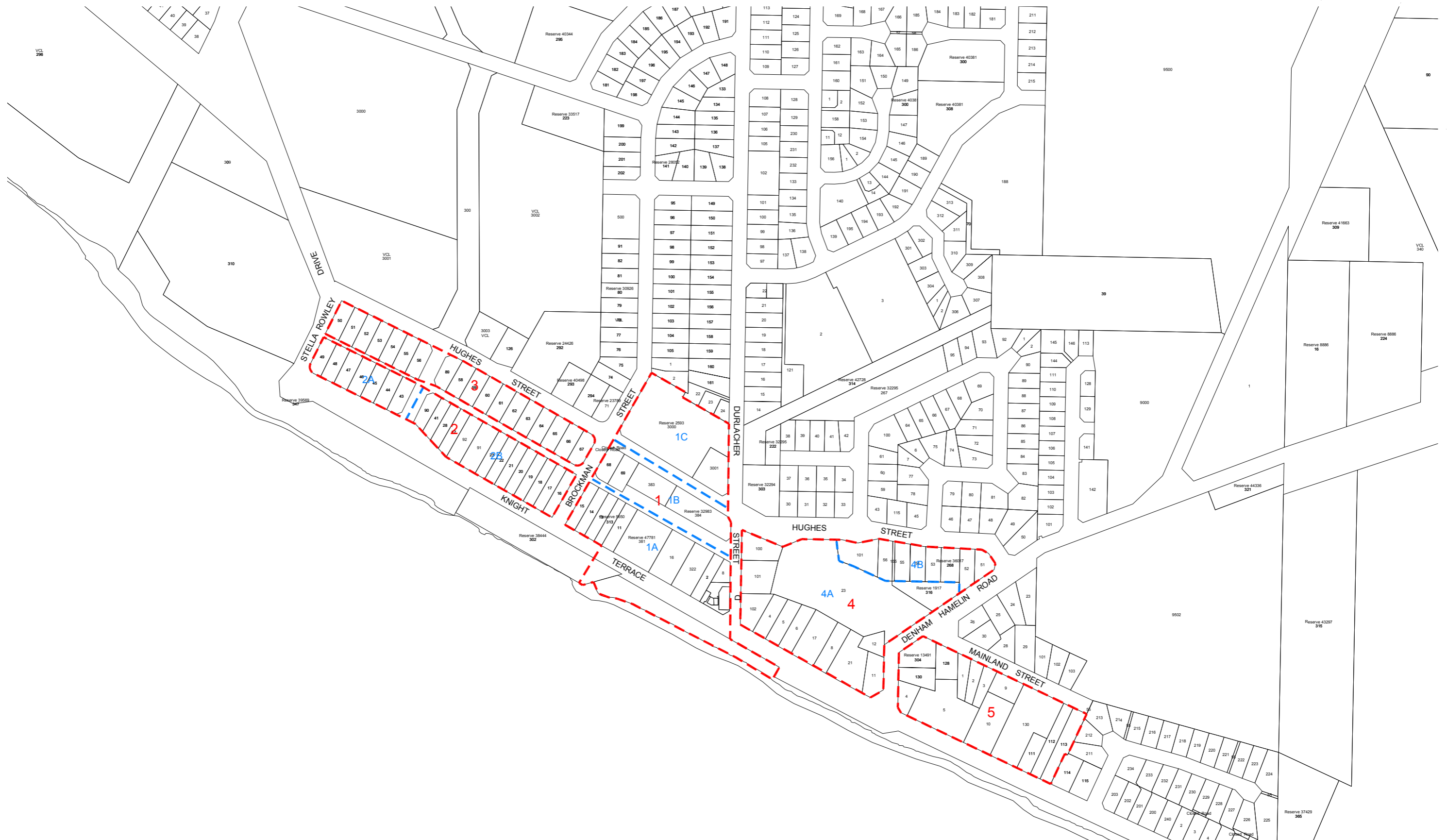
4.3.2 Area 14 : Town Centre

The Town Centre incorporates a wide range of commercial development including retail shops, offices, tourist uses, hotels, cafes and restaurants and tourist accommodation. The Scheme applies a residential density of R50 to the Town centre zone and some portions have been developed for residential uses.

There are drainage challenges in the Town Centre due to topography (natural drainage is towards the coast) and proximity to the ocean. This in turn causes streetscape and development challenges as minimum floor levels for flooding apply.

The objectives of this Strategy for the Town Centre are to;

- Examine existing landuses and identify opportunities to consolidate the core Town Centre and review the extent of the Town centre zone.
- Promote a clear understanding of landuse and streetscape issues and achieve a high standard of integrated development that recognises the inter-relationship between the Town Centre and the coast, historic development, established landuses and high quality new development.
- Ensure there is sufficient land to cater for future commercial and community needs of the town and its visitor populations, including retail, office and commerce; entertainment; tourism (accommodation and services); and community services.
- Identify appropriate landuses to be encouraged in identified precincts and sub precincts to promote co-location of compatible landuses and ensure retail uses are focused in a core 'Town centre' precinct.
- Protect established residential areas and nodes of tourist accommodation from inappropriate and incompatible development that may have adverse impact by virtue of noise, emissions or traffic.



PRECINCTS PLAN

DENHAM TOWNSITE

SHIRE OF SHARK BAY

- LEGEND
- - - PRECINCTS (as defined in the Denham Town Centre Strategy)
 - - - SUB PRECINCTS

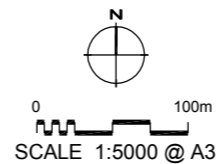


Figure 10
 Suite 5, 2 Hardy Street
 South Perth, WA 6151
 T (08) 9474 1722
 F (08) 9474 1172
 perth@graylewis.com.au

- Apply development and land use control that is consistent with an identified theme for the town centre.
- Maximise coastal views within and beyond the town centre through applying limits to building heights. In particular, to protect views of the lots between Hughes Street and the foreshore.
- To ensure all new habitable development provides adequate shelter and weather protection for pedestrians and promotes pedestrian linkages.
- To continue to implement and incorporate a marine and coastal theme for elements of the built form of all new development based on historic identity of the town as a fishing village and the unique environment represented by Shark Bays World Heritage Listing.
- To identify high priority redevelopment sites where demolition and new development will be actively encouraged.
- To ensure subdivision in the Town Centre does not occur in an ad hoc manner and maximise future robustness of lots to be able to be developed for a wide range of commercial uses.

4.3.2.1 Precinct 1 in the Town Centre

4.3.2.1.1 Precinct 1 Characteristics

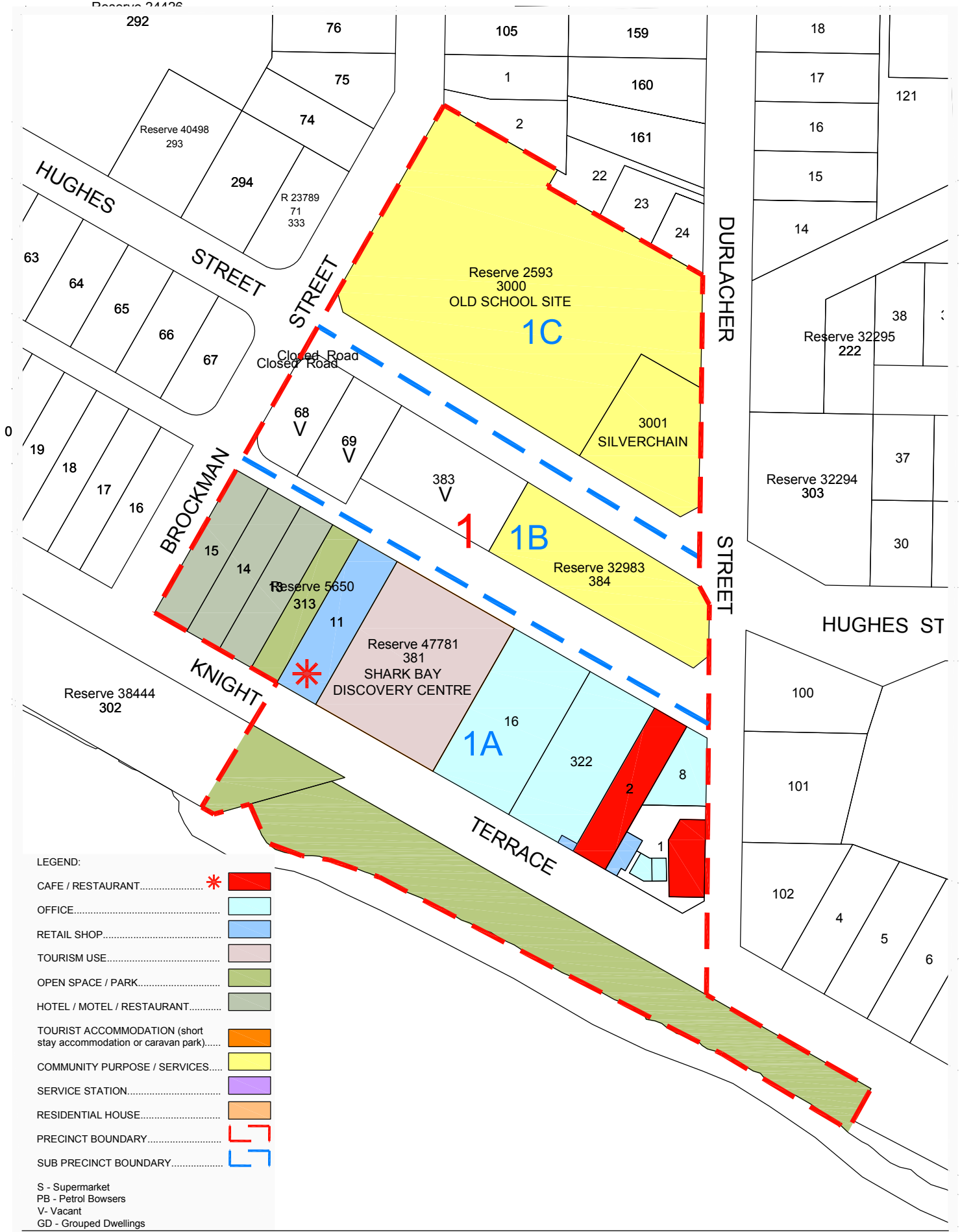
Precinct 1 includes sub precincts A, B and C – refer **Figure 11**. The precinct is generally bounded by Knight Terrace, Durlacher Road, Brockman Road and residential to the north.

The precinct currently contains a mixture of uses but is predominantly characterised by the Shark Bay World Heritage Discovery Centre, and the Shire offices, Council meeting hall/chambers, Silver Chain and an old School site (Reserve 32983) – refer Landuse Plan (**Figure 11**).

The construction of the Shark Bay World Heritage Discovery Centre ('the Centre') on a site in the middle of this block is a dominant architectural form. The Centre is iconic and attracts activity into the area by visitors.



Shire Office : Knight Terrace



LEGEND:

- CAFE / RESTAURANT..... *
- OFFICE.....
- RETAIL SHOP.....
- TOURISM USE.....
- OPEN SPACE / PARK.....
- HOTEL / MOTEL / RESTAURANT.....
- TOURIST ACCOMMODATION (short stay accommodation or caravan park).....
- COMMUNITY PURPOSE / SERVICES.....
- SERVICE STATION.....
- RESIDENTIAL HOUSE.....
- PRECINCT BOUNDARY.....
- SUB PRECINCT BOUNDARY.....

S - Supermarket
 PB - Petrol Bowsers
 V - Vacant
 GD - Grouped Dwellings

PRECINCT 1 LAND USE PLAN
 DENHAM TOWNSITE
 SHIRE OF SHARK BAY

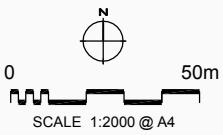


Figure 11
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 South Perth, WA 6151
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 perth@graylewis.com.au



Pearl Restaurant



Shark Bay Discovery Centre Knight Terrace

A new large scale high quality development has been constructed immediately east of the Shark Bay World Heritage Discovery Centre for government offices, and provides a pedestrian link through to the rear. The combination of these two developments changes the low scale traditional streetscape of this section of Knight Terrace.

Further east of the centre are the Shire offices, several other commercial developments and the historic Old Pearler Restaurant.

Built out of shell brick, this is a significant landmark building in Denham. In the future there may be opportunities for relocation and redevelopment of the existing Shire office.

Vehicle access is to the rear of these sites (via Hughes and Barnard Streets). Barnard Street is constructed as two cul de sacs.



Lot 11 Knight Terrace

There is a small but important retail 'hub' on Lot 11 Knight Terrace adjacent to Charlie Sappie Park (Reserve 5650). It is a community focus point as it contains the Shark Bay pharmacy, newsagency, post office, and a cafe. It complements the surrounding tourist and office uses in the precinct and caters for day to day needs.

Measures need to be considered for protection of Precinct 1 as the prime location for retail and commercial activities.

The three lots closest to the corner of Knight Terrace and Brockman Street contain an old hotel which is prime for redevelopment.

A new Silver chain building has been built on the corner of Durlacher Street and Hughes Street. To the west of Silverchain is an old school site with high redevelopment opportunity. The school site is one of the few large enough to provide for larger retail and commercial uses that may be required in Denham in the longer term.

The foreshore opposite Precinct 1 is well serviced by existing facilities, including children's playground, barbecues and shade areas.

4.3.2.1.2 *Precinct 1 Opportunities and Challenges*

There are a number of opportunities and challenges in the precinct as:

- There are a range of architectural styles however the dominant streetscape element and building is the Shark Bay World Heritage Discovery Centre central on Knight Terrace.
- The lots fronting onto Knight Terrace have rear access therefore in many cases the buildings front onto the Terrace and car parking can be accessed at the rear. Due to the rear access, consideration to the treatment and aesthetics of the rear of buildings needs to be considered (as viewed from Barnard Street).
- The Shire has undertaken works adjacent to Barnard Street (to Reserve 32983) to improve pedestrian links to Hughes Street. Further pedestrian links between Barnard Street and Knight Terrace could be pursued.
- The old school site provides an opportunity for new development however is contingent on future landowners intentions. At this stage the Shire has a preference for the land to accommodate a new supermarket and short stay accommodation or mixed use development.
- A new government office has been constructed on Lot 16 and accommodates agencies such as DEC, the Department of Fisheries and the Shark Bay Volunteer Marine Rescue. This development achieves improved streetscape and is a high quality building design that complements the adjacent Shark Bay World Heritage Discovery Centre. Pedestrian links between Knight Terrace and Barnard Street have been considered as part of design.
- There are still areas of vacant land and sites with redevelopment opportunities in this precinct.



Rear view of the Shark Bay World Heritage Discovery Centre (from Barnard Street) and a newly constructed pedestrian path link between Barnard Street and Hughes Street (through Reserve 32983). July 2010.

4.3.2.1.3 *Precinct 1 Strategy Recommendations*

Whilst Precinct 1 includes some retail on Lot 11, it predominantly contains tourist uses, government offices and civic uses.

Uses that contribute to activity in the area need to be encouraged such as shops, mixed use development, and restaurants / cafes that will service local workers and tourist needs. There is opportunity for a future supermarket to establish in this area, however topography represents challenges. Precinct 1 is the Shires preferred location for any new supermarket as it is central and can act as a focal point for the Denham townsite.

Precinct 1 is high profile, is located centrally on Knight Terrace, is undergoing substantial redevelopment and has vacant land with redevelopment opportunities.

It is recommended that the zoning of 'Town Centre' be retained however it be provided with stronger objectives to encourage commercial retail and shop uses into the area. The Scheme provisions require review to ensure it's priority focus is for commercial activities and residential should be discouraged unless it forms part of a mixed use development.

New Scheme provisions have been drafted to provide a stronger focus of the Town Centre zone as the priority area for new commercial and retail development – refer [Section 4.3.3](#).

There are other areas in the existing Town Centre to the far west and east that are a better location for short stay accommodation.

Further short stay accommodation in a consolidated and reduced Town Centre zone should be discouraged unless it located away from Knight Terrace and / or has a substantial commercial component or public facilities that will attract people into the Town Centre.

Limited residential and short stay accommodation will ensure there is casual surveillance for offices and commercial uses at night. However residential and short stay accommodation should not be allowed to encroach to the extent that it will inhibit or limit opportunities for foundation uses such as shops, restaurants, cafes and offices especially on Knight Terrace.

4.3.2.1.4 *Sub Precincts*

Precinct 1 has three distinct 'sub precincts' including;

- Sub Precinct 1A is commercial development fronting directly onto Knight Terrace.
- Sub Precinct 1B is largely vacant land with the Shire hall located on Reserve 32983 (corner Durlacher and Brockman Street).
- Sub Precinct 1C contains an old school site surplus to State needs and is being considered for disposal (Reserve 2593). Adjacent to the school is a Silverchain building.



Future Landuse and development in Precinct 1a

Council shall have regard for the following when considering new development in Precinct 1a;

- i. Residential development and tourist accommodation should be actively discouraged to ensure this remains the core Town Centre area with a high focus on landuse activities that will attract people into the area. A high priority shall be given to tourist services and attractions, restaurants, retail shops, and entertainment.
- ii. A high priority should be given to streetscape, wind protection and a pedestrian friendly environment, including shade, seating and amenity.
- iii. Vehicle access should continue to occur from the rear of properties (Barnard Street).
- iv. New development should address both Knight Terrace and Barnard Street frontages. The rear of buildings fronting Barnard Street are highly visible from other areas of town, particularly lots on Hughes Street.
- v. Pedestrian links between Knight Terrace and Barnard Street through Reserve 5650 and future development of Lot 16 should be enhanced.
- vi. Lots 13, 14 and 15 Knight Terrace are a high priority redevelopment site combined with Lots 68 and 69 to the rear for carparking. These lots are prime for retail and commercial development due to high exposure, proximity to jetty facilities, central location and age of existing development.
- vii. The existing Shire offices are also a high priority redevelopment site with potential to cater for new development with an architectural style to complement the Shark Bay World Heritage Discovery Centre and new offices on adjacent Lot 16.
- viii. A review of car parking for the precinct may be required when redevelopment of sites is undertaken.

Future Landuse and development in Precinct 1b

Council shall have regard for the following when considering new development in Precinct 1b;

- i. Consideration should be given to the location of services and facilities that complement Knight Terrace activities but do not warrant a prominent foreshore location. Appropriate uses would include Government service buildings, offices, tourist accommodation and community uses.
- ii. Building heights should be restricted to ensure views from Hughes Street properties are retained. This sub precinct has excellent coastal views.
- iv. Limited residential could be considered in this precinct to provide casual surveillance of businesses. They should part of mixed use developments and include a commercial component.
- v. Limited tourist accommodation may also be considered where it is of exceptional quality.

Future Landuse and development in Precinct 1c

Council shall have regard for the following when considering new development in Precinct 1c;

- i. The school site (Reserve 2593) is a high priority redevelopment site to provide for future town centre activities. Any development should be subject to the preparation of an appropriate Detailed Area Plan (DAP) that examines development requirements, access points, co-ordinated carparking layouts and shared crossover opportunities, interface with residential, servicing, drainage and responds to amenity issues. The Shire considers that the site is prime for retail or commercial development because it is one of the few lots in the Town Centre of a sufficient size to accommodate adequate retail floorspace and on site carparking. Alternative uses may be a mixed use development.

The Shire would support subdivision of Reserve 2593 without any Outline Development Plan if the purpose was to create superlots to facilitate disposal of the land by the State of Western Australia.

- ii. Priority should be given to accommodating a mix of uses and provision for residential and short term accommodation above retail and office space; the allocation of larger sites for retail and commercial uses; and higher density residential activity.
- iii. The potential for reuse of the school buildings may occur in the short term until redevelopment occurs.
- iv. Any new buildings should address available street corners and provide a landmark development.
- v. New development should have windows with extensive passive overlooking of streets, and pedestrian shelter should be incorporated into any design. Development should be designed to respect the low scale adjacent residential area to the north.

4.3.2.2 Precinct 2 in the Town Centre

4.3.2.2.1 Precinct 2 Characteristics

Precinct 2 is divided into sub-precincts 2A and 2B. Precinct 2A is located at the most western part of the Town Centre and is dominated by older tourist accommodation and some residential dwellings - refer Landuse Plan ([Figure 12](#)).

The only retail use in Precinct 2A is an older local corner shop located on the intersection of Knight Terrace and Stella Rowley Drive. It is a historic development which previously included petrol bowsers which have been removed. Cars attending the shop reverse onto Stella Rowley Drive causing traffic issues. Redevelopment of this site would be actively encouraged by the Shire as the lot area is not conducive to the shop use and has insufficient parking areas.

It is likely the existing shop relies substantially on trade from the Denham Seaside Caravan Park located to the immediate west of the precinct, tourists attending the foreshore which is developed with extensive car parking and boat ramp facilities, as well as local residents within walking distance.

The remainder of Precinct 2A consists of older tourist accommodation.

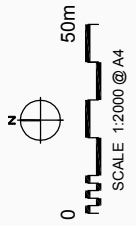


- LEGEND:**
- * CAFE / RESTAURANT
 - OFFICE
 - RETAIL SHOP
 - TOURISM USE
 - OPEN SPACE / PARK
 - HOTEL / MOTEL / RESTAURANT
 - TOURIST ACCOMMODATION (short stay accommodation or caravan park)
 - COMMUNITY PURPOSE / SERVICES
 - SERVICE STATION
 - RESIDENTIAL HOUSE
 - PRECINCT BOUNDARY
 - SUB PRECINCT BOUNDARY
- S - Supermarket
 PB - Petrol Bowers
 V - Vacant
 GD - Grouped Dwellings

PRECINCT 2 LAND USE PLAN
DENHAM TOWNSITE
SHIRE OF SHARK BAY

Figure 12

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Denham Seaside Caravan Park accessed from Stella Rowley Road, and foreshore car parking area.

Precinct 2A is not a dominant retail area however is located in close proximity to tourist uses such as the Seaside Caravan Park, and fishing/ boat activity on Reserve 38444.

Precinct 2B is currently an ad hoc mixture of some residential, short stay accommodation and vacant lots. Precinct 2B also has land that may be suitable for a new supermarket or shops as it has a prime location with excellent exposure to Knight Terrace, however lots would need to be amalgamated in order to provide sufficient on site carparking.

4.3.2.2 Precinct 2 Strategy Recommendations

It is recommended that Precinct 2A be re-zoned from 'Town Centre' to 'Tourist' zone to recognise that it mainly contains tourist accommodation and to encourage co-location by other tourist uses.

There is a high level of redevelopment opportunities in Precinct 2B therefore retention of the 'Town Centre' zoning is recommended to maintain flexibility and try to encourage new retail, cafe, and commercial development in this precinct.

Future Landuse and development in Precinct 2a

Council shall have regard for the following when considering new development in Precinct 2a;

- i. Priority should be given to accommodating tourist accommodation and tourist services to take advantage of excellent access to the coastal foreshore across Knight Terrace.
- ii. Retail uses will predominantly be directed to Precinct 1 and Precinct 2B as the core Town Centre. Only limited small scale retail for convenience day to day goods may be considered in this precinct to service tourist needs, or where retail is an incidental component of a larger development.
- iii. Building heights should be restricted to ensure views from Hughes Street properties are retained.
- iv. Any new development should be designed to maximise protection of residential amenity for lots located to the north on Hughes Street.

- v. Redevelopment and substantial upgrading should be encouraged for older tourist accommodation. Amalgamation of lots is encouraged to allow for improved development opportunities.
- vi. Precedence should be given to redevelopment of Lot 49 on the corner of Stella Rowley Drive and Knight Terrace for improved aesthetics, access and traffic safety.

Future Landuse and development in Precinct 2b

Council shall have regard for the following when considering new development in Precinct 2b;

- i. Amalgamation of lots would support more efficient use of land in the medium term, and provide larger sites suitable for a range of retail, commercial, Government service and additional tourist uses.
- ii. Building heights should be restricted to ensure views from Hughes Street properties are retained.
- iii. Lots 16 and 17 on the corner of Knight Terrace and Brockman Street are a high priority development site prime for retail or commercial development, subject to amalgamation. There is opportunity for a future landmark corner building.
- iv. Opportunities for integrated carparking and reduction of crossovers should be maximised as land becomes redeveloped. Due to gradient it is recognised that access to the rear is not likely to be feasible.

4.3.2.3 Precinct 3 in the Town Centre

4.3.2.3.1 Precinct 3 Characteristics



House with advertising sign

Precinct 3 substantially contains single residential dwellings with some limited short stay accommodation - refer Landuse Plan (Figure 13).

It is difficult to ascertain how many dwellings in the precinct are rented out for short stay (holiday) accommodation.

Some of the dwellings have small advertising signs with contact details for holiday bookings.

Other than some tourist accommodation, there are no retail or commercial uses in Precinct 3.

4.3.2.3.2 Precinct 3 Strategy Recommendations

To protect the residential amenity of the area it is recommended that Precinct 3 be re-zoned to 'Residential' with an R50 density code.



LEGEND:

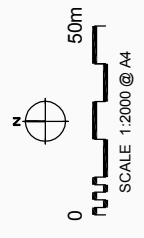
	CAFE / RESTAURANT.....*
	OFFICE.....
	RETAIL SHOP.....
	TOURISM USE.....
	OPEN SPACE / PARK.....
	HOTEL / MOTEL / RESTAURANT.....
	TOURIST ACCOMMODATION (short stay accommodation or caravan park).....
	COMMUNITY PURPOSE / SERVICES.....
	SERVICE STATION.....
	RESIDENTIAL HOUSE.....
	PRECINCT BOUNDARY.....
	S - Supermarket
	PB - Petrol Bowlers
	V - Vacant
	GD - Grouped Dwellings

PRECINCT 3 LAND USE PLAN
DENHAM TOWNSITE
SHIRE OF SHARK BAY

Figure 13



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This will allow residential development to continue however protect the area from any encroachment of commercial development such as shops, offices or restaurants which would be better located in the core central town centre area.

Council will still have discretion to consider tourist accommodation in this area.

Future Landuse and development in Precinct 3

Council shall have regard for the following when considering new development in Precinct 3;

- i. This area is most appropriate for residential and is an established residential street.
- ii. Some tourist accommodation or holiday houses can be accommodated where the use is of a low residential scale.
- iii. Hughes Street should be retained as a cul de sac.
- iv. Coastal views from these lots need to be protected by limiting building heights in precinct 2.

4.3.2.4 Precinct 4 in the Town Centre

4.3.2.4.1 Precinct 4 Characteristics

Precinct 4 contains the most retail and commercial uses including a local supermarket (IGA), Caltex Service Station, Bakery/cafe, butcher, and laundromat inter-dispersed with tourist accommodation along Knight Terrace.

There is some conflict caused by the co-location of some commercial uses and short stay accommodation such as noise from delivery trucks, staff arrivals and departures, and constant traffic. The existing IGA is a historical development and its lack of parking and traffic circulation areas causes traffic issues on a busy intersection. A new supermarket in the central Town Centre zone (Precinct 1 or 2B) would better service the area.

A caravan park and short stay accommodation dominates the centre of Precinct 4, and consideration of landuse compatibility is an important issue.

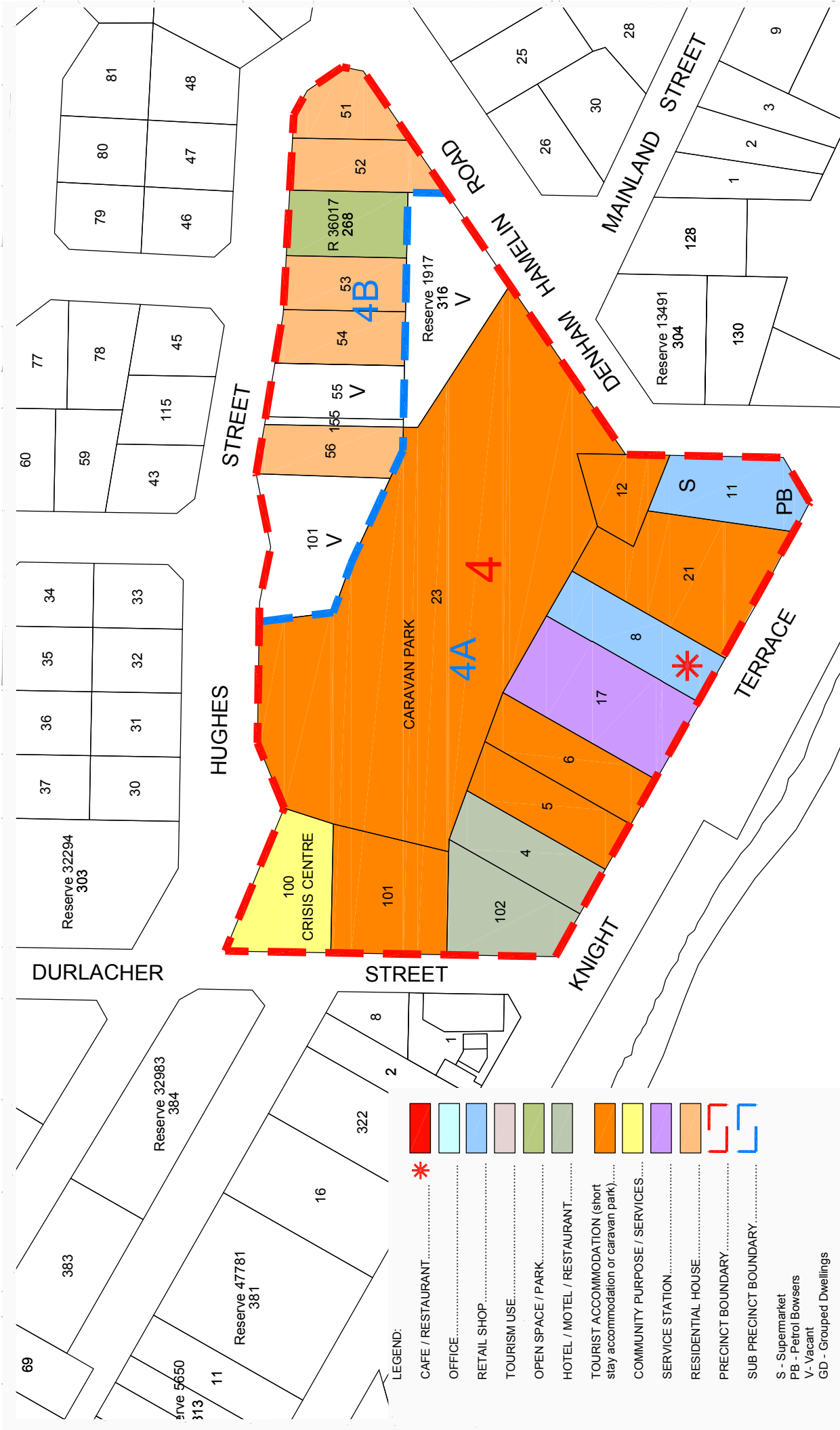
The lots in the north east portion of Precinct 4 are residential - refer Landuse Plan ([Figure 14](#)). Precinct 4B includes Reserve 36017 which is vested to the Shire and has been developed as 'Pioneer Park' with a war memorial.

Precinct 4 also contains Reserve 1917 which is crown land for 'government purposes'. Liaison will need to occur with the Department of Planning as to an appropriate zoning and may be dependent on any government plans for the land. The Shire has advised the land may be suitable for carparking.

This section of Knight Terrace is quite vibrant because of the mix of commercial uses and accommodation. The local bakery (with cafe attached) is very popular with locals and tourists so attracts people into the area. These types of uses need to be encouraged in the central Town Centre area, such as Precinct 1 and 2B.

4.3.2.4.2 Precinct 4 Strategy Recommendations

It is recommended that the majority of Precinct 4 be zoned from 'Town Centre' to 'Tourist' zone to separate its function from that of the core central Town Centre.



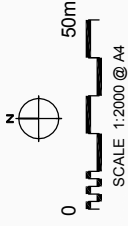
LEGEND:

	CAFE / RESTAURANT.....*
	OFFICE.....
	RETAIL SHOP.....
	TOURISM USE.....
	OPEN SPACE / PARK.....
	HOTEL / MOTEL / RESTAURANT.....
	TOURIST ACCOMMODATION (short stay accommodation or caravan park).....
	COMMUNITY PURPOSE / SERVICES.....
	SERVICE STATION.....
	RESIDENTIAL HOUSE.....
	PRECINCT BOUNDARY.....
	SUB PRECINCT BOUNDARY.....
	S - Supermarket
	PB - Petrol Bowers
	V - Vacant
	GD - Grouped Dwellings

PRECINCT 4 LAND USE PLAN
DENHAM TOWNSITE
SHIRE OF SHARK BAY

Figure 14

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It is recommended that the Hughes Street lots in Precinct 4B be zoned from 'Town Centre' to 'Residential' with an R50 density code.

The Shire could consider zoning the Reserve 36017 'Parks and Recreation' as part of a future Scheme review.

Future Landuse and development in Precinct 4

Council shall have regard for the following when considering new development in Precinct 4;

- i. High regard should be given to landuse compatibility for any new development and ensure a higher level of amenity for tourist accommodation in terms of noise.
- ii. Existing commercial development is recognised however the highest landuse priority should be tourist accommodation and services.
- iii. The residential uses on lots fronting Hughes Street act as an important buffer between the town centre and Denham's residential area to the north and should continue.
- iv. Any new development in proximity to Hughes Street should recognise the need to maximise protection of residential amenity for lots located to the north on Hughes Street.

4.3.2.5 Precinct 5 in the Town Centre

4.3.2.5.1 Precinct 5 Characteristics

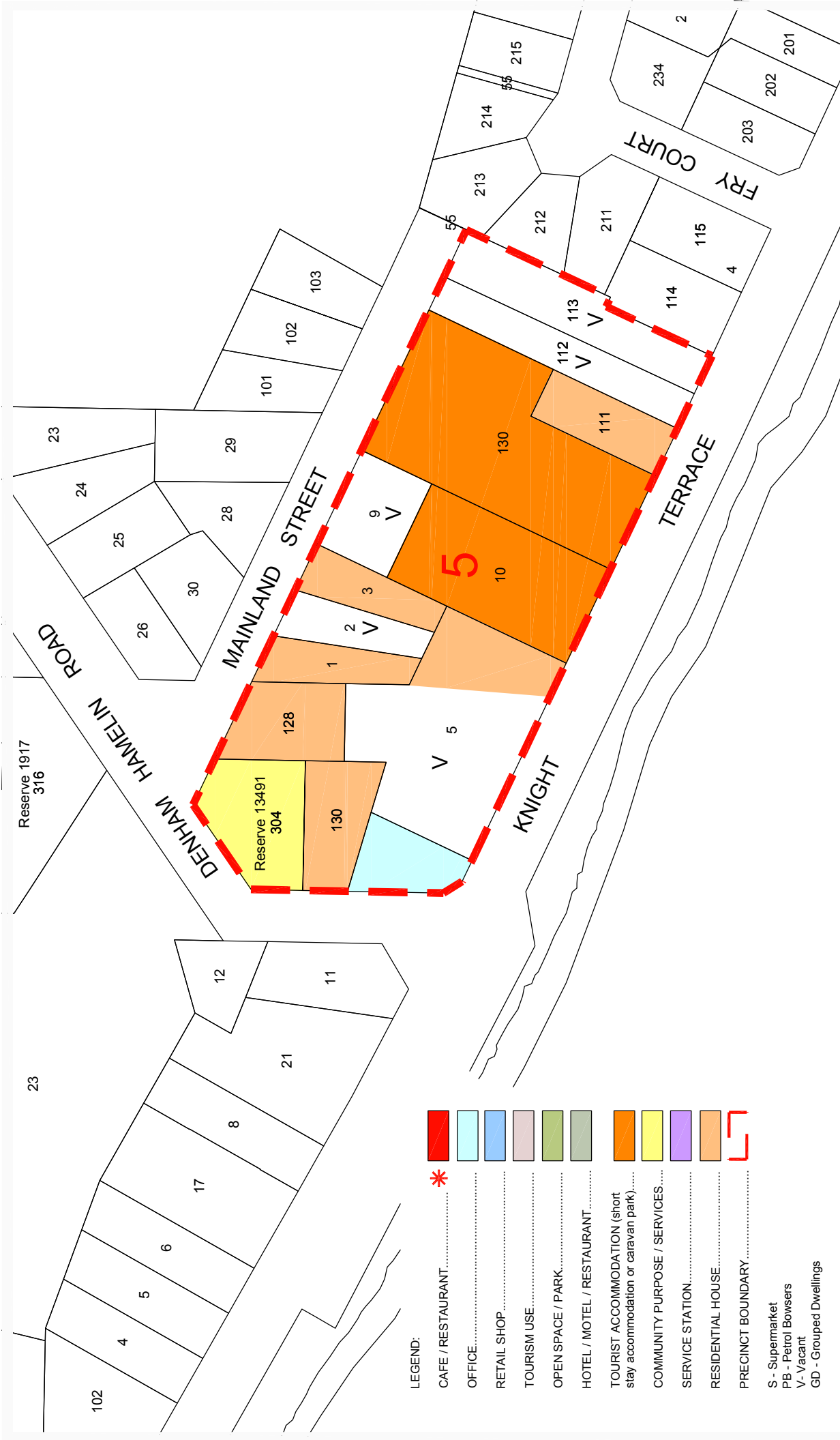
Precinct 5 is dominated by single residential dwellings and tourist accommodation. It still has further development potential with approximately a third being vacant land - refer Landuse Plan (Figure 15).

This is the most easterly part of the Town Centre zone and except for tourist accommodation and a small office on corner of Knight Terrace and Denham Hamelin Road (used for booking scenic flights), does not contain major commercial uses.

It is a relatively quiet area and the accommodation is well maintained and good quality. The amenity of the area is not disrupted by any noise or traffic associated with retail and commercial uses, particularly for the developed eastern portion of the precinct.

The two main tourist accommodation sites are located on Lots 10 and 130, being the 'Bay Lodge Backpackers' and the 'Oceanside Village'. Due to the topography some of the units for 'Oceanside Lodge' have access from Knight Terrace, and rear units front onto Mainland Street.

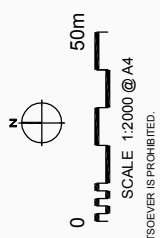
Reserve 13491 is located on the corner of Mainland Street and Denham Hamelin Road. It currently contains a dilapidated building however is proposed to be redeveloped by the Shire with a new Telecentre building. Access into the site will need to be carefully managed due to steep topography.



- LEGEND:**
- * CAFE / RESTAURANT.....
 - OFFICE.....
 - RETAIL SHOP.....
 - TOURISM USE.....
 - OPEN SPACE / PARK.....
 - HOTEL / MOTEL / RESTAURANT.....
 - TOURIST ACCOMMODATION (short stay accommodation or caravan park).....
 - COMMUNITY PURPOSE / SERVICES.....
 - SERVICE STATION.....
 - RESIDENTIAL HOUSE.....
 - PRECINCT BOUNDARY.....
 - S - Supermarket
 - PB - Petrol Bowers
 - V - Vacant
 - GD - Grouped Dwellings

PRECINCT 5 LAND USE PLAN
DENHAM TOWNSITE
SHIRE OF SHARK BAY

Figure 15
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 perth@graylewis.com.au





Streetscape showing tourist accommodation fronting eastern section of Knight Terrace

4.3.2.5.2 *Precinct 5 Strategy Recommendations*

Existing mixed retail, commercial and tourist accommodation developments in Precinct 4 have resulted in landuse conflict. It is considered important to protect the developed eastern portion of Precinct 5 from similar types of conflicts.

The Shire seeks to retain the western portion of Precinct 5 as 'Town Centre' as it has vacant land available for commercial development.

It is recommended that the eastern portion of Precinct 5 which is developed with quality tourist accommodation be rezoned from 'Town Centre' to 'Tourist' zone. The amenity of the area needs to be protected.

Future Landuse and development in Precinct 5

Council shall have regard for the following when considering new development in Precinct 5;

- i. Continue to support development for tourist accommodation, particularly in the eastern portion.
- ii. High regard should be given to landuse compatibility for any new development and ensure a higher level of amenity for tourist accommodation in terms of noise.
- iii. Maintain the character of the precinct which makes it attractive to tourists and protect the amenity of developed tourist accommodation sites.
- iv. Maintain flexibility for commercial and retail uses to develop on vacant land in the western portion of the precinct (being retained as Town Centre zone), however provide suitable buffers and ensure existing development is not negatively impacted on by noise, loading/unloading areas and traffic.

Planning Implications:

- The existing Town Centre zone is extensive and has resulted in a wide range and mix of landuses along Knight Terrace. Whilst there is flexibility, unless well controlled, development may continue in an ad hoc manner.
- The existing Town Centre Strategy is a sound basis for strategic planning however requires updating. A consolidated Town Centre area is recommended to try and focus retail uses within one core central place.
- The Town Centre zone has been reviewed having regard to the predominant role and landuses of each precinct. The existing Town Centre Strategy will be replaced by this Local Planning Strategy and a new Town Centre Strategy map (Attachment 1).
- Retail activities need to be concentrated in the central area to create a vibrant mix of landuses to attract people into a core activity hub. Office developments need to be complemented with uses that will provide some night life in the Town, and that attract people into the area.
- There is opportunity to zone the furthestmost western and eastern sections of the town centre to residential and / or tourist zones, as they predominantly contain residential dwellings and tourist accommodation.
- Areas for tourist and short stay accommodation need to be protected from landuses that create conflict through noise and traffic. Areas dominated by tourist accommodation should become 'Tourist' zones with limitations on the types of commercial uses that can co-locate.
- The Shark Bay World Heritage Discovery centre plays an important role in the town centre and attracts tourists into the townsite. The new government office space adjacent to the visitor centre provides an opportunity for new streetscape elements and pedestrian links. A core Town Centre area can be built around these landmark buildings.
- There is opportunity to relocate the Shire offices however this matter needs to be considered by Council having regard to budgetary considerations.
- There are a lack of comprehensive subdivision controls for the Town Centre.

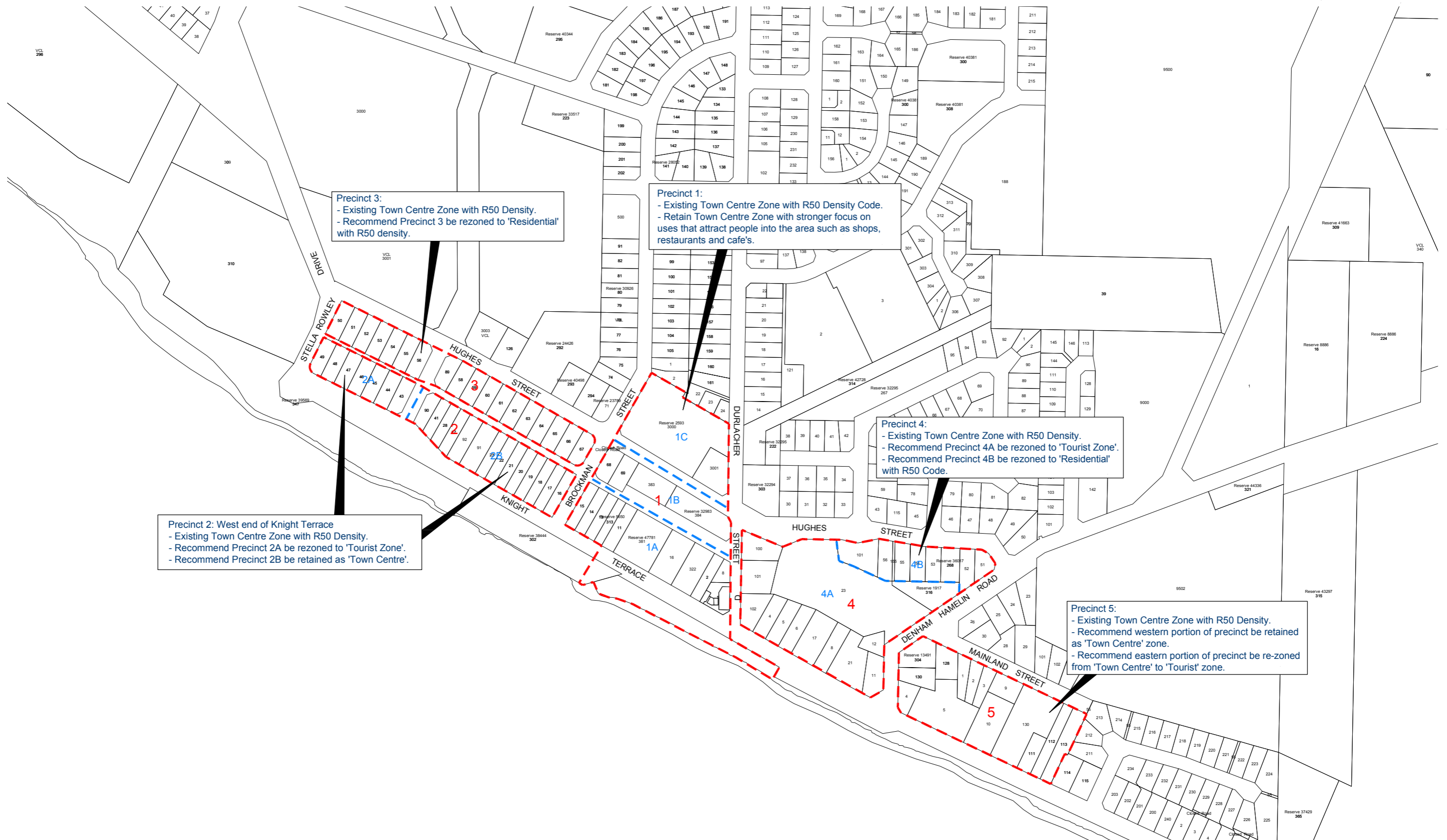
4.3.3 Specific recommendations for existing and future retail and commercial uses (Town Centre)

As part of any future scheme review it is recommended that the extent of the Town Centre zone be reduced so that the Shire can have greater control over the priority areas for retail development, and enable greater separation of landuses into specific precincts.

The existing Town Centre zone has a high level of flexibility however limits the Shires ability to implement it's existing Town Centre Strategy because there is such broad discretion over landuses in an extensive Town Centre area.



A reduced Town Centre zone will allow the Shire to focus commercial and retail uses into a central precinct to try and develop a more cohesive and recognisable Town Centre core.

Draft new scheme provisions are included in Table 3. Figure 16 includes a summary of the recommendations for zoning changes for the different precincts in the existing Town Centre zone. Revised landuse controls will also need to be examined as part of a separate future Scheme review.



PRECINCTS PLAN - SUMMARY OF PROPOSED ZONING CHANGES
DENHAM TOWN CENTRE ZONE
SHIRE OF SHARK BAY

LEGEND

-  PRECINCTS (as defined in the Denham Town Centre Strategy)
-  SUB PRECINCTS

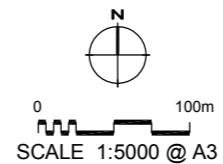


Figure 16
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 perth@graylewis.com.au

TABLE 3
Specific recommendations for existing and future retail and commercial uses

No.	Summary	Draft provisions
1.	<p>Modify the Scheme provisions for the revised and consolidated Town Centre zone.</p> <p>Recommend new objectives for the Town Centre zone.</p>	<p>Identified for Precincts 1, 2B and west portion of Precinct 5 in the Town Centre.</p> <p><i>“Town Centre Zone:</i></p> <p><i>The objectives for this zone are to:</i></p> <ul style="list-style-type: none"> a) <i>To ensure the Town Centre is the principal place for business, administration, retail shopping and provides for a range of commercial uses.</i> b) <i>To actively encourage the establishment of retail uses and commercial activity that attracts people into the Town Centre and contribute towards the vibrancy of the Town Centre.</i> c) <i>To limit the extent of short stay and residential accommodation in the Town Centre.</i> d) <i>To encourage a high standard of development with good quality architecture, landscaping, and adequate carparking.</i> e) <i>To implement the Local Planning Strategy and Town Centre Strategy plan to guide and promote development.</i> f) <i>To ensure that new development provides elements that promote a marine and coastal theme based on historic identity of the town as a fishing village and the unique environment represented by Shark Bays World Heritage Listing.</i> g) <i>To limit the height of buildings so as to substantially protect the views of lots between Hughes Street and the foreshore.</i> h) <i>To ensure subdivision in the Town Centre does not occur in an ad hoc manner and maximise future robustness of lots to be able to be developed for a wide range of commercial uses.’</i>
2.	<p>Modify the Scheme provisions for the revised and consolidated Town Centre zone.</p> <p>Retain existing site requirements under Clause 5.10.3 – 5.10.4 however include new design and development requirements for the Town Centre zone.</p>	<p>Identified for Precincts 1, 2B and west portion of Precinct 5 in the existing Town Centre.</p> <p><i>“5.10.2 Design Requirements</i></p> <p><i>Development in the Town Centre zone shall comply with the following;</i></p> <ul style="list-style-type: none"> a) <i>Any shop or other commercial development along Knight Terrace shall include a front awning or other form of architectural detail which is capable of providing shelter and weather protection for pedestrians.</i> b) <i>Any development on a corner lot shall be designed as a landmark building and address the two corner street frontages with the primary focus on Knight Terrace as the main street.</i>

No.	Summary	Draft provisions
2.	Continued.	<p>c) Any development on a lot that has double road frontage shall be designed to include architectural features and details to the rear building facade.</p> <p>d) Where rear access is available and practical, new development shall ensure the main building facade addresses Knight Terrace with rear and / or side carparking.</p> <p>e) Buildings should present facades that are attractive and inviting, which harmoniously relate to good quality development in the vicinity, and have regard to climate.</p> <p>5.10.3 Development requirements</p> <p>In considering an application for planning approval for a proposed development (including additions or alterations to an existing development) in the Town Centre Council shall have regard to the following:</p> <p>a) Opportunities to integrate the building layout and design with adjoining development and determine carparking layout, vehicular access and pedestrian circulation;</p> <p>b) The colour, texture and external materials. Council may require expanses of glass fronting the primary street and walls visible from any road or public place to be painted;</p> <p>c) The building size, height, bulk and roof pitch and whether the development design contributes positively towards the streetscape;</p> <p>d) The setback and location of the building as it relates to existing surrounding good quality development;</p> <p>e) The function of the building;</p> <p>f) The need to ensure that the rear of buildings fronting Knight Terrace as viewed from public roads and places be treated aesthetically well to ensure they do not detrimentally impact on surrounding streetscape;</p> <p>g) The need to limit building heights in accordance with the objectives of the zone to substantially protect views of lots between Hughes Street and the foreshore;</p> <p>h) The extent to which the development complies with the objectives of the zone, Town Centre Strategy and any relevant Local Planning Policy. “</p>
3.	<p>Modify the Scheme provisions for the revised and consolidated Town Centre zone to reduce and limit encroachment of residential development and / or short stay accommodation.</p> <p>Retain existing site requirements however include a new clause 5.10.4.</p>	<p>Identified for Precincts 1, 2B and west portion of Precinct 5 in the existing Town Centre.</p> <p>“5.10.4 Despite any other provision in the Scheme the local government may only approve residential development and / or short stay accommodation in the Town Centre where:</p> <p>a) The lot is not located on land identified as being prime for commercial and retail development in the Local Planning Strategy; or</p> <p>b) Council considers the use is compatible with surrounding landuses; and</p>

No.	Summary	Draft provisions																
3.	Continued.	<p>c) <i>In the case of grouped or multiple dwellings the dwellings form part of a mixed use development with a substantial commercial component on the ground floor; and</i></p> <p>d) <i>In the case of short stay accommodation the development is considered to be of a high quality and includes public facilities, shops or public spaces which will attract people into the Town Centre."</i></p>																
4.	Introduce a new Tourist zone	<p>Identified for Precincts 2a, 4a and east portion of Precinct 5 in the existing Town Centre.</p> <p><i>"Tourist Zone:</i></p> <p><i>The objectives for this zone are to:</i></p> <p>a) <i>Ensure the Tourist zone is the principal location for tourist facilities and accommodation;</i></p> <p>b) <i>To cater for commercial landuses predominately associated with provision of services to tourists or that are compatible with surrounding tourist uses;</i></p> <p>c) <i>To protect and wherever possible enhance the special characteristics and amenity of the area that are attractive to tourists;</i></p> <p>d) <i>The need to minimise encroachment of commercial development and retail uses that do not directly relate to tourism or tourist uses;</i></p> <p>e) <i>To ensure that any development is compatible with short stay and tourist accommodation and do not negatively impact on surrounding properties by virtue of noise, emission, traffic or the like. "</i></p>																
5.	<p>Introduce new requirements for Tourist zone</p> <p>Note: The new Tourist zone to be included as Clause 5.11. Clauses 5.11 – 5.15 to be re-numbered.</p>	<p>Identified for Precincts 2a, 4a and east portion of Precinct 5 in the existing Town Centre.</p> <p>"5.11 TOURIST ZONE</p> <p>5.11.1 Standards</p> <p><i>The local government shall apply the following standards within the Tourist Zone.</i></p> <table border="1" data-bbox="676 1451 1399 2031"> <thead> <tr> <th data-bbox="676 1451 895 1514">Use</th> <th data-bbox="895 1451 1054 1514">Setbacks</th> <th data-bbox="1054 1451 1206 1514">Site Coverage</th> <th data-bbox="1206 1451 1399 1514">Landscaping</th> </tr> </thead> <tbody> <tr> <td data-bbox="676 1514 895 1576"><i>Residential</i></td> <td colspan="3" data-bbox="895 1514 1399 1576"><i>In accordance with the Residential Design Codes</i></td> </tr> <tr> <td data-bbox="676 1576 895 1944"><i>Motel, Hotel, tavern, caravan parks, short term accommodation</i></td> <td data-bbox="895 1576 1054 1944"><i>To the discretion of Council having due regard to the Building Code of Australia and other relevant regulations</i></td> <td data-bbox="1054 1576 1206 1944">80%</td> <td data-bbox="1206 1576 1399 1944">10%</td> </tr> <tr> <td data-bbox="676 1944 895 2031"><i>Shops, offices and other commercial</i></td> <td data-bbox="895 1944 1054 2031">Nil</td> <td data-bbox="1054 1944 1206 2031">80%</td> <td data-bbox="1206 1944 1399 2031">10%</td> </tr> </tbody> </table>	Use	Setbacks	Site Coverage	Landscaping	<i>Residential</i>	<i>In accordance with the Residential Design Codes</i>			<i>Motel, Hotel, tavern, caravan parks, short term accommodation</i>	<i>To the discretion of Council having due regard to the Building Code of Australia and other relevant regulations</i>	80%	10%	<i>Shops, offices and other commercial</i>	Nil	80%	10%
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<i>Shops, offices and other commercial</i>	Nil	80%	10%															

No.	Summary	Draft provisions
5.	<p>Introduce new requirements for Tourist zone</p> <p>Continued.</p>	<p>5.11.2 Design Requirements</p> <p><i>Development in the Tourist zone shall comply with the following;</i></p> <ul style="list-style-type: none"> a) <i>Any development along Knight Terrace shall include a front awning or other form of architectural detail which is capable of providing shelter and weather protection for main building entrances;</i> b) <i>Any development on a corner lot shall be designed as a landmark building and address the two corner street frontages with the primary focus on Knight Terrace as the main street;</i> c) <i>Notwithstanding Clause 5.11.1 or any other standard in the Scheme, any new commercial or short stay accommodation is to be sited having regard for established setbacks of existing developments in the immediate vicinity;</i> d) <i>Buildings should present facades that are attractive and inviting, which harmoniously relate to good quality development in the vicinity, and have regard to climate;</i> e) <i>Building facades should be designed to contribute positively to the existing streetscape and preserve the character of the area which is attractive to tourists.</i> <p>5.11.3 Development requirements</p> <p><i>In considering an application for planning approval for a proposed development (including additions or alterations to an existing development) in the Tourist zone Council shall have regard to the following:</i></p> <ul style="list-style-type: none"> a) <i>Opportunities to integrate the building layout and design with adjoining development and determine carparking layout, vehicular access and pedestrian circulation;</i> b) <i>The colour, texture and external materials;</i> c) <i>The building size, height, bulk and roof pitch and whether the development design contributes positively towards the streetscape;</i> d) <i>The setback and location of the building as it relates to existing surrounding good quality development;</i> e) <i>The function of the building;</i> f) <i>The need to limit building heights in accordance with the objectives of the zone to substantially protect views of lots between Hughes Street and the foreshore;</i> g) <i>Opportunities for buildings to address available street frontages;</i> h) <i>The need to ensure that the amenity of any adjacent residential zone is protected;</i> i) <i>The extent to which the development complies with the objectives of the zone, Local Planning Strategy , Town Centre Strategy Plan and any relevant Local Planning Policy.</i>

No.	Summary	Draft provisions
5.	<p>Introduce new requirements for Tourist zone</p> <p>Continued.</p>	<p>5.11.4 Carparking standards</p> <p><i>Carparking shall be provided in accordance with Table 2 : Carparking Requirements however Council shall also have regard for any need to provide for tourist buses and/ or staff.</i></p> <p>5.11.5 Loading and Unloading</p> <p><i>Where areas for the loading and unloading of vehicles carrying goods and commodities to and from the premises are to be provided they shall be constructed and maintained in accordance with a plan approved by the local government thereto. “</i></p>
6.	<p>Zoning existing residential areas in the Town Centre zone to 'Residential' with an R50 Density Code</p>	<p>Identified for Precincts 3 and 4B in the Town Centre zone. Map change – refer Figure 18.</p> <p>Includes lots 50-56 Hughes Street, Lot 89 Hughes Street, Lots 58-67 Hughes Street in Precinct 3 and Lots 51-56 Hughes Street and Lot 101 Hughes Street.</p>
7.	<p>Introducing general provisions where Council has discretion to require a Detailed Area Plan (DAP) prior to development.</p>	<p>The following are Draft provisions which will be refined as part of a separate Scheme review:</p> <p>“7.1 DETAILED AREA PLANS</p> <p><i>7.1.1(a) The Council or the Commission may, by notice in writing, require a person to prepare and submit to the Council a detailed area plan within the time specified in the notice.</i></p> <p><i>7.1.1(b) The Council or the Commission may require lodgement of a Detailed Area Plan prior to development or as a condition of subdivision approval.</i></p> <p><i>7.1.1(c) A person may prepare and submit to the Council a detailed area plan.</i></p> <p><i>7.1.2 A Detailed Area Pan may be prepared by the local government or an owner.</i></p> <p><i>7.1.3 In considering a requirement for lodgement of a Detailed Area Plan prior to development or as a condition of subdivision, the Council may have regard for matters as follows:</i></p> <ul style="list-style-type: none"> <i>(i) The need for co-ordinated development on lots in a defined area, location or streetblock.</i> <i>(ii) The need to achieve a quality streetscape and development outcome on lots that are iconic or prominent development sites.</i> <i>(iii) The need to ensure new development is consistent with the Shire of Shark Bay Local Planning Strategy and Town Centre Strategy.</i> <i>(iv) The relationship of new development to surrounding development and zones.</i>

No.	Summary	Draft provisions
7.	<p>Introducing general provisions where Council has discretion to require a Detailed Area Plan (DAP) prior to development.</p> <p>Continued.</p>	<p>7.1.4 <i>A detailed area plan is to relate to a particular lot or lots and may be prepared and submitted:</i></p> <ul style="list-style-type: none"> <i>(i) To enhance, elaborate or expand on the details or provisions contained in a proposed Outline Development Plan or an approved Outline Development Plan;</i> <i>(ii) To enhance, elaborate or expand on future development requirements for any lot or lots contained in a proposed Subdivision or an approved Subdivision;</i> <i>(iii) In place of a development approval required to comply with clause 2.5 of the Residential Design Codes (2002);</i> <i>(iv) To enhance, guide, elaborate or expand on future development requirements for any existing lot or lots; or</i> <i>(v) for any other planning purpose.</i>
7.	<p>Introducing general provisions where Council has discretion to require a Detailed Area Plan (DAP) prior to development.</p> <p>Continued.</p>	<p>7.1.5 <i>The Shire may require a detailed area plan to include details such as:</i></p> <ul style="list-style-type: none"> <i>(a) building envelopes and setbacks;</i> <i>(b) distribution of land uses within a lot;</i> <i>(c) private open space;</i> <i>(d) services;</i> <i>(e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;</i> <i>(f) the location, orientation and design of buildings and the space between buildings;</i> <i>(g) advertising signs, lighting and fencing;</i> <i>(h) landscaping;</i> <i>(i) finished site levels, retaining walls and drainage;</i> <i>(j) protection of sites of heritage, conservation or environmental significance;</i> <i>(k) special development controls and guidelines;</i> <i>(l) visual impact to Shark Bay world heritage property;</i> <i>(m) Coastal setbacks; and / or</i> <i>(n) such other information or supporting written information and reports considered relevant by the Council.</i> <p>7.1.6 <i>Council has discretion to advertise a Detailed Area Plan or proposed variation or modification to a Detailed Area Plan for public comment in accordance with Clause 9.4.</i></p>

No.	Summary	Draft provisions
7.	<p>Introducing general provisions where Council has discretion to require a Detailed Area Plan (DAP) prior to development.</p> <p>Continued.</p>	<p>7.1.7 <i>The Council is to:</i></p> <ul style="list-style-type: none"> (i) <i>approve the detailed area plan (with or without modification); or</i> (ii) <i>refuse to approve the detailed area plan and, where the proposed detailed area plan was submitted by an owner, give reasons for this to the owner.</i> <p>7.1.8 <i>If within 60 days of receiving a detailed area plan or such longer period as may be agreed in writing between the person and the Council, the Council has not made one of the determinations referred to in clause 7.1.7, the Council is deemed to have refused the detailed area plan.</i></p> <p>7.1.9 <i>The Council is to forward a copy of the detailed area plan to the Commission within 14 days of approving the detailed area plan.</i></p> <p>7.1.10 <i>Once approved by the Council, the detailed area plan is to be used as the basis for determining development applications with respect to the land subject to the detailed area plan, and where relevant, making recommendations to the Commission on subdivision applications.</i></p> <p>7.1.11 <i>Where a Detailed Area Plan is required as a condition of an Outline Development Plan or subdivision that has been approved or endorsed by the Commission, then the Detailed Area Plan shall require approval of the Council and endorsement by the Commission.</i></p> <p>7.1.12 <i>An approved detailed area plan may be modified or varied with the approval of the Shire of Shark Bay.</i></p> <p>7.1.13 <i>The Council is to forward a copy of the modification or variation to the detailed area plan to the Commission within 14 days of approving the modification or variation.”</i></p>

A plan showing the proposed zonings for the existing Denham Town Centre zone is included as [Figure 17 and 18](#).

4.3.3.1 Subdivision in the Town Centre

There is a lack of larger lots in the Town Centre capable of supporting any commercial use with larger land requirements. The Shire’s Scheme is silent on subdivision and provides little or no controls over subdivision of land in the Town Centre.



PRECINCTS PLAN - DRAFT ZONING
DENHAM TOWN CENTRE ZONE
SHIRE OF SHARK BAY

- LEGEND**
- R50 RESIDENTIAL R50 (PROPOSED)
 - TOWN CENTRE (RETAIN EXISTING ZONE)
 - TOURIST (PROPOSED)

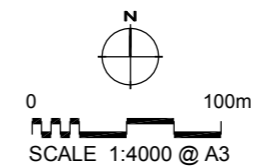
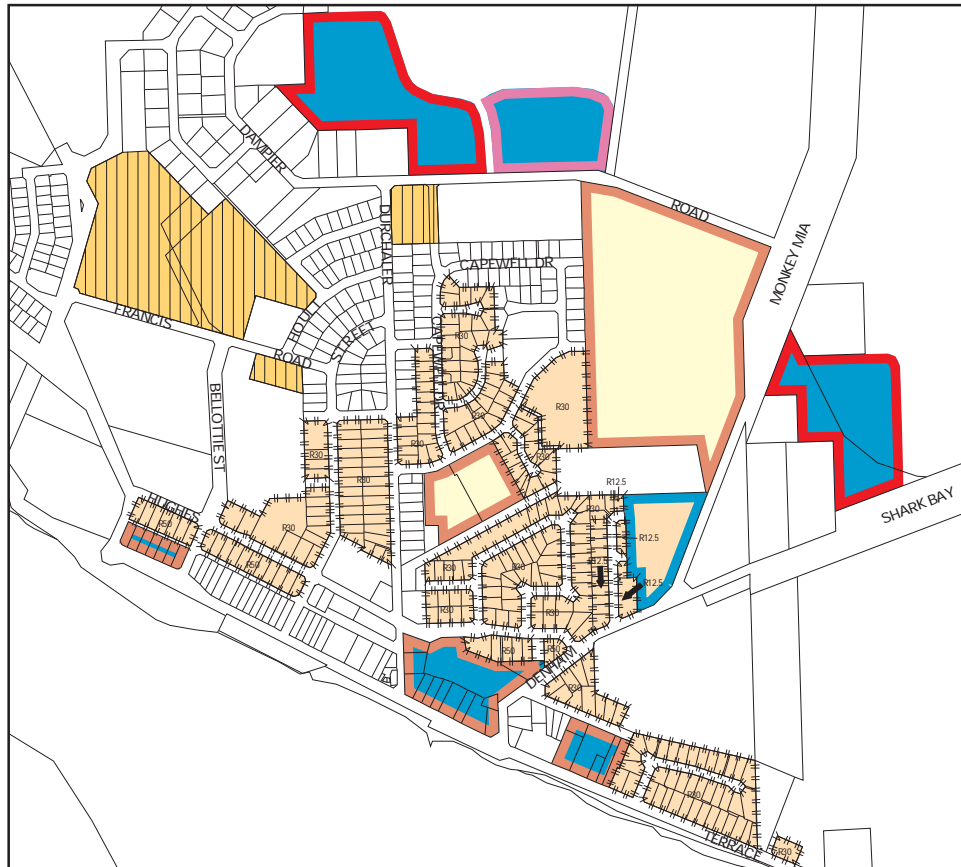


Figure 17
 Suite 5, 2 Hardy Street
 South Perth, WA 6151
 T (08) 9474 1722
 F (08) 9474 1172
 perth@graylewis.com.au



LEGEND

LPS Cadastre - Capture data

Shark_Bay Z 3

SERVICE COMMERCIAL

ENTERPRISE COMPOSITE

COMMUNITY

RESIDENTIAL DEVELOPMENT

RESIDENTIAL

HOLIDAY ACCOMMODATION

TOURIST

TPS Amendment Rcodes



Government of **Western Australia**
Department of **Planning**

SHIRE OF SHARK BAY

DRAFT LOCAL PLANNING SCHEME

FIGURE 18-SUMMARY OF PROPOSED ZONING



Scale 1:16000

0 250 m

It is important to ensure that ad hoc subdivision does not occur in the Town Centre as smaller lot sizes would not be able to sustain the commercial uses permissible in the zone, and adequate on site carparking, access, loading areas and landscaping. Creation of smaller lots may limit future development opportunities to residential or holiday accommodation, but not necessarily in locations where those landuses are deemed compatible or represent the best use of the land.

This problem was recently highlighted as a subdivision application was lodged to subdivide Lot 23 Knight Terrace into two lots of 400m² and 611m² (WAPC: 28-12). The lots were of an insufficient size to accommodate any commercial development, and proposed an undesirable lot configuration with a battleaxe lot. The subdivision was refused by the WAPC, however brought to light inadequacies of the existing Scheme.

It is recommended that any future Scheme review introduce scheme provisions and controls over subdivision of land in the Town Centre zone and address issues such as :

1. The discretionary ability for the Council and WAPC to require an Outline Development Plan prior to subdivision in the Town Centre zone.
2. Allowances for commercial subdivision and strata proposals which recognise quality existing developments or where new development has been granted planning approval and has been constructed to plate height.
3. Provision for Council to have regard for matters such as:
 - The adequacy of the proposed lot sizes to support commercial uses in the Town centre zone to the satisfaction of the Shire.
 - The demonstrated ability of the lot size to provide for commercial access, on site carparking and loading areas as associated with commercial development.
 - The ability of the proposed lots to provide for adequate on site landscaping and setbacks.
4. Subdivision is not to be based on older substandard development where lots have significant redevelopment potential (ie low quality holiday accommodation shacks)
5. Battle-axe subdivision should be actively avoided in the Town Centre zone, unless it is to recognise quality developments as outlined in Point 2.
6. Residential strata and subdivision may be supported where development approvals are in place (subject to a condition that development be constructed to plate height prior to clearance) and / or where development has been completed and is of a high quality. Older substandard developments should not be used as sufficient justification for subdivision unless they are significant buildings.
7. The Scheme provisions should restrict the R50 density code to residential development, so it cannot be used as a legal argument to allow small lot subdivision in the Town Centre zone.

The issue of subdivision in the Town Centre will be examined as part of a future Scheme review, and this Strategy does not attempt to draft new scheme provisions for subdivision. The matter is highlighted as a strategic issue for the Shire and WAPC.

There may need to be a broad clause introduced in the Shires Scheme whereby Council is given the discretion to require an Outline Development Plan to guide subdivision of strategic sites or where a co-ordinated approach is required, for any zone.

4.4 Existing and future Tourist Accommodation and Uses

4.4.1 Background

It is difficult to separate the commercial uses, tourist uses and tourist accommodation as they are intermingled within the Denham town centre. In light of the above, tourist uses and tourist accommodation developed throughout the existing 'Town Centre' zone have already been discussed in [Section 4.3.2](#).

Denham townsite is well serviced by a range of tourist accommodation including caravan parks (which have been shown on the Strategy map and/or Landuse Precinct Maps), self contained accommodation units and hotel/motels.

Additional tourist accommodation may occur outside the town centre as:

- (1) The existing Scheme allows for 'short term accommodation' as a discretionary use in the Residential zone and;
- (2) Some limited additional tourist accommodation may occur (and is permissible) in Special Use zones, however the majority of development in these areas is likely to be residential.

4.4.2 Area 15 : Lot 296 Stella Rowley Drive

Lot 296 is the last large site in the Denham townsite adjacent to the coast which has not been developed. It has an area of approximately 6.1 hectares and is zoned 'Special Use – 13' under the Scheme.

Specific provisions apply to the land under Schedule 4 of the Scheme including requirements for a foreshore management plan, allowance for 80% short stay accommodation and 20% residential, preparation of an ODP and that development be sympathetic to the location taking into account the built form, topography and landscape character of the surrounding area.

Lot 296 is Unallocated Crown Land and requests for 'Expression of Interest' have been invited on different occasions to identify appropriate developers and operators for a short term accommodation and tourist development on the site. It forms part of the government's Landbank and is available for release to ensure that there is an adequate supply of tourist development sites to meet future industry needs. The lack of interest to date may be reflective of the current market combined with the declining tourist numbers.

The Department of Regional Development and Lands (RDL) has advised that an Advisory Panel appointed by the Minister for Lands to consider applications for tourism development on the site recommended that when the site is next offered for development, that options be considered for making the lot into two or three smaller lots to encourage tourism development.

Lot 296 will only be developed when there is sufficient market demand and it is anticipated that a smaller portion of the site will be adequate to cater for long term tourist accommodation needs. There is already a good supply of short stay accommodation throughout the existing Town Centre and undeveloped nominated 'Tourist' areas within approved Outline Development Plans in other 'Special Use' zones.

The need to allow for 80% of accommodation for short stay as required under the current Scheme has become less critical from the Shire's perspective; although the Department of Regional Development and Lands (RDL) sees tourism as the highest and best landuse for the site.

The Shire is supportive of increasing flexibility over the permissible residential / short stay accommodation ratio to increase opportunities for future development options.

The Shire supports 60% of accommodation for tourist accommodation and 40% for residential. Although this ratio allows for an increased residential component than was supported by RDL, it should be recognised that Council has always had discretion to vary the percentage of accommodation for residential under the current Scheme provisions subject to endorsement by the Western Australian Planning Commission.

The Shire considers that a 60% ratio will still ensure that accommodation for tourists will be the dominant landuse and sees Lot 296 as an opportunity to provide for high quality housing with different attributes than other residential areas in Denham.

To facilitate development, increase opportunities and provide greater flexibility the number of permissible landuses need review. At the same time, Council needs to ensure that any development does not undermine the Town Centre zone.

It is recommended that the scheme provisions applicable to this land be broadened to allow for mixed use development and some incidental commercial uses. The current Scheme restrictions limiting the proportion of permanent residential units relative to the total number of accommodation units on the site to equal to or less than 20 percent is proposed to be modified to 40%.

The Shire's Scheme already requires development to be in accordance an ODP. The Shire would support a superlot subdivision by RDL to maximise potential for sale of 2 – 3 smaller lots for development. Given the significance of the site as identified by RDL and the Minister for Land's advisory panel, any future development or infill subdivision of the superlots should require preparation of an ODP.

4.4.3 Area 16 : Lots 309 – 310 Stella Rowley Drive

The Denham Seaside Caravan Park is located on Lot 310 and is in a good location close to services in town, the beach, foreshore area and has good road access. Adjacent Lot 309 is owned by the State of WA but in the past has been leased in association with the caravan park.

The lots are zoned 'Special Use -1' for short term accommodation, including caravan and camping areas, shop and associated uses as approved by the local government.

Retention of the lots in a special use zone is appropriate given the sites special characteristics, topography and proximity to the ocean. No changes to the scheme are recommended.

4.4.4 Area 17 : Lots 2 and 3 Spaven Way

A caravan park is also located in Spaven Way however development has only occurred on Lot 3 and adjacent Lot 2 remains vacant. This caravan park site is zoned 'Special Use - 2' and the Scheme allows for short term accommodation, including caravan and camping areas, shop and associated uses as approved by the local government.

Unlike the other caravan parks in town this site is surrounded by residential development, lacks exposure and does not have prime access to the foreshore or beach.

The Shire has received enquiries regarding other landuse opportunities for this site as the caravan park is reportedly struggling to remain viable. Although there is currently a lack of demand for residential lots, it is recommended that Area 14 be re-zoned to 'Residential Development' zone for the following reasons;

1. The caravan park can continue to operate under a 'Residential Development' zone however a change of zoning will increase future redevelopment opportunities.
2. There is scope for a wider range of landuse options in the 'Residential Development' zone including aged and dependent persons accommodation, grouped dwellings, and smaller scale commercial uses at the discretion of Council such as Bed and Breakfast, medical centre and retirement village.
3. Measures will still be in place to protect surrounding residential amenity as an Outline Development Plan is required and would be advertised for public comment.

Area 17 is not an ideal location for a caravan park and a Residential Development zone would be more consistent with the surrounding residential zone.

4.4.5 Other Special Use Tourist sites

There are a number of Special Use zones which are listed in 'Schedule 4 – Special Use Zone' of the Shire of Shark Bay Local Planning Scheme No 3. A copy of the existing Scheme provisions are included in [Attachment 2](#) for ease of reference.

Initially this Strategy was to focus on the Denham town centre and surrounds. A number of the existing Special Use zones are located in the main Denham Town Centre, are included on the Strategy map ([Figure 1](#)) and are already discussed in the Strategy text as summarised in [Table 4](#) below:

TABLE 4
Summary of Special Use zones in Denham Town Centre

Special Use Zone	Description of land	Strategy Reference (Map – Figure 1)	Strategy Reference (Text)
SU1	Lot 310 Stella Rowley Road, Denham and Unallocated Crown Land	Area 16	4.4.3
SU2	Lot 119 Spaven Way	Area 17	4.4.4
SU3	Part North Loc 59 Denham-Hamelin Road, Denham	Areas 2, 3 and 4	Area 2 – 4.1.2 Area 3 – 4.1.3 Area 4 – 4.1.4
SU4	Part North Loc 59 Denham Hamelin Road, Denham	Area 11	4.2.4

Special Zone	Use	Description of land	Strategy Reference (Map – Figure 1)	Strategy Reference (Text)
SU11		Edel Loc 90 Peron Road	Area 13	4.2.6
SU 12		Useless Loop	N/A – located outside of townsite	4.1.8
SU13		Lot 296 Stella Rowley Drive	Area 15	4.4.2

Note: The Special Use numbering originates from Schedule 4 of the Shire of Shark Bay Town Planning Scheme No 3 (Attachment 2)

Following a Councillor workshop it became apparent that there are some issues relating to the management of waste and rubbish for remote tourist sites which are all zoned ‘Special Use’. The Shire has identified that some tourist sites may benefit from some broadening of discretionary landuses and improved Scheme provisions.

The Shire requested that the Strategy be expanded to include some reference to the main tourist sites outside of Denham as follows;

4.4.5.1 Nanga

Nanga is zoned ‘Special Use’ (5) under the Scheme which allows for tavern, caravan park, shop, arts and craft centre, short term accommodation including caravan park, exhibition centre and staff accommodation – refer [Attachment 2](#).



Figure 19 - Existing ‘Special Use’ zone

Nanga caters for a wide range of accommodation and includes a resort, camping and caravan park sites, a restaurant and fuel facilities. The existing scheme provisions require all development to be in accordance with an Outline Development Plan.

No changes to the Special Use zoning is recommended, however due its remoteness, additional conditions for new development are proposed to ensure servicing, water supply and waste disposal issues are addressed for any future redevelopment or expansion.

The Shire has requested that the landuse options for development be broadened for Nanga for flexibility, as currently exists for other tourist sites such as Monkey Mia. It is considered that broadening of the discretionary uses can be supported as landuse controls exist through the existing Scheme requirement for an overall Outline Development Plan.

4.4.5.2 Overlander

The Overlander is a roadhouse located approximately 705 kilometres North of Perth, right on the junction of the Monkey Mia turnoff. It is located on Lot 174 which has an approximate area of 2.2 hectares.

The existing Special Use (6) zone allows for a range of uses including Service Station, Bulk Fuel, Shop, Restaurant, Transport Depot, Caravan Park, Camping Areas and Limited Transient Accommodation.

No changes to the zoning are proposed however it is recommended that the Scheme provisions be expanded to provide comprehensive landuse controls as follows:

- a. The existing Scheme reference to 'limited' Transient Accommodation is ambiguous and it would be clearer to use terminology of 'incidental' if the intention it to limit the amount and scale of accommodation.
- b. The Shires Scheme has no landuse definition for 'transient accommodation', therefore it is recommended the schedule refer to 'short stay accommodation' which is defined in the Scheme.
- c. The Scheme only allows for a 'service station' to operate on the site however there should be flexibility to also allow for a roadhouse (consistent with Special Use zone 7). The Scheme has two separate definitions for service station and roadhouse.
- d. There are no conditions for assessment of any future development or redevelopment.
- e. Normal planning issues such as waste management and on site effluent disposal would need to be addressed as part of any development. For any substantial development involving heavy traffic, a traffic management plan may be required.
- f. Any development should be referred to Main Roads WA for recommendation and comment as the North West Coastal Highway comes under MRWA care and control.

4.4.5.3 Billabong

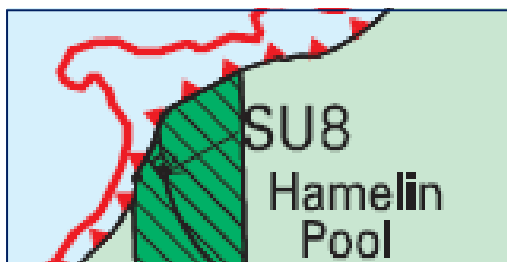
Special Use zone (7) consists of two separate lots with areas of approximately 2 hectares each. The Billabong Roadhouse and a motel are located in this zone.

The existing Special Use (7) zone allows for a range of uses including Roadhouse, Limited Short Term Accommodation, Wayside Hotel, Caravan Park, Service Station, Bulk Fuel Depot, Shop, Restaurant and Transport Depot.

No changes to the zoning are proposed however it is recommended that the Scheme provisions be expanded to provide clearer landuse controls as follows:

- a. The existing Scheme reference to 'limited' Short Stay Accommodation is ambiguous and it would be clearer to use terminology of 'incidental' if the intention it to limit the amount and scale of accommodation.
- b. There are no conditions for assessment of any future development or redevelopment.
- c. Normal planning issues such as waste management and on site effluent disposal would need to be addressed as part of any development. For any substantial development involving heavy traffic, a traffic management plan may be required.
- d. Any development should be referred to Main Roads WA for recommendation and comment as the North West Coastal Highway comes under MRWA care and control.
- e. The existing provisions refer to a 'wayside hotel'. The term 'wayside' has no relevance as the scheme definition is simply for a 'hotel'.

4.4.5.4 Hamelin Pool



Hamelin Pool Telegraph Station is a privately owned enterprise and features the historic Flint Cliff Telegraph Station and Post Office. The existing 'Special Use' (8) zone allows for tourist facilities (including short term accommodation), caravan park, camping areas and historic buildings.

Figure 20 - Existing 'Special Use' zone

Opened in 1884 the original building is now a museum which also exhibits a living Stromatolite. The old Postmaster's residence is now a tearoom serving Devonshire teas, light meals and refreshments. A caravan park and camping facilities are also available in this area.

No changes to the existing zoning is recommended however in recognition of existing landuses it is recommended that 'exhibition centre' and 'restaurant' be specifically listed in Schedule 4 applicable to this land.

4.4.5.5 Monkey Mia

Monkey Mia is located 24 kilometres from Denham and is the most well known area within the Shire due to the Monkey Mia Resort and as a place where people can view and interact with dolphins in a supervised environment.

The Monkey Mia Resort and facilities are located on Reserve 40727 which is vested to the Shire for 'Tourism purposes' and leased to a private operator. In addition to the resort which caters for different types of accommodation, facilities include a Visitors Information Centre, Caravan Park, shop, restaurant, barbecue, toilets, boat ramp and jetty.

Reserve 40727 is zoned 'Special Use' (9) under the Scheme which allows for a wide range of landuses mainly relating to tourist accommodation and associated tourist uses.

To the immediate west of the Monkey Mia resort is undeveloped land also within the same 'Special Use' zone consisting of Lot 501 which is unallocated crown land and Reserve 49107. There is potential for more tourist uses subject to meeting environmental requirements. The land could also cater for any future expansion of Monkey Mia.

4.4.5.6 Edel location 110

Edel location 110 is approximately 9 kilometres to the immediate south of the Denham townsite. It has been developed with tourist uses including an oceanarium, shark pond and kiosk.

The land was originally zoned 'Rural/Pastoral' under the Shires Scheme. Amendment 1 to the Scheme zoned the land to 'Special Use' (14) to recognise the existing landuses and to allow expansion of the kiosk to a restaurant.

The existing 'special use' zone is appropriate for the uses and no changes to the scheme are recommended.

4.4.5.7 Dirk Hartog Island

No Special Use zoning currently applies to any portion of Dirk Hartog Island. The Island is included in this section of the Strategy, as it examines 'Other Tourist sites' and a special use zone is being recommended for freehold titles on the island.

Dirk Hartog Island is approximately 80 km long, 14 km wide at the widest point, and covers an area of around 62,000 hectares. The island is famed as being the first place that Europeans landed in Australia, and for the commemorative plaque left by Dirk Hartog.

In 1879 the Western Australian government granted a pastoral lease on the island and historically at least part of the island has been inhabited by sheep.

In 1969 the pastoral lease was purchased by Sir Thomas Wardle, an ex-Lord Mayor and one-time grocery millionaire from Perth, but in 1989 the West Australian government decided to make all of the island (except for 97 hectares) part of the hugely expanded Dirk Hartog Island National Park which includes all the important sites in Shark Bay. A large portion of the island remained part of a pastoral lease under the stewardship of the Wardle family.

Since the early nineties the Dirk Hartog Island Lodge ('the Lodge') has operated as an ecotourism development with the owners accommodating small groups for part of the year. Access is available by boat, barge or light aircraft.

Apart from the Lodge there are currently 9 designated campsites on the island and four wheel drives can be transported to the island by barge. As part of the initial commitment to sustainable tourism, only 10 private vehicles (including tour operator vehicles) are permitted on the island at any one time.

It is widely recognised that the island, apart from its obvious historical importance, is important environmentally.

In January 2005 the Western Australian government announced it had reached agreement for Dirk Hartog Island in the World Heritage Listed Shark Bay region to become a national park. In a joint announcement, the Planning Minister and Environment Minister at that time advised that the long-term owners of the island had agreed to its transfer to the Conservation Commission.



Negotiations had involved the government buying out the lease and reducing the Wardle family's overall freehold ownership through a process of consolidating areas by offering other land parcels in exchange. The Shire was not involved in the negotiation process.

The government decision of 1989 to make the island a National Park was not implemented until the government signed an agreement with the owners in 2005. The pastoral lease continued in place until it was surrendered to the Crown in November 2009 and a National Park was created at that time.

Lot 62 is a freehold lot and contains the Lodge still operated by the Wardle's for some months every year. Covenants only apply to a portion of Lot 62 however they are administered by the Minister for Lands.

Lots 303, 304 and 305 on the island are also freehold lots originally transferred to the Wardle's- some of these have been sold and/or are for sale. There are covenants on Lots 303 – 305 which allow for low impact eco-tourism, however they are currently in conflict with the existing zoning.

The government did not re-zone any of the land as part of negotiations, so the island remains in the 'Rural/Pastoral' zone. It is also within a Special Control Area which on the scheme map covers the World Heritage Area, requires planning approval and has specific requirements.

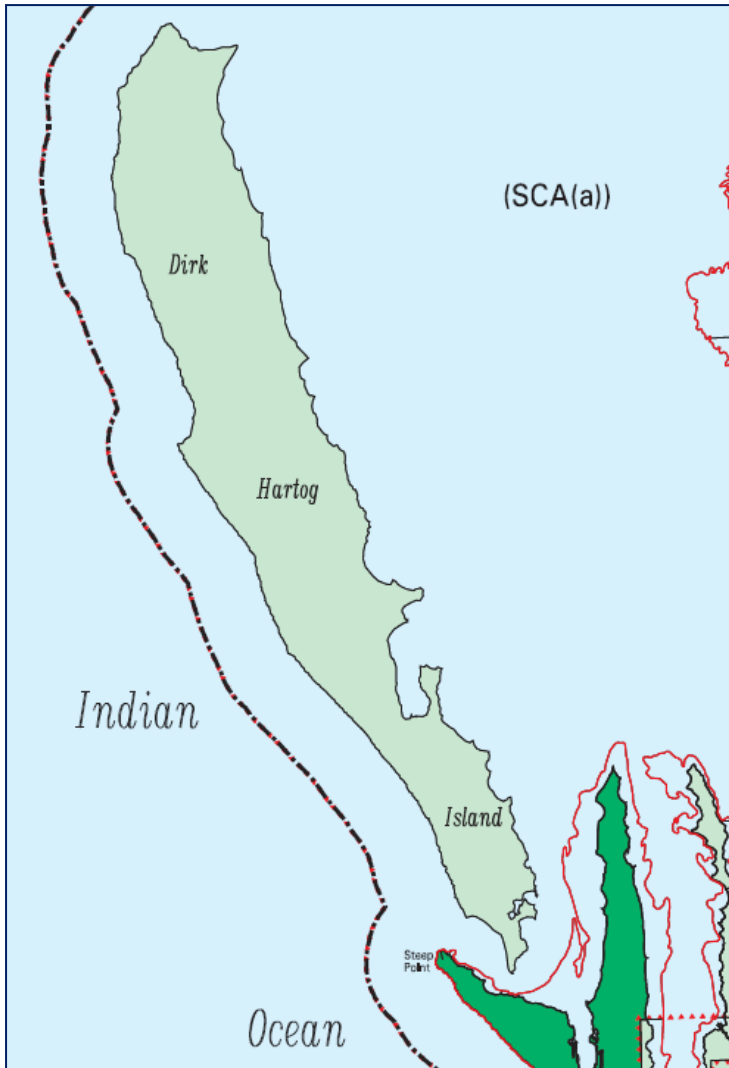


Figure 21 - Existing 'Rural/Pastoral' zone of Dirk Hartog Island

A portion of Dirk Hartog island consists of Reserve 50325 which is a 62,926 hectare Class A reserve under DEC control as a national park.

The Island has some other reserves under Department of Planning ownership for 'government purposes'.

The island has a number of reserves at Cape Inscription and a portion of land south of the former homestead has been reserved for the use and benefit of Aboriginal people.

All of the national park and government controlled land should be zoned from 'Rural/Pastoral' to 'Conservation' to reflect its environmental importance (in consultation with DEC and Department of Planning).

There is already a 'Conservation' zone listed under Clause '3.1 Reserves' in the Shires Scheme. Any development in this zone would be referred to the relevant authority, which in most cases will be DEC.

It is recommended that all of the freehold lots inclusive of Lot 62, Lot 303, Lot 304 and Lot 305 be zoned from 'Rural/Pastoral' to a 'Special Use' zone with specific landuse requirements.

The Shire has concerns that as the local authority it will be left to deal with issues such as access, servicing, waste and rubbish management as the freehold lots on the island become developed.

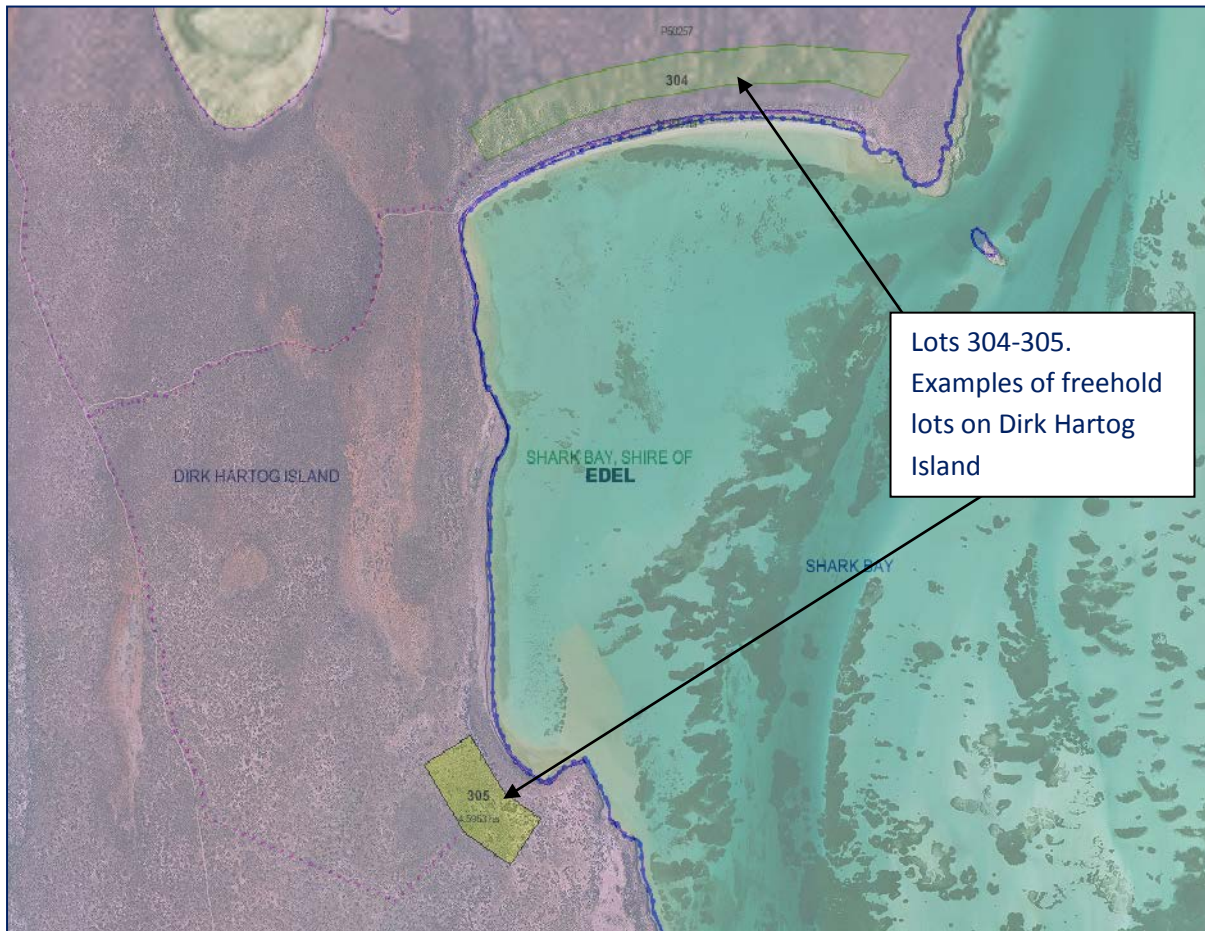


Figure 22 – Examples of freehold lots on Dirk Hartog Island

It is understood that there are some logistic and environmental issues over the transport of materials for construction for any new development on the island as any boats have to cross through the World Heritage Area.

Planning Implications:

- As outlined in Part 2 of the Strategy the Denham townsite is considered to be well serviced with backpacker, caravan park and holiday home accommodation.
- There has in the past been some evidence of demand for higher quality hotel/motel/mixed resort accommodation however the need for additional tourist accommodation has been reduced. Consistent with other remote tourist sites with special characteristics, such as Monkey Mia and Nanga.
- A portion of Lot 296 (Area 12) will cater for long term needs for additional tourist accommodation, subject to market demand. There is a need to provide increased flexibility for future development of this site.
- The zoning of Dirk Hartog island needs to be resolved with government land and national park being recognised in a 'Conservation' zone. Freehold lots should be recognised with a 'Special Use' zone.
- Government land needs to be reviewed to ensure appropriate zonings are in place to control future development.
- Any Landuses listed in Schedule 4 – Special Use zone of the Scheme should be consistent with the terminology used for any correlating landuse definition.
- Schedule 4 of the Scheme requires refinement and updating to include better landuse controls, clear provisions, with opportunity to review discretionary landuses.

4.4.6 Specific recommendations for existing and future tourist accommodation and uses

There is already a good supply of tourist accommodation in Denham to service needs and there is an opportunity to broaden the permissible landuses for some existing “Special Use” sites to encourage and facilitate development.

Changes to the scheme may be pursued by individual landowners or as part of a future Scheme review. Care needs to be taken to ensure any development on Special Use sites does not detract from the main Denham Town Centre. A summary of proposed changes are included in Table 5.

TABLE 5
Specific recommendations for existing and future Tourist Accommodation and Uses

No.	Existing Special Use Area	Summary	Draft provisions
1.	SU2 Lot 119 Spaven Way, Denham	Change the zoning of Lots 2 and 3 Spaven Way from ‘Special use’ to ‘Residential Development’ zone.	Map change – refer Figure 18.
2.	SU5 Part Edel Loc 17, Nanga	Retain Special Use zone and expand the uses, however make is clear that they are discretionary.	Modify the ‘Special Use’ column applicable to SU5 to state as follows: <i>“The local government has discretion to consider the following uses where they form part of an integrated approved Outline Development Plan;</i> <ul style="list-style-type: none"> - Ancillary Tourist Use - Tavern - Caravan Park - Caretakers Dwelling – maximum of one - Service Station - Shop - Exhibition Centre - Short Term Accommodation - Workers Accommodation - Motel - Park Home Park - Camping Area - Office - Reception centre - Restaurant - Carpark “
3.	SU5 Part Edel Loc 17, Nanga (Continued)	Expand the conditions applied to new development for Nanga	Add the following requirements for an ODP under the ‘Conditions’ column of ‘Schedule 4 : Special Use zone’ applicable to special use zone 5 as follows: <ul style="list-style-type: none"> • <i>“Provision of adequate services including potable water supply;</i> • <i>Information on waste disposal and provision of a rubbish management plan to the satisfaction of the local government. “</i>

No.	Existing Special Use Area	Summary	Draft provisions
4.	SU5 Part Edel Loc 17, Nanga (Continued)	Ensure discretionary uses specified in Special Use zones correlate with a landuse definition (eg. Ancillary Tourist Use).	Consider introducing a landuse definition for "Ancillary Tourist Use" as part of a Scheme Review. An example of a definition is 'means premises for: (a) recreation or entertainment; (b) consumption of food and / or beverages; (c) the sale of produce; (d) the sale of arts and crafts; and / or (e) conducting excursions for tourists, Where such use is incidental to and directly related to the predominant use of the land.' Source: Shire of Quairading Town Planning Scheme No 2 It may be appropriate to include 'ancillary tourist use' for other Special Use zones if a landuse definition is included in any future Draft Scheme.
5.	SU6 Overlander Lot 174 North West Coastal Highway	Retain Special Use (SU6) zoning, broaden landuses to include roadhouse, replace reference to Transient Accommodation with Short Stay Accommodation and clarify that landuses are discretionary. Use terminology of 'incidental' instead of 'limited' for short stay accommodation.	Modify the 'Special Use' column applicable to SU6 to state as follows: <i>"The local government has discretion to consider the following uses:</i> <ul style="list-style-type: none"> - Service Station - Roadhouse - Bulk Fuel, Shop - Restaurant - Transport Depot - Caravan Park - Camping Areas <i>Short stay accommodation where it is incidental to the predominant use of the site. "</i>
6.	SU6 Overlander Lot 174 North West Coastal Highway (Continued)	Expand the conditions applied to new development for the Overlander	Insert the following conditions under the 'Conditions' column of 'Schedule 4 : Special Use zone' applicable to special use zone 6 as follows: <i>"Any development to address the following matters:</i> <ul style="list-style-type: none"> • Provision of adequate services including potable water supply; • Information on waste disposal and provision of adequate on site effluent disposal to the satisfaction of the local government; • Suitable areas on site for carparking, loading, truck parking, access and traffic movements.

No.	Existing Special Use Area	Summary	Draft provisions
	SU 6 (Continued)		<p><i>Council may refer any application to the Department of Health WA and Main Roads WA for recommendations and comment.</i></p> <p><i>Council may require lodgement of a traffic impact assessment for any new development. “</i></p>
7.	SU7 Billabong Lot 2 and 3 North West Coastal Highway, Wannoo	Retain Special Use (SU7) zoning and replace reference to 'Wayside Hotel' with 'Hotel' and clarify landuses are discretionary. Use terminology of 'incidental' instead of 'limited' for short stay accommodation.	<p>Modify the 'Special Use' column applicable to SU7 to state as follows:</p> <p><i>“The local government has discretion to consider the following uses:</i></p> <ul style="list-style-type: none"> - <i>Roadhouse</i> - <i>Hotel</i> - <i>Caravan Park</i> - <i>Service Station</i> - <i>Bulk Fuel</i> - <i>Shop</i> - <i>Restaurant</i> - <i>Transport Depot</i> - <i>Short stay accommodation where it is incidental to the predominant use of the site. “</i>
8.	SU7 Billabong Lot 2 and 3 North West Coastal Highway, Wannoo	Expand the conditions applied to new development for the Billabong	<p>Insert the following conditions under the 'Conditions' column of 'Schedule 4 : Special Use zone' applicable to special use zone 7 as follows:</p> <p><i>“Any development to address the following matters:</i></p> <ul style="list-style-type: none"> • <i>Provision of adequate services including potable water supply;</i> • <i>Information on waste disposal and provision of adequate on site effluent disposal to the satisfaction of the local government;</i> • <i>Suitable areas on site for carparking, loading, truck parking, access and traffic movements.</i> <p><i>Council may refer any application to the Department of Health WA and Main Roads WA for recommendations and comment.</i></p> <p><i>Council may require lodgement of a traffic impact assessment for any new development. “</i></p>

No.	Existing Special Use Area	Summary	Draft provisions
9.	SU8 Hamelin Pool Murchison Loc 161	Retain existing Special Use zone (SU8) and expand the permissible uses in Schedule 4 applied to Hamelin Pool	Expand on the existing uses listed under the 'Special Use' column of 'Schedule 4 : Special Use zone' applicable to Special Use zone 8 to include ' <i>Exhibition Centre</i> ' and ' <i>Restaurant</i> ' (to recognise the existing tearooms and museum).
10.	SU13 Lot 296 Stella Rowley Drive	Retain Special Use (SU13) zoning however broaden the permissible landuses listed in Schedule 4 of the Scheme and provide increased flexibility for future development.	Shown as Area 15 on the Strategy map (Figure 1) Expand on the existing uses (Residential Dwellings/Tourist Accommodation) listed under the 'Special Use' column of 'Schedule 4 : Special Use zone' applicable to special use zone 13 as follows: <i>"The local government also has discretion to consider the following uses where they form part of an integrated Outline Development Plan: 'Amenity building, caretakers dwelling, carpark, cinema / theatre, exhibition centre, liquor store, motel, hotel, night club, office, private hotel, public recreation, reception centre, private recreation, short stay accommodation, restaurant, workers accommodation'.</i>
11.	SU13 Lot 296 Stella Rowley Drive	Modify the 'Conditions' listed in Schedule 4 for Special Use (SU13) – Lot 296 Stella Rowley Drive, Denham.	Insert modified text under the 'Conditions' column of 'Schedule 4 : Special Use zone' applicable to Special Use Zone 13 as follows: <i>"Prior to commencement of development or subdivision an Outline Development Plan shall be prepared generally in accordance with Clause 5.9 of the Scheme and shall be endorsed by Council and the Western Australian Planning Commission and address the following:</i> <i>(i) The proportion of permanent residential dwelling units relative to the total number of accommodation units shall be equal or less than 40 percent (unless otherwise approved by the local government and WAPC);</i> <i>(ii) The gross floor area of the permanent residential units relative to the total number of accommodation units shall be equal or less than 40 percent (unless otherwise approved by the local government and WAPC);</i>

No.	Existing Use Area	Special	Summary	Draft provisions
11.	SU13 Lot 296 Stella Rowley Drive Continued.		Modify the 'Conditions' listed in Schedule 4 for Special Use (SU13) – Lot 296 Stella Rowley Drive, Denham.	<ul style="list-style-type: none"> <li data-bbox="1423 327 1520 562">(iii) <i>Where a residential component is incorporated as part of any development, those areas providing the highest tourist values such as the beachfront, shall be retained permanently for tourist purposes and short stay accommodation;</i> <li data-bbox="1423 573 1520 779">(iv) <i>The proposed development is to be of a high architectural quality and be designed to be sympathetic to the location taking into account topography, physical characteristics and landscape character of the surrounding area;</i> <li data-bbox="1423 790 1520 936">(v) <i>The development shall maintain good visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces;</i> <li data-bbox="1423 947 1520 1025">(vi) <i>Adequate provision for pedestrian access to the foreshore reserve, open space and landscaping;</i> <li data-bbox="1423 1037 1520 1115">(vii) <i>Adequate setbacks to the coast to be provided in accordance with any relevant state planning policy;</i> <li data-bbox="1423 1126 1520 1272">(viii) <i>The design is to mitigate any potential for landuse conflict between residential and short stay accommodation or residential and commercial uses;</i> <li data-bbox="1423 1283 1520 1489">(ix) <i>A management plan to be provided that addresses maintenance, operation of short stay or tourist facilities, interfaces between residential and non residential uses, waste disposal, service areas, and rubbish management;</i> <li data-bbox="1423 1500 1520 1825">(x) <i>All development shall be limited to a maximum height of 4.5 metres above the height of Stella Rowley Drive (calculated in accordance with the Residential Design Codes) unless otherwise approved by Council having regard for retention of major view corridors to the ocean and a visual impact assessment provided by the proponent;</i>

No.	Existing Special Use Area	Summary	Draft provisions
11.	SU13 Lot 296 Stella Rowley Drive Continued.	Modify the 'Conditions' listed in Schedule 4 for Special Use (SU13) – Lot 296 Stella Rowley Drive, Denham.	<p>(xi) A Foreshore Management Plan shall be required for the area between the site and the coast as a condition of development or subdivision and shall;</p> <ul style="list-style-type: none"> - Address relevant State Planning Coastal Policies; - Require approval in writing by the Shire and WAPC prior to commencement of development or site works; - Provide a dual use path for clear demarcation between the development site and foreshore reserve; - Define the building setback from the permanent vegetation line. <p>The Shire has discretion to support a small scale large lot subdivision without an Outline Development Plan to facilitate creation of superlots where the sole purpose is to facilitate disposal of the land by the State of Western Australia for future development.</p>
12.	No special use zone currently applies to Dirk Hartog Island	Include government land, reserves and national park areas on Dirk Hartog Island as 'Conservation' (following liaison with relevant authorities including DEC and Department of Planning).	Map change – Rezone majority of Dirk Hartog Island from 'Rural/Pastoral' to 'Conservation' zone as appropriate.
13.	No special use zone currently applies to Dirk Hartog Island Strategy proposes to rezone Lots 303, 304 and 305 as Special Use zones.	Include freehold Lots, 303, 304 and 305 on Dirk Hartog Island as 'Special Use' zone with appropriate landuse controls.	Identify Freehold Lots 303, 304 & 305 on Dirk Hartog island as a new 'Special Use' zone (15) and list the following in the 'Special Use' column of 'Schedule 4 : Special Use zone'; <i>"The local government has discretion to consider the following uses where they form part of an integrated Outline Development Plan:</i> <ul style="list-style-type: none"> - Bed and Breakfast – D - caretakers dwelling - D (There shall be a limit of one caretakers dwelling per Lot) - Educational Establishment - A - Exhibition Centre – A - Home Office – P - Home Occupation – D - Private Recreation - A - Single house – D - Storage – D - Residential Building – A

No.	Existing Special Use Area	Summary	Draft provisions
13.	<p>No special use zone currently applies to Dirk Hartog Island</p> <p>Strategy proposes to rezone Lots 303, 304 and 305 as Special Use zones.</p> <p>Continued</p>	Continued	<p><i>Council has discretion to consider a wide range of eco-tourism uses and associated facilities which may include short term accommodation, camping area, or other forms of tourism accommodation and associated guest and recreational facilities. Any development must demonstrate that the use meets the eco-tourism definition.</i></p> <p><i>Council has discretion to consider the following uses where they form part of an integrated eco-tourism development and the use is an 'incidental use' to the predominant eco-tourism development on the same lot to the satisfaction of Council:</i></p> <ul style="list-style-type: none"> - Amenity building - Canteen - Carpark - Fuel sales - Home Store - Motor Vehicle Hire - Office - Restaurant - Special Facility licence - Shop with a maximum Nett Leasible Area of 100m² - Workers Accommodation <p><i>Council has discretion to consider uses and structures associated with servicing the lots including and not limited to water, effluent disposal, electricity, waste disposal, drainage, communications or other similar services.</i></p> <p><i>Council has discretion to approve 'temporary accommodation' if it is required to house workers associated with construction of new development, and the accommodation is proposed to be removed within a stipulated time period.</i></p>
14.	<p>No special use zone currently applies to Dirk Hartog Island</p> <p>Strategy proposes to rezone Lots 62, 303, 304 and 305 as Special Use zones.</p> <p>Lots 303-305 to become Special Use zone (15) and Lot 62 to be Special Use zone (16).</p>	<p>Include freehold lots on Dirk Hartog Island as 'Special Use' with appropriate landuse controls.</p> <p>These provisions are for Lots 303, 304 and 305 as special use zone 15 and Lot 62 as special use zone 16.</p>	<p>Identify Freehold Lot 303, 304 and 305 on Dirk Hartog island as a new 'Special Use' zone (15), identify Lot 62 as a new 'Special Use' zone 16 and list them seperately in 'Schedule 4 : Special Use zone' of the Scheme with the following landuse controls;</p> <p>(1) <i>Prior to commencement of any new development (including a single house and ancillary outbuildings) or subdivision/strata, an Outline Development Plan shall be prepared generally in accordance with Clause 5.9 of the Scheme and shall be endorsed by Council and the Western Australian Planning Commission and address the following:</i></p>

No.	Existing Use Area	Special	Summary	Draft provisions
14.	Continued		Continued	<p>(i) A Management Plan that addresses access, servicing, maintenance, waste disposal, effluent disposal, service areas, rubbish management and a material transport plan (for any construction);</p> <p>(ii) The proposed development is to be of a high architectural quality and be designed to be low scale and sympathetic to the location taking into account topography, physical characteristics and unique character of the surrounding area;</p> <p>(iii) Adequate setbacks to the coast to be provided in accordance with any relevant state planning policy;</p> <p>(iv) An environmental report that demonstrates that the ODP and proposed uses will have a low impact on the natural environment with building envelopes, limitations on visitor numbers, management of visitor impact on the island, a vegetation assessment report and having regard for the need to protect the special attributes of the island:</p> <p>(v) Detailed design guidelines to control colours, materials, built form, scale, and achieve a development sympathetic to the natural character of the island (if required by the Shire).</p> <p>(2) The Council and Western Australian Planning Commission need to be satisfied that subdivision creates allotments to the size and type of which are justified based on the topography of the land.</p> <p>(3) Any development, subdivision or Outline Development Plan shall be referred to the Department of Environment and Conservation, any relevant Shark Bay World Heritage Advisory committee and the Department of Regional Development and Lands for comment prior to determination.</p>

No.	Existing Use Area	Special	Summary	Draft provisions
14.	Continued		Continued.	<p>(4) Any design guidelines that form part of an Outline Development Plan or associated Outline Development Plan report approved by Council and the Western Australian Planning Commission shall be enforced as if the requirements form part of the Scheme.</p> <p>(5) A Foreshore Management Plan shall be required for the area between the site and the coast as a condition of development or subdivision and shall;</p> <ul style="list-style-type: none"> - Address relevant State Planning Coastal Policies; - Require approval in writing by the Shire and WAPC prior to commencement of development or site works; - Provide clear demarcation between the development site and foreshore reserve; - Involve consultation and input from the DEC. <p>(6) A Visual Impact Assessment may be required to demonstrate that any development or subdivision will not negatively impact on World heritage values or detract from the scenic quality of the land.</p>
15.	<p>No special use zone currently applies to Dirk Hartog Island</p> <p>Strategy proposes to rezone Lot 62 to Special Use zone</p>		<p>Include freehold lots on Dirk Hartog Island as 'Special Use' with appropriate landuse controls.</p> <p>These provisions are for Lot 62.</p>	<p>Identify Freehold Lot 62 on Dirk Hartog island as a new 'Special Use' zone (16) and list the following in the 'Special Use' column of 'Schedule 4 : Special Use zone';</p> <p><i>"The local government has discretion to consider the following uses where they form part of an integrated Outline Development Plan:</i></p> <ul style="list-style-type: none"> - Airfield - A - Bed and Breakfast – D - Caretakers dwelling - D (There shall be a limit of one caretakers dwelling per Lot) - Civic Use – D - Community Service depot – D - Educational establishment - A - Exhibition Centre – A - Home Office – P - Home Occupation – D

No.	Existing Use Area	Special	Summary	Draft provisions
15.	Continued	Continued	Continued	<ul style="list-style-type: none"> - Office - A - Private Recreation - A - Single house – D - Storage - D - Residential Building - A <p><i>Council has discretion to consider the following uses where they form part of an integrated eco-tourism development and the use is an ‘incidental use’ to the predominant eco-tourism development on the same lot to the satisfaction of Council:</i></p> <ul style="list-style-type: none"> - Amenity building - Canteen - Carpark - Fuel sales - Home Store - Motor Vehicle Hire - Restaurant - Shop with a maximum Nett Leasable Area of 100m² - Special Facility licence - Workers Accommodation <p><i>Council has discretion to consider uses and structures associated with servicing the lots including and not limited to water, effluent disposal, electricity, waste disposal, drainage, communications or other similar services.</i></p> <p><i>Council has discretion to approve ‘temporary accommodation’ if it is required to house workers associated with construction of new development, and the accommodation is proposed to be removed within a stipulated time period.</i></p>
16.	Define eco-tourism	Define ecotourism for the Dirk Hartog island lots.	Define ecotourism for the Dirk Hartog island lots.	Include a new definition in SU 15 and 16 to define ‘eco-tourism’ as ‘ <i>means ecologically sustainable tourism with a primary focus on experiencing natural areas that fosters environmentally and cultural understanding, appreciation and conservation</i> ’.
17.	Ensure landuse symbols used for special use zones are linked to the scheme text which explains the meaning of the symbols.	Explain the landuse permissibility symbols for Dirk Hartog island lots.	Explain the landuse permissibility symbols for Dirk Hartog island lots.	Include a clause for SU15 and 16 that states ‘ <i>The symbols used for landuse permissibility shall have the same meaning as the symbols under Clause 4.3.2.</i> ’

4.5 Open Space

As outlined in Part 2 of the Local Planning Strategy, both the Denham townsite and the Shire area generally are well serviced by expansive areas of open space in the form of local parks, foreshore areas, conservation areas, national parks and islands. Due to the exceptional attributes of Shark Bay the local population has access to natural areas that are unique on a world scale (as recognised by the World Heritage listing).

The government has been active in securing land and modifying pastoral leases in the Shire (in the World Heritage area) for conservation purposes. In most cases however the government has not pursued Amendments to the Scheme to ensure zonings also change.

It therefore needs to be recognised that the 'Conservation' and 'Parks and Recreation' classifications in the current Scheme do not accurately reflect all areas in the Shire that are national park or open space.

In the Denham townsite the foreshore areas and pathways along the main street (Knight Terrace) are popular and well utilised by local residents and tourists. Pathways, accessibility and linkages between the town centre and open space areas remain important considerations.

4.5.1 Area 18 (Reserve 36163)

Denham townsite is serviced by a local oval (however there is anecdotal evidence that it is underutilised) and the Shire is planning a high quality community sports and recreation centre on a portion of Reserve 36163 (shown as Area 18 on the Strategy map – [Figure 1](#)).

The new centre has potential to include uses such as multi use courts, gymnasium, hydrotherapy pool, kiosk, meeting rooms, hall, play group facilities etc

Other community uses may be able to co-locate with the new recreation centre depending on available funding. To provide flexibility and recognise potential for multi-uses it is recommended that the main portion of Reserve 36163 be zoned 'Community'.

It is anticipated that the existing open space areas combined with the new planned community recreation sports centre will service the local community's active and passive needs for the long term.

The new Recreation Centre will have strong links to the existing school, local oval and bowling club. The area around Reserve 36136 will essentially create a community and recreation precinct.

4.5.2 Area 19 (Reserve 33517 – No. 9 Francis Street, Denham)

Reserve 33517 is managed by the Yadgalah Aboriginal Corporation and contains a mini golf course. It is currently zoned 'Parks and Recreation' however the Shire has identified that a 'Community' zone better reflects the function of the site, and will provide greater flexibility for other uses such as an interpretive centre.

4.5.3 Area 20 (Reserve 32295 – Lot 267 Hartog Crescent, Denham)

Reserve 32295 is undeveloped, and the Shire has some interest in potential for staff housing development on the land (subject to community consultation and liaison with State and Services).

The land is currently zoned 'Parks and Recreation' and is proposed as 'Residential' with an R30 coding.

4.5.4 Shire Common

To the immediate east of Denham and contained within the townsite boundary is Reserve 49809 which is vested to the Shire as a 'common'. It has an approximate area of 1139.2 hectares and is fairly unique.

Historically the land was used as a place where livestock could be kept outside of town, and today is still utilised by a local operator for camel agistment. Whilst not strictly open space, the common is of historical significance and remains an area available for public use.

Planning Implications:

- Zoning anomalies have occurred as not all land set aside for conservation is recognised appropriately by the Scheme where land tenure and/or Reserve status has changed as a result of government actions. Any future Scheme review should examine additional areas that may require changes to "Conservation' or 'Parks and Recreation' (in consultation with DEC).
- Recommend re-zone the majority of Reserve 36136 to 'Community' zone to recognise that the land will likely be developed with community uses that complement the proposed sports and recreation centre (such as play group facilities).
- Shire has identified potential re-zoning of Reserve 33517 to Community zone and Reserve 32295 to Residential.

4.5.5 Specific recommendations for Open Space

There is already a good supply of open space in Denham to service needs and a focus on Community zones is recommended to allow flexibility for sites such as Reserve 36163.

A summary of proposed changes are included in Table 6.

TABLE 6
Specific recommendations for open space areas

No.	Summary	Draft provisions
1.	Recommend re-zone the majority of Reserve 36136 from 'Parks and Recreation' to 'Community' zone.	Map change – refer Figure 18.
2.	Introduce new Community zone provisions	New Community zone provisions already outlined in Table 1 , Point 8 (as identified for west portion of Area 7). Repeated overpage / below for ease of reference;

No.	Summary	Draft provisions
2.	Introduce new Community zone provisions	<p><i>“Community Zone:</i></p> <p><i>The objective of this zone is to provide sufficient land for a wide range of landuses generally relating to health, emergency services, rescue, education, social, recreation, community purpose or other uses that have direct benefits to the local community. The zone may also provide for accommodation associated with any use approved by the local government. “</i></p> <p>Note: The ‘Community’ zone will also need to be included in Table 1 of the Shires Scheme, with suitable landuse controls. This will be examined as part of a future Scheme review.</p>
3.	Re-zone Reserve 36136 from ‘Parks and Recreation’ to ‘Community’ zone.	Map change – refer Figure 18 .
4.	Re-zone Reserve 32295 from ‘Parks and Recreation’ to ‘Residential’ zone with a density code of R30.	Map change – refer Figure 18 .

4.6 Natural Resource Management

As outlined in Part 2 of the Strategy there are many parties involved in natural resource management for the portion of the Shire that is World Heritage area.

Natural Resource Management is largely outside the Shire’s control and day to day management of the World Heritage Area is dealt with by the DEC. Accordingly, it is not considered that the Local Planning Strategy needs to substantially address this issue.

In the Denham townsite, ongoing management of the foreshore immediately adjacent to the town centre continues to be important, and drainage management is an issue which the Shire is continuing to address (subject to budget considerations).

The Shire has a Foreshore Management Plan for the Denham foreshore, and can require preparation of additional foreshore plans for any new development adjacent to the coast.

Planning Implications:

- Any new foreshore management plans required for development should be co-ordinated having regard to existing relevant Management Plans.
- Consultation with DEC needs to occur on any proposed Management Plans.

4.7 Visual Landscape Protection and Management areas

Significant skylines, scenic landscapes and areas of consistent and distinguishable landscape character should be recognised in local strategies. The development of Denham is historic, and unlike most coastal settlements there is minimal distance or setbacks between the main town centre and coastline.

The townsite is relatively contained and with the exception of Area 12, areas along the foreshore are almost fully developed. Outside the townsite substantial areas of coastline and areas of vegetation and scenic values are already well protected through the World Heritage listing and Special Control Area provisions in the Scheme.

As expansion occurs to the west of town, consideration should be given to maintaining an open rural type vista along Stella Rowley Drive.

For any new development on land adjacent to major tourist routes or the coast, Council should have regard for the visual impact and consider issues such as setbacks, screening, landscaping, colours and materials and siting of development. This however has to be balanced with the need to enforce minimum floor levels for development near the coast due to potential for inundation.

Planning Implications:

- The majority of undeveloped areas in Denham are zoned 'Special Use' and / or require preparation of ODPs. Visual amenity can be considered as part of the normal ODP process.
- For some of the Special Use zones the Scheme includes specific provisions relating to height limitations, sympathetic design etc
- The general Scheme provisions do not specifically address visual impact and the majority of areas in Denham near the coast have already been developed.
- Additional general provisions can be included in the Scheme to specify that Council will have regard to visual impact of new development near or adjacent to the coast and / or tourist routes. This issue however is subjective and may be difficult to assess.
- Land in the World Heritage area is of low risk in causing visual impact as no new development can compromise the World Heritage Values.

TABLE 7
Specific recommendations for visual impact

No.	Summary	Draft provisions
1.	Recommend include general provisions dealing with visual impact.	<p>Insert a new clause as follows:</p> <p>“5.15 VISUAL IMPACT OF LANDUSE AND DEVELOPMENT NEAR THE COAST OR ALONG MAJOR TOURIST ROUTES.</p> <p><i>15.15.1 The local government is to have regard to the visual impact of any landuse or development proposal for land adjacent to the coast or major tourist routes and may require the following to be addressed as part of a development application or as conditions of planning approval;</i></p> <p><i>(a) Increased setbacks;</i></p> <p><i>(b) Screening landscaping;</i></p> <p><i>(c) The use of colours and materials that in the opinion of the local government will be sympathetic to the local amenity and landscape;</i></p> <p><i>(d) Siting of development to avoid or minimise silhouetting against the skyline and maximise view corridors to the ocean from public roads or places.</i></p> <p><i>5.14.2 The local government may require increased setbacks, and / or landscaping to maintain and improve key road entries into Denham townsite. “</i></p>

4.8 Constraints

4.8.1 Water Management

4.8.1.1 Flooding

Areas adjacent to Knight Terrace are subject to inundation during storm events due to tidal surges and/or waves overlapping the foreshore, minimal setbacks to the coast in the Denham town centre and natural water runoff due to the topography of the town which slopes towards the ocean.

This constraint is recognised in the existing Scheme and is addressed by implementing minimum floor levels for development. The Shire implements the recommendations of the Shark Bay—Denham Foreshore Topography and Storm Surge levels map which is used to inform FFL for new development.

The Shires objective is to protect the built environment in the Denham Town Centre from flooding, inundation and from stormwater damage.

4.8.1.2 Future Water Management

Currently the Shire has limited resources so whilst it is desirable to be in a position to develop an overall water management strategy as part of the Local Planning Strategy, the Shire seeks to implement a flexible approach and recognise constraints where regional and district level information is not available.

The Shire seeks to generally, promote and enhance water management and conservation through requiring implementation of best practice stormwater solutions including the *Stormwater Management Manual for Western Australia*.

The Shire aims to encourage preparation of district water management strategies or local waste management strategies at all levels of the planning process, however accepts there may be situations where lower order stormwater management and drainage information may be justified (i.e. in consultation with Department of Water).

This Strategy seeks to facilitate and encourage better management and use of our urban water resources by ensuring an appropriate level of consideration is given to the total water cycle at each stage of the planning system.

4.8.2 Coastal Processes

Any development that has potential to impact on World Heritage values can be referred to DEC, or the Shark Bay World Heritage Advisory Committee. Whilst not outlined in the Scheme, the Shire can also refer any development to the Department of Transport for advice on Coastal setbacks and coastal issues.

The majority of areas in the Denham townsite adjacent to the coast are developed. Lot 296 Stella Rowley Road (Area 15) is one of the few large sites on the coast in the Denham Town Centre that has remained vacant. Any development on Lot 296 has to meet specific conditions outlined for the Special Use site in the Scheme including a requirement for preparation of a foreshore management plan, development guidelines, and preparation of an ODP.

Planning Implications:

- The Shire has high regard for all relevant state planning coastal policies, water resource policies and relevant planning bulletins (on water management) at all stages of the planning process from ODP's through to development.
- Coastal areas throughout the Shire may be vulnerable to the adverse impacts of coastal hazards (such as erosion and storm surge inundation).
- The Department of Planning recommends that the Shire undertakes coastal hazard risk management and adaptation planning however it is subject to future funding opportunities.
- The Shire seeks to encourage best practice stormwater solutions and to examine water management at each planning stage.

4.8.3 Buffers

Denham townsite is relatively unconstrained by buffers as the WWTP and airport are well located and have sufficient generic separation distances to sensitive landuses such as residential areas.

A portion of the generic WWTP buffer is shown on the Strategy map and does not unduly constrain future expansion opportunities. A Special Control Area may be appropriately applied to the WWTP buffer as part of a Scheme review.

Adequate buffers and interfaces between any future residential development and the established Industrial area need to be considered in the long term (for Area 6B).

Planning Implications:

- There is opportunity for long term townsite expansion in a westerly direction which will not be unduly constrained by buffers.

4.9 Existing and proposed major transport routes

As outlined in Part 2 of the Strategy, Main Roads WA is responsible for the whole of the North West Coast Highway, Shark Bay Road, and Monkey Mia Road in the Shire. Monkey Mia Road provides access directly from the Denham townsite to Monkey Mia (approximately 24 kilometres). All of these roads are well maintained and no new major roads are proposed.

All of the other roads in the Shire are the responsibility of the local government. Roads in Denham townsite are constructed, sealed and maintained to a high standard by the Shire.

4.10 Existing and future utilities

The Shire is well serviced with established physical infrastructure, however it is important that sewerage be extended to the north of the townsite, and water usage be minimised to make best use of this limited resource.

Planning Implications:

- Any new public open space or landscaping for development needs to be designed to minimise water use.
- Medium density development in the north of town is constrained until sewerage is extended.

5.0 STRATEGIES AND ACTIONS

5.1 Strategy 1

Develop a successful service centre for the Shire by consolidating the town centre and improving services and facilities offered to residents and visitors.

5.1.1 Actions for Strategy 1

- a. Continue to encourage development of the town centre in Denham as the principal place for retail, commercial, civic and administrative functions in the Shire.
- b. As part of any future Scheme review or Amendment consolidate the 'Town Centre' zone and introduce specific objectives and landuse controls which focus on the function of the Town Centre to cater retail and commercial uses in accordance with this Strategy.
- c. Continue to ensure new habitable development meets minimum floor level requirements whilst having regard for the need of quality development outcomes, protection for pedestrians against weather and opportunities for pedestrian links.
- d. Ensure all new development is of a high architectural quality and enhances and contributes positively to the existing town character and streetscape.
- e. Ensure development will not adversely affect local amenities.
- f. Encourage upgrading of older developments and redevelopment of prime Town Centre redevelopment sites.
- g. Provide for the efficient and safe movement of vehicles (including trucks, buses, and caravans) and pedestrians.
- h. Provide sufficient parking spaces for cars, caravans, and buses without compromising pedestrian movements.
- i. Continue to maintain and provide good quality public amenities along the foreshore adjacent to the town centre including public toilets, shaded areas, public art and street furniture.
- j. Pursue funding opportunities for projects to enhance the character of the town centre through an urban design / townscape improvement plan to strive to retain vibrancy of the town centre. Any study should ensure that the relaxed atmosphere of the town and general coastal theme is maintained.
- k. Seek funding opportunities for public art, seating, street furniture, streetscape works, and landscaping in the town centre.
- l. Pursue an exit strategy for relocation of the Shire Offices subject to budget considerations.
- m. Ensure that the Scheme encourages uses such restaurants, offices and retail shops to concentrate in the town centre and review the commercial type uses permissible in

Special Use zones in the Denham townsite that are predominantly planned for residential use and urban expansion.

- n. Protect areas developed with tourist accommodation in the Denham townsite by introducing Tourist Zones.
- o. Pursue a minor Scheme Review and / or Scheme amendment to implement the recommendations of the Local Planning Strategy in the next 2-3 years depending on budget availability.

5.2 Strategy 2

Maintain Denham as a place where people can enjoy a quality relaxed living environment with a range of housing opportunities and lifestyle choices that are developed on good design principles and enhance the existing townsite.

5.2.1 Actions for Strategy 2

- a. Provide for a range of opportunities and wider range of housing choice for future residential, including aged persons' and medium density dwelling units.
- b. Ensure all ODPs respond to the site characteristics, are sympathetic to local character, maximise open space and pedestrian links, are of an appropriate scale and density, address drainage and have regard to the natural landscape.
- c. Require all ODPs to incorporate sound planning design principles consistent with relevant local and state planning policies.
- d. Require management plans where necessary for development adjacent to the coast or for protection of dunes.
- e. Examine opportunities in any future Scheme review or Amendment to reduce the number of Special Use zones for those areas which are predominantly planned for urban growth in the Denham townsite. Increase the use of 'Residential Development' zones and ensure zonings follow lot boundaries where possible.
- f. Pursue a minor Scheme Review and / or Scheme amendment to implement the recommendations of the Local Planning Strategy in the next 2-3 years depending on budget availability.

5.3 Strategy 3

Continue to cater for tourists and promote Denham as a desirable world class tourist destination offering a variety of attractions, including local heritage and world heritage.

5.3.1 Actions for Strategy 3

- a. Continue to promote and support tourist related uses through flexible Scheme provisions.
- b. Actively encourage tourist developments in appropriate locations that include facilities and services which will attract visitors in non peak periods.
- c. Seek available funding opportunities for promoting the Shire's attractions and for development of a comprehensive Tourist Strategy.

- d. Continue to promote local recreational and cultural activities.
- e. Continue to promote and protect local heritage sites and attractions.
- f. Seek available funding opportunities for updating and reviewing the Shires Municipal Inventory.
- g. As part of any future Scheme review retain Special Use zones for those sites which are specifically earmarked predominantly for tourist uses (such as Area 15) and are located in close proximity to the coast or sensitive environments (with specific requirements and conditions).
- h. As part of any future Scheme review ensure that permissible tourist uses that are listed in Schedules of the Scheme are also clearly defined in the Scheme.
- i. Ensure freehold lots on Dirk Hartog Island are provided with adequate landuse controls.
- j. Pursue a minor Scheme Review and / or Scheme amendment to implement the recommendations of the Local Planning Strategy in the next 2-3 years depending on budget availability.

5.4 Strategy 4

Maintain and enhance the relaxed quality of life enjoyed by the local community and maximise recreation opportunities to service existing and future needs.

5.4.1 Actions for Strategy 4

- a. Continue to progress/develop plans and seek funding opportunities for construction of a new sports and recreation centre on Reserve 36163.
- b. Continue to promote private and public recreation areas to tourists and the local population.
- c. Consider pursuing opportunities for funding of a Bikeplan and associated upgrading of pathways throughout the townsite and to provide strong pedestrian and bike paths to recreation facilities.
- d. Develop and promote walking 'trails' throughout the townsite with good quality paths, interpretative signage for heritage sites, interest/activity points, resting/seating areas at strategic points, and public art.
- e. Ensure that adequate signage and/or entry statements are provided to assist tourists to maximise use of local recreation areas.
- f. Continue to maintain, upgrade and enhance foreshore areas adjacent to the town centre.
- g. Continue to seek funding for upgrading of roads, construction of new community facilities (such as a Telecentre) and services.
- h. Foster a sense of community by promoting local community events and Council services.

- i. Continue to support and foster a good relationship with the DEC as an important agency which manages day to day operations of the World Heritage area.
- j. Ensure there are appropriate zonings and landuse controls over government controlled land to recognise important conversation areas.
- k. Pursue a minor Scheme Review and / or Scheme amendment to implement the recommendations of the Local Planning Strategy in the next 2-3 years depending on budget availability.

5.5 Strategy 5

Facilitate business opportunities and industrial development which deliver diverse employment opportunities and support development in the district.

5.5.1 Actions for Strategy 5

- a. Maximize the development potential of existing lots with good access to infrastructure.
- b. Encourage expansion of existing developments or redevelopment of older sites by streamlining planning processes without compromising the need to achieve high quality buildings and meet necessary site requirements.
- c. Provide appropriate buffers and/or treatments between industry and any sensitive land uses as part of any future planning, so as to avoid land use conflicts.
- d. Seek funding opportunities to liaise with key stakeholders and major businesses and actively promote the industrial area as a small business centre.
- e. Continue to pursue partnerships Federal and State bodies for business development and promotion.
- f. Promote the Industrial area through good quality signage, community business directories, and consider future opportunities for an entry statement.
- g. Work closely with private owners and developers to maximize opportunities for shared and co-ordinated access or parking.
- h. Create opportunities for small business through creation of a new Enterprise Composite zone allowing people to live and operate a small business on the same lot.
- i. Create opportunities for service commercial uses to establish adjacent to the existing Industrial area for uses which may require larger land requirements.
- j. Pursue a minor Scheme Review and / or Scheme amendment to implement the recommendations of the Local Planning Strategy in the next 2-3 years depending on budget availability.

5.6 Strategy 6

Liaise with relevant servicing authorities to continue to maintain and extend infrastructure to service current and future needs, with particular emphasis on water supply.

5.6.1 Actions for Strategy 6

- a. Seek necessary upgrading of services to ensure the Shire has sound infrastructure that meets the needs of existing and future residents, tourism development and businesses.
- b. Liaise with servicing authorities through advertising of the Local Planning Strategy to allow for future growth and planning.
- c. Encourage authorities such as the DoP Coastal Branch, DEC and Department of Water to assist the Shire with water management and to progress studies that will assist with improvements for water conservation and drainage upgrades.
- d. Continue to seek funding for upgrading of drainage and development of a water management strategy.
- e. Seek future extension of sewerage to ensure the Shire has a sound, stable infrastructure that meets the needs of residents, tourists, visitors and local businesses.

6.0 GENERAL RECOMMENDATIONS FOR SCHEME REVIEW

This Strategy has made recommendations on scheme text and zoning changes to be incorporated into a future scheme review. Individual landowners may also apply to amend the existing Scheme if the proposal is generally in accordance with this Strategy as endorsed by the Western Australia Planning Commission.

In addition to the recommendations mainly concentrating on the Denham Townsite, any future Scheme review should also;

1. Update the format of the Scheme to be generally consistent with the Model Scheme Text.
2. Ensure that the landuses listed in Additional or Special Use zones are defined in the Scheme or the Model Scheme text.
3. Liaise with relevant government agencies to ensure government owned land and National Parks have appropriate zonings in place.
4. Replace references to CALM with DEC.
5. Replace and update references to the Scientific Advisory Committee and Consultative Committee to deal with the Shark Bay World Heritage Area. The Committees have been disbanded and have been replaced by a new Shark Bay World Heritage Advisory Committee.
6. Where possible, replace landuse interpretations and definitions with those in the Model Scheme text.
7. Include Scheme provisions which allow Council discretion to require Detailed Area Plans for important development sites.

7.0 IMPLEMENTATION

The *Town Planning Regulations 1967* set out the statutory procedure for preparation, consultation and approval and endorsement of a Local Planning Strategy.

The following steps should be taken to implement the Local Planning Strategy;

1. Consideration of a Draft Local Planning Strategy by the Shire.
2. The Shire can undertake preliminary informal advertising of the Strategy.
3. Review of Draft Strategy having regard for informal public feedback and preliminary consultation. Referral of the Strategy and any submissions to a formal Council meeting.
4. Submission of the Strategy to the WAPC (with or without modification).
5. Assessment of the Strategy by the WAPC against state and regional policy (for consent to advertise).
6. Modification of strategy (if necessary) as required by the WAPC.
7. Preliminary certification of the Strategy by the WAPC prior to advertising.
8. Formal advertising of the Strategy for public comment and referral to service providers and interested agencies.
9. Consideration of all public submissions by the Council, modification (if necessary) and final adoption.
10. Submission of Strategy to WAPC for final endorsement.
11. Assessment of modifications (if any) by WAPC. WAPC may require further modifications of the Strategy.
12. Endorsement of final strategy approved by the WAPC.

Once the Strategy is finally adopted by the Shire of Shark Bay Council and the Western Australian Planning Commission, then it will form the basis for future scheme amendments and / or a review of the Shires existing Local Planning Scheme. It is recommended that the Shire undertake a scheme review in the next 2-3 years depending on budget considerations.

8.0 MONITORING AND REVIEW

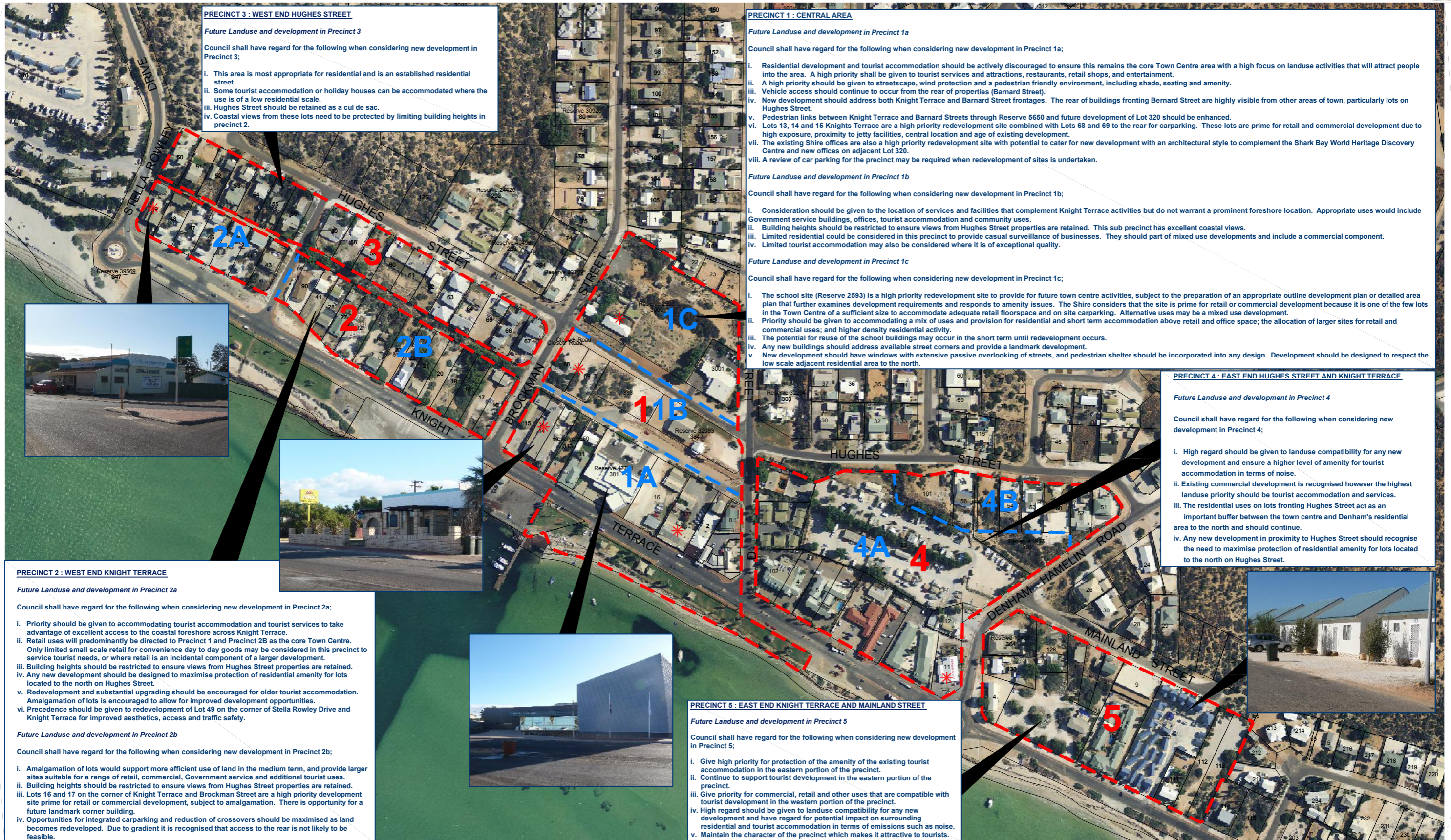
The Strategy will require future review in order to remain current, and to ensure that it responds to local changes in circumstances or priorities, or changes in state or regional policy. The Strategy can be kept updated through occasional minor updates, or through longer periodic reviews (at least every five years).

Amendments to the strategy should be pursued where there is a significant development or change.

The procedure for review or amendment of the Strategy is generally the same as for implementation including adoption by the Shire, advertising and assessment/endorsement by the WAPC. The main difference is that only the new changes require advertising and re-assessment.

ATTACHMENT 1

DRAFT DENHAM TOWN CENTRE STRATEGY PLAN



PRECINCT 3 : WEST END HUGHES STREET
Future Landuse and development in Precinct 3
 Council shall have regard for the following when considering new development in Precinct 3;

- This area is most appropriate for residential and is an established residential street.
- Some tourist accommodation or holiday houses can be accommodated where the use is of a low residential scale.
- Hughes Street should be retained as a cul de sac.
- Coastal views from these lots need to be protected by limiting building heights in precinct 2.

PRECINCT 1 : CENTRAL AREA
Future Landuse and development in Precinct 1a
 Council shall have regard for the following when considering new development in Precinct 1a;

- Residential development and tourist accommodation should be actively discouraged to ensure this remains the core Town Centre area with a high focus on landuse activities that will attract people into the area. A high priority shall be given to tourist services and attractions, restaurants, retail shops, and entertainment.
- A high priority should be given to streetscape, wind protection and a pedestrian friendly environment, including shade, seating and amenity.
- Vehicle access should continue to occur from the rear of properties (Barnard Street).
- New development should address both Knight Terrace and Barnard Street frontages. The rear of buildings fronting Barnard Street are highly visible from other areas of town, particularly lots on Hughes Street.
- Pedestrian links between Knight Terrace and Barnard Streets through Reserve 5650 and future development of Lot 320 should be enhanced.
- Lots 13, 14 and 15 Knights Terrace are a high priority redevelopment site combined with Lots 68 and 69 to the rear for carparking. These lots are prime for retail and commercial development due to high exposure, proximity to jetty facilities, central location and age of existing development.
- The existing Shire offices are also a high priority redevelopment site with potential to cater for new development with an architectural style to complement the Shark Bay World Heritage Discovery Centre and new offices on adjacent Lot 320.
- A review of car parking for the precinct may be required when redevelopment of sites is undertaken.

Future Landuse and development in Precinct 1b
 Council shall have regard for the following when considering new development in Precinct 1b;

- Consideration should be given to the location of services and facilities that complement Knight Terrace activities but do not warrant a prominent foreshore location. Appropriate uses would include Government service buildings, offices, tourist accommodation and community uses.
- Building heights should be restricted to ensure views from Hughes Street properties are retained. This sub precinct has excellent coastal views.
- Limited residential could be considered in this precinct to provide casual surveillance of businesses. They should part of mixed use developments and include a commercial component.
- Unsettled tourist accommodation may also be considered where it is of exceptional quality.

Future Landuse and development in Precinct 1c
 Council shall have regard for the following when considering new development in Precinct 1c;

- The school site (Reserve 2593) is a high priority redevelopment site to provide for future town centre activities, subject to the preparation of an appropriate outline development plan or detailed area plan that further examines development requirements and responds to amenity issues. The Shire considers that the site is prime for retail or commercial development because it is one of the few lots in the Town Centre of a sufficient size to accommodate adequate retail floorspace and on site carparking. Alternative uses may be a mixed use development.
- Priority should be given to accommodating a mix of uses and provision for residential and short term accommodation above retail and office space; the allocation of larger sites for retail and commercial uses; and higher density residential activity.
- The potential for reuse of the school buildings may occur in the short term until redevelopment occurs.
- Any new buildings should address available street corners and provide a landmark development.
- New development should have windows with extensive passive overlooking of streets, and pedestrian shelter should be incorporated into any design. Development should be designed to respect the low scale adjacent residential area to the north.

PRECINCT 4 : EAST END HUGHES STREET AND KNIGHT TERRACE
Future Landuse and development in Precinct 4
 Council shall have regard for the following when considering new development in Precinct 4;

- High regard should be given to landuse compatibility for any new development and ensure a higher level of amenity for tourist accommodation in terms of noise.
- Existing commercial development is recognised however the highest landuse priority should be tourist accommodation and services.
- The residential uses on lots fronting Hughes Street act as an important buffer between the town centre and Denham's residential area to the north and should continue.
- Any new development in proximity to Hughes Street should recognise the need to maximise protection of residential amenity for lots located to the north on Hughes Street.

PRECINCT 2 : WEST END KNIGHT TERRACE
Future Landuse and development in Precinct 2a
 Council shall have regard for the following when considering new development in Precinct 2a;

- Priority should be given to accommodating tourist accommodation and tourist services to take advantage of excellent access to the coastal foreshore across Knight Terrace.
- Retail uses will predominantly be directed to Precinct 1 and Precinct 2B as the core Town Centre. Only limited small scale retail for convenience day to day goods may be considered in this precinct to service tourist needs, or where retail is an incidental component of a larger development.
- Building heights should be restricted to ensure views from Hughes Street properties are retained.
- Any new development should be designed to maximise protection of residential amenity for lots located to the north on Hughes Street.
- Redevelopment and substantial upgrading should be encouraged for older tourist accommodation. Amalgamation of lots is encouraged to allow for improved development opportunities.
- Precedence should be given to redevelopment of Lot 49 on the corner of Stella Rowley Drive and Knight Terrace for improved aesthetics, access and traffic safety.

Future Landuse and development in Precinct 2b
 Council shall have regard for the following when considering new development in Precinct 2b;

- Amalgamation of lots would support more efficient use of land in the medium term, and provide larger sites suitable for a range of retail, commercial, Government service and additional tourist uses.
- Building heights should be restricted to ensure views from Hughes Street properties are retained.
- Lots 16 and 17 on the corner of Knight Terrace and Brockman Street are a high priority development site prime for retail or commercial development, subject to amalgamation. There is opportunity for a future landmark corner building.
- Opportunities for integrated carparking and reduction of crossovers should be maximised as land becomes redeveloped. Due to gradient it is recognised that access to the rear is not likely to be feasible.

PRECINCT 5 : EAST END KNIGHT TERRACE AND MAINLAND STREET
Future Landuse and development in Precinct 5
 Council shall have regard for the following when considering new development in Precinct 5;

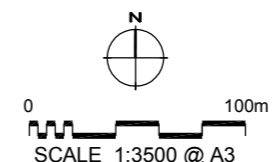
- Give high priority for protection of the amenity of the existing tourist accommodation in the eastern portion of the precinct.
- Continue to support tourist development in the eastern portion of the precinct.
- Give priority for commercial, retail and other uses that are compatible with tourist development in the western portion of the precinct.
- High regard should be given to landuse compatibility for any new development and have regard for potential impact on surrounding residential and tourist accommodation in terms of emissions such as noise.
- Maintain the character of the precinct which makes it attractive to tourists.

DRAFT DENHAM TOWN CENTRE STRATEGY MAP

DENHAM TOWN CENTRE ZONE

SHIRE OF SHARK BAY

- LEGEND
- PRECINCTS (as defined in the Denham Town Centre Strategy)
 - SUB PRECINCTS
 - HIGH PRIORITY REDEVELOPMENT SITE



Attachment 1

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 perth@graylewis.com.au

ATTACHMENT 2

**EXISTING SPECIAL USE ZONES
IN THE SHIRE OF SHARK BAY LOCAL
PLANNING SCHEME NO 3
(SCHEDULE 4)**

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1]



No.	Description of Land	Special Use	Conditions
1.	Lot 310 Stella Rowley Drive, Denham and Unallocated Crown Land	Short Term Accommodation, including Caravan and Camping areas, Shop and Associated uses as approved by local government.	As required by the local government.
2.	Lot 119 Spaven Way	Short Term Accommodation, including Caravan Park, Camping Area, and associated uses as approved by local government.	As required by the local government.
3.	Part North Loc 59 Denham-Hamelin Road, Denham	Short Term Accommodation and Incidental Tavern, Restaurant and Recreation - Private, and Residential.	<p>Development of the site shall be in accordance with an approved Outline Development Plan. The Outline Development Plan shall be prepared generally in accordance with the requirements of Clause 5.9 and will address the following:</p> <ul style="list-style-type: none"> • Development should be set back and buffered from adjoining residential uses to the satisfaction of the local government; and • Development should be setback from the dune ridge on the southern boundary of the site, and this ridge should be landscaped and protected to the satisfaction of the local government.
4.	<p>Part North Loc 59 Denham-Hamelin Road, Denham</p> <p><i>AMD 02 GG 25/01/11</i></p>	<p>Roadhouse, Restaurant, Bulk Fuel.</p> <p>Council has the discretion to consider the following uses;</p> <ul style="list-style-type: none"> • Carpark • Garden Centre • Hire Service • Industry – Service • Motor vehicle, boat or caravan sales • Motor vehicle repair • Office • Restaurant • Showroom • Service Station 	<ul style="list-style-type: none"> • The boundary of the site abutting the Cemetery Reserve No. 8886 shall be landscaped to the satisfaction of the local government. • Development shall be setback from the modified Denham-Hamelin Road and Monkey Mia Road intersection to the satisfaction of the local government. <p><u>Objectives</u></p> <ul style="list-style-type: none"> – To ensure that any development is compatible with the Town Centre and surrounding zoning. – To provide for a wide range of compatible landuses and encourage opportunities for mixed use development. – To encourage development of an attractive place to work and conduct business.

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1] (Cont'd)



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No.	Description of Land	Special Use	Conditions
		<ul style="list-style-type: none"> • Convenience Store • Motor Vehicle Wash (car and boat wash) • Laundrobar 	<ul style="list-style-type: none"> - To promote a high standard of development including buildings, landscaping and carparking. - To ensure that all development presents a visually attractive appearance to Monkey Mia Road as a main gateway into the Denham Townsite. <p><u>Conditions</u></p> <ul style="list-style-type: none"> • Any development is to have quality building facades fronting Shark Bay Road and Monkey Mia Road. • The layout of carpparking areas shall be designed with high regard for traffic circulation between developments on the same lot, and shall be integrated to allow for good on site traffic management and flow. • Development shall be setback from Shark Bay Road and Monkey Mia Road intersection to the satisfaction of the local government. • The boundary of the site abutting the Cemetery Reserve No. 8886 shall be landscaped to the satisfaction of the local government. • Council may require lodgement of a landscaping plan as a condition of any development. • Council shall only consider 'motor vehicle repair' as a stand-alone development where: <ul style="list-style-type: none"> (i) The building is of a high quality with adequate on site carparking and landscaping to the satisfaction of Council; (ii) The use is confined to those activities as defined in the 'motor vehicle repair' landuse definition in Schedule 1 servicing as a predominant activity; and (iii) The use shall not include any motor vehicle

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1] (Cont'd)



No.	Description of Land	Special Use	Conditions
			<p>wrecking (which is defined separately in the Scheme) dismantling of vehicles, or storage of any car bodies on site; and</p> <p>(iv) Any external storage shall be confined to the side or rear of a building and must be adequately screened from public view to the satisfaction of Council; and</p> <p>(v) The workshop floorspace within Special Use 4 shall be limited to a maximum area of 300m² (excluding office and amenities) to the satisfaction of Council.</p> <ul style="list-style-type: none"> In determining any application, Council will have regard for the objectives listed for this site.
5.	Part Edel Loc 17 Nanga	Tavern, Caravan Park, Service Station, Shop, Arts and Crafts Centre. Short Term Accommodation including Edel Loc Caravan Park, Exhibition Centre and Staff Accommodation.	Development of the site shall be in accordance with an approved Outline Development Plan, which has generally been prepared in accordance with the requirements of Clause 5.9 and endorsed by the Western Australian Planning Commission. The Outline Development Plan should demonstrate that:
5.	Part Edel Loc 17 Nanga (Cont'd)	Tavern, Caravan Park, Service Station, Shop, Arts and Crafts Centre. Short Term Accommodation including Edel Loc Caravan Park, Exhibition Centre and Staff Accommodation.	<ul style="list-style-type: none"> the proposed development is sympathetic to the location, taking into account the topography and landscape character of the surrounding area; and the interface with the foreshore is generally in accordance with Statement of Planning Policy 2.6 - State Coastal Planning Policy. This includes clear demarcation between the development site and the foreshore reserve and definition of the setback for development from the permanent vegetation line.
6.	Overlander Lot 174 North West	Service Station, Bulk Fuel, Shop, Restaurant, Transport Depot,	As required by the local government.

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1] (Cont'd)



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No.	Description of Land	Special Use	Conditions
	Coastal Highway	Caravan Park, Camping Areas and limited Transient Accommodation.	
7.	Billabong Lot 2 and 3 North West Coastal Highway	Roadhouse, Limited Short Term Accommodation, Wayside Hotel, Caravan Park, Service Station, Bulk Fuel Depot, Shop, Restaurant, Transport Depot.	As required by the local government.
8.	Murchison Loc 161 Hamelin Pool	Tourist facilities (including Short Term Accommodation), Caravan Park, Camping Areas and historic buildings.	<p>Development of the site shall be in accordance with an approved Outline Development Plan that has generally been prepared in accordance with the requirements of Clause 5.9 and endorsed by the Western Australian Planning Commission. The Outline Development Plan should demonstrate that:</p> <ul style="list-style-type: none"> • the proposed development is sympathetic to the location, taking into account the topography and landscape character of the surrounding area; and • the interface with the foreshore is generally in accordance with Statement of Planning Policy 2.6 – State Coastal Planning Policy. This includes clear demarcation between the development site and the foreshore reserve and definition of the setback for development from the permanent vegetation line.

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1] (Cont'd)



COPY

No.	Description of Land	Special Use	Conditions
9.	Monkey Mia Reserve 1686 (Edel Loc 80) Reserve 40727 (Edel Loc 67)	The following uses are permitted: <ul style="list-style-type: none"> • Motel • Short Term Accommodation • Special Facility • Park Home Park • Caravan Park • Camping Area • Reception Centre • Residential Building • Office • Shop • Restaurant • Carpark • Staff Accommodation • Power Generation Plant • Desalination Plant 	The following conditions of development apply: <ol style="list-style-type: none"> i. The intent of this Special Use Zone is to provide for the needs of tourists in a manner that enhances the management and welfare of the Shark Bay World Heritage Property, and particularly, the welfare of the dolphins. ii. Development shall be generally in accordance with the Monkey Mia Outline Development Plan (O'Brien 1995), and development shall only occur following, and generally in accordance with, the preparation of an Outline Development Plan (formerly Concept Development Plan) and its approval by the local government and the Commission. The Outline Development Plan should incorporate, and have regard for, the relevant management provisions required in the current lease agreement in respect of the land. <p>Note: The purpose of the 1995 O'Brien Outline Development Plan report was to establish the principles for the preparation of an Outline Development Plan, and is not itself an Outline Development Plan.</p> iii. If the local government or the Commission: <ol style="list-style-type: none"> (a) fail to make a determination in respect of the Outline Development Plan within 5 months of lodgement of such a plan with the local government, or within such other time frame agreed by the proponent; or (b) makes a determination or imposes a requirement in respect of the Outline Development Plan and the proponent is dissatisfied with such a determination;

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1] (Cont'd)



COPY

No.	Description of Land	Special Use	Conditions
9.	Monkey Mia Reserve 1686 (Edel Loc 80) Reserve 40727 (Edel Loc 67) (Cont'd)	The following uses are permitted: <ul style="list-style-type: none"> • Motel • Short Term Accommodation • Special Facility • Park Home Park • Caravan Park • Camping Area • Reception Centre • Residential Building • Office • Shop • Restaurant • Carpark • Staff Accommodation • Power Generation Plant • Desalination Plant 	the proponent may appeal in accordance with Part V of the Act. iv. Any minor variation to the Outline Development Plan, including uses considered incidental to the primary activity of the tourist development, may be approved by the local government. No structure shall exceed 7.75 m in height above finished ground level unless it forms part of the essential services (water or fuel tanks, powerlines or communication aerials). The location, intensity and design of two-storey development shall comply with an endorsed Outline Development Plan.
10.	Monkey Mia Lot 63	Loading Area and associated uses	As required by the local government.
11.	Edel Loc 90 Peron Road	Pearl Farming, aquaculture, Residential, Staff Accommodation, plantation tree farming and associated uses	Development of the site shall be in accordance with an approved Outline Development Plan. The Outline Development Plan shall be prepared generally in accordance with the requirements of Clause 5.9.
12.	Useless Loop	Extractive Industry, Incidental Community Uses, Accommodation, Industrial uses, incidental commercial uses.	As required by the local government.
13.	Lot 296 Stella Rowley Drive	Residential Dwellings, Tourist Accommodation	Conditions of Development Limit height of all development to 4.5 m above the height of Stella Rowley Drive (calculated in accordance with the Residential Design Codes)

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1] (Cont'd)



No.	Description of Land	Special Use	Conditions
13.	Lot 296 Stella Rowley Drive (Cont'd)	Residential Dwellings, Tourist Accommodation	<ul style="list-style-type: none"> • Prior to commencement of development, approval of a foreshore management plan, by the Shire and the WAPC, for the coastal reserve between the site and the coast in accordance with Statement of Planning Policy 2.6 - State Coastal Planning Policy. The management plan shall include the provision of a dual use path to provide clear demarcation between the development site and the foreshore reserve and definition of the setback for development from the permanent vegetation line. • The maximum percentage of permanent residential development on site shall comply with the following at all stages of development of the site: <ul style="list-style-type: none"> (i) the proportion of permanent residential units relative to the total number of accommodation units on the site shall be equal to or less than 20 percent; (ii) The gross floor area of the permanent residential units relative to the gross floor area of all units on the site shall be equal to or less than 20 percent; (iii) The site area occupied by the permanent residential units, and any areas designated for the specific use of the occupiers of those units, relative to the area occupied by the tourist development shall be equal to or less than 1.22 ha. In calculating the area occupied by the tourist development those facilities available for common use shall be excluded from the calculation.

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1] (Cont'd)



No.	Description of Land	Special Use	Conditions
13.	Lot 296 Stella Rowley Drive (Cont'd)	Residential Dwellings, Tourist Accommodation	<p>The percentage of permanent residential development may be varied with the approval of Council and the endorsement of the WAPC.</p> <p>Outline Development Plan</p> <p>Development of the site shall be in accordance with an approved Outline Development Plan, that has been endorsed by the Western Australian Planning Commission. The plan shall generally be prepared in accordance with the provisions of Clause 5.9 of the Scheme and should address the following design and development guidelines:</p> <ul style="list-style-type: none"> • The proposed development is sympathetic to the location taking into account the built form, topography and landscape character of the surrounding area; • Good visual permeability of the foreshore and ocean from nearby residential areas, roads and public open spaces; • Adequate provision for open space and landscaping on the site; • Provision for pedestrian access to the foreshore reserve; • Where a residential component is incorporated within the site, those areas of the site providing the highest tourist values, eg beachfront, should be retained predominantly for tourist purposes, and not permanent residential units

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1] (Cont'd)



No.	Description of Land	Special Use	Conditions
13.	Lot 296 Stella Rowley Drive (Cont'd)	Residential Dwellings, Tourist Accommodation	<ul style="list-style-type: none"> • Design of the tourist and permanent residential units within the complex shall be complementary and provide the opportunity for integration between the two types of accommodation; • The development shall incorporate facilities normally associated with tourist accommodation developments such as recreation, entertainment facilities and integrated management facilities; and • Include a management plan to deal with the interface between residential and tourist uses.
14	Edel Location 110 <i>AMD 1 GG 17/4/09</i>	The following uses are permitted: <ul style="list-style-type: none"> • Oceanarium and associated incidental uses • Shop • Care/Restaurant • Camping area • Workers Accommodation 	The following conditions of development apply: <ol style="list-style-type: none"> i) The intent of this Special use Zone is to allow the development of an Oceanarium and associated uses incidental to the operation of the Oceanarium for both tourist and research purposes. ii) The use of the Camping Area is restricted to students involved in educational programs or research on site and is not for use by the general public. iii) A maximum of two dwellings for workers accommodation may be constructed on site.