



SHIRE OF ESPERANCE
LOCAL PLANNING SCHEME NO. 23
AMENDMENT NO. 3

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
SHIRE OF ESPERANCE
LOCAL PLANNING SCHEME NO. 23
AMENDMENT NO. 3

Resolved that the local government, in pursuance of Section 75 of the *Planning and Development Act, 2005* amend the above local planning scheme by;

1. Amending the Scheme Map by rezoning a portion of Lot 250 Hockey Place to "Residential" with a density of R12.5/R20 as depicted on the Amendment Map.

Dated this.....day of.....2010

.....
CHIEF EXECUTIVE OFFICER

PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

LOCAL GOVERNMENT	SHIRE OF ESPERANCE
DESCRIPTION OF LOCAL PLANNING SCHEME	SHIRE OF ESPERANCE LOCAL PLANNING SCHEME NO. 23
TYPE OF SCHEME	DISTRICT SCHEME
SERIAL NO. OF AMENDMENT	3
PROPOSAL	1. Amending the Scheme Map by rezoning a portion of Lot 250 Hockey Place to "Residential" with a density of R12.5/R20.

SCHEME AMENDMENT REPORT

1. INTRODUCTION

Notice of Final Approval of the Shire of Esperance Local Planning Scheme No. 23 ("the Scheme") was published in the Government Gazette on 19 February 2010.

This amendment will not result in a reduction in the area currently used for public open space within West Beach. A park has been developed on the northern portion of the lot however the southern portion, the subject of this proposal, is fenced and has not been developed as public open space.



Lot 250 Hockey Place has an area of 2204m² and is a freehold lot owned by the Shire of Esperance.

The proposed zoning of the southern portion (approximately 1120m²) of Lot 250 is "Residential" with a density of R12.5/R20. In accordance with Clause 5.3.1 of the Scheme the higher density will only apply where development can be connected to a reticulated sewerage system.

The intention of this rezoning is to facilitate the disposal of a portion of Lot 250 with the proceeds gained from the sale of the land being invested back into improving the standards of other existing parks in the locality.

2. BACKGROUND

2.1 Existing Zoning and Relevant Scheme Provisions

Under the Scheme, Lot 250 is currently reserved for "Parks, Recreation and Conservation – Local". Whilst the entire lot is shown as a reserve in the Scheme only the northern portion of the Lot has been developed as public open space.

3.0 REPORT

3.1 Local Context - Shire of Esperance Local Planning Strategy

The Shire prepared a comprehensive Local Planning Strategy (Strategy) to support the Scheme.

The Strategy shows the subject site as being residential.

The subject site is located within Precinct 12 of the Strategy. The following is an extract from the strategy.

Precinct 12 - Dempster Head and West Beach

Objectives: *To maintain and protect the amenity and recognise the physical attributes of the precinct, maintain the existing urban nature of the precinct, ensure that schools, parks and recreation facilities are appropriately developed and preserve the historic Overseas Telecommunications Commission (OTC) site.*

Background/Location:

This precinct is located south and west of Harbour Road, with a section of the precinct located adjacent to the Port of Esperance. Near the top of Wireless Hill are telecommunications transmitting facilities, tanks for the town water supply, and the historic remaining building of the former OTC site. Part of the precinct is located on the side of the hill, which forms part of Dempster Head. The housing in the area is predominately single detached houses, with a mix of single and double storey dwellings.

The remainder of the precinct (the suburb of West Beach) is predominately residential in nature. The residential development was largely undertaken in the late 1980s and 1990s. The precinct includes a site that has been identified for a future primary school, and some adjacent Parks and Recreation land in Phillips Street that is currently being developed as a private high school.

The Anglican Schools Commission has constructed a school facility on Phillips Street that will eventually cater for students up to and including year 12.

The Council, in conjunction with the Star of the Sea Primary School, has been developing shared sporting facilities accessible from Walker Street.

Strategies:

- *Ensure the historic building of the former OTC (Esperance Wireless Station) site is protected.*
- *Ensure that residential densities and development take into account the constraints including topography, availability of deep sewerage, drainage problems and proximity to the Port and the transport corridor.*
- *Ensure development in the precinct recognises and addresses potential land use conflict between the Port and adjacent residential land.*
- *Support the use of Dempster Head for communications facilities at an appropriate scale.*

Actions:

- *Encourage the owner of the OTC site to undertake a conservation plan to ensure the ongoing conservation of the place.*
- *Pursue State and/or Commonwealth recognition of the OTC site.*
- *Support the need to reduce land use conflict in the precinct by reducing the potential for additional housing in the precinct by applying a density of R12.5 except where it can be demonstrated that a higher density of up to R20 will result in specific land use conflict being resolved.*
- *Support the need to reduce land use conflict in the precinct in close proximity to the port.*
- *Ensure that appropriate investigations into the materials placed on the site should be undertaken prior to any development of the eastern section of the Philips Street School site.*

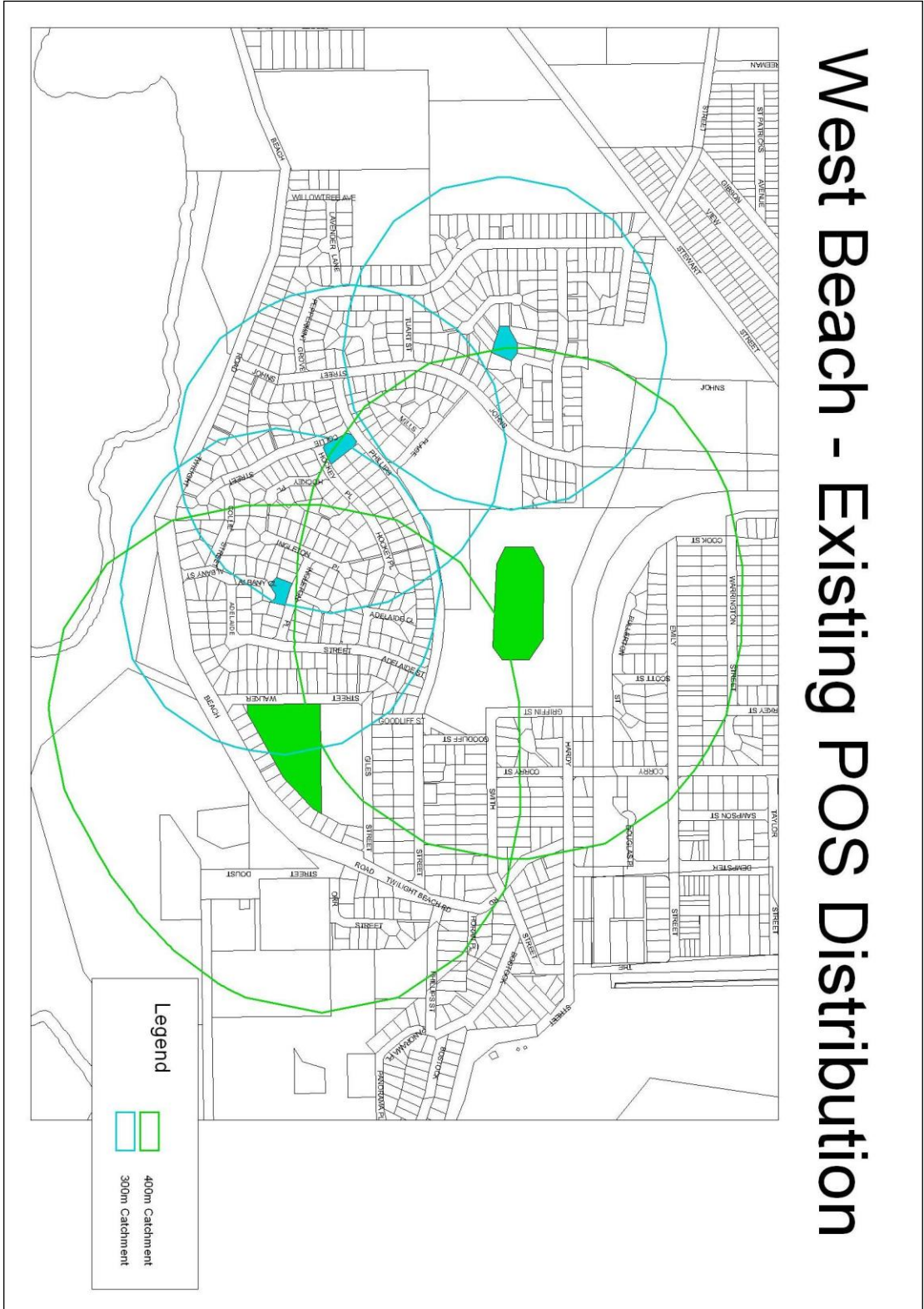
The proposed rezoning is consistent with the objectives of the Local Planning Strategy. The proposed density is consistent with the actions outlined in the Strategy by providing a minimum density of R12.5 where sewerage is not connected to the site and R20 (providing for two residential lots) where the site can be serviced (the reticulated sewerage system is already in the vicinity of the site).

3.2 Justification of Amendment

An assessment has been undertaken of Public Open Space distribution within the locality of West Beach. This assessment has utilised the catchment standards contained within Liveable Neighbourhoods. This policy stipulates the following catchments for parks:

Local Park	150m – 300m
Neighbourhood Park	400m
District Park	1000m

These catchments have been used over the reserves within West Beach to establish the level of supply in any given area as is demonstrated below.



It should be noted that the effective area of public open space is being maintained by the proposed rezoning as the amendment only deals with the undeveloped area of the park. The residual portion of the lot (the current park) will be upgraded in accordance with the following plan.



The proposed density takes into account its location adjacent the park as well as the proximity of commercial activity at the West Beach Deli and two schools. The

maximum lot yield achievable if the R20 coding is applied is two lots.

4.0 CONCLUSION

The Shire of Esperance is currently reviewing the provision of public open space within the Esperance Townsite. As part of this process a portion of Lot 250 Hockey Place was identified as being surplus to requirements. As the lot is owned by the Shire in freehold the proposed rezoning will enable the excess land to be disposed of and the proceeds put towards increasing service provision to the community.

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF ESPERANCE

LOCAL PLANNING SCHEME NO. 23

AMENDMENT NO. 3

The Esperance Shire Council under and by virtue of the power conferred upon it in that behalf by the *Planning and Development Act, 2005*, hereby amends the above local planning scheme by:

1. Amending the Scheme Map by rezoning a portion of Lot 250 Hockey Place to "Residential" with a density of R12.5/R20 as depicted on the Amendment Map.

ADOPTION

Adopted by resolution of the Council of the Shire of Esperance at the Ordinary Meeting of the Council held on the ___ day of _____ 2010.

.....
PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

Adopted by Resolution of the local government of the Shire of Esperance at the meeting of the local government held on the ___ day of _____ 20__, and pursuant to that Resolution the Seal of the Municipality was hereunto affixed in the presence of:

.....
PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

RECOMMENDED/SUBMITTED FOR FINAL APPROVAL

.....
DELEGATED UNDER S.16 OF THE
PLANNING AND DEVELOPMENT ACT 2005

Date.....

FINAL APPROVAL GRANTED

.....
MINISTER FOR PLANNING

Date.....

