



*Shire of*  
**Koorda**

## **LOCAL PLANNING SCHEME No 3**

### **AMENDMENT No 3**

Scheme text Amendment to allow Grouped Dwellings in the Rural zone  
subject to compliance with a new Local Planning Policy

February 2024

# **PLANWEST**

(WA) PTY LTD A.B.N. 77 665 477 168

**CONSULTANTS IN PLANNING,**

## STANDARD AMENDMENT

This Amendment has been determined to be a Standard Amendment according to the definition of the terms used in the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations).

The Regulations introduce a track-based approach to local planning scheme amendments that enables amendments to be classified as either a basic, standard or complex amendment.

This amendment as defined in Regulation 34, and can be summarised as follows:

- (a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- (b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- (f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- (g) any other amendment that is not a complex or basic amendment.

The classification of a standard amendment requires the consultation requirements and timeframes in which the amendment must be dealt with in the Regulations. The Regulations impose timeframes on both the local government and Western Australian Planning Commission (WAPC) for processing of the amendment, as outlined in the table below:

<b>Scheme Amendment type</b>	<b>Advertising</b>	<b>Local government consideration period (post advertising)</b>	<b>WAPC timeframe to make recommendation to Minister</b>
Standard	42 days	60 days post end date of submission period	60 days

**PLANNING & DEVELOPMENT ACT 2005**

**RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME**

**Shire of Koorda**

**LOCAL PLANNING SCHEME No 3**

**AMENDMENT No 3**

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

amending Table 1 – Zoning Table to modify the permissibility of a ‘Grouped dwelling’ in a ‘Rural’ zone from an ‘X’ use to a ‘D’ use.

Dated this ..... day of .....20...

.....

Chief Executive Officer

.....

Date

FILE NO.....

PART OF AGENDA.

**MINISTER FOR PLANNING**

**PROPOSAL TO AMEND A SCHEME**

1.	<b>LOCAL AUTHORITY:</b>	Shire of Koorda
2.	<b>DESCRIPTION OF LOCAL PLANNING SCHEME:</b>	Shire of Koorda Local Planning Scheme No. 3 (the Scheme)
3.	<b>TYPE OF SCHEME:</b>	District Zoning Scheme
4.	<b>SERIAL NUMBER OF AMENDMENT:</b>	Amendment No. 3
5.	<b>PROPOSAL</b>	<ul style="list-style-type: none"><li>To amend Table 1 – Zoning Table to change the permissibility of a Grouped dwelling in a Rural zone from an ‘X’ use to a ‘D’ use (discretionary).</li></ul>

**REPORT BY: Shire of Koorda**

**1 INTRODUCTION**

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

**2 BACKGROUND**

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

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

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

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

Council considers it appropriate that grouped dwellings in close proximity to a townsite, should be encouraged to locate in the townsite.

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

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

### **3 PROPOSAL**

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

### **4 STRATEGIC IMPLICATIONS**

The Koorda Local Planning Strategy (the Strategy) was endorsed by the WA Planning Commission on 3 December 2014. This Amendment has no implications on the Strategy.

### **5 CONCLUSION**

As there are no development proposals, the Amendment will not be referred to the Environment Protection Authority for clearance, prior to being advertised.

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

### **6 RECOMMENDATION**

It is recommended that the Council adopt the resolution deciding to amend a local planning scheme and proceed to advertise the Amendment in accordance with the Deemed provisions for a Standard Amendment.

**PLANNING AND DEVELOPMENT ACT 2005**

**Shire of Koorda**

**LOCAL PLANNING SCHEME No. 3**

**AMENDMENT No 3**

The Koorda Shire Council under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005, hereby amends the above Local Planning Scheme by:

amending Table 1 – Zoning Table by changing the permissibility of a ‘Grouped Dwelling’ in a ‘Rural’ zone from an ‘X’ use to a ‘D’ use.

**PLANNING & DEVELOPMENT ACT 2005**

**Shire of Koorda**

**LOCAL PLANNING SCHEME No. 3**

**AMENDMENT No. 3**

**ADOPTION**

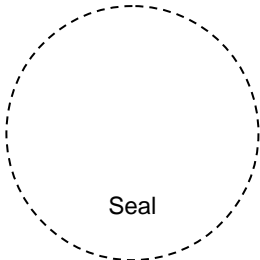
This Standard Amendment was adopted by resolution of the Council of the Shire of Koorda at the Ordinary Meeting of the Council held on the ..... day of .....20....

.....  
SHIRE PRESIDENT Date

.....  
CHIEF EXECUTIVE OFFICER Date

**FINAL APPROVAL**

Adopted for final approval of the Shire of Koorda at the meeting of Council held on the ..... day of ..... 20.... and the Common Seal of the Shire of Koorda was hereunto affixed by the authority of a resolution of the Council in the presence of:



.....  
SHIRE PRESIDENT Date

.....  
CHIEF EXECUTIVE OFFICER Date

**RECOMMENDED/SUBMITTED FOR FINAL APPROVAL**

.....  
Delegated under S. 16 of PD Act 2005 Date

**FINAL APPROVAL GRANTED**

.....  
MINISTER FOR PLANNING Date



## **LOCAL PLANNING SCHEME NO. 3**

The Shire of Koorda under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme No. 3, hereby adopts the following Policy.

### **LOCAL PLANNING POLICY No. 10**

#### **GROUP DWELLINGS IN THE RURAL ZONE**

DATE ADVERTISED:

DATE FINALLY ADOPTED:

#### **1. BACKGROUND**

The Scheme allows the development of a 'Grouped dwelling' in a Rural zone as a discretionary use ('D' use in Table 1 – Zoning Table of the Scheme). It is essential that the Council has a Local Planning Policy (LPP) on which to base its determination of application for Development Approval (DA) for such dwellings.

The definitions a single house and grouped dwelling are contained in the R-Codes <sup>1</sup>.

*A **single house** is a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.*

*A '**Residential – grouped dwelling**' A dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above or below another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property.*

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<sup>1</sup> Residential Design Codes Volume 1 – State Planning Policy 7.3



A single house and grouped dwelling are permitted on any lot that the Scheme permits. The siting and design requirements are determined by the R-Codes – even if there is no specific R-Code on the Scheme Map. The R-Codes determine planning aspects like location, setbacks and other design matters. Most of these requirements are less significant in the non-urban areas.

## **2 DISCUSSION**

The object of this LPP is;

- To ensure that an additional dwelling on a property is only permitted where the Council is confident that the owner has a bona fide reason for requesting approval.
- To guide the Council and proponents of the criteria on which the Council will support a DA application for a grouped dwelling.
- To prevent the construction of grouped dwelling on properties too close to an urban area that may increase the demand for additional services including improved road access.
- To prevent the urbanisation of the rural areas of the Shire that may lead to unsustainable demands for additional services.

## **3 POLICY**

The Council will only support a DA application for a grouped dwelling on a property in the Rural zone where;

- The grouped dwelling will be for family members of the farm operator or owner.
- The grouped dwelling is to be used for workers that operate on the land the subject of the DA application.
- The Council considers that the grouped dwelling can be provided with essential services.

**Zac Donovan**

**CHIEF EXECUTIVE OFFICER**

**Date**