



City of  
**Greater Geraldton**  
a vibrant future



**PLANNING AND DEVELOPMENT ACT 2005**

**REPEAL OF A LOCAL PLANNING SCHEME**

*City of Greater Geraldton*

Shire of Greenough Town Planning Scheme No. 1A  
Greenough River Resort

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Notice is hereby given that the Council of the City of Greater Geraldton in pursuance of its powers under the *Planning and Development Act 2005* resolved at the ordinary meeting of Council held on the 23<sup>rd</sup> October 2018 to repeal the Shire of Greenough Town Planning Scheme No. 1A – Greenough River Resort and the seal of the municipality was, pursuant to that resolution, hereunto affixed in the presence of:



\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

\_\_\_\_\_  
DELEGATED UNDER S.16  
OF THE PD ACT 2005

\_\_\_\_\_  
Date

Approval Granted

\_\_\_\_\_  
MINISTER FOR PLANNING

\_\_\_\_\_  
Date

## **1.0 INTRODUCTION**

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The City of Geraldton-Greenough was created on 1 July 2007, following the voluntary amalgamation of the former City of Geraldton and Shire of Greenough. Four years later on 1 July 2011, the City of Geraldton-Greenough and Shire of Mullewa were amalgamated to form the City of Greater Geraldton (the 'City').

As a legacy of the above local government amalgamations, the City has previously administered four local planning schemes. The need for, and importance of consolidating into a single local planning scheme which covers the entire municipality has been widely recognised and acknowledged in many planning documents including the City's Residential Development Strategy, Commercial Activity Centres Strategy and Local Planning Strategy.

The City proposes to repeal and subsequently include the scheme area land into the City's Local Planning Scheme No. 1.

As part of this repeal process it is also proposed to concurrently amend Local Planning Scheme No. 1 by essentially 'transferring' the land and its current zoning over to Local Planning Scheme No. 1.

Maps showing the current zoning under Town Planning Scheme No. 1A and the proposed zoning under Local Planning Scheme No. 1 are provided at the end of this report

## **2.0 BACKGROUND**

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Local Planning Scheme No. 1 was gazetted on 11 December 2015 and involved the revoking of the following schemes:

- (a) Shire of Greenough Town Planning Scheme No. 1A (a portion of this Scheme only) – Gazetted 30 May 1986;
- (b) City of Greater Geraldton Local Planning Scheme No. 2 (Mullewa) – Gazetted 22 June 2012;
- (c) City of Geraldton Town Planning Scheme No. 3 – Gazetted 17 April 1998; and
- (d) City of Geraldton-Greenough Local Planning Scheme No. 5 District Scheme (Greenough) – Gazetted 14 April 2010.

Originally, it was intended that Local Planning Scheme No. 1 would cover the entire municipal area of the City, however at the time an amendment to Town Planning Scheme No. 1A (Amendment No. 4) was the subject of an Environmental Review which had yet to be determined. As a result, the area of land contained within Amendment No. 4 was excluded from the scheme area for Local Planning Scheme No. 1.

With the gazettal of Local Planning Scheme No. 1, the scheme area of Town Planning Scheme No. 1A was subsequently reduced in size to remain consistent with the land that was the subject of Amendment No. 4.

On 19 June 2018 the Minister for Planning refused Amendment No. 4.

There is currently another amendment to Town Planning Scheme No. 1A (Amendment No. 3) over Lot 1945 Brand Highway. This amendment was initiated in 2002 and in 2003 the Environmental Protection Authority requested further information to determine if the amendment should be assessed. To date no further information has been provided.

With the repeal of Town Planning Scheme No. 1A, Amendment No. 3 will no longer be valid and should the proponent wish to proceed, they will be able to lodge a new amendment under Local Planning Scheme No. 1.

### **3.0 REPEAL OF TOWN PLANNING SCHEME No. 1A**

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Part 5, section 74(b) of the *Planning and Development Act 2005* provides for the repeal of a local planning scheme as follows:

#### **74. Local Planning scheme may be repealed**

*A local planning scheme may be repealed by –*

- (a) A subsequent local planning scheme; or*
- (b) An instrument of repeal prepared by the local government, approved by the Minister and published in the Gazette.*

An 'instrument of repeal' has been prepared as Town Planning Scheme No. 1A is not proposed to be replaced by a subsequent local planning scheme. Instead, it will be replaced by an amendment to the existing Local Planning Scheme No. 1.

### **4.0 AMENDMENT TO LOCAL PLANNING SCHEME No. 1**

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With the repeal of Town Planning Scheme No. 1A there is a need to have the land included under some other local planning scheme control.

It is proposed to include the scheme area into the City's Local Planning Scheme No. 1 by way of an amendment. Essentially this amendment will 'transfer' the land and its current zoning over to Local Planning Scheme No. 1.

The amendment will involve slight naming changes to some of the current Town Planning Scheme No. 1A local reserves and zones to conform to the provisions of Local Planning Scheme No. 1 which has been adopted under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The proposed changes are as follows:

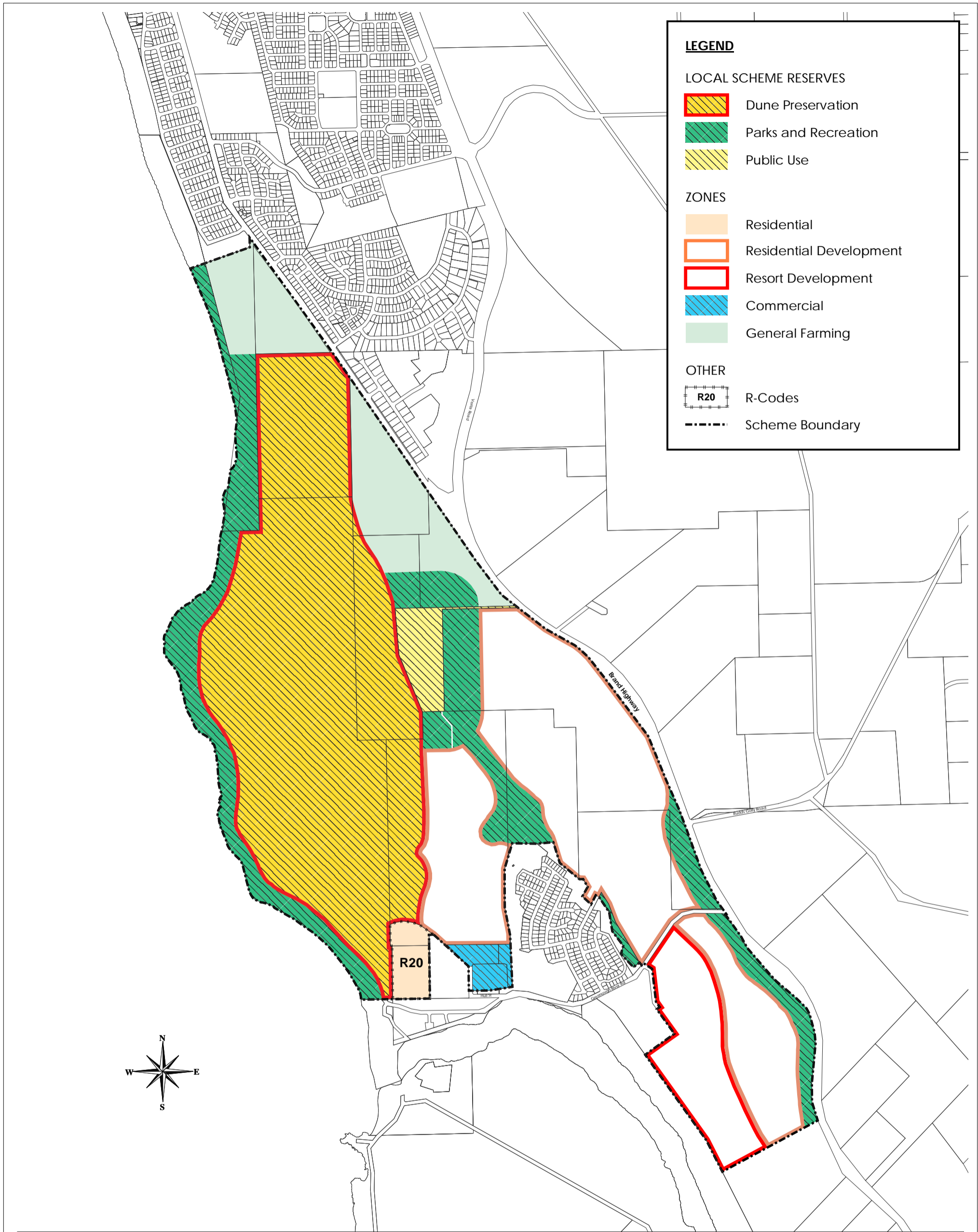
Current – Town Planning Scheme No. 1A	Proposed – Local Planning Scheme No. 1
LOCAL SCHEME RESERVE	
Dune Preservation	Environmental Conservation
Parks and Recreation	Public Open Space and Foreshore
Public Use	Public Purposes
ZONES	
Residential	Residential (no change)
Residential Development	Urban Development
Resort Development	
Commercial	Commercial (no change)
General Farming	Rural

## 5.0 CONCLUSION

As a legacy of local government amalgamations, the City has previously administered four local planning schemes. In order to simplify the statutory planning system, give greater certainty and apply consistent/contemporary planning across the city a single local planning scheme covering the entire municipality has been widely recognised and acknowledged in many planning documents.

With a final determination having now been made on Amendment No. 4 the City proposes to repeal Town Planning Scheme No. 1A. As part of this repeal process it is also proposed to concurrently amend Local Planning Scheme No. 1 by essentially ‘transferring’ the land and its current zoning over to Local Planning Scheme No. 1.

Accordingly, the City hereby requests the Minister for Planning to repeal Town Planning Scheme No. 1A pursuant to Part 5, section 74(b) of the *Planning and Development Act 2005*.



**LEGEND**

**LOCAL SCHEME RESERVES**

- Dune Preservation
- Parks and Recreation
- Public Use

**ZONES**

- Residential
- Residential Development
- Resort Development
- Commercial
- General Farming

**OTHER**

- R20
- Scheme Boundary

**Disclaimer:** Whilst all care has been taken in the preparation of this data, this information is provided as a guide only and no responsibility shall be taken for any omissions or errors in this documentation. The accuracy provided is not to be used for legal purposes, but reference made to original documentation, which includes Certificate of Titles, Survey Diagrams and legal versions of the Town Planning Schemes.

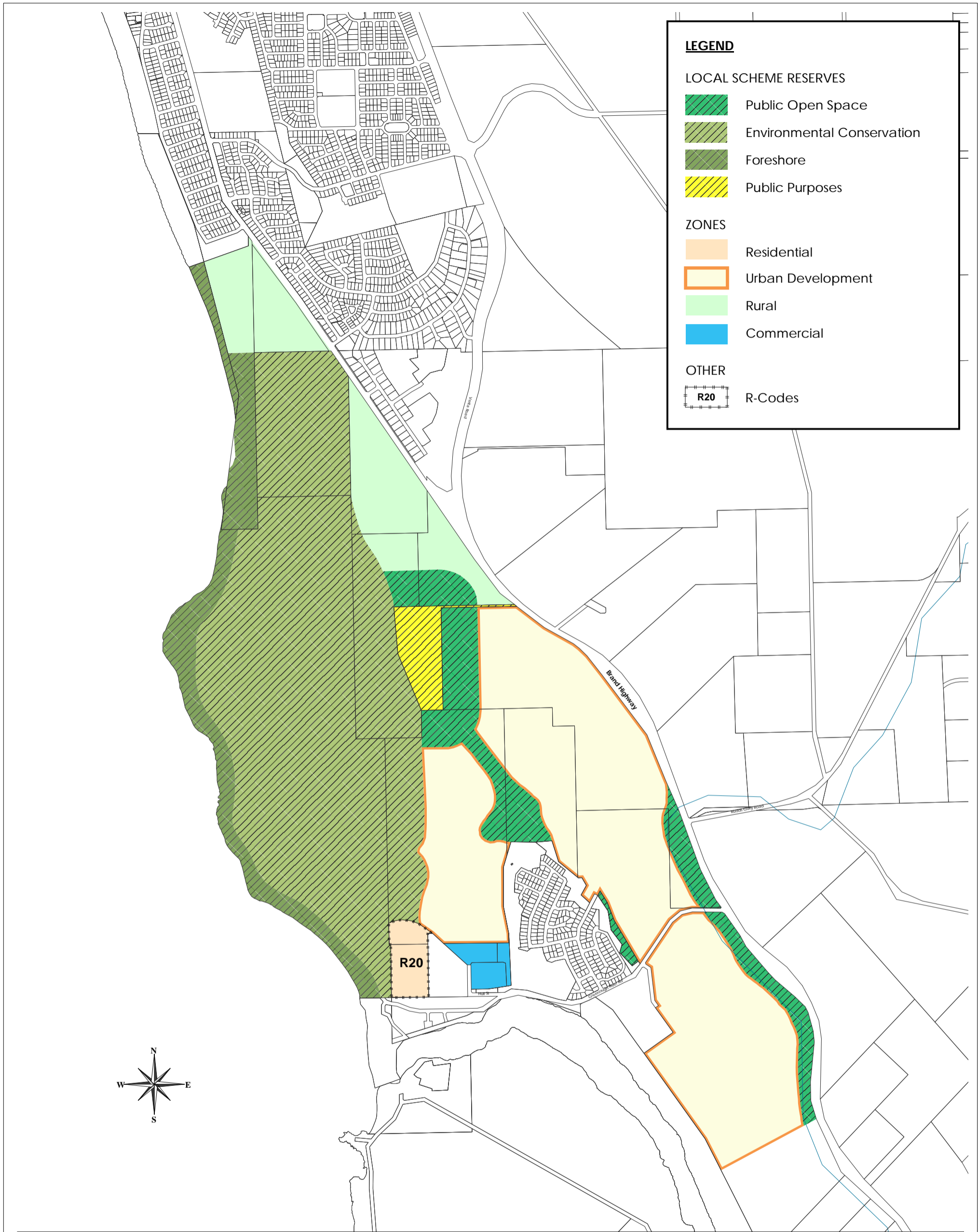


Map produced by the City of Greater Geraldton  
 W: www.cgg.wa.gov.au E: council@cgg.wa.gov.au

**Existing Zoning Map**  
**Shire of Greenough Town Planning Scheme No. 1A**  
**Greenough River Resort**

Scale: 1:20,000

Date	12-Sep-18
Department	IS [Engineering - GIS]
Drawing No.	Existing Zoning
Operator	RJT
Paper Size	A3



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 W: [www.cgg.wa.gov.au](http://www.cgg.wa.gov.au) E: [council@cgg.wa.gov.au](mailto:council@cgg.wa.gov.au)

## Proposed Zoning Map

### City of Greater Geraldton Local Planning Scheme No. 1

Scale: 1:20,000

Date	14-Sep-18
Department	IS [Engineering - GIS]
Drawing No.	Proposed Zoning
Operator	RJT
Paper Size	A3