

**CITY OF GREATER GERALDTON
LOCAL PLANNING SCHEME No. 1
AMENDMENT No. 1**

Lot 51 Rudds Gully Road, Rudds Gully

“Public Purposes” to “Rural”

March 2016

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

**CITY OF GREATER GERALDTON
LOCAL PLANNING SCHEME No. 1
AMENDMENT No. 1**

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

1. Rezoning Lot 51 Rudds Gully Road, Rudds Gully from 'Public Purposes' Local Scheme Reserve to the 'Rural' zone; and
2. Amending the Scheme Map accordingly.

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

1. The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
2. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this _____ day of _____ 2016.

CHIEF EXECUTIVE OFFICER

PLANNING AND DEVELOPMENT ACT 2005

**CITY OF GREATER GERALDTON
LOCAL PLANNING SCHEME No. 1**

AMENDMENT No. 1

The City of Greater Geraldton, 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:

1. Rezoning Lot 51 Rudds Gully Road, Rudds Gully from 'Public Purposes' Local Scheme Reserve to the 'Rural' zone; and
2. Amending the Scheme Map accordingly.

ADOPTION

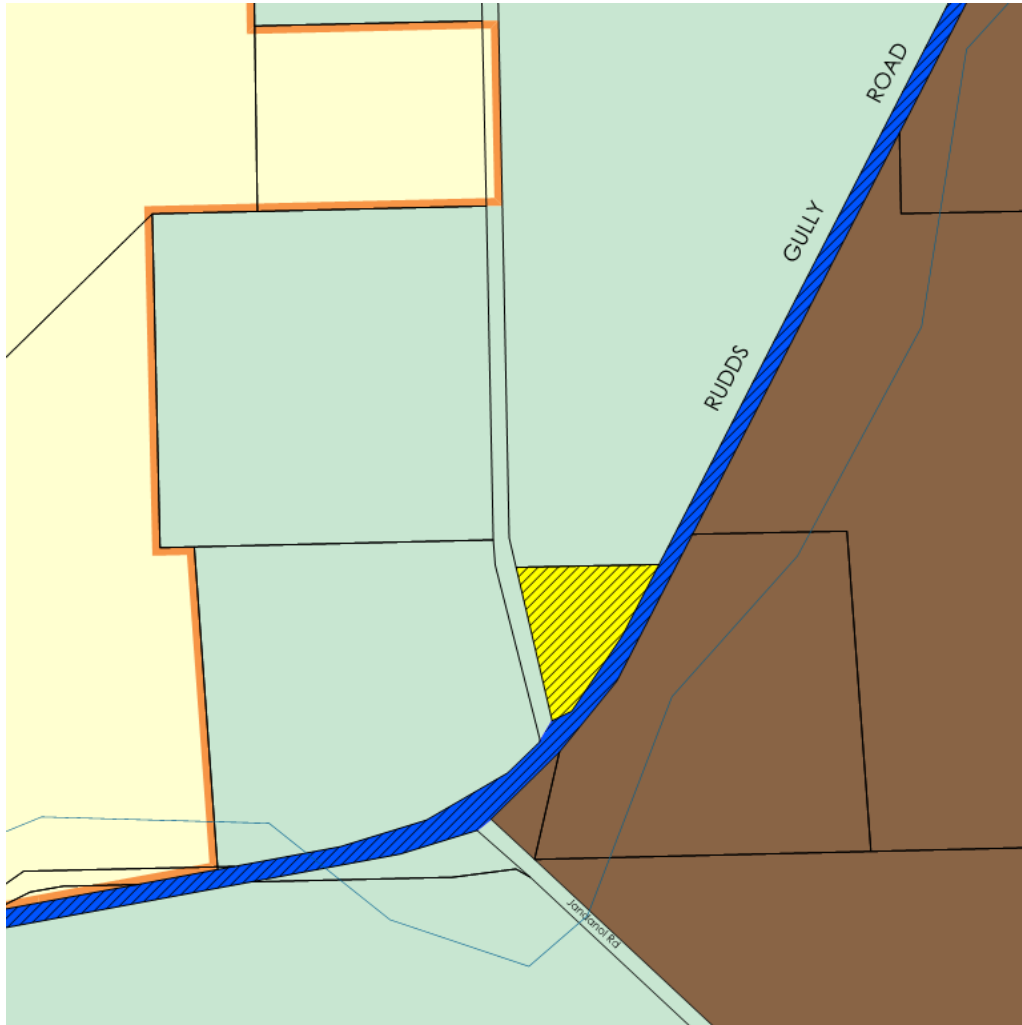
Adopted by resolution of the Council of the City of Greater Geraldton at the ordinary meeting of the Council held on the _____ day of _____ 2016.

MAYOR

CHIEF EXECUTIVE OFFICER



**CITY OF GREATER GERALDTON
LOCAL PLANNING SCHEME No. 1
SCHEME AMENDMENT No.1**

EXISTING ZONING






LEGEND

LOCAL SCHEME RESERVES

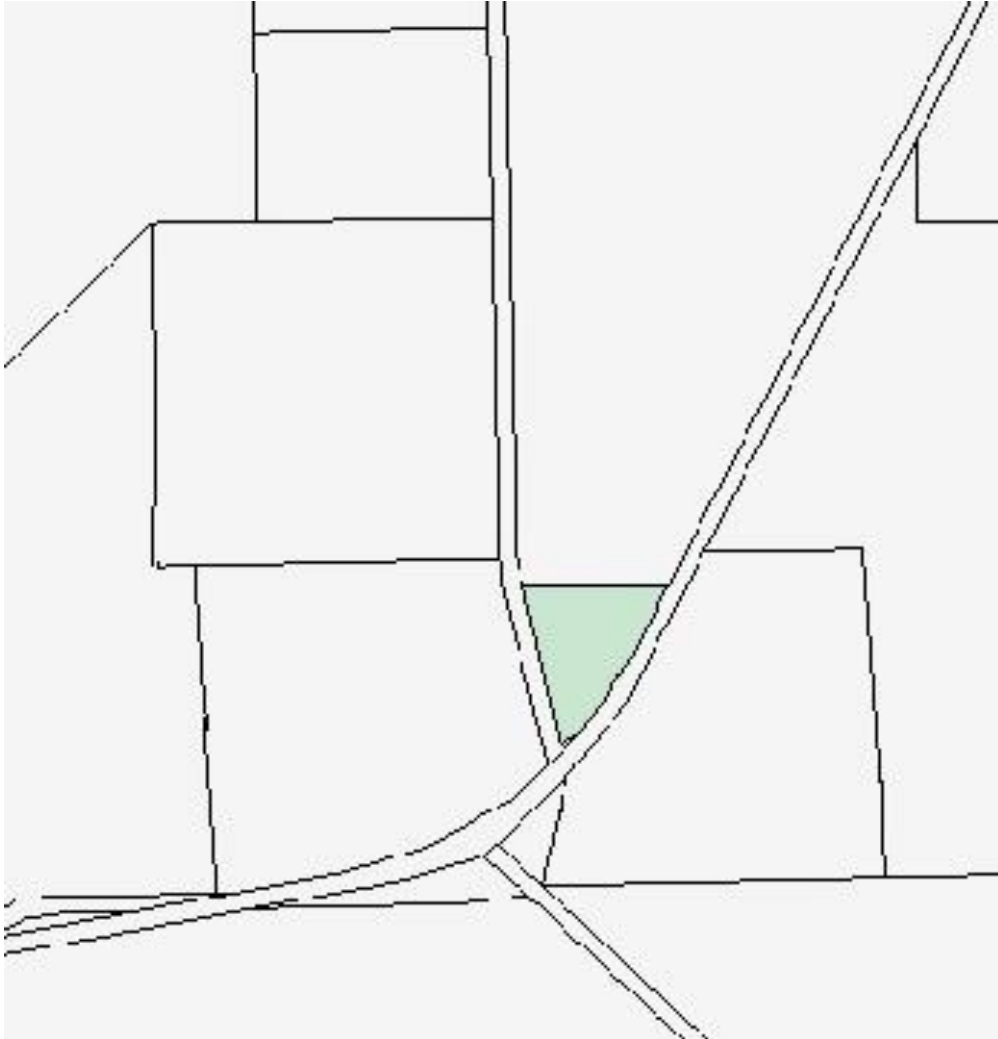
-  PUBLIC PURPOSES
-  DISTRICT DISTRIBUTOR ROAD

ZONES

-  URBAN DEVELOPMENT
-  RURAL RESIDENTIAL
-  RURAL

**CITY OF GREATER GERALDTON
LOCAL PLANNING SCHEME No. 1
SCHEME AMENDMENT No.1**

SCHEME AMENDMENT MAP



LEGEND

ZONES

 RURAL

FINAL APPROVAL

Adopted for Final Approval by Resolution of the City of Greater Geraldton at the ordinary meeting of the Council held on the _____ day of _____ 2016.
and the Common Seal of the City of Greater Geraldton was hereunto affixed by the authority of a resolution of the Council in the presence of:

seal

MAYOR

CHIEF EXECUTIVE OFFICER

Recommended/ Submitted for Final Approval

DELEGATED UNDER S. 16 OF PD ACT 2005

Date

Final Approval Granted

MINISTER FOR PLANNING

Date

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FIGURE

Scheme Extract

APPENDIX

Copy of Certificate of Title

1.0 INTRODUCTION

This amendment proposes to amend the City of Greater Geraldton Local Planning Scheme No. 1 (LPS) by rezoning Lot 51 Rudds Gully Road, Rudds Gully (herein referred to as the 'subject site') from 'Public Purposes' Local Scheme Reserve to the 'Rural' zone in conformity with the zoning of the surrounding land.

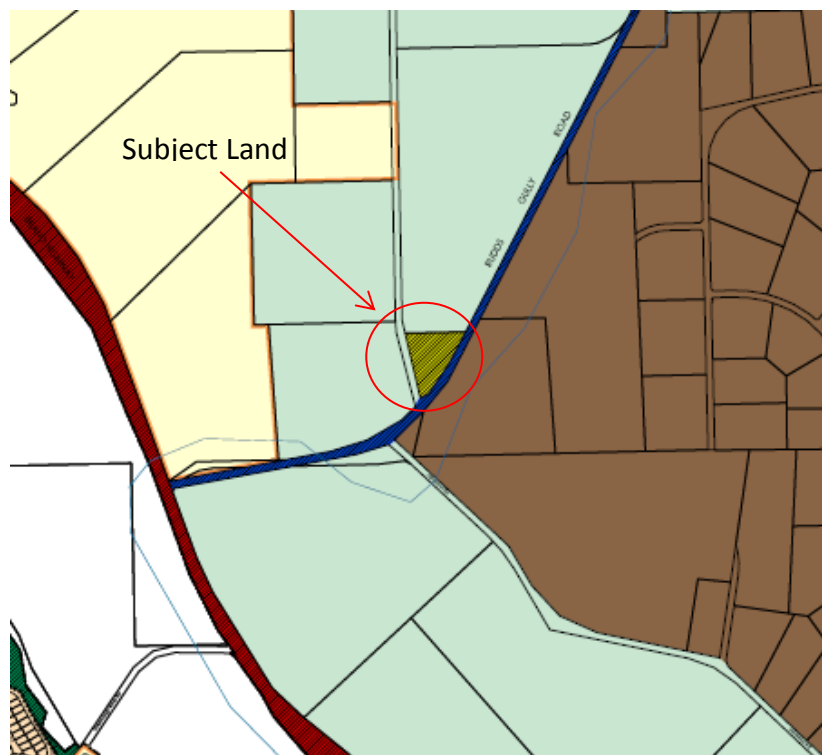
The intent of this Scheme Amendment is to enable the subject site to be developed in accordance with the land use and development provisions applicable to the 'Rural' zone.

2.0 LAND DESCRIPTION

The subject site is identified as Lot 51 Rudds Gully Road, Rudds Gully, with a total land area of 1.9933 hectares.

The subject site is owned by the Electricity Networks Corporation (trading as and herein referred to as Western Power) and is contained in Certificate of Title Vol. 2229 Fol. 31 (refer Appendix), located on the corner of Scott Road and Rudds Gully Road.

The subject site is vacant land, irregular in shape and predominantly cleared of vegetation with a distribution electricity line running along the Scott Road boundary. The topography of the site is generally flat.



Scheme Extract

3.0 PLANNING FRAMEWORK

3.1 State Planning Strategy

The State Planning Strategy identifies the following vision for the Mid-West Region:

“...in the next 33 years the region will continue to grow and diversify its economic base in the areas of agriculture, mineral development, downstream processing of commodities and tourism.”

This amendment is consistent with the above strategy, as it will facilitate an increase in agriculture in the region.

3.3 Geraldton Region Plan

The Geraldton Region Plan (incorporating the Greater Geraldton Structure Plan) was adopted by the Western Australian Planning Commission in June 1999 to provide a regional framework to guide strategic planning and development decisions within the region.

The Plan recognises that the greater Geraldton area is the focus of commercial and administrative activity for the Mid-West Region and, as such, aims to provide a framework for coordinating development and managing growth of the regional centre.

The Plan was subject to a review and update in 2011 which resulted in the subject site being identified as “Future Urban”.

3.4 City of Greater Geraldton Local Planning Strategy 2015

The Strategy represents the land use planning response to the City’s strategic community vision. The Strategy takes a long-term view based on an aspirational population of 100,000 with the expectation that it would be subject to periodical review and update.

As the City continues to move forward, the Strategy will set out the framework and direction the City will take to achieve the best possible regional outcomes, while creating a lifestyle which will make Greater Geraldton the natural choice to live, work and play. The Strategy will guide long-term land use planning and provide the rationale for land use and development controls.

The subject site has been identified within Development Investigation Area 7 – Rudds Gully and the Strategy considers that the ultimate land use may include Service Commercial, Light Industry and Urban.

3.2 City of Greater Geraldton Local Planning Scheme No. 1

The subject site is zoned 'Public Purposes' Local Scheme Reserve within Local Planning Scheme No. 1. According to the Scheme the objective of 'Public Purposes' local reserves is:

"To provide for a range of essential physical and community infrastructure, services and facilities."

Rezoning the subject site to 'Rural', as proposed by the amendment is consistent with the following objectives of the Scheme:

"(b) protect broad acre agriculture activities, such as cropping and grazing, and intensive uses, such as horticulture, from incompatible uses and minimise land use conflicts.

(c) provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with the surrounding rural uses."

4.0 AMENDMENT JUSTIFICATION

Western Power has identified this site as surplus to requirements as it is not required for electrical network purposes in the foreseeable future.

The land to the north of Rudds Gully Road alignment that surrounds the subject site is currently zoned 'Rural'. The City's Local Planning Strategy identified the subject site as part of a broader Development Investigation Area. More extensive research is required to ascertain the best land use required for the lot and this will need to be done as part of a review of the whole area covered by the DIA. Therefore, at this time the 'Rural' zone is most appropriate.






5.0 CONCLUSION

It is considered that the proposed Scheme Amendment is well justified in the context of the current State planning framework, overarching Scheme objectives and local context.

In summary, the rezoning of the subject site is supported as:

- The lot is considered surplus to Western Power requirements and therefore the 'Public Purposes' Local Scheme Reserve is no longer necessary;
- The 'Rural' zone is most appropriate given that extensive investigation into the broader area has not yet been undertaken;
- The land is capable of being developed and fully serviced; and
- The land is in single ownership, facilitating ease of development, and will integrate with the surrounding area.

APPENDIX
Copy of Certificate of Title

<p>184K Exam - Perth J789512</p> 	 WESTERN AUSTRALIA	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">REGISTER NUMBER 51/DP38639</td> </tr> <tr> <td style="width: 50%; text-align: center;">DUPLICATE EDITION 1</td> <td style="width: 50%; text-align: center;">DATE DUPLICATE ISSUED 29/7/2006</td> </tr> </table>	REGISTER NUMBER 51/DP38639		DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 29/7/2006	<table border="0" style="width: 100%;"> <tr> <td style="text-align: right;">VOLUME 2229</td> <td style="text-align: right;">FOLIO 31</td> </tr> </table>	VOLUME 2229	FOLIO 31		
REGISTER NUMBER 51/DP38639											
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 29/7/2006										
VOLUME 2229	FOLIO 31										
<p>DUPLICATE CERTIFICATE OF TITLE UNDER THE TRANSFER OF LAND ACT 1893</p>											
<p>The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.</p>											
			<p><i>RG Roberts</i> REGISTRAR OF TITLES</p> 								
<p>LAND DESCRIPTION:</p> <p>LOT 51 ON DEPOSITED PLAN 38639</p>											
<p>REGISTERED PROPRIETOR: (FIRST SCHEDULE)</p> <p>ELECTRICITY NETWORKS CORPORATION OF 363-365 WELLINGTON STREET, PERTH (AN J789512) REGISTERED 16 JUNE 2006</p>											
<p>LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)</p>											
<p>1. J010069 RESTRICTIVE COVENANT TO SHIRE OF GREENOUGH SEE DEPOSITED PLAN 38639. REGISTERED 3.9.2004.</p>											
<p>Warning: A current search of the certificate of title held in electronic form should be obtained before dealing on this land. Lot as described in the land description may be a lot or location.</p>											
<p>-----END OF DUPLICATE CERTIFICATE OF TITLE-----</p>											
<p>STATEMENTS:</p> <p>The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.</p>											
<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">SKETCH OF LAND:</td> <td>DP38639.</td> </tr> <tr> <td>PREVIOUS TITLE:</td> <td>2109-16.</td> </tr> <tr> <td>PROPERTY STREET ADDRESS:</td> <td>LOT 51 RUDDS GULLY RD, RUDDS GULLY.</td> </tr> <tr> <td>LOCAL GOVERNMENT AREA:</td> <td>SHIRE OF GREENOUGH.</td> </tr> </table>				SKETCH OF LAND:	DP38639.	PREVIOUS TITLE:	2109-16.	PROPERTY STREET ADDRESS:	LOT 51 RUDDS GULLY RD, RUDDS GULLY.	LOCAL GOVERNMENT AREA:	SHIRE OF GREENOUGH.
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