



## Shire of Moora

### LOCAL PLANNING SCHEME NO 4

### AMENDMENT 11

Prepared on behalf of the  
**Shire of Moora**  
By Gray & Lewis Landuse Planners



**PLANNING AND DEVELOPMENT ACT 2005**  
**RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME**  
**LOCAL PLANNING SCHEME No 4**  
**AMENDMENT No 11**

**RESOLVED that the Council, pursuant of Section 57 of the Planning and Development Act 2005 amend the Town Planning Scheme by:**

1. Rezoning a portion of Lot 965 Cooper Street, Moora from 'Development' zone to 'General Agriculture' zone as depicted on the Scheme Amendment map.
2. Rezoning a portion of Lot 1216 Airstrip Road and Lot 48 on an unnamed road, Moora from 'General Agriculture' zone to 'Special Use' zone (SU8) as depicted on the Scheme Amendment map.
3. Listing a portion of Lot 1216 Airstrip Road and Lot 48 on an unnamed road, Moora in 'Schedule 4 – Special Use zones' as Special Use No. 8 (SU8) for 'airfield'.
4. Inserting a definition for 'airfield' in 'Schedule 1 Dictionary of defined words and expressions' under '3. Land Use Definitions'.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2014

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Chief Executive Officer

## PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

<b>LOCAL GOVERNMENT</b>	Shire of Moora
<b>DESCRIPTION OF LOCAL PLANNING SCHEME</b>	4
<b>TYPE OF SCHEME</b>	DISTRICT SCHEME
<b>SERIAL NO. OF AMENDMENT</b>	11
<b>PROPOSAL</b>	<ol style="list-style-type: none"><li>1. Rezoning a portion of Lot 965 Cooper Street, Moora from 'Development' zone to 'General Agriculture' zone as depicted on the Scheme Amendment map.</li><li>2. Rezoning a portion of Lot 1216 Airstrip Road and Lot 48 on an unnamed road, Moora from 'General Agriculture' zone to 'Special Use' zone (SU8) as depicted on the Scheme Amendment map.</li><li>3. Listing a portion of Lot 1216 Airstrip Road and Lot 48 on an unnamed road, Moora in 'Schedule 4 – Special Use zones' as Special Use No. 8 (SU8) for 'airfield'.</li><li>4. Inserting a definition for 'airfield' in 'Schedule 1 Dictionary of defined words and expressions' under '3. Land Use Definitions'.</li></ol>

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### SCHEME AMENDMENT REPORT

#### 1.0 INTRODUCTION

Moora is located less than two hour's drive to the north of Perth strategically located between two of the State's most popular tourism attractions – New Norcia and the Pinnacles.

Moora is the largest inland service centre between Perth and Geraldton, providing services to a population catchment of 6,000 residents within a 100km radius.

Moora contains five commercial banks, two primary schools, Senior High School, Residential College, Pharmacy, Dentist, Doctors, District Hospital, commerce and retail sectors and community recreational facilities.

An existing airstrip is located on a portion of Lot 1216 Airstrip Road and a portion of Lot 48 on an unnamed road to the south west of the main Moora townsite. The airstrip has historically been available for some public use under an informal arrangement with the previous landowner.

The purpose of this scheme amendment is to ensure that zonings are appropriately reviewed having regard for the existing airstrip and future land tenure changes.

The Shire seeks to secure ownership of the airstrip so that it can be redeveloped and upgraded to service the town.

## 2.0 BACKGROUND

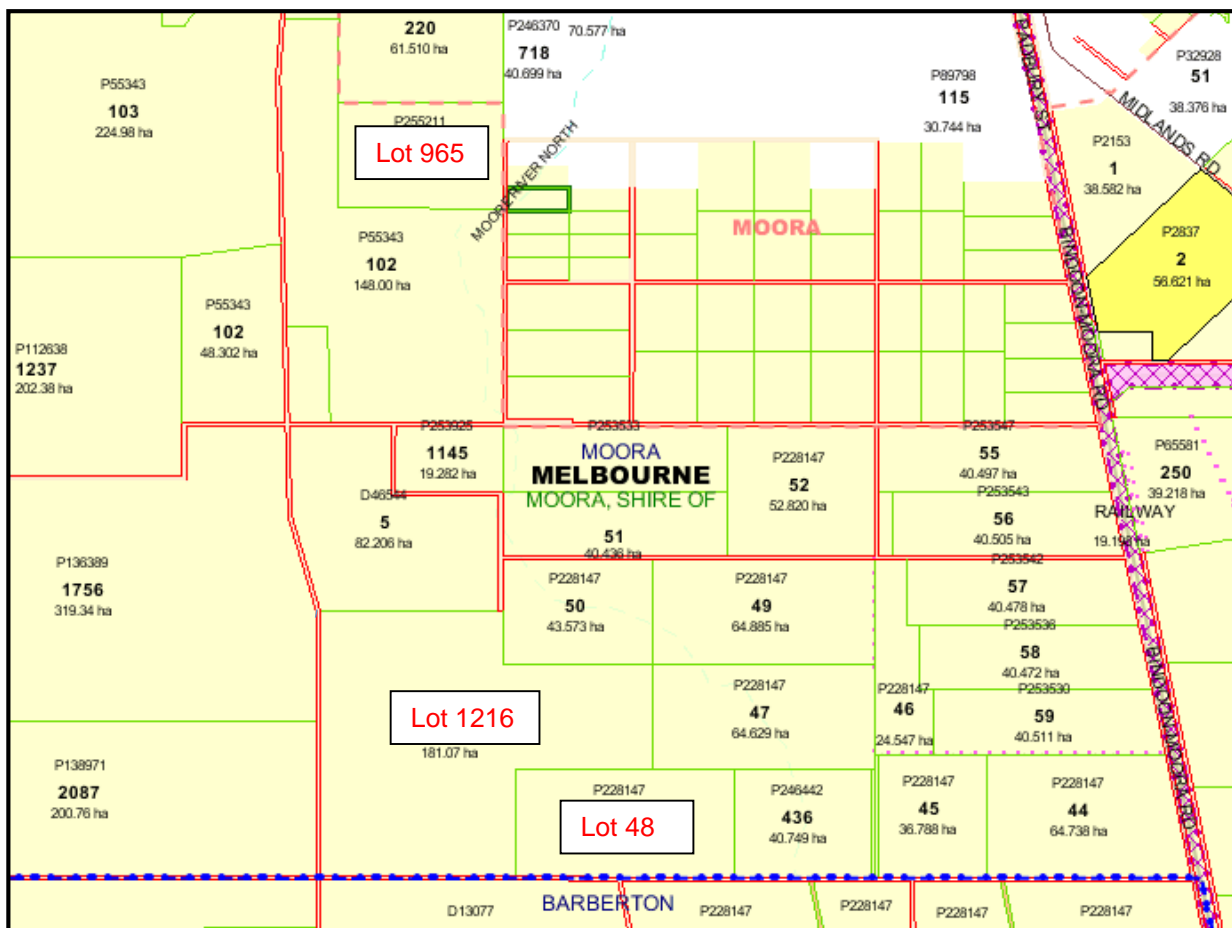
### 2.1 Legal Description and land ownership

Lot	Area (hectares)	Certificate of Title	Ownership	Existing landuse
965	47.946	Volume 29, Folio 147A	Shire of Moora	Vacant land – south east portion used for gravel supply
1216	181.07	Volume 1877, Folio 163	WJ & KM Vanzetti	Farming and existing airstrip
48	64.706	Volume 1877, Folio 160	WJ & KM Vanzetti	Farming and existing airstrip

Although not part of this amendment, it should be noted that Lot 102 located to the south of Lot 965 is also owned by WJ & KM Vanzetti.

### 2.2 Location

A location plan showing the lots affected by this scheme amendment is included below.



## 2.3 Existing and proposed landuses

The majority of the land is utilised for farming however there is an existing airstrip located on a portion of Lots 1216 and 48.



The Shire engaged Strategic Safety Alliance to produce a redesign for the existing airstrip to ensure the facility can meet minimum aerodrome requirements.

The existing airstrip was reported to be in excellent condition and only minor works required as part of redevelopment.

A redevelopment plan is included as Attachment 1, and allows for upgrading and future hangers.

The south east portion of Lot 965 is used as a gravel source by the Shire of Moora and will continue to operate. Farming will continue on the remainder of the balance lots.

## 2.4 History and future land swap

The Shire is pursuing a land swap arrangement with the existing landowner of Lot 1216 and 48 ('subject land') to secure the airstrip into Shire ownership to allow for upgrading and continued operation.

In return for the airstrip and its surrounds the existing landowner of the subject land will receive a portion of Lot 965 Cooper Street which is currently owned by the Shire.

## 2.5 Current Problems

The existing airstrip is required to service the towns needs. The airstrip requires upgrading and the Shire seeks to secure ownership of the airstrip, and ensure a more suitable 'special use' zone is applied to the airstrip.

There is no applicable landuse definition for the 'airstrip' landuse under the Shire of Moora Local Planning Scheme No 4 or the Model Scheme Text which forms part of the Town Planning Regulations 1967.

## 2.6 Related subdivision applications

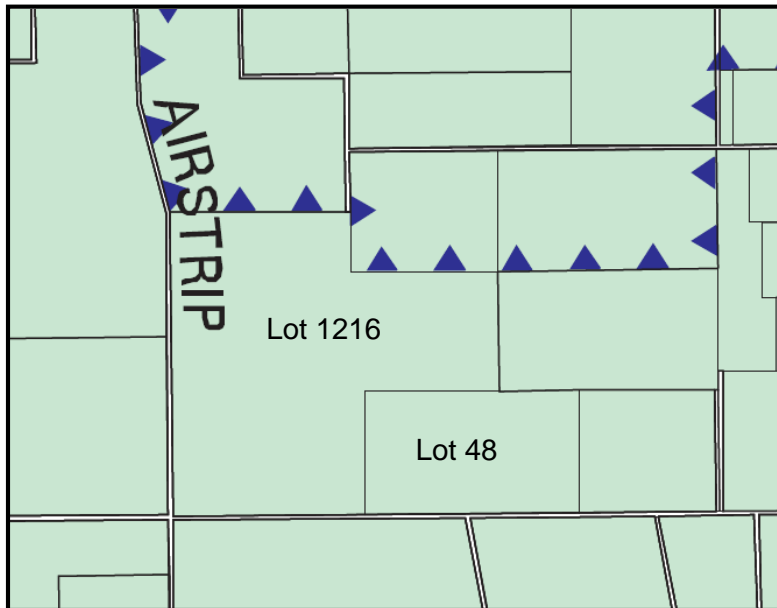
The Shire has secured two approvals from the Western Australian Planning Commission to:

- (a) Excise the existing gravel source from Lot 965 and amalgamate the balance area of Lot 965 with adjacent Lot 102 Airstrip Road Moora (WAPC: 149892) – Attachment 2.
- (b) Excise the existing airstrip from Lot 1216 and Lot 48, and amalgamate the balance areas of both lots (WAPC: 149894) – Attachment 3.

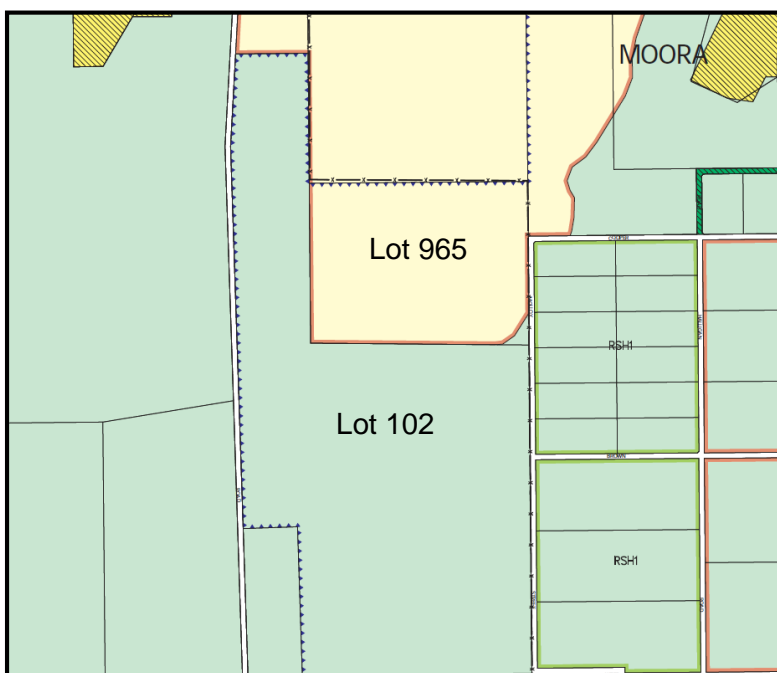
### 3.0 PROPOSED AMENDMENT

#### 3.1 Existing zoning

The airstrip currently located on Lots 1216 and 48 is zoned 'General Agriculture' under the Shire of Moora Local Planning Scheme No 4 ('the Scheme').



The majority of Lot 965 which contains the existing gravel source is within the 'Development' zone that forms part of a future planned residential area known locally as the 'West End'. The cost of providing services to the West End are likely to be high.



The south east corner of Lot 965 is within the 'General Agriculture' zone.

## **3.2 Proposed zoning map changes**

### **3.2.1 Lots 1216 Airstrip Road and Lot 48 on an unnamed road, Moora**

The airstrip on Lots 1216 and 48 is to be proposed to be excised onto a separate lot and will be owned, upgraded and developed by the Shire of Moora. A Special Use zone is proposed for the airstrip to specifically cater for a publicly available airstrip.

The balance land will remain within the existing 'General Agriculture' zone.

### **3.2.2 Lot 965 Cooper Street, Moora**

The gravel source on Lot 965 is proposed to be excised onto a separate lot and will continue to be used and managed by the Shire of Moora. The balance of Lot 965 is proposed to be amalgamated with Lot 102 to the immediate south and be utilised for farming.

It is not desirable to retain the existing 'Development' zone over Lot 965 as it will be used for farming and for continued gravel supply. The 'General Agriculture' zone better supports continued farming and rural activities.

## **3.3 Proposed Scheme text changes**

All special uses are listed in Schedule 4 of the Scheme. It is proposed to list a portion of Lots 1216 and Lot 48 (containing the airstrip) as Special Use No 8 in Schedule 4 for the specific purpose of 'Airfield'.

Whilst an alternative exists to classify the airstrip as a 'public purpose' reservation it is considered that a Special Use zone allows greater flexibility in the event that there is any future opportunity for the airstrip to be privately managed. Whilst the Shires intention is to operate and upgrade the airstrip future prospects should be catered for.

It is desirable that any landuse cited in a special use zone also be defined in the Scheme. The Model Scheme Text does not contain a landuse definition for an 'airfield' therefore this amendment proposes to include a new definition for 'airfield'. The definition has been loosely based on the 'airfield' definition contained in the Shire of Shark Bay Local Planning Scheme No 3 and the 'airfield' definition contained in the Shire of Esperance Local Planning Scheme No 23.

## **4.0 DEVELOPMENT REQUIREMENTS**

The development requirements for the proposed special use zone for the airstrip will be inserted into the Scheme text as part of this amendment. Existing Clause 3.5 applicable to Special Use zones under the Scheme already makes allowance for specific landuses and development conditions to be listed in Schedule 4.

Development for the proposed 'General Agriculture' zone over a portion of Lot 965 is controlled through existing scheme provisions including Table 1: Zoning Table and Clause 3.15.

## **5.0 WHEATBELT REGIONAL PLANNING AND INFRASTRUCTURE FRAMEWORK**

The Wheatbelt Regional Planning and Infrastructure Framework has established a regional planning perspective for the Wheatbelt region. The document recognises the region's key economic drivers, a growing tourist market and retail and service sectors responsive to population growth.

The amendment will facilitate upgrading of the existing Moora airstrip by the Shire of Moora. The Wheatbelt Strategy recognises that aviation industries are a potential growth area for the Wheatbelt.

The Wheatbelt Strategy identifies Moora as an area of growth which should have access to transport and health facilities. Retention of a public airfield in Moora as a transport option is important to the Shire of Moora.

## **6.0 CONCLUSION**

The proposed scheme amendment is appropriate having regard for existing and proposed landuses, and planned changes of land tenure and lot boundaries. It essentially facilitates a more appropriate zoning over the existing airstrip and ensures proposed amalgamated lots to be used for farming are within the 'General Agriculture' zone.



**PLANNING AND DEVELOPMENT ACT 2005**

**SHIRE OF MOORA**

**LOCAL PLANNING SCHEME NO 4**

**AMENDMENT 11**

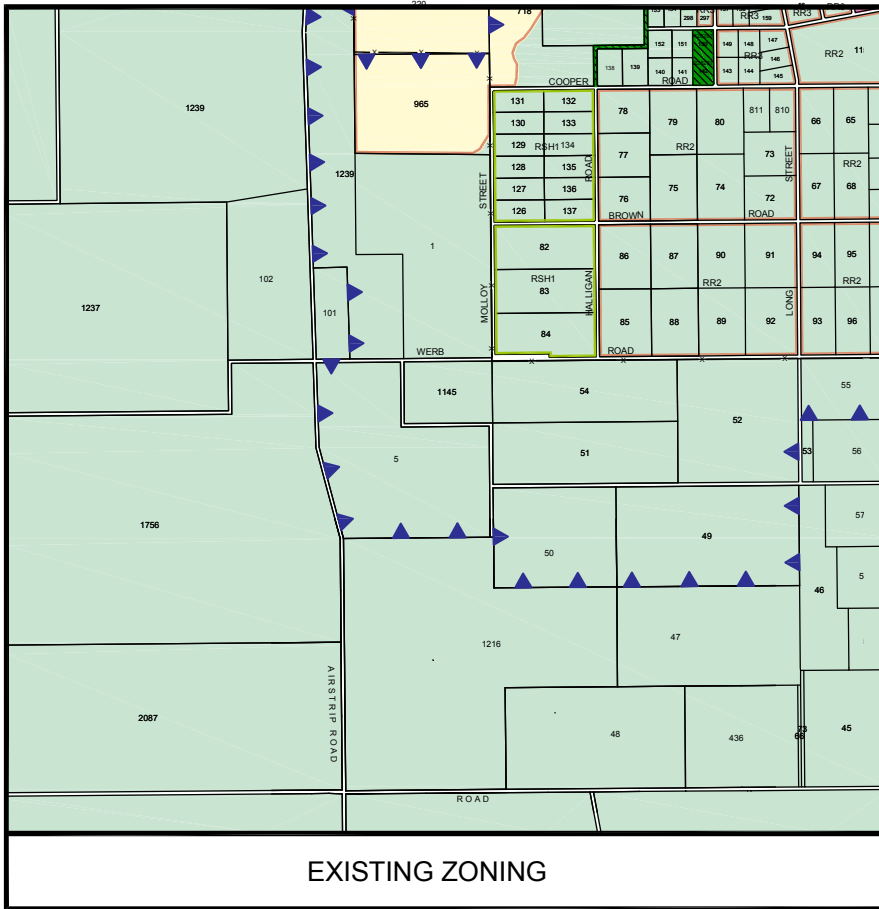
The Shire of Moora Council under and by virtue of the power conferred upon it in that behalf by the *Planning and Development Act, 2005*, hereby amends the above local planning scheme by:

1. Rezoning a portion of Lot 965 Cooper Street, Moora from 'Development' zone to 'General Agriculture' zone as depicted on the Scheme Amendment map.
2. Rezoning a portion of Lot 1216 Airstrip Road and Lot 48 on an unnamed road, Moora from 'General Agriculture' zone to 'Special Use' zone (SU8) as depicted on the Scheme Amendment map.
3. Listing a portion of Lot 1216 Airstrip Road and a portion of Lot 48 on an unnamed road, Moora in 'Schedule 4 – Special Use zones' as Special Use No. 8 (SU8) for 'airfield' with conditions to state as follows:

<b>NO.</b>	<b>DESCRIPTION OF LAND</b>	<b>SPECIAL USE</b>	<b>CONDITIONS</b>
8	Portion of Lot 1216 Airstrip Road and portion of Lot 48 on an unnamed road, Moora	Airfield	(a) Provide for airfield facilities, associated amenities and ancillary related uses.



4. Inserting a definition for 'airfield' in 'Schedule 1 Dictionary of defined words and expressions' under '3. Land Use Definitions' to state as follows:

**'airfield'** means land and buildings used in connection with the operation of aeroplanes and other aircraft, including airstrips, a public passenger terminal, ancillary offices, car parking, parking, maintenance and servicing of aircraft, but does not include a private airstrip incidental to farming operations.








**LEGEND**






**LOCAL SCHEME RESERVES**

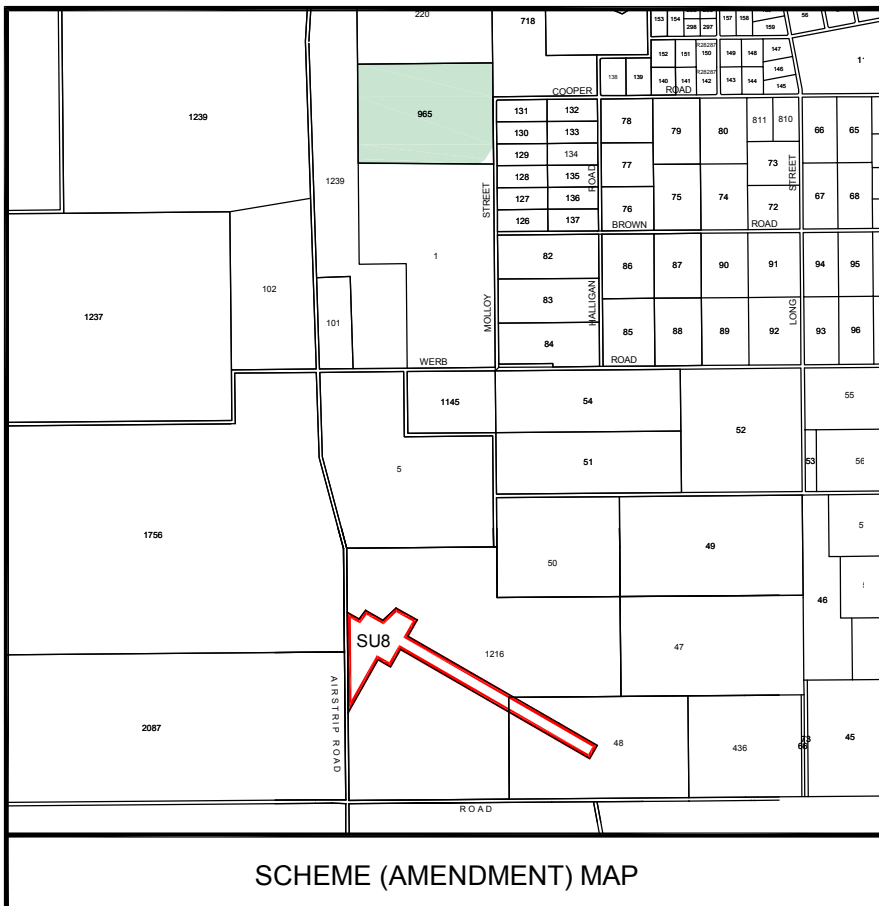
-  RECREATION & OPEN SPACE
-  ROAD

**ZONES**

-  DEVELOPMENT
-  SPECIAL USE
-  GENERAL AGRICULTURE
-  RURAL RESIDENTIAL
-  RURAL SMALLHOLDING

**OTHER**

-  TOWNSITE - LAND ACT
-  RR2 RURAL RESIDENTIAL AREAS (SEE SCHEME TEXT)
-  SU8 SPECIAL USE AREAS (SEE SCHEME TEXT)
-  RSH1 RURAL SMALLHOLDING AREAS (SEE SCHEME TEXT)
-  SCA - LAND SUBJECT TO FLOODING



**ADOPTION**

Adopted by resolution of the Shire of Moora at the Ordinary Meeting of the Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

.....  
PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

**FINAL APPROVAL**

Adopted by Resolution of the Shire of Moora at the at the Ordinary Meeting of the Council 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.....

# ATTACHMENT 1





DWG TITLE		MOORA AERODROME LAYOUT	
PROJECT		MOORA AERODROME REDEVELOPMENT	
DRAWN		KPLECKNELL	
CHECKED			
SCALE		As Shown	
DATE		07/08/13	
PROJECT #			
DWG NO.		MOOR/13/01	
NO.		DATE	REVISION
XX	XXXX	XXXXXX	
STRATEGIC SAFETY ALLIANCE			
PLANNING & DESIGN			
TEL: 08 9592 1201			
MOB: 0417 927 354			
EMAIL: henr@locknell.com.au			
DT			



# ATTACHMENT 2

Your Ref :  
Enquiries : Ryan Shaw (Ph 6551 9769)

Gray & Lewis  
Suite 5, 2 Hardy Street  
SOUTH PERTH WA 6151

## Approval Subject To Condition(s) Freehold (Green Title) Subdivision

Application No : 149892

### *Planning and Development Act 2005*

Applicant	:	Gray & Lewis Suite 5, 2 Hardy Street SOUTH PERTH WA 6151
Owner	:	Shire Of Moora P O Box 211 MOORA WA 6510, Warren John Vanzetti & Kylie Michelle Vanzetti 313 Airstrip Road MOORA WA 6510
Application Receipt	:	17 April 2014

Lot Number	:	102, 965
Diagram / Plan	:	DP 255211 & 55343
Location	:	-
C/T Volume/Folio	:	2727/856, 29/147a
Street Address	:	Airstrip Road, Moora
Local Government	:	Shire of Moora

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped 17 April 2014 once the condition(s) set out have been fulfilled.

This decision is valid for three years from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 07 July 2017 or this approval no longer will remain valid.

### **Reconsideration - 28 days**

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

### **Right to apply for a review - 28 days**

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

### **Deposited plan**

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

### **Condition(s)**

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the deposited plan.



If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

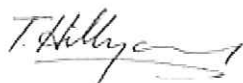
The condition(s) of this approval, with accompanying advice, are:

CONDITION(S):

1. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)
2. Satisfactory arrangements being made with the local government, for the upgrading of Cooper Street where necessary to a standard considered appropriate by the local government. (Local Government)

ADVICE:

1. The landowner/applicant and the local government are advised of a proposed scheme amendment, which if initiated and approved, will rezone Lot 965 from "Development" to "General Agriculture".



Tim Hillyard  
Secretary  
Western Australian Planning Commission  
7 July 2014



# ATTACHMENT 3

Your Ref :  
Enquiries : Ryan Shaw (Ph 6551 9769)

BY: .....

Gray & Lewis  
Suite 5, 2 Hardy Street  
SOUTH PERTH WA 6151

### Approval Subject To Condition(s) Freehold (Green Title) Subdivision

Application No : 149894

#### *Planning and Development Act 2005*

Applicant	:	Gray & Lewis Suite 5, 2 Hardy Street SOUTH PERTH WA 6151
Owner	:	Warren John Vanzetti & Kylie Michelle Vanzetti 313 Airstrip Road MOORA WA 6510
Application Receipt	:	17 April 2014

Lot Number	:	1216, 48
Diagram / Plan	:	DP 115023, 228147
Location	:	-
C/T Volume/Folio	:	1877/163, 1877/160
Street Address	:	Airstrip Road, Moora
Local Government	:	Shire of Moora

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped 17 April 2014 once the condition(s) set out have been fulfilled.

This decision is valid for three years from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 07 July 2017 or this approval no longer will remain valid.



### Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

### Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

### Deposited plan

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

### Condition(s)

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the deposited plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITION(S):

1. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)
2. A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificates of title of the proposed lot 22 advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

*'This lot is situated in the vicinity of the Moora Airstrip, and may be affected by aircraft noise'.* (Western Australian Planning Commission)

ADVICE:

1. The landowner/applicant and the local government are advised of a proposed scheme amendment, which if initiated and approved, will rezone proposed lot 21 from "General Agriculture" to "Special Use".



Tim Hillyard  
Secretary  
Western Australian Planning Commission  
7 July 2014