

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO AMEND A LOCAL PLANNING SCHEME

SHIRE OF NANNUP LOCAL PLANNING SCHEME No.4 AMENDMENT No.4

Resolved that the Local Government, pursuant to Section 75 of the Planning and Development Act 2005, amend the above Local Planning Scheme by:

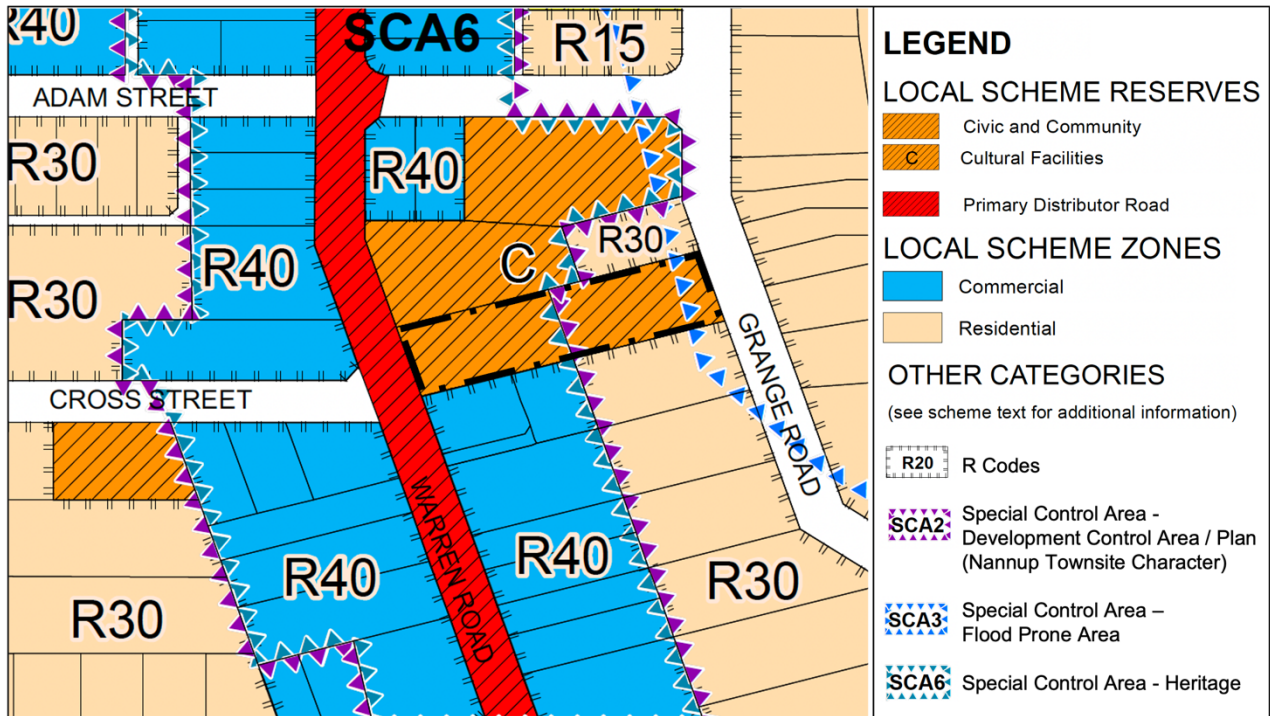
1. Amending the Scheme Map by rezoning Lot 37 Warren Road, Nannup from the 'Civic and Community' Local Reserve to the 'Commercial' zone with a density code of R40; and
2. Amending the Scheme Map by rezoning Lot 38 Grange Road, Nannup from the 'Civic and Community' Local Reserve to the 'Residential' with a density code of R30.

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

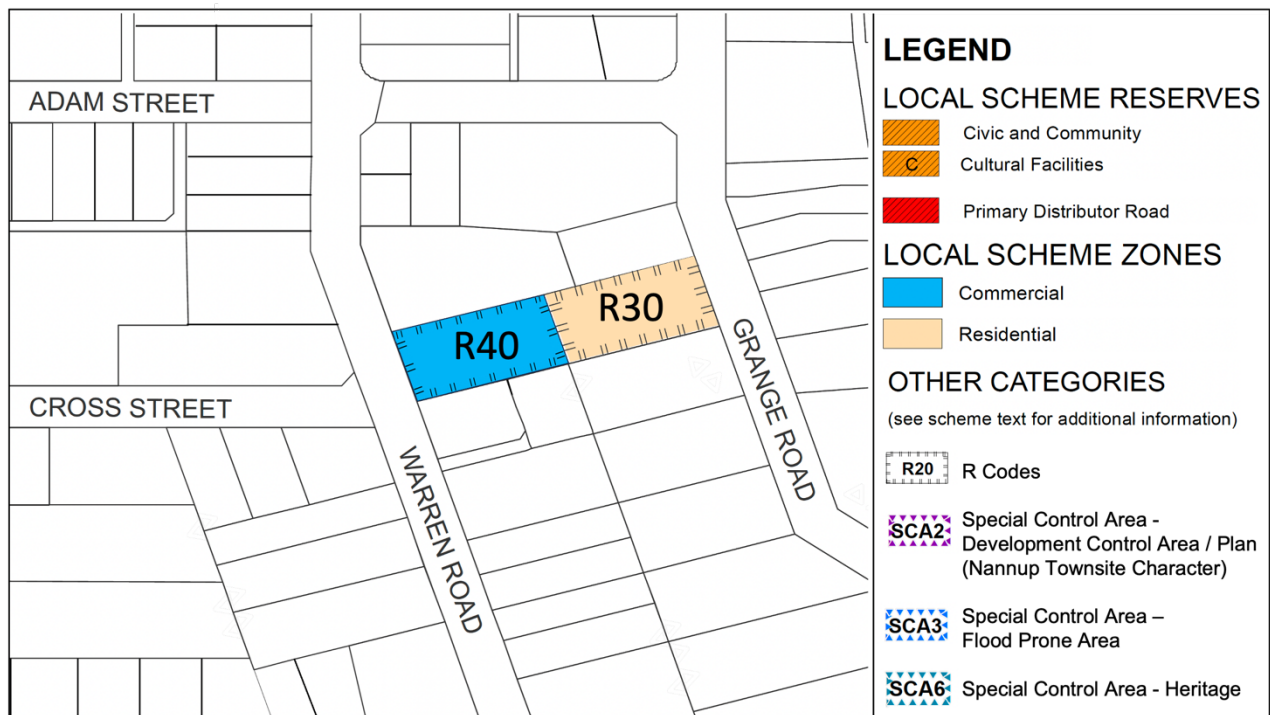
1. The Amendment is consistent with the applicable planning framework, including the Shire of Nannup Local Planning Strategy endorsed by the Western Australian Planning Commission;
2. The Amendment will not have an adverse impact on any other land in the scheme area; and
3. The amendment is not a complex or basic amendment.

SHIRE OF NANNUP
LOCAL PLANNING SCHEME No.4
AMENDMENT No.4

EXISTING ZONING



PROPOSED ZONING



COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Nannup at the Ordinary Meeting of the Council held on the th day of 2025.

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

This Standard Amendment was adopted for the purpose of advertising by resolution of the Council of the Shire of Nannup at the Ordinary Meeting of the Council held on the th day of 2025.

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for approval by resolution of the Shire of Nannup at the Ordinary Meeting of the Council held on the th day of 2025 and the Common Seal of the Shire of Nannup was hereunto affixed by the authority of a resolution of the Council in the presence of:

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDATION FOR APPROVAL

DELEGATED UNDER SECTION 16 OF THE
PLANNING AND DEVELOPMENT ACT 2005

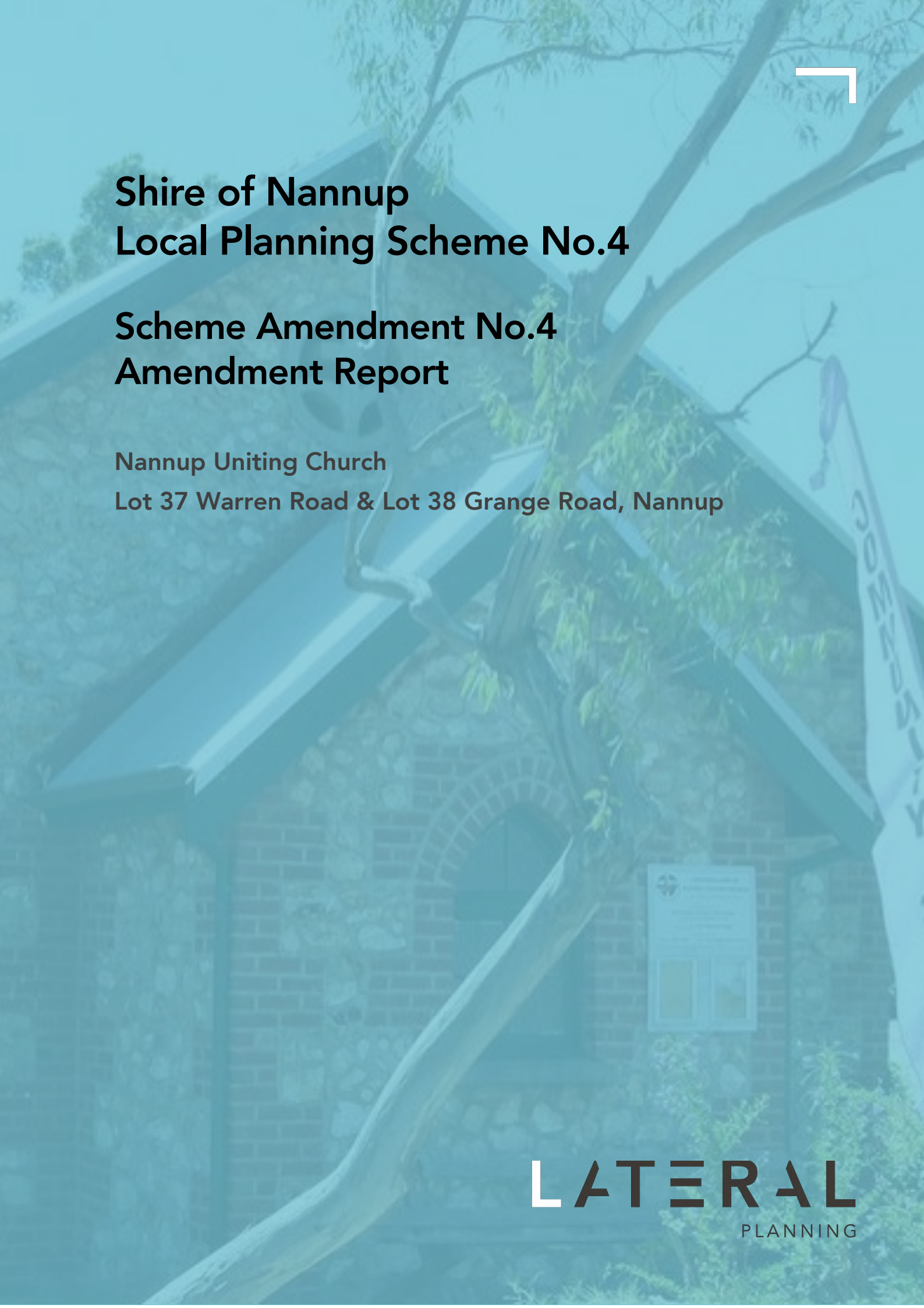
DATE _____

APPROVAL GRANTED

MINISTER FOR PLANNING

DATE _____

SCHEME AMENDMENT REPORT

The background of the entire page is a photograph of a brick building, likely a church, with a large tree in the foreground. A white sign is visible on the building's wall. The image is overlaid with a semi-transparent blue filter. In the top right corner, there is a white L-shaped graphic element.

Shire of Nannup Local Planning Scheme No.4

Scheme Amendment No.4 Amendment Report

Nannup Uniting Church

Lot 37 Warren Road & Lot 38 Grange Road, Nannup

LATERAL
PLANNING

Document Control

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1.0 Introduction

Lateral Planning acts for the Uniting Church in Australia Property Trust (WA) ('UCA'), the registered proprietor of Lot 37 Warren Road and Lot 38 Grange Road, Nannup ('site').

This report has been prepared in support of an Amendment to Shire of Nannup ('Shire') Local Planning Scheme No.4 ('LPS4') to remove the site from the 'Civic and Community Purposes' Local Reserve and include Lot 37 in the 'Commercial' zone and Lot 38 in the 'Residential' zone.

The site is no longer used as a place of worship by the UCA and the Amendment will provide greater flexibility with respect to the future use and development of the site. The Amendment represents a logical extension of the Town Centre and Residential zones that presently exist to the south of the site.

2.0 Subject Site

The site is situated between Warren Road and Grange Road in the locality of Nannup. Warren Road forms part of Vasse Highway, which runs between Bussell Highway (near Busselton) to the north-west and South Western Highway (near Manjimup) to the south-east via the towns of Nannup and Pemberton.

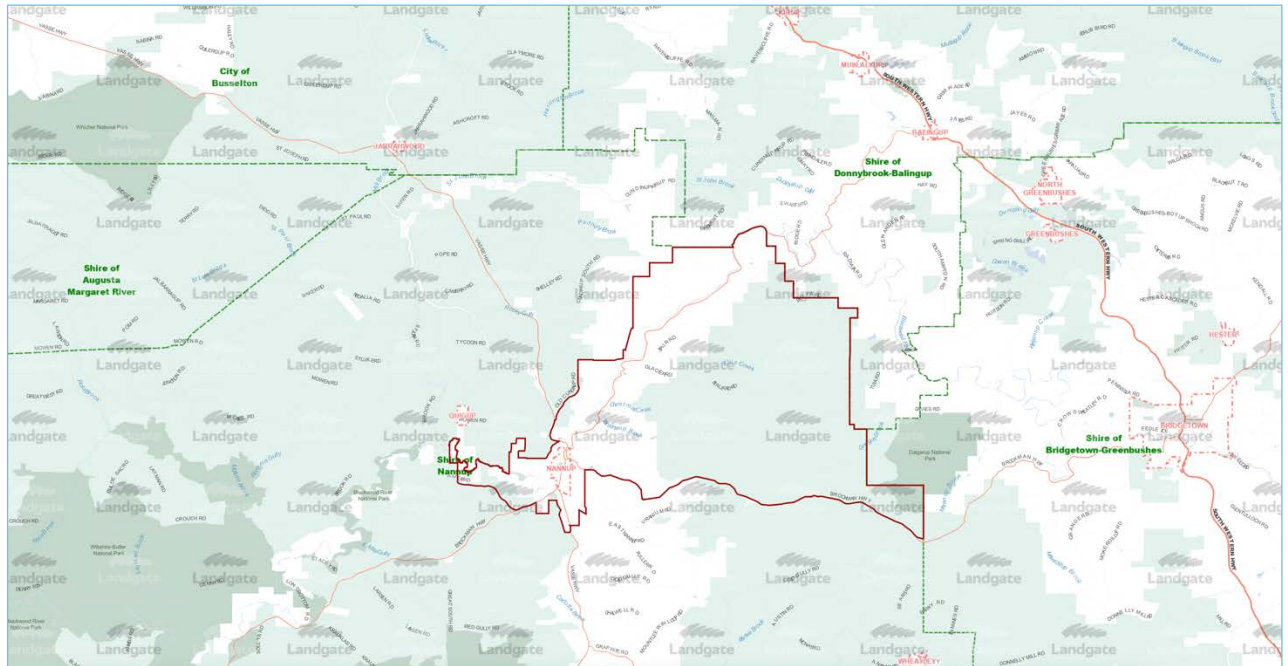


Figure 1: Regional Context

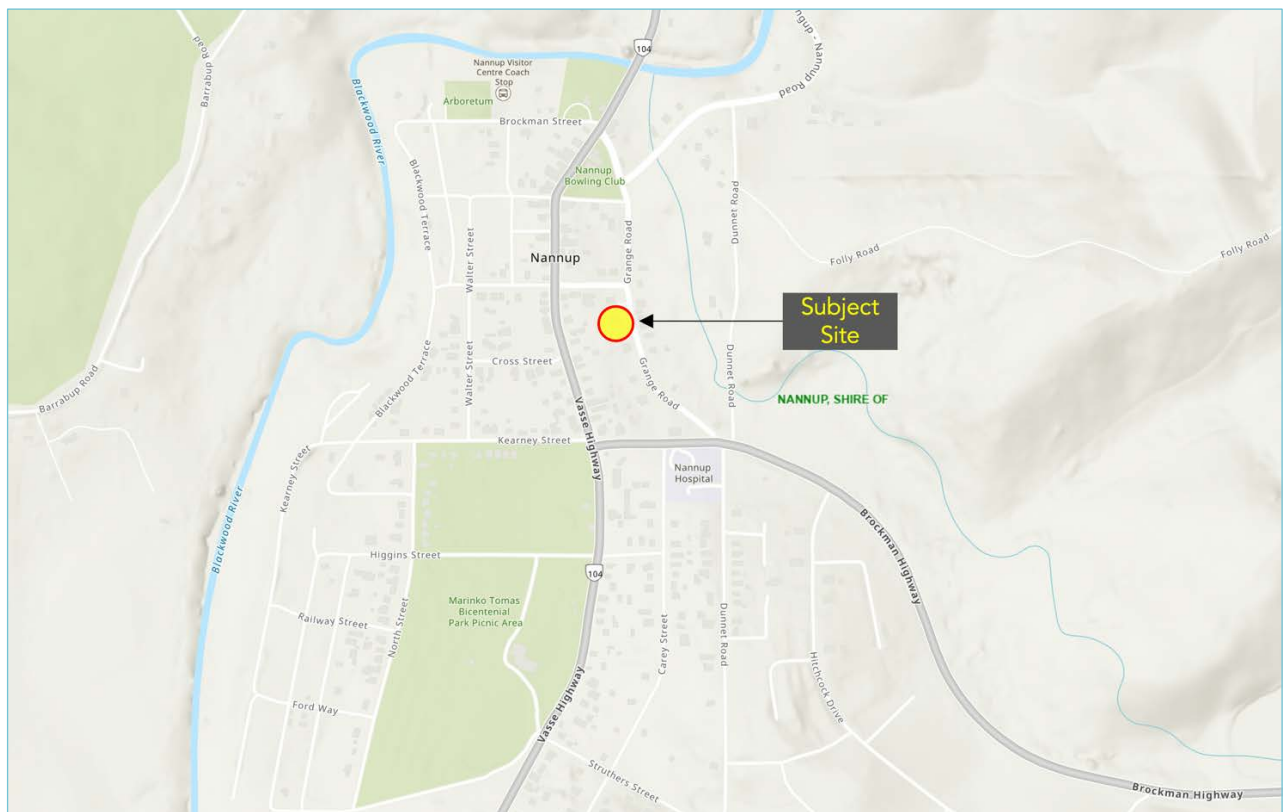


Figure 2: Local Context - Nannup

The site is adjacent to Nannup town centre and located in the street block bound by Warren Road, Kearney Street, Grange Road and Adam Street. Kearney Street forms part of Brockman Highway connecting Nannup to Bridgetown.

The street block is occupied by a mix of community, commercial and residential land uses. The adjoining property to the north of Lot 37 is occupied by Nannup Police Station while the adjoining property to the north of Lot 38 is occupied by a child care centre. To the north of those properties, fronting Adam Street, is a café, the Shire of Nannup administration centre, and the Nannup Volunteer Fire and Rescue Service. To the south of Lot 37 fronting Warren Road is a deli, service station and, further south, a hardware store. The remaining properties in the street block are generally used for residential purposes. To the north-west of the site, on the opposite side of Warren Road, is a pathology clinic and liquor store.



Figure 3: Local Context – Street Block

The site comprises two parcels of land, as described in the table below.

Registered Proprietor	Uniting Church in Australia Property Trust (WA)	
Address	N/A	N/A
Cadastral	Lot 37 on Deposited Plan 222884	Lot 38 on Deposited Plan 222884
Certificate of Title	Volume 4069 Folio 927	Volume 4069 Folio 926
Land Area per Lot	2,238m ²	2,251m ²
Frontage	35.2 metres	35.2 metres

A former church occupies the north-west portion of Lot 37 fronting Warren Road, with informal car parking provided to the south of the church building. Lot 38 is vacant but most recently has been used as a 'community garden'. Trees have been retained on the site.

Lot 37 is generally flat with a level of 72 metres AHD. The eastern most portion of Lot 37 falls by 0.5 metres to a level of 71.5 metres AHD along the rear boundary. Lot 38 falls by approximately 4 metres, from a level of 71.5 metres AHD at the rear boundary to 67.5 metres AHD at the frontage to Grange Road. The eastern portion of Lot 38 is within the Floodplain identified in the Blackwood River Flood Study.

Lot 37 is connected to the existing sewer running parallel to the rear boundary between Lots 37 and 38. Whilst presently vacant, Lot 38 has access to the existing sewer situated in the reserve of Grange Road. Reticulated water is provided in the verge of Warren Road and Grange Road.

The former church was constructed circa 1937 and is included in the Shire's Municipal Inventory (Management Category B) and LPS4 Heritage List. According to the Municipal Inventory, the place is in good condition and significant for aesthetic, historic and social reasons.

Originally built as a Methodist Church, the congregation became part of the Uniting Church in Australia in 1977. There is no longer an active congregation in Nannup and the site is now surplus to the requirements of the Uniting Church in Australia.

Until recently, Lots 37 and 38 were held on Certificates of Crown Land Title as Unallocated Crown Land, with the UCA being the primary interest holder in the form of a Crown Grant held in Trust. On 30 January 2025, following a process of acquisition by the UCA, the former Certificates of Crown Land Title were cancelled and (freehold) Certificates of Title issued to the UCA.

As the site is no longer required for church purposes, the UCA is seeking to amend the zoning of the land under LPS4 to allow for a wider range of land use and development options to be accommodated, commensurate with the site's proximity to Nannup town centre.



Figure 4: Aerial Photo of Site

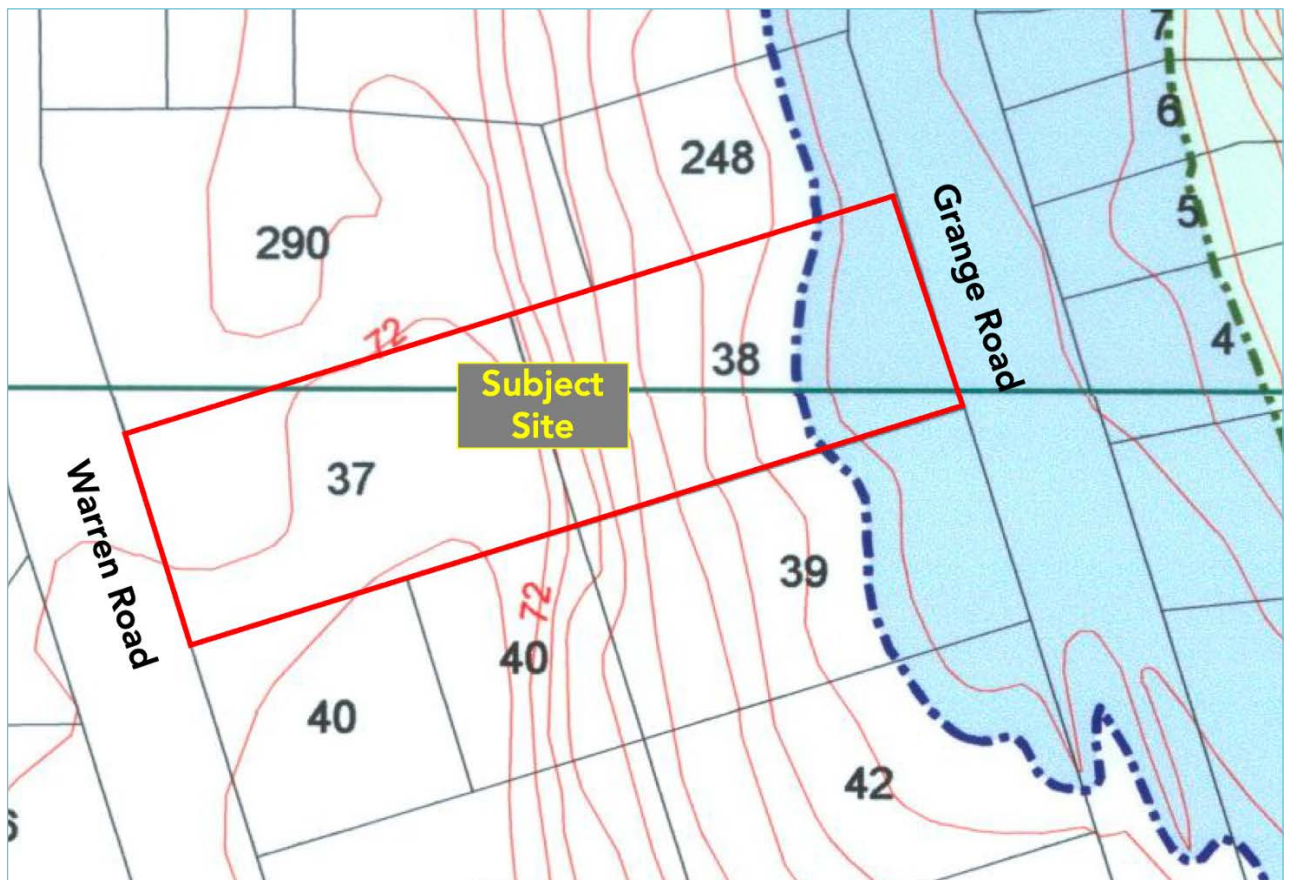


Figure 5: Site Topography & Flood Mapping

3.0 Town Planning Considerations

3.1 Planning and Development Act 2005

The proposed Amendment to LPS4 is prepared pursuant to Section 75 (b) of the Planning and Development Act 2005 and in accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

3.2 State Planning Policies

3.2.1 State Planning Policy 3.0 - Urban Growth and Settlement

State Planning Policy 3.0 – Urban Growth and Settlement ('SPP3.0') applies throughout Western Australia. The Objectives of SPP3.0 include:

- *To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- *To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*

The Amendment will fulfil these Objectives by rationalising the zoning of land in Nannup and providing an opportunity for development within and adjacent to the town centre.

3.2.2 State Planning Policy 3.3 – Historic Heritage Conservation

State Planning Policy 3.3 ('SPP3.3') sets out the *"principles of sound and responsible planning for the conservation and protection of Western Australia's historic heritage."*

SPP3.3 provides guidance for Local Government to establish a statutory Heritage List pursuant to a Local Planning Scheme. The former Church on the site is included in the LPS4 Heritage List. The future use and development of the site will need to give due consideration to the heritage significance of the place. This would ordinarily involve the preparation of a Heritage Impact Statement and / or Conservation Plan, prepared by a heritage consultant, to demonstrate that a proposal will not have an adverse impact on the heritage significance of the place.

3.2.3 State Planning Policy 3.7 - Bushfire

The majority of Lot 38 is in a Bushfire Prone Area declared under the Fire and Emergency Services Act. Lot 37 is outside the boundary of the declared Bushfire Prone Area. Future land use and development proposals in the declared Bushfire Prone Area will need to have due regard to the provisions of State Planning Policy 3.7 and the Bushfire Planning Guidelines. Given the site is situated in an established area and the Amendment does not propose any specific development outcomes, it is not considered necessary for this Amendment to be accompanied by a Bushfire Management Plan. Subsequent development / building applications will be accompanied by a Bushfire Attack Level Assessment and, if required, Bushfire Management Plan.



Figure 6: Declared Bushfire Prone Area

3.2.4 State Planning Policy 5.4 – Road and Rail Noise

The site is not within the trigger distance of any strategic freight / major traffic routes, other significant freight / traffic routes, passenger railways or freight railways. Accordingly, future development on the site is not expected to require any noise mitigation measures in accordance with the requirements of State Planning Policy 5.4 – Road and Rail Noise.

3.2.5 State Planning Policy 7.0 – Design of the Built Environment

Future development on the site will need to consider the Design Principles identified in State Planning Policy 7.0, with any residential development required to consider the provisions of the Residential Design Codes.

3.3 Regional and Sub-Regional Planning Framework

3.3.1 South-West Regional Planning and Infrastructure Framework

The South-West Regional Planning and Infrastructure Framework ('Regional Framework') was adopted in 2015 as a strategic planning document to guide future growth and development in the South-West Region. The Regional Framework includes a Settlement Hierarchy. Nannup is identified as a Town servicing surrounding the rural areas in the Warren-Blackwood sub-region.

3.4 Local Planning Strategy

The Local Planning Strategy was adopted in 2018.

3.4.1 Objectives of the Strategy

The Objectives of the Strategy are to:

- a) *develop a long-term land use planning strategy to manage the growth in the Shire that contributes to the lifestyle enjoyed by residents;*
- b) *encourage the sustainable development and expansion of the Nannup townsite to improve service viability while conserving or enhancing a strong sense of community;*
- c) *ensure that future subdivision and development within and near the Nannup townsite provide a broad range of housing and lifestyle choices that enhance the environment and character of the townsite;*
- d) *assist to broaden the economic and employment base of the Shire through greater diversification and promoting a resilient and increasingly robust economy;*
- e) *promote agricultural activity as the key economic and social driver for the Shire;*
- f) *provide orderly and coordinated development;*
- g) *create sustainable communities and sustainable development which aims to:*
 - i. *manage and conserve key natural resources including land and water resources;*
 - ii. *attract and retain people and businesses;*
 - iii. *ensure the community has access to quality facilities and services;*
 - iv. *support the introduction, maintenance and upgrading of assets and infrastructure which meet community needs in a timely and cost effective manner; and*
 - v. *retain the unique sense of place that values its culture and heritage; and*
- h) *notwithstanding the development opportunities identified, subdivision and development potential may be limited or unachievable due to unmanageable fire risk. The development opportunities shown in the Strategy are subject to ongoing bushfire risk assessment and compliance with bushfire mitigation and management measures prescribed in SPP3.7 and Guidelines for Planning in Bushfire Prone Areas.*

3.4.2 Settlement Planning

Nannup Townsite and Surrounds

Nannup townsite is the principal centre in the Shire.

The aims of the Strategy for Nannup townsite include:

- *promote residential settlement growth in and near the Nannup townsite to support an increased range and level of service provision and economic activity;*
- *support the consolidation of the Nannup townsite subject to addressing relevant planning considerations;*

- ensure that future residential, rural residential and rural smallholding subdivisions are planned as logical extensions of the Nannup townsite along with appropriate services and infrastructure; and
- ensure that future residential, rural residential and smallholding subdivisions address land suitability and land capability considerations including bushfire risk management.

With respect to residential uses, the Strategy aims to ensure Nannup grows in a sustainable manner, retains its character, and provides for an adequate supply of housing commensurate with demand. To achieve these outcomes, the Strategy supports medium density development at R30 to R40 in and around Nannup town centre, subject to provision of reticulated sewerage and consideration of issues such as built form heritage, bushfire planning and flood risk mitigation.

3.4.3 Strategy Plan

The Strategy Plan includes Lot 37 in the Town Centre. Lot 38 is depicted as Community Purposes.

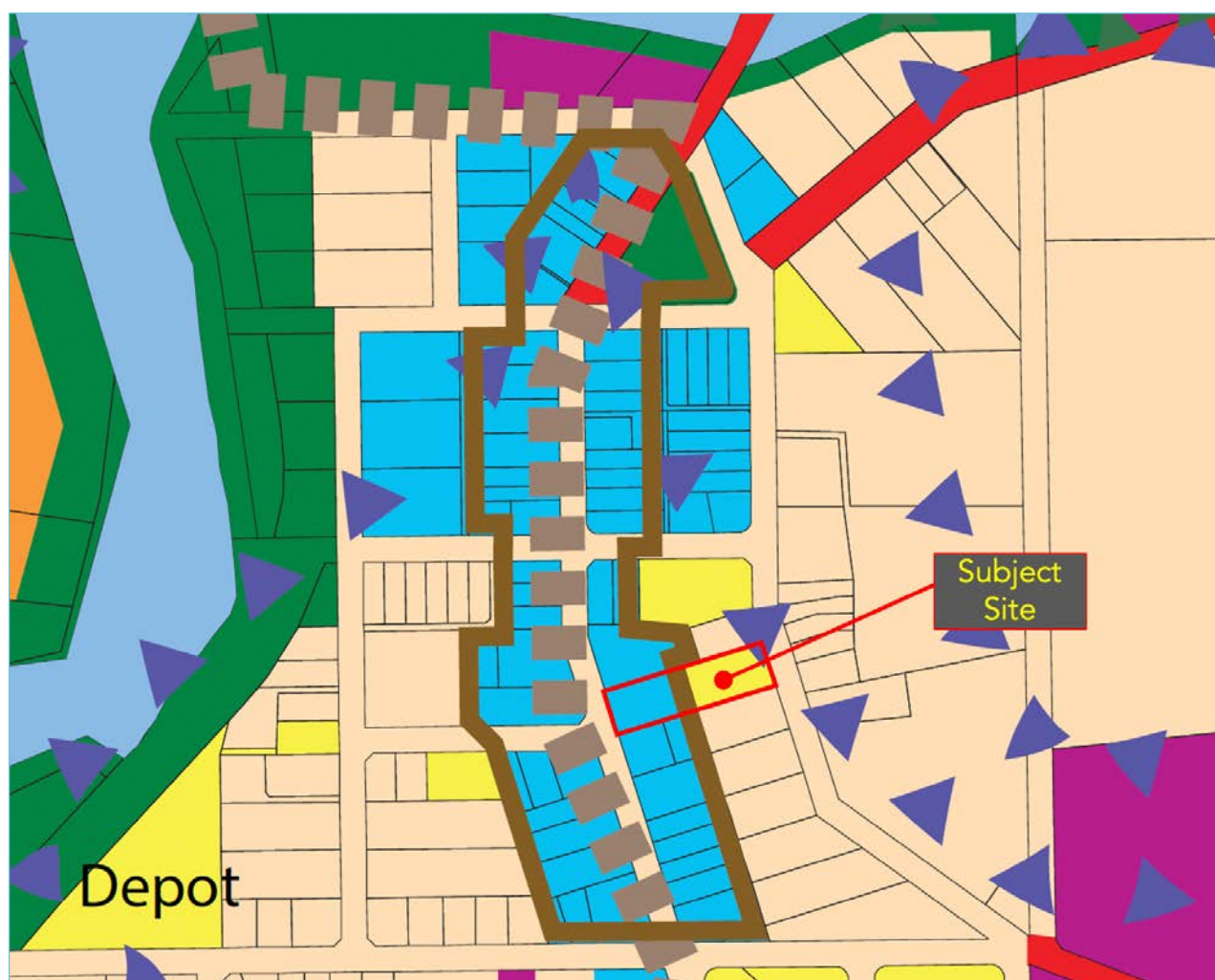


Figure 7: Local Planning Strategy – Nannup Townsite

3.5 Local Planning Scheme No.4

3.5.1 Zones and Reserves

The site is presently within a Local Reserve for Civic and Community purposes under Local Planning Scheme No.4 ('LPS4') due to the former place of worship on Lot 37.

The abutting land to the north fronting Warren Road, occupied by Nannup Police Station, is within a Cultural Facilities Local Reserve while the abutting land to the north fronting Grange Road is zoned Residential with a residential density code of R30. The land at the corner of Warren Road and Adam Street, occupied by a café, is zoned Commercial, with a density code of R40. The other properties to the north fronting Adam Street, occupied by the Shire's administration centre and the Nannup Volunteer Fire and Rescue Service, are within a Civic and Community Local Reserve under LPS4.

The abutting land to the south fronting Warren Road is zoned Commercial with a density code of R40 while the abutting land to the south fronting Grange Road is zoned Residential with a density code of R30. The zoning and density codes over the abutting properties under LPS4 are consistent with the recommendations and actions set out in the Shire's Strategy.

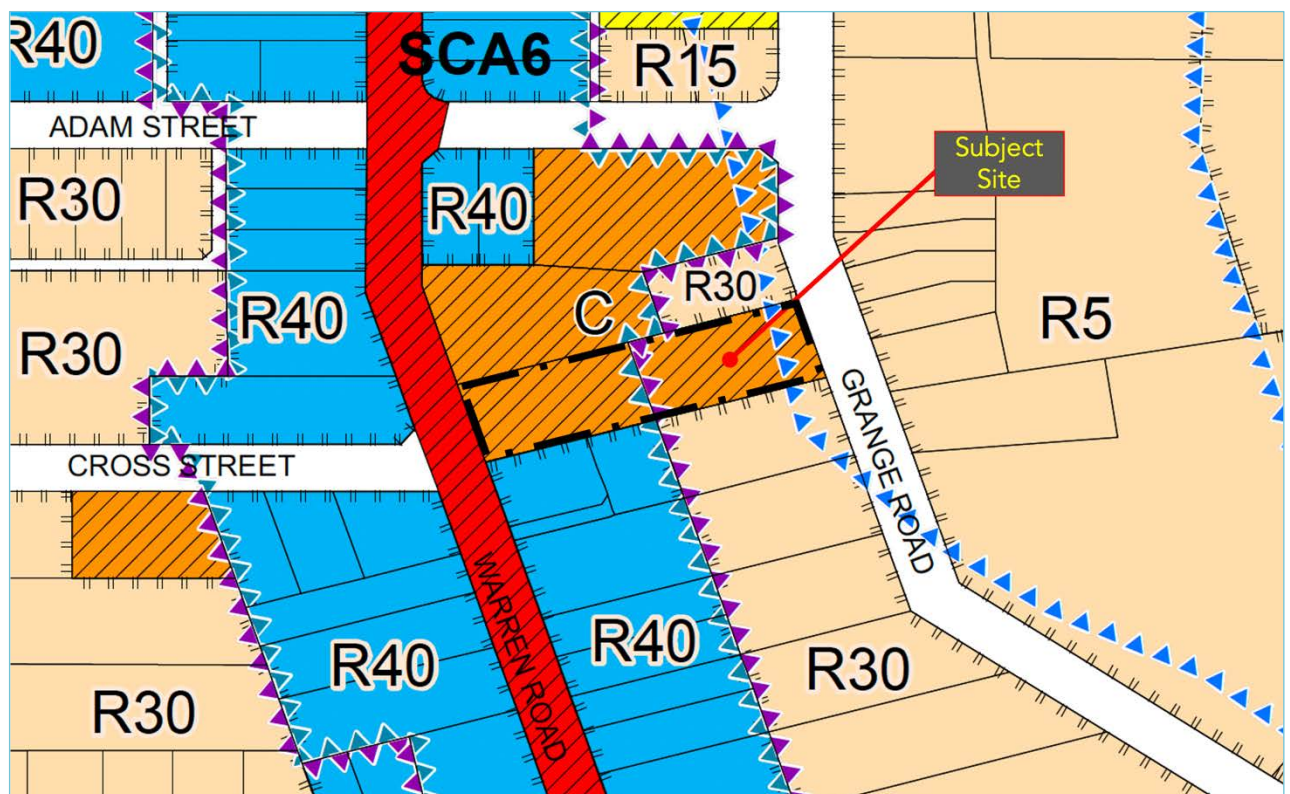


Figure 8: Local Planning Scheme No.4 – Existing Zoning Map

This Amendment to LPS4 proposes to include Lot 37 in the Commercial zone with a density code of R40 and Lot 38 in the Residential zone with a density code of R30, consistent with the pattern of zoning and density codes introduced over the abutting land, as shown below.

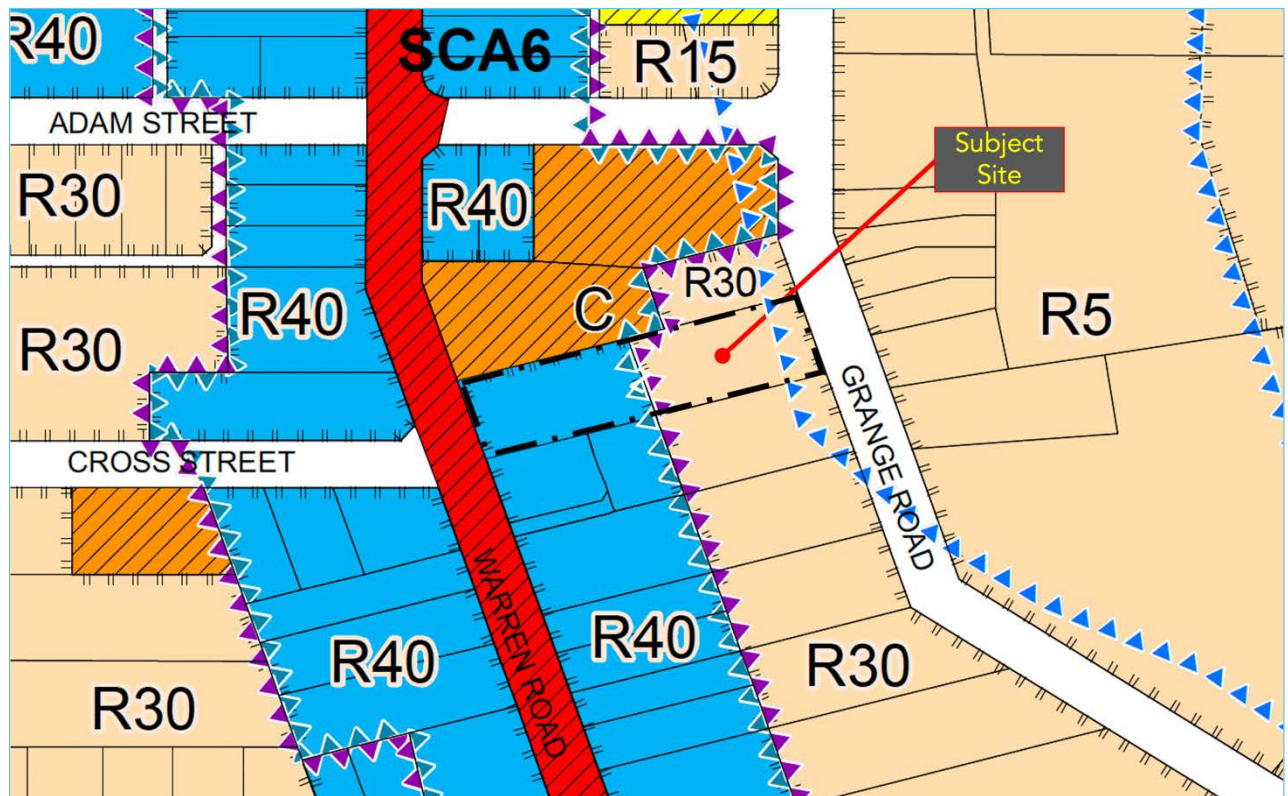


Figure 9: Local Planning Scheme No.4 – Proposed Zoning Map

3.5.2 Special Control Areas

The site is subject to two Special Control Areas under LPS4.

Special Control Area 2 – Nannup Townsite Character

Lot 38 fronting Grange Road is located in Special Control Area 2 – Nannup Townsite Character ('SCA2'). The purpose of SCA2 is *"to regulate residential design to protect and enhance Nannup's historic built character."*

Future development on Lot 38 will be required to demonstrate that it will not have an adverse impact on the character of Nannup and have due regard to the provisions of Local Planning Policy 5 – Nannup Townsite Character Area, including built form, materials and finishes, retaining walls and earthworks, fencing, landscaping and bushfire risk.

Special Control Area 3 – Flood Prone Land

The eastern portion of Lot 38 fronting Grange Road is located in Special Control Area 3 – Flood Prone Land ('SCA3'). The purpose of SCA3 is *"to minimise the risk to health and safety of people and potential for flood damage resulting from decisions relating to land use and development on defined river and watercourse floodplains in and near the Nannup townsite."*

LPS4 requires habitable buildings in flood prone areas to have a finished floor level of at least 500mm above the mapped '1 in 100' flood level. According to the Department of Water and Environmental Regulation, the eastern portion of Lot 38 is within the Floodplain identified in the Blackwood River Flood Study, with the mapped '1 in 100' flood level being 68.18 metres AHD.

This means a finished habitable floor level of at least 68.68 metres AHD is required for any development within the eastern portion of Lot 38 located in SCA3. The lowest point of Lot 38 is approximately 67.5 metres at its Grange Road frontage, rising to the mapped flood level of 68.18 metres AHD at a distance of approximately 20 metres from Grange Road. Future buildings on the eastern part of Lot 38 will therefore need to be designed with a finished habitable floor level ranging from approximately 0.5 metres to 1.2 metres above the existing ground level.

Through careful site planning and building design (i.e. setbacks, terracing, pole construction), the required finished habitable floor level can be achieved. LPS4 requires development in SCA3 to demonstrate how flood risk will be managed, including the effect of development on the natural flood carrying capacity of floodplains. Due regard is also required to be given to the provisions of Local Planning Policy 8- – Development in Flood Prone Land.



Figure 10: Blackwood River Flood Study - Floodplain

Special Control Area 6 – Heritage

Lot 37 fronting Warren Road is located in Special Control Area 6 – Heritage ('SCA6'). The purpose of SCA6 is *"to conserve and protect the cultural heritage significance of the Nannup town centre."*

Future development on Lot 37 will be required to demonstrate that it will not have an adverse impact on the heritage significance and amenity of Nannup town centre and have due regard to the provisions of Local Planning Policy 7 – Nannup Mainstreet Heritage Precinct.

The conservation and adaptive re-use of the heritage-listed former church on Lot 37 presents an opportunity to strengthen the heritage significance of Nannup consistent with SCA6.

4.0 Conclusion

This report has been prepared in support of an Amendment to Shire of Nannup Local Planning Scheme No.4 to remove Lot 37 Warren Road and Lot 38 Grange Road from the Local Reserve for Civic and Community Purposes and include Lot 37 in the Commercial zone with a density code of R40 and include Lot 38 in the Residential zone with a density code of R30.

The site is owned by the Uniting Church in Australia Property Trust (WA) and occupied by a former Church constructed circa 1937. The place is included in the Shire's Local Heritage Survey (Management Category B) and LPS4 Heritage List. The site is no longer used as a place of worship and is now surplus to the requirements of the owner.

The Amendment is consistent with the zones and density codes applicable to the abutting properties to the south, introduced following endorsement of the Shire's Local Planning Strategy, which seeks to consolidate Nannup as the primary centre in the Shire and support medium density development at R30 to R40, subject to addressing relevant planning, heritage, servicing and environmental considerations.

In this regard:

- The conservation and adaptive re-use of the heritage-listed former church on Lot 37 presents an opportunity to strengthen the heritage significance of Nannup consistent with the purpose of Special Control Area 6 under Local Planning Scheme No.4;
- The site is connected to reticulated sewerage and capable of being developed in accordance with the proposed zoning and density codes;
- The majority of Lot 38 is in a Bushfire Prone Area. Future development proposals will need to have due regard to State Planning Policy 3.7 and the associated Planning for Bushfire Guidelines to ensure bushfire risks are suitably mitigated;
- The eastern-most portion of Lot 38 is in the floodplain identified in the Blackwood River Flood Study and therefore included in Special Control Area 3 under Local Planning Scheme No.4. Future buildings on this part of Lot 38 will be required to have a finished habitable floor level of at least 68.68 metres AHD, which can be achieved through careful site planning and building design at the development stage.

The proposed Amendment is consistent with the orderly and proper planning of the locality and will facilitate development in accordance with the objectives, aims and actions of the Shire's endorsed Local Planning Strategy.