



Planning & Development

**City of Albany
Policy**

KALGAN RURAL VILLAGE STRUCTURE PLAN

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Objectives

General Objectives

As set out in Clause 3.1.21 of TPS3 the general objectives for the Rural Village Zone are to:

- (i) To facilitate the orderly and proper subdivision and development of Rural Villages in a socially, economically and environmentally sustainable manner
- (ii) Create a strong sense of community by providing for residents to work, live and recreate within the zone;
- (iii) Accommodate development of rural villages to support the community, educational and sporting assets within those communities;
- (iv) Provide for a range of lot sizes and activities within the zone to achieve self-buffering of uses within the rural settlement to adjoining rural zone;
- (v) Provide for subdivision and the development of rural villages in accordance with individual Structure Plans;
- (vi) Allow for a mix of residential, commercial, industrial and other uses appropriate to the needs of the community within the rural village zone;
- (vii) Achieve self-sustaining settlements by requiring self-reliance of individual lots in drainage management, the provision of water supplies and effluent disposal and other infrastructure needs; and
- (viii) Retain the amenity of rural villages in terms of character and landscape values.

Key Objectives

In order to conserve the village character of Kalgan and meet the Scheme objectives for the Rural Village zone, the structure plan has the following aims and objectives:

Key Objectives for the Kalgan Rural Village are to:

- (i) Create a strong sense of community by providing for residents to work, live and recreate within Kalgan;
- (ii) Recognise, Protect and Enhance the rich and diverse Natural and Cultural Heritage of Kalgan. Proposals to comply with Aboriginal Heritage Act, SPP 3.5, applicable State and Local Policies and referral to relevant agencies;
- (iii) Accommodate controlled expansion and growth of the existing rural townsite to support the community, through staged coordinated development;
- (iv) Recognise the function of South Coast Hwy as a State Haulage Route;
- (v) Address traffic Safety through the preparation and implementation of a Roads and Access Plan.
- (vi) Relocation of Hunton Road intersection to be a priority. Land requirements and widening of reserves to be contributed by subdividers on a pro rata basis. Until such time as a requisite framework is in place per SPP 3.6 upgrading of the South Coast Highway intersection to be the responsibility of Main Roads.
- (vii) Provide for a range of lot sizes and activities in response to site characteristics and capability;
- (viii) Allow for a mix of residential, commercial, industrial and other uses appropriate to the needs of the community;
- (ix) Ensure protection of Rural Village amenity and minimise land use conflict;
- (x) Achieve self-sustaining settlement, encourage self-reliance of lots in drainage management, water supplies and effluent disposal and infrastructure needs.

General Provisions

The following provisions apply generally to development proposals in the Kalgan Rural Village Structure Plan area.

Precinct-specific provisions apply to development proposals in the Kalgan Rural Village in addition to the over-arching provisions below. Where a discrepancy exists, the precinct-specific provisions of shall take precedence.

Building Design, Materials & Location

- Dwellings and outbuildings shall be designed and constructed of materials in keeping with the amenity of the site. The Council will be supportive of traditional Australian rural style dwellings with wide verandahs, simple forms and passive solar orientation. Walls and roofs with natural, muted tonings will be supported.
- Sheds are to be designed and constructed of materials and colour schemes which are complementary to the main dwelling on the site. Where shed walls are constructed of concrete, it shall be coloured or bagged in appropriate earthy tones.
- Dwelling houses and sheds shall not exceed 7.5 metres in height which is measured vertically from the natural ground level. The maximum height of all outbuildings will be at the discretion of Council in order to minimise the visual impacts of such buildings when viewed from surrounding roads.
- Notwithstanding the provisions contained elsewhere in the Scheme and this Structure Plan, the variations to the setback and siting requirements will be considered on the basis of existing structures, vegetation, visual amenity and/or fire safety, provided such variation is consistent with the objectives of the zone.
- Tree Planting/Landscape screening may be required as condition of development approval.

Service & Drainage Requirements

- No dwelling shall be constructed or approved for construction unless a supply of potable water (from roof catchment area of not less than 250m², an underground bore or well or alternative source) and a minimum of 92kl storage capacity/supply have been incorporated into the approved plans
- On-site effluent disposal shall be the responsibility of the individual landowner. The disposal of effluent shall be by way of an approved wastewater system in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.

Bushfire Management Control

- Individual landowners are responsible for the maintenance of a 20m wide Building Protection Zone around approved Habitable Buildings and any strategic firebreak where it crosses the landowner's lot.
- Where fences are erected on those lots designated with Strategic Fire Breaks, unlocked gates shall be installed where the fence crosses the SFB.

Land Uses

- In determining applications for discretionary uses listed in the zoning Table, the Council shall have regard to the general objectives of the zone, the key objectives and provisions of the Kalgan Rural Village Strategy and the Precincts Document.
- In order to ensure non-residential uses provide for the protection of rural village amenity the Council will not grant planning consent unless it is satisfied that the proposed use would not have an adverse impact on Rural Village amenity;

- In addition to the general development provisions, in granting development approval, the Council may assess and where appropriate apply conditions in relation to any of the following matters:
 - advertising signage,
 - vehicle access and parking,
 - Building location and setbacks,
 - External appearance, colours and finishes,
 - Size and scale of non-residential buildings and land-uses,
 - Storage and disposal of wastes,
 - Emission of noise, dust and odour,
 - Extent and standard of landscape screening,
 - Hours of operation.

Development Provisions for Specific Precincts

Introduction

Sustainable and co-ordinated growth and development is supported. The Rural Village zone allows a range of land uses with the majority being at the discretion of Council. The Council will ensure protection of Rural Village amenity is paramount, as is avoidance of land use conflict.

Proposals for subdivision and/or land use changes shall be evaluated against the general Objectives of the zone contained in the Town Planning Scheme and the General and Key Objectives and Provisions set out in the Structure Plan Report as well as the requirements specific to the precinct.

Due regard is to be given to the measures to be undertaken on the land to achieve long term sustainable land uses, inclusive of:

- The method of collecting and storing potable water on-site;
- The method of disposing of solid and liquid wastes generated and the level of recycling of solid and liquid wastes to be undertaken on the land;
- The provision of infrastructure to generate, store and export energy;
- The design, location and finishes to be applied to buildings and structures where this reduces energy demands required for use or maintenance.

Foreshore Management, where applicable, may include biophysical assessment, ceding of land, fencing riparian vegetation, tree planting and appropriate measures to mitigate nutrient export.

- In order to achieve the objectives of this Structure Plan, the Kalgan Rural Village is divided into precincts. The specific provisions applicable to individual precincts apply in addition to the general provisions. Where a discrepancy exists the precinct-specific provisions shall take precedence.
- In addition to conditions relating to the matters required to be addressed under this Structure Plan, approval to develop land within Kalgan Rural Village may be subject to other relevant conditions in order to achieve the specific aims and objectives of the individual Precincts.

Precinct 1 – Historic Village Core

Management Issues

The historic community node is to be protected and enhanced as a local activity centre subject to consideration of the following additional Management Issues:

- Review and rationalisation of Crown Reserves tenure and purpose;
- Establishment of a road hierarchy, review of traffic safety, access and intersection treatments;

- Strengthening of trails network within this precinct and the linkages to Precinct 2 through enhancement of the Luke Pen Walk to complement the proposed Kinjarling Trail; and
- Preferred landuses include residential, commercial (tourism and business), industrial, civic and cultural.

Notwithstanding the general consolidation and efficiency objectives, given the extent of remnant vegetation, proximity to the water courses and the position of existing structures any intensification of development in the historic village core will need to be sensitively managed to address fire safety, water management, protection of landscape values and enhancement of village character.

Aims and Objectives

- To recognise, protect and enhance the Indigenous and European cultural heritage assets and values of the Precinct.
- To encourage development and/or land uses that complement the heritage assets and values of the Precinct
- To retain Kalgan Community Hall as a focal point of the Precinct and enhance interpretive information at the Hall site.

Precinct 1 - Development and Land Use

(i) Development standards within Precinct 1 are to be consistent with the R5 standards of the Residential Design Codes.

(ii) In the event of subdivision in accordance with 11.5.3 Precinct 1 (vii), on lots less than 1000m² in area, the development standards are to be consistent with the R20 standards of the Residential Design Codes.

(iii) Approval to develop within Historic Village Core may be subject to conditions relating to heritage matters such as ethnographic surveys; preparation and implementation of heritage conservation plans; retention, protection and/or refurbishment of areas, buildings and/or other structures of heritage value; and/or ceding of land for construction of heritage/multiuse trails as shown on Figure 1 and referred to elsewhere in this Section.

(iv) All site works, development and/or refurbishments of the Kalgan Community Hall shall have regard to the aims and objectives of this structure plan, the natural and cultural heritage of the Place, the requirements of the Aboriginal Heritage Act, Heritage of Western Australia Act and other relevant legislation.

Precinct 2 – Rural Village Activity Centre

Management Issues

Consolidated growth of the settlement south and east of the Kalgan River and Highway is supported. Development proposals are to address the following constraints and Management Issues:

- Land not previously assessed is subject to detailed capability assessment and planning prior to development;
- Foreshore/Creekline Setbacks, Care and Control;
- Protection and enhancement of Cultural Heritage;
- Visual Amenity and Identified Local Character;
- Upgrading/extension of Infrastructure;
- Provision of community facilities. Options include relocation of the Fire Brigade Shed and emergency Water supply, development of Country Club, Sports Pavilion, Oval or the like;
- Fire Protection; and
- Preferred landuses include residential, rural living, employment generators/commercial (tourism and business), industrial, civic, cultural and intensive rural (horticulture, viticulture, equestrian).

Rural Village Activity Centre Sub Precincts 2A and 2C

Aims and Objectives

- To facilitate development of a consolidated local activity centre around the historic village core in which village centre land uses predominate.
- To ensure residential development within the Precinct occurs in a complementary manner to village centre land uses and does not undermine or detract from development of the village centre.
- To encourage development and/or land uses that enhance the function of the Precinct as a village activity centre.

Sub Precincts 2A and 2C - Development and Land Use

(i) Development standards in Precinct 2A and 2C are to be generally consistent with the R5 standards of them Residential Design Codes and the R10 standards of the Residential Design Codes for lots created in Precinct 2A in accordance with 11.5.3 Precinct 2 (iv),

Rural Village Activity Centre Sub Precinct 2B

Aims and Objectives

- To preserve the existing character and amenity of residential development and land use within Kalgan Rural Village.
- To facilitate establishment of residential and other complementary land uses within the Precinct.
- To effectively manage land uses that would impact negatively on existing and future residential development within the Precinct.
- To encourage, where appropriate, provision of alternative services and infrastructure for residential and other developments where these can be demonstrated as reliable, sustainable and environmentally acceptable.

Sub Precinct 2B - Development and Land Use

(i) Development standards within Precinct 2B are to be consistent with the R2.5 standards of the Residential Design Codes where lots are larger than 4000sqm, and the R10 standards of the Residential Design Codes for lots created in Precinct 2B in accordance with 11.5.3 Precinct 2 (iv),.

Precinct 3 – Rural Village North

Management Issues

Development proposals are to address the following constraints and Management Issues:

- Controlled access onto South Coast Highway and no additional access without the prior approval of Main Roads WA;
- Commercial node at existing Tea Room/Local Store and immediate surrounds to be enhanced as local activity centre;
- Provision of stock proof fencing of areas of Riparian and Remnant Vegetation; and
- Preferred landuses include food production (horticulture, viticulture, equestrian, aquaculture, keeping of livestock), rural living, commercial (tourism and rural industry), home business and value adding enterprises, tourism.

Aims and Objectives

- To encourage development of existing lots for the purposes provided for under the Rural Village zone, particularly those land uses that would generate employment opportunities, whilst minimising and managing potential conflicts between land uses.

Precinct 3 –Development and Land Use

(i) Buildings shall be setback from lot boundaries as follows:

a. Front: 20m

b. Side and Rear: 10m

(ii) Where a non-residential land use and/or development has been approved this shall, wherever possible, be designed, sited and/or screened appropriately in order to minimise impacts on existing residences within the Precinct.

(iii) Approval of land use and/or development within Precinct 3 to be subject to the Local Government, in consultation with Main Roads WA, being satisfied that detrimental impacts on South Coast Highway have been minimised. Approval may be subject to conditions that sufficiently address and/or resolve any identified impacts on South Coast Highway.

Subdivision Introduction

Proposals for subdivision are to be evaluated against Objectives of the Rural Village zone, the Key Objectives for the Kalgan Rural Village, the Management Issues relevant to the precinct and the indicative layout nominated on the Structure Plan. Master Planning for the Historic Village Core and adjacent areas of Precinct 2 is anticipated to refine the Structure Plan.

Subdivision to create new lots in Kalgan Rural Village is to be in accordance with the draft Country Sewerage Policy. Creation of lots below 2000m² as per S5.4 of the Policy may be supported to complement the historic village core and encourage establishment of a nodal village activity centre. Once the total number of lots below 2000m² within Precincts 1 and 2 reaches 100 (excluding any lots created under clause 11.5.3 Precinct 1 (viii) that are connected to reticulated sewer or a limited effluent scheme), further subdivision to create lots below 2000m² will not be supported.

A comprehensive and detailed capability assessment is required for those Lots not previously the subject of the capability assessment (refer Assessment Areas Plan – Attachment 7 and Fig 3 by Landform Research). This may include soil testing and analysis of hydrology, vegetation, fire safety and visual amenity and is to be undertaken prior to consideration of subdivision. The results of any such assessment may reduce land use, subdivision and/or development potential of the land currently afforded by existing provisions in the Structure Plan.

Subdivision Provisions

The following guidelines apply generally to subdivision proposals in the Kalgan Rural Village Structure Plan area. Precinct-specific provisions contained in this Structure Plan, also apply to subdivision Kalgan Rural Village. Where a discrepancy between the provisions exists, the precinct-specific provisions shall take precedence.

Servicing and Access

(i) Subdivision within Kalgan Rural Village is to satisfy the requirements of the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974 as well as any other relevant provisions of the Town Planning Scheme relating to onsite effluent disposal. Late winter land capability/geotechnical assessments for onsite effluent disposal may be required to support applications for subdivision.

(ii) Approval to subdivide land within Kalgan Rural Village may be subject to ceding of land for construction and/or road widening purposes, including implementation of multi use trails as shown on Figure 10 (Roads and Access Plan); and/or payment of pro-rata contributions toward construction/augmentation of the Kalgan Rural Village road network as shown on Figure 10.

(iii) New subdivisional roads are to be sited and designed having regard to the heritage, environmental, character and amenity values of Kalgan Rural Village, without compromising road safety or stormwater drainage. Such measures may include but not be limited to traffic calming features; reduced pavement widths and/or alternative

pavement materials; and alignment of pavement and services to avoid vegetation and/or visual impacts.

(iv) Approval to subdivide land within Kalgan Rural Village may be subject to ceding of land for construction of heritage/multi-use trails as shown on Figure 1 and referred to elsewhere in this Section.

(v) A Water Management Strategy/Plan, in accordance with the relevant water management guidelines/best practice manual may be required to be lodged at the time of application for subdivision.

(vi) The Council may request the Commission impose a condition at the time of subdivision requiring the submission of a Local Water Management Plan, appropriate to the scale and nature of subdivision.

Fire Safety

(i) Preparation of a Fire Management Plan may be required at the time of subdivision.

(ii) The Council may request the Commission impose a condition at the time of subdivision requiring the preparation of a Fire Management Plan (FMP's) as a condition of subdivision approval. Individual FMP's to address particulars relative to individual proposals, but also reflect and incorporate the relevant components of the FMP

appended to this Structure Plan. This requirement shall be waived if sufficient justification is provided, and the relevant authority agrees, that the fire hazard is sufficiently minimal for an individual FMP not to be required.

(iii) Subdivision is to be designed so as to minimise, where possible, clearing of remnant or foreshore vegetation for Building Protection zone purposes.

(iv) Approval to subdivide land within Kalgan Rural Village may be subject to conditions relating to fire safety matters including but not limited to:- installation of strategic firebreaks and water storage for emergency purposes; carrying out of relevant developer responsibilities of the FMP appended to this Structure Plan and/or FMPs prepared for individual subdivision proposals; and notifications on lot titles advising of fire safety/management measures that may be required.

(v) In cases where only part of the zone is developed, an interim firebreak network may be required to be installed to the satisfaction of Council and the FESA.

Waterways and Remnant Vegetation

(i) Planting, establishment, maintenance, stock proof fencing and suitable protection of vegetation corridors may be required as a condition of subdivision on those lots containing identified vegetation corridors.

(ii) Ceding of land for establishment and/or increase of areas of foreshore reserve may be required as a condition of subdivision for those lots abutting or containing waterways, wetlands and/or existing foreshore areas.

(iii) In addition and/or as an alternative to 11.5.2 - Waterways and Remnant Vegetation (ii), as appropriate, the establishment, maintenance, rehabilitation and/or suitable protection of creek line protection areas may be required as a condition of subdivision.

Culture and Heritage

(i) In the event that the indicative Community Facilities site shown on Figure 1 is ceded at the time of subdivision, the City of Albany may seek cash contributions from subsequent subdividers within the Kalgan Rural Village towards the development and maintenance of community facilities, as set out in SPP 3.6.

(ii) Subdivision proposals within Kalgan Rural Village may be referred to the Department of Indigenous Affairs and/or the Heritage Council of WA for comment, as appropriate, in accordance with the Aboriginal Heritage Act and the Heritage Act of Western Australia.

Subdivision within Precincts

In order to achieve the objectives of this Structure Plan the Kalgan Rural Village is divided into Precincts, with specific aims and objectives for the individual Precincts. The specific provisions and guidelines applicable to individual precincts, as set out below, apply in addition to the general provisions.

Precinct 1 – Historic Core

Infill and consolidation through the subdivision of freehold lots is supported, subject to capability assessment and detailed design to address the following additional specific constraints and Management Issues:

- (i) Review and rationalisation of Crown Reserves, boundaries, tenure and purpose;
- (ii) Establishment of a road hierarchy, review of traffic safety, access and intersection treatments;
- (iii) Strengthening of trails network within this precinct and the linkages to Precinct 2. Enhance Luke Pen Walk and complement the proposed Kinjarling Trail;
- (iv) Detrimental impact on riparian and remnant vegetation to be minimised – Retention of remnant native vegetation is supported. Removal of significant vegetation is not supported and is subject to relevant Clearance of Native Vegetation Regulations.
- (v) Subdivision shall generally be in accordance with the R5 standards of the Residential Design Codes, subject to detailed capability assessment, vegetation assessment and may require comprehensive planning and design within the Precinct 1.
- (vi) The minimum size of lots created by subdivision in Precinct 1 shall be 2000m².
- (vii) Notwithstanding clauses (v) and (vi) of this subsection, subdivision within Precinct 1 in accordance with the R20 Residential Design Code may be entertained subject to reticulated sewerage connections being provided; or an existing approved limited effluent scheme being in place to service the proposed lots.
- (viii) Approval to subdivide land within Precinct 1 may be subject to conditions relating to heritage matters including but not limited to ethnographic surveys; preparation and implementation of heritage conservation plans; retention, protection and/or refurbishment of areas, buildings and/or other structures of heritage value; and/or ceding of land for construction of heritage/multi-use trails as shown on Figure 1.

Precinct 2 – Rural Village Activity Centre Sub Precincts 2A & 2B

- (i) Consolidated growth of the settlement south and east of the Kalgan River and Highway is supported through staged subdivision and development of sub-precincts A B and C, generally in accordance with the road network and indicative lot layout shown on the Structure Plan. The preferable lot size is 2000 – 5000m², based on vegetation & site characteristics. Those lots not previously assessed are subject to planning and detailed capability assessment, as set out in parts 11.5.1 and 11.5.2 Servicing and Access (i), prior to subdivision.
- (ii) Subdivision shall generally be in accordance with the R5 standards of the Residential Design Codes.
- (iii) The minimum size of lots created by subdivision in Precincts 2A and 2B shall be 2000m².
- (iv) Notwithstanding (iii) of this subsection, in areas contiguous with Precinct 1 boundary and/or other subdivision carried out in accordance with these provisions, the minimum size of lots within Precincts 2A and 2B created by subdivision may be 1000m², subject to late winter land capability/geotechnical assessments for onsite effluent disposal being prepared and lodged with all such applications for subdivision; and these demonstrating that onsite effluent disposal is achievable in accordance with the draft Country Sewerage Policy as well as any other relevant provisions of the Town Planning Scheme.

Precinct 2 – Rural Village Activity Centre Sub precinct 2C

- (i) Subdivision shall generally be in accordance with the R5 standards of the Residential Design Codes.
- (ii) The minimum size of lots created by subdivision in Precinct 2C shall be 2000m².
- (iii) Subdivision of land may be considered where:
 - a. It is in accordance with the indicative lot layout shown on the endorsed Structure Plan; or
 - b. subject to comprehensive planning and design for the balance of the precinct to address road layout upgrading of Riverside Road and provision of parking, together with detailed capability assessment as set out in parts 11.5.1 1 and 11.5.2 Servicing and Access (i).

Precinct 3

Subdivision of land will not be supported in Precinct 3 except where:

- a. It is a realignment of existing lot boundaries with no additional lots being created, and meets the relevant objectives and provisions of this Structure Plan: OR
- b. The subdivision is necessary to facilitate provision of infrastructure such as road widening or realignments, utility services or other community facilities: OR
- c. It is subdivision of a lot that existed at the time of this Structure Plan being endorsed by the WAPC; and
 - i Only one additional lot will be created, OR if more than one additional lot is proposed, all lots including the balance of the parent lot are a minimum of 2HA in size; and
 - ii The purpose of the subdivision is to excise an existing approved land use; and
 - iii The lot containing the existing land use is sufficiently sized to contain the use, as well as contain any required buffer distances within the lot; and
 - iv The balance lot(s) are sufficiently sized to accommodate land uses that may be approved by the Local Government within Precinct 3; and
 - v Access arrangements onto South Coast Highway are resolved to the satisfaction of Main Roads WA, the Local Government and the WAPC; and
 - vi The proposed subdivision meets all other relevant objectives and provisions of this Structure Plan.



