

23 March 2023



Our Ref: WHI NEW RZ

Town Planners, Advocates and Subdivision Designers

ABN 24 044 036 646

Chief Executive Officer  
Shire of Williams  
PO Box 96  
WILLIAMS WA 6391  
By Email: [shire@williams.wa.gov.au](mailto:shire@williams.wa.gov.au)

**ATTENTION: GEOFF MCKEOWN – CHIEF EXECUTIVE OFFICER**

Dear Sir

**RE: PROPOSED AMENDMENT TO CREATE AN ADDITIONAL USE (A2) –  
LOT (10) 1 NEW STREET, WILLIAMS**

We represent the Owners of Lot 10 (1) New Street, Williams.

The following provides a request on behalf of our Client to seek Council's agreement to initiate an amendment to its Scheme to create an additional use for the purpose of "Rural Supplies (Shop)" on the above land. The purpose of the amendment is to regularise operations on the lot which have been occurring on the land as part of the operations for the adjoining Elders Store located on Lot 150 Albany Highway, Williams for the past 20 years.

The report provides the planning rationale for the proposal to seek the Shire's agreement to commence the rezoning process. Should the Shire require any further information please don't hesitate to contact Amanda Butterworth in our office on 9382 3000.

Yours sincerely

**ALLERDING AND ASSOCIATES**

A handwritten signature in black ink, appearing to read "S. a", written over a thin horizontal line.

**STEVE ALLERDING  
DIRECTOR**

Encl

CC: client

# SHIRE OF WILLIAMS

## TOWN PLANNING SCHEME NO. 2



### **AMENDMENT No. 7:**

**To create Additional Use 2 on Lot 10 (No. 1) New Street, Williams**

**PLANNING AND DEVELOPMENT ACT 2005**

**RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME**

**SHIRE OF WILLIAMS**

**TOWN PLANNING SCHEME**

**TOWN PLANNING SCHEME NO. 2 – AMENDMENT NO. 7**

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

- (a) Amending Additional Uses - Schedule 5 to add the following additional use.

No.	Particulars of Land	Permitted Uses	Development Standards/Conditions
2.	Lot 10 New Street WILLIAMS	"Rural Supply Store (Shop)" – AA	<p>1. The use of Lot 10 New Street, Williams, as a "Rural Supply Store (Shop)" is required to be incidental to the operation of the Rural Supply Store currently operating on Lot 150 Albany Highway, WILLIAMS;</p> <p>2. "Rural Supply Store (Shop)" uses are required to be developed generally in accordance with the Site Layout Plan dated 17/03/2023 or as otherwise approved by Council.</p>

- (b) Amend the Scheme Maps accordingly.

The Amendment is a ‘Standard Amendment’ under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as the amendment would have a minimal impact on land in the Scheme area that is not subject to the amendment, and the amendment does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

Dated this.....day of ..... 20.....

\_\_\_\_\_  
Chief Executive Officer

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

## SCHEME AMENDMENT REPORT

**LOCAL AUTHORITY** : Shire of Williams

**DESCRIPTION OF TOWN PLANNING SCHEME** : Town Planning Scheme No. 2

**TYPE OF SCHEME** : Town Planning Scheme

**SERIAL NO. OF AMENDMENT** : Amendment No. 7

**PROPOSAL** : Proposed amendment to create an Additional Use (A2) to facilitate the development of a "Rural Supply Store (Shop)" on the Subject Site.

## 1.0 INTRODUCTION

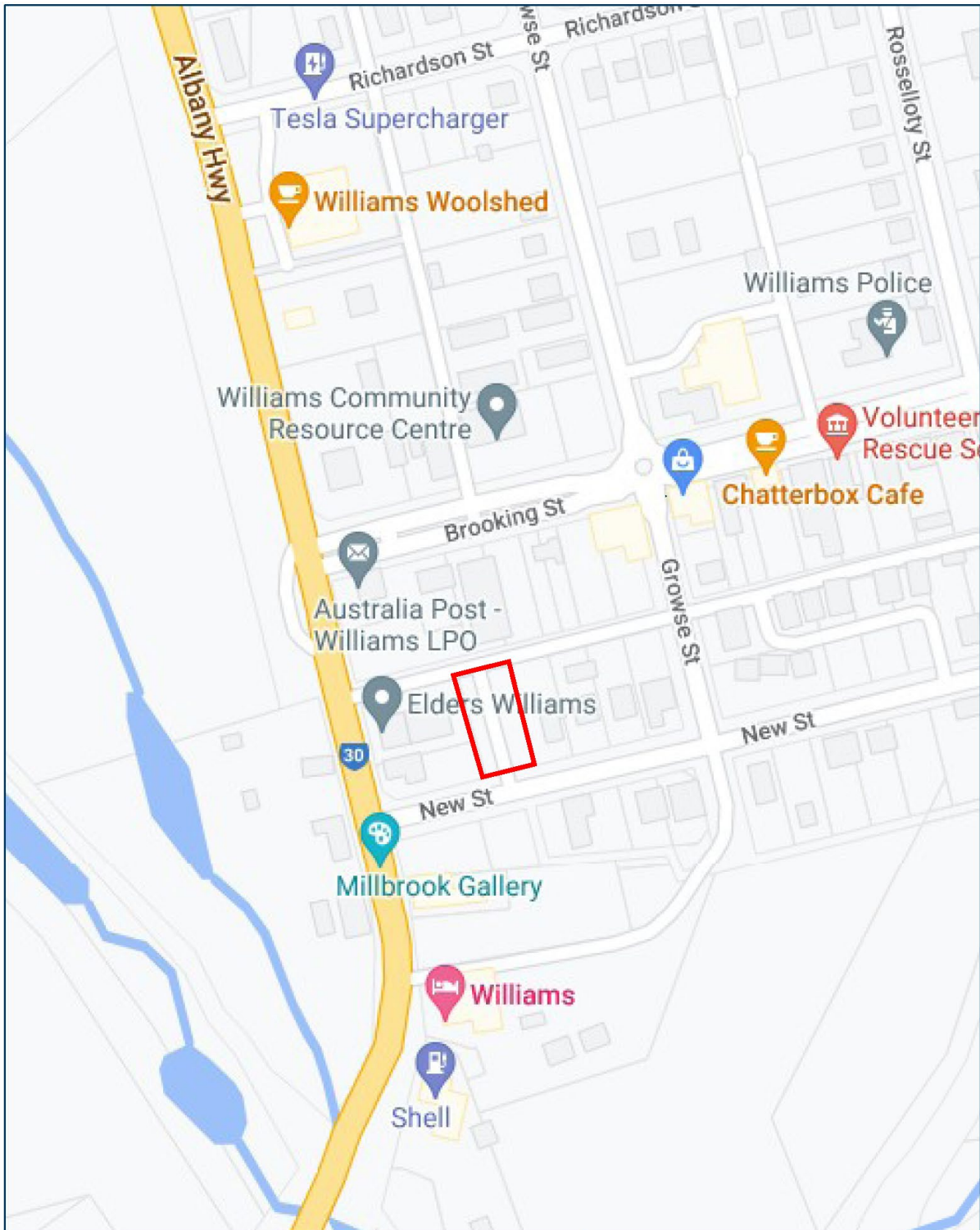
### 1.1 Overview of Proposal

Star Opal Holdings, the landowners of Lot 10 (No. 1) New Street, Williams (the **Subject Site**), are seeking the consent of the Shire of Williams (**The Shire** or **Council**) for an Amendment to Town Planning Scheme No. 2 (**TPS2**) to permit a “Rural Supply Store (Shop)” (**RSS**) incidental to the existing Elders Rural Supply Store (**Elders Store**) currently operating on Lot 150 (No. 36) Albany Highway, Williams.

Lot 10 (No. 1) New Street is currently zoned Residential R20.

The proposed Scheme amendment involves amending the Scheme to place an Additional Use for a “Rural Supply Store (Shop)” land use incidental to the Elders Store located on Lot 150 (No. 36) Albany Highway, Williams. This will allow the Subject Site to continue operating as a delivery and temporary storage area, incidental to the Elders Store.

A Location Plan is included in **Figure 1**, and a Site Plan is included in **Figure 2**.






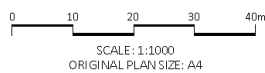
<p><b>LOCATION PLAN</b></p> <p>LOT 10 (No. 1) NEW STREET WILLIAMS SHIRE OF WILLIAMS</p>	<p>0 20 40 60 80 100m</p> <p>SCALE: 1:2500 ORIGINAL PLAN SIZE: A4</p> <p>JOB CODE: WHI NEW GE</p> <p>DATE: 06.01.2023</p> 	<p>LEGEND:</p> <p>SUBJECT LAND - </p>	 <p>Town Planners, Advocates and Subdivision Designers</p> <p>125 Hamersley Road, Subiaco WA 6008 T: (08) 9382 3000 E: reception@allerdingassoc.com   W: allerdingassoc.com</p>
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Figure 1: Location Plan



**SITE PLAN**

LOT 10 (No. 1) NEW STREET  
WILLIAMS  
SHIRE OF WILLIAMS



JOB CODE:  
WHI NEW GE  
DATE:  
06.01.2023



LEGEND:

SUBJECT LAND - 

**Allerding & Associates**  
Town Planners, Advocates  
and Subdivision Designers

125 Hamersley Road, Subiaco WA 6008  
T: (08) 9382 3000 E: reception@allerdingassoc.com W: allerdingassoc.com

**Figure 2: Site Plan**



## 2.0 SITE CONTEXT

The Subject Site is directly adjacent to a Commercial zoned area that fronts Albany Highway. This includes Lot 150 Albany Highway which contains the existing Elders Store. The Subject Site is currently zoned Residential R20, which does not allow the development of a “Rural Supply Store (Shop)” under the provisions of the *Shire of Williams Town Planning Scheme No. 2*. The Subject Site is currently being used as an incidental use as part of the Elders Store.

A TPS2 map extract is included in **Figure 7**.

**Figures 3-6** below are photographs that depict the current use of the Subject Site.



**Figure 3: Delivery and Storage area Facing Northwest**



**Figure 4: Delivery and Storage Area Facing Northeast**



**Figure 5: Delivery and Storage Area Facing Southwest**



**Figure 6: Delivery and Storage Area Facing Southeast**

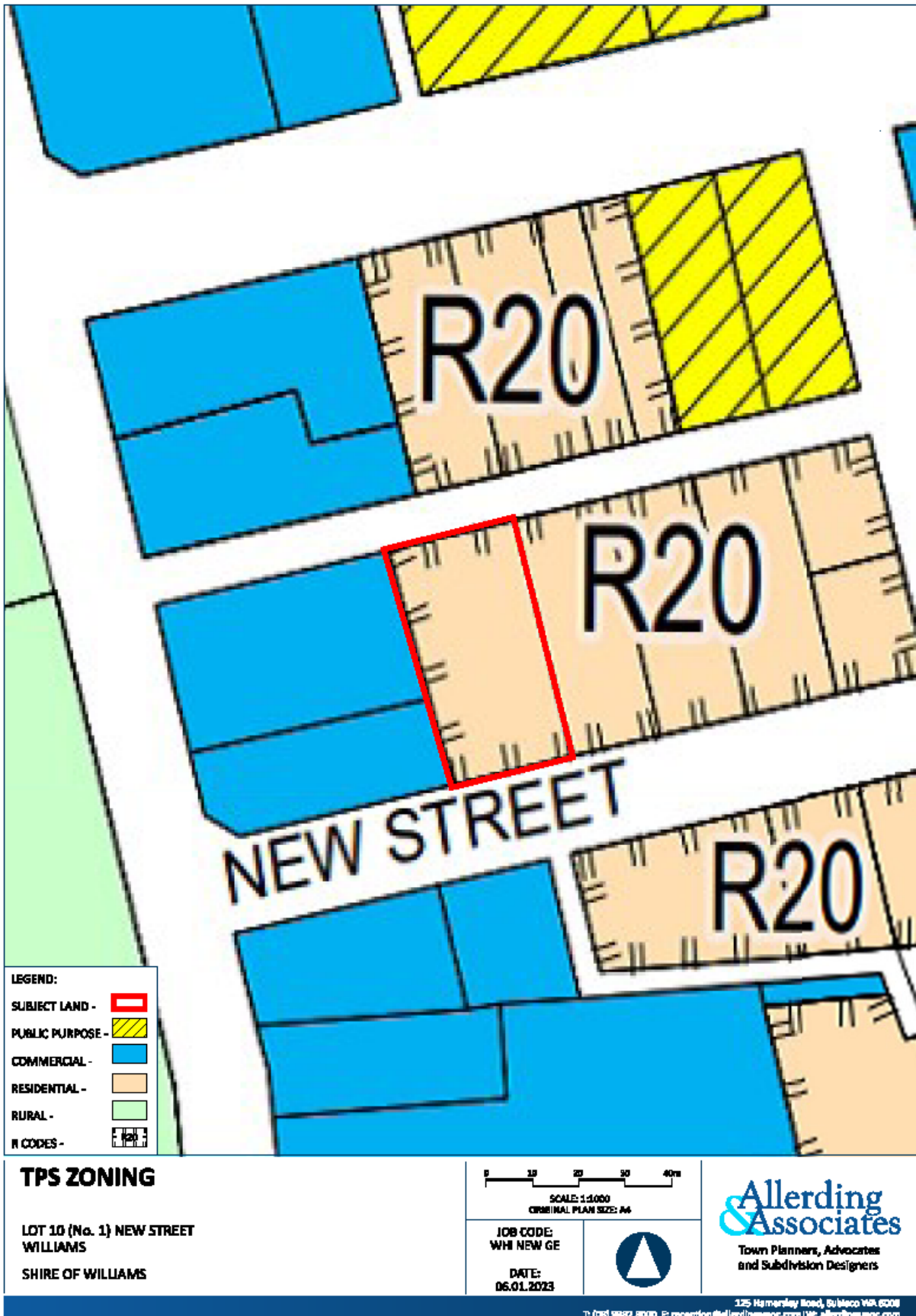


Figure 7: Current TPS Zoning

The Subject Site has an area of 1,408m<sup>2</sup> and adjoins the Elders Store eastern boundary. The Subject Site has functioned as the Elders Store rear storage and delivery area as shown in the Aerial Map in **Figure 8** for the past 20 years.

The adjacent Elders Store accesses the Subject Site through the rear of that property, with access available from New Street and via the right-of-way located on the northern side of Lot 150 between New Street and Brooking Street. The use of the Subject Site is incidental to the use of Lot 150 as Elders Store and this Rezoning Proposal seeks to normalise that arrangement to ensure the use of the land is a conforming use.

## 2.1 Background and Planning Considerations

This proposal seeks to add an Additional Use of “Rural Supply Store (Shop)” to the Subject Site to regularise how the Subject Site has been used for the past 20 years. An Additional Use has been selected because it retains the core Residential zoning of the Subject Site, which ensures that development on the Subject Site will not unreasonably extend the uses if a full Commercial zoning was applied to the Site.

The zoning is suitable because:

- It has already been developed as a use incidental to the adjacent Commercially zoned Elders Store for the past 20 years;
- Rezoning to add a “Rural Supply Store (Shop)” as an Additional Use does not alter the permissibility of residential developments on the Subject Site. Therefore, the Subject Site is capable of being developed for residential purposes consistent with its core zoning;
- Its location within the townsite of Williams contributes to the diversity of services which rural communities rely on.

The Shire’s support to amend the Scheme will facilitate the continuation of a “Rural Supply Store (Shop)” storage and delivery area on the Subject Site. The proposed rezoning will allow the continuation of diverse goods and services supply for the benefit of rural communities.





**Figure 8: Aerial Photo**

### 3.0 PLANNING FRAMEWORK

As shown in **Figure 7**, the Subject Site is zoned Residential R20 under the Shire's TPS2.

Lot 10 (No. 1) New Street is proposed to be rezoned to add an Additional Use (A2), allowing for a "Rural Supply Store (Shop)" use to be permitted on the Subject Site. The Subject Site is currently used for this purpose by accommodating the storage and delivery area for the Elders Store on Lot 150 Albany Highway, Williams.

"Shop" is defined as:

*"... a building wherein goods are kept, exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, milk depot, marine collector's yard, timber yard or land and buildings used for sale of vehicles or for any purpose falling within the definition of industry...."*

The use of the Subject Site as a storage and delivery area incidental to the existing Elders Store would be consistent with the categorisation.

### 4.0 MODIFICATIONS ARISING FROM THE PROPOSED SCHEME AMENDMENT

#### 4.1 Creating Additional Use (A2) over the lot comprising the Subject Site

A "Rural Supply Store (Shop)" as an Additional Use is appropriate for the Subject Site as it normalises the Planning Framework by allowing the current use of the Subject Site as a delivery and storage area incidental to the Elders Store to be permitted under the Planning Framework. This would preserve the existing Residential zoning while allowing the Subject Site's current use to be regularised under the Planning Framework.

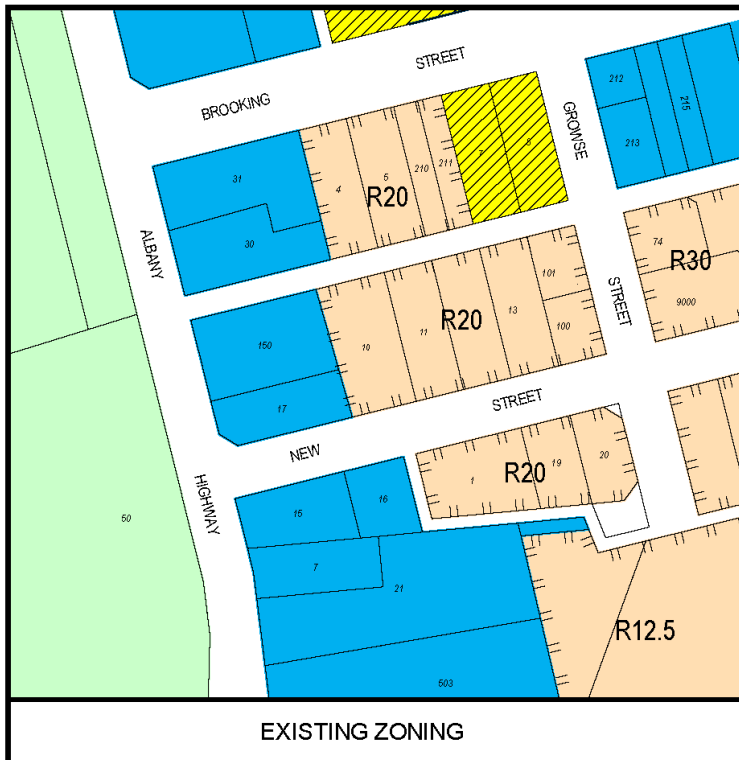
#### 4.2 Modifying Scheme Maps

A modification of the Scheme Maps is required to reflect the proposed zoning of the land, which is to identify Lot 10 (No. 1) New Street as an "Additional Use" zone (A2).

A copy of the proposed Scheme Amendment Map is included in **Figure 9**.


SHIRE OF WILLIAMS  
TOWN PLANNING SCHEME No. 2

Planning and Development Act 2005




LEGEND

LOCAL SCHEME RESERVES

 PUBLIC PURPOSE

LOCAL SCHEME ZONES


 COMMERCIAL

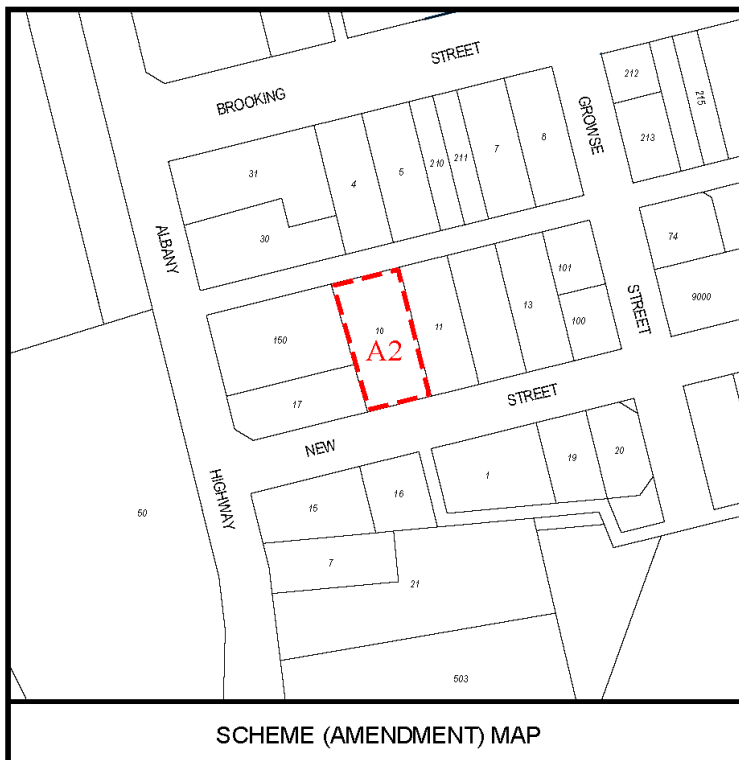
 RESIDENTIAL

 RURAL

OTHER CATEGORIES  
(see scheme text for additional information)

 R CODES

 ADDITIONAL USES




 N  
SCALE: 1:2500  
DATE: 12.01.2023  
Amendment No.

Figure 9: Scheme Amendment Map

## 5.0 DISCUSSION

Lot 10 (No. 1) New Street, Williams comprises a Residential zoned lot utilised as a delivery and storage area for the Elders Store. A Site Layout Plan is depicted in **Attachment 1**. The following social, economic and environmental discussion outlines what the rezoning aims to provide to the community.

### 5.1 Social Considerations

Rural Supply Stores such as Elders are an important service for the rural communities that surround Williams. It supplies local employment within the townsite of Williams and also provides essential products and services to the community of Williams.

### 5.2 Economic Considerations

This rezoning will allow the existing Elders Store to continue using the Subject Site as an incidental delivery and storage area as has occurred for the last 20 years. The services that Elders provides are important to supplying rural and industrial pursuits in Williams and the surrounding rural communities. This rezoning to allow a “Rural Supply Store (Shop)” use will continue to provide the services required by the Williams community in an efficient and appropriate manner by incorporating the use within an Additional Use zone.

### 5.3 Environmental Considerations

Consideration has been given to the environmental considerations regarding the storage and access use of the Site. The proposal to rezone the Subject Site to place an Additional Use on the Subject Site permitting a “Rural Supply Store (Shop)” provides the opportunity for conditions to be placed on the Subject Site that can help manage any impacts of the current land use. The plans include a storage setback from the eastern residential property to mitigate the potential for impacts or the effects of storage along that boundary circulation areas, and a concrete bunded area for chemical storage of a category that would not be classified as dangerous goods. See **Attachment 1** for a Site Layout Plan depicting the layout of Lot 10 to be used for storage and access.

## 6.0 SUMMARY AND CONCLUSIONS

This rezoning request aims to provide the delivery and storage land use operating Lot 10 (1) New Street, Williams (**Subject Site**), incidental to the Elders Store operating on Lot 150. The Elders Store is located within a commercial area in the townsite of Williams which provides the rural businesses and communities surrounding Williams with products and services that are important to running their businesses and rural operations.

The rezoning proposes to add Additional Use (A2) on the Subject Site, to normalise the Planning Framework subject to restrictions under the proposed Additional Use zone.

Based on the site context described above, the Amendment will allow the continuation of the Elders Store in the same manner it has operated under for the past 20 years.



**PLANNING AND DEVELOPMENT ACT 2005**

**RESOLUTION TO ADOPT AMENDMENT  
TO LOCAL PLANNING SCHEME**

**SHIRE OF WILLIAMS**

**TOWN PLANNING SCHEME**

**SHIRE OF WILLIAMS TOWN PLANNING SCHEME NO. 2 – AMENDMENT NO. 7**

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

- (a) Amending Additional Uses - Schedule 5 to add the following additional use -

No.	Particulars of Land	Permitted Uses	Development Standards/Conditions
2.	Lot 10 New Street WILLIAMS	“Rural Supply Store (Shop)” – AA	<p>1. The use of Lot 10 New Street, Williams, as a “Rural Supply Store (Shop)” is required to be incidental to the operation of the Rural Supply Store currently operating on Lot 150 Albany Highway, WILLIAMS;</p> <p>2. “Rural Supply Store (Shop)” uses are required to be developed generally in accordance with the Site Layout Plan dated 17/03/2023 or as otherwise approved by Council.</p>

(b) Amend the Scheme Maps accordingly

The Amendment is a ‘Standard Amendment’ under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as the amendment would have a minimal impact on land in the Scheme area that is not subject to the amendment, and the amendment does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Williams at the Ordinary meeting of the Council held on the .....day of ..... 20.....

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive Officer

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Shire of Williams at the Ordinary Meeting of the Council held on the .....day of .....20 ....., proceed to advertise this Amendment.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive Officer

COUNCIL RECOMMENDATION

This Amendment is recommended for ..... by resolution of the Shire of Williams at the Ordinary Meeting of the Council held on the .....day of .....20 ....., and the Common Seal of the Shire of Williams was hereunto affixed by the authority of a resolution of the Council in the presence of:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive Officer

WAPC ENDORSEMENT (r. 63)

\_\_\_\_\_  
Delegated Under S. 16 of P&D Act 2005

\_\_\_\_\_  
Date

Final Approval Granted

\_\_\_\_\_  
Minister for Planning

\_\_\_\_\_  
Date

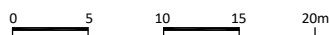
# **Attachment 1**

## Site Layout Plan



**SITE LAYOUT PLAN**

LOT 10 (No. 1) NEW STREET  
WILLIAMS  
SHIRE OF WILLIAMS



SCALE: 1:500  
ORIGINAL PLAN SIZE: A4

JOB CODE:  
WHI NEW GE

DATE:  
17.03.2023



**LEGEND:**

SUBJECT LAND -



PROPOSED TRAFFICABLE  
SURFACE & STORAGE  
USING 150mm BITUMEN  
PROFILING SURFACE -



**Allering  
& Associates**

Town Planners, Advocates  
and Subdivision Designers