

LOT 1032 REDGATE ROAD, WITCHCLIFFE - STRUCTURE PLAN

Prepared by



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Prepared for

REDGATE DEVELOPMENTS PTY LTD

AHOLA PLANNING ABN 315 363 004411

This structure plan is prepared under the provisions of the Shire of Augusta Margaret River Local Planning Scheme No. 1.

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:

24 September 2010

In accordance with Schedule 2, Part 4, Clause 28 (2) and refer to Part 1, 2. (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Date of Expiry: 19 October 2025

TABLE OF AMENDMENTS

Amendment No.	Summary of Amendment	Amendment Type	Date Approved by WAPC
1	Landscape Buffer placed at the rear of lots, road layout, POS and residential density changes and adjustments to wording in the supporting Planning Policy Statements	Minor	10 June 2014
2	Minor road layout and POS changes & consolidate lower density R5 lots for south-east and eastern portion of the land and adjustments to wording in the supporting Planning Policy Statements	Minor	25 January 2016
3	Minor road layout changes to respond to Bushfire Management Plan requirements, show lower density R5 across the balance portion of the site, rationalize POS, show balance Landscape Buffer on the western boundary to fall at the rear of lots and include drainage reserve constructed in the south west portion of the land	Major	2 July 2020

Executive Summary

This report is a Structure Plan proposal for Lot 1032 Redgate Road, Witchcliffe ('the land') that comprises a total area of 52.63 hectares and situated 350 metres north of the existing Witchcliffe townsite.

AholaPlanning Town Planning I Design have been engaged by Redgate Developments Pty Ltd to prepare and lodge an amendment to the existing endorsed Structure Plan (WAPC endorsed 25 January 2016) as it relates to original Lot 1032 Redgate Road, Witchcliffe ('the land').

The amendments to the Structure Plan (herein referred to as 'Structure Plan – Modification No.3) set out the proponents ultimate land use and density layout for the balance undeveloped portion of the land. These amendments principally aim to:

1. Modify various Residential cells to accommodate lower density R5 coded lots that reflect the low density residential character of the balance land that has already been developed to provide for + 2,000m² lots;
2. Rationalize the public open space by showing it to run parallel along Redgate Road to provide a suitable buffer to development and make better use of existing land to be used for residential development purposes;
3. Show all the landscape buffer in the north west portion of the Structure Plan to extend along and to be located at the rear of these residential lots;
4. Remove the requirement to construct a bund adjacent the existing olive grove on the land's western boundary;
5. Undertake minor road design changes in the north west portion of the land to satisfy vehicle access requirements as set out in the Bushfire Management Plan;
6. Show the location of a drainage reserve that has been created in accordance with engineering design drawings approved by Council and constructed in response to conditions set out under WAPC subdivision approval ref: 152350;
7. Update the legend and development requirements set out in Part One of the Structure Plan report to clearly outline the requirement for Single House development for those lots abutting the southern and western boundary of the Structure Plan to be in accordance with the respective 80m and 60m rear setback line identified on the Structure Plan.
8. The mobile phone tower has now been removed – meaning there is no encumbrance to subdivide the south-eastern portion of the Structure Plan

The Structure Plan integrates with and complements the planned, as well as currently developing, expansion of the Witchcliffe Settlement and reflects the community vision as originally expressed in 2004 to provide for low density residential development. The Structure Plan provides the detailed planning framework to guide future subdivision and development of the land. It proposes to develop low density (R10, R5 & R2.5) residential lots, which is consistent with the type and density of development identified for the land in the WVS, LNRSP and related WAPC policies and strategies as identified for the land.



The modified Structure Plan is provided at Part One of this report. The table below provides a summary of the land uses within the Structure Plan.

Structure Plan Summary Table

Item	Data		Structure Plan Ref (Section No.)
Total area covered by the structure plan	52.634 hectares		1.2.2
Area of each land use:	Hectares/m ²	Lot Yield	3.0 & Structure Plan (Map)
Residential (R10)	1.0469	5	
Residential (R5)	30.6748	140	
Residential (R2.5)	8.7389	14	
Parks and Recreation	2.91		
Road Reserve/PAW	8.68		
Total estimated lot yield	159		3.2
Estimated number of dwellings	159		
Estimated residential site density	1 Dwelling per 3,283m ²		
Estimated population	398		
Estimated area and percentage of public open space given over to:			3.3 & Structure Plan (Map)
<ul style="list-style-type: none"> • Reserve for Recreation 	2.91 ha	5.57%	
Estimated percentage of natural area (existing trees to be retained within lots)	0	0 %	



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- Appendix 2 - Local Water Management Strategy - March 2015 (GHD)
- Appendix 3 - Structure Plan Modification No. 2 (AholoPlanning)
- Appendix 4 - Bushfire Management Plan (Emerge Associates)
- Appendix 5 - Amendments to LSP Acoustic Assessment (Herring Storer Acoustics)

PART ONE – IMPLEMENTATION



1.0 Structure Plan Area

The Structure Plan is applicable to Lot 1032 Redgate Road, Witchcliffe and covers an overall area of 52.63ha.

The Structure Plan area is bounded by Redgate Road to the north, Lot 1033 to the west, Lot 2184 to the south and Reserve Lot 4483 to the east. A significant portion of Lot 1032 has been developed in accordance with the WAPC endorsed Structure Plan of 25 January 2016.

2.0 Operation

This Structure Plan comes into effect from the date it is approved by the Western Australian Planning Commission.

3.0 Staging

There is no proposed staging of lots as part of this Structure Plan. Staging of construction works has taken place incrementally to ensure infrastructure and development is integrated in a progressive and cost effective manner.

4.0 Subdivision and Development Requirements

The Structure Plan outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under this Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

4.1 Land Use Permissibility

Land use permissibility within the Structure Plan Area shall be in accordance with the corresponding zone or reserve identified on the Structure Plan.

4.2 Subdivision

1. The local street network depicted upon this Structure Plan shall be subject to refinement and minor modifications may be proposed at the subdivision stage.
2. A special road design and landscaping standard will be prepared for local streets and verges within the Structure Plan area, based upon the Shire of Augusta - Margaret River's standards, but incorporating variations to road widths, kerbing, shoulders, stormwater collection and treatment to accommodate the Village theme and water sensitive urban design outcomes prescribed for the area.
3. The following items shall be finalised, with details to be provided prior to subdivision approval. The Augusta-Margaret River Shire Council shall not recommend approval to any future subdivision unless satisfied with their completion:
 - a) Subdivision approval will not be issued for any lots with a density code greater than R5, unless an alternative water service and wastewater recycling scheme is available for connection. The servicing scheme is to be based on the Schematic Servicing Plan (Attachment I) which forms part of this structure plan. The servicing plan is to make provision for upgraded services to existing dwellings within the Witchcliffe Village.



All related water infrastructure within and outside the Structure Plan area, and the costs of investigating and implementing such, shall be apportioned appropriately and borne by the developers. In the event that the WAPC is satisfied that such an alternative scheme is not feasible for technical and/or governance reasons or is unreasonable on financial grounds, the lots are to be connected to conventional reticulated water and sewerage services.

- b) Lots identified as being coded R5 or lower are to be serviced by on-site effluent disposal systems and water catchment, subject to the following being satisfied:
 - The suitability of ground conditions to safely and effectively accommodate on site effluent disposal being confirmed by way of a geotechnical report;
 - Acceptable alternative forms of fire protection and firefighting infrastructure (in the absence of reticulated hydrants) being designed and implemented; and
 - Onsite grey and/or blackwater treatment units being of a type which allow water to be recycled for reuse i.e. garden irrigation.
- c) Developer Contribution Scheme and Implementation Plan for community facilities (including (but not limited to) rails to trails shared pathway, primary school, Redgate Beach and civic/ cultural centre) and infrastructure, (including but not limited to) Witchcliffe town centre streetscape improvement, traffic calming, stormwater management, landscaping, intersection treatment and traffic management).
- d) Detailed Bushfire Management Plan.
- e) Traffic Management Plan for the Structure Plan area and the Town Centre, which details required traffic management upgrades in the Witchcliffe Village Centre and appropriately assigns costs to developers, to the satisfaction of the Shire and MRWA.
- f) Landscape Development and Management Plans which show retention of mature Marri and Jarrah trees on site.
- g) Urban Water Management Plan (including construction phase sediment and erosion control). The UWMP will be inclusive of Water Sensitive Urban Design methods/ mechanisms including:
 - Gross Pollutant Traps
 - Swales and Buffer strips
 - Bioretention swales and basin
 - Sedimentation basin
 - Constructed wetlands
 - Infiltration measures
 - Sand filters and
 - Aquifer storage and recovery

4. A POS buffer and revegetation area, as identified on the Structure Plan, adjacent to the Redgate Road Reserve shall be revegetated and ceded to the Crown free of cost at the stage of subdivision.
5. POS and buffers shall be ceded to the Crown free of cost at the subdivision stage, where identified as being outside of freehold lots on the Structure Plan.
6. Unless otherwise approved by Council, a 30 m landscape buffer comprising a 20 m planted vegetation strip with a 5 m maintenance strip either side shall be provided along the southern and western boundaries of the structure plan area and have been identified as 'landscape buffer' on the structure plan. The buffer is to be located at the rear portion of the residential lots, between future habitable buildings and adjoining agricultural land uses.
7. A Buffer Management Plan for the southern and the western boundaries shall be prepared to the satisfaction of the Shire and relevant State agencies and shall include, but not be limited to, the following details:
 - Height, density and type of vegetation
 - Removal of buffer vegetation from the locations identified on the Structure Plan is prohibited
 - Establishment and maintenance of buffers (including how, when, by whom and covering of costs)
 - Interim measures that will be used until the buffer is of sufficient height to be effective
 - Weed management
 - Maintenance programme, detailing long term management regime and costs
 - Landscape Buffer to be continuous with no breaks/firebreaks for the Western Boundary
 - Monitoring program to ensure that the buffer is working effectively and contingency measures
 - Information for residents
8. A notification shall be placed on titles of all lots within the Structure Plan area advising future owner that the subject land is located adjacent to rural land and rural activity including intensive and out of hours harvesting, chemical spray application and use of heavy machinery, is likely to have an impact on amenity, through noise, dust, odour and potential spray drift. Land owners are advised to undertake regular potable water quality monitoring to establish if spray drift contamination is present.
9. Pedestrian pathways are to be provided by the subdivider in accordance with Liveable Neighbourhoods.
10. Vegetation along Redgate Road and the neighbouring eastern remnant vegetation area shall be appropriately fenced prior to disturbance to ensure that vegetation and flora are protected. This would assist with the prevention of the potential for the spread of weeds and dieback into adjacent remnant vegetation.

4.3 Development Requirements

11. "Quiet Building" design guidelines shall be prepared for all lots adjoining the southern and western boundaries, to the satisfaction of the Shire. The construction of dwellings that adjoin the southern and western boundaries within the Structure Plan Area will not be approved unless consistent with the endorsed "Quiet Building" design guidelines prepared for these areas.
12. The minimum primary or secondary street development setback for lots coded Residential R5 abutting the eastern north-south road (abutting adjoining Lot 4483) shall be in accordance with the Residential Design Codes.
13. All dwellings are to make provision for the catchment of potable water, and are to comply with the tank size requirements in accordance with the Shire of Augusta-Margaret River Local Planning Scheme No.1.
14. The minimum rear setback for a Single House for those lots abutting the southern boundary of the Structure Plan shall be in accordance with the 80m rear setback line identified on the Structure Plan. All other structures that do not provide rainwater catchment from roof run off for potable water supply can be considered/approved between the 30 metre Landscape Buffer and the 80 metre setback line provided they also comply with Bushfire Attack Level (BAL) setback requirements.
15. The minimum rear setback for a Single House for those lots abutting the western boundary of the Structure Plan shall be in accordance with the building setback line identified on the Structure Plan. All other Structures that do not provide rainwater catchment from roof run off for potable water supply can be considered/approved between the 30 metre Landscape Buffer and the 60 metre setback line provided they also comply with Bushfire Attack Level (BAL) setback requirements.
16. Fencing shall be to an open style (eg post and wire) standard to the satisfaction of Council for all residential lots coded R2.5, R5 and those R10 lots that directly abut R5 lots. Fencing is to be provided to lots directly abutting the western boundary with adjoining Lot 1033, at the subdividers cost, to a height, style and colour as agreed with the owner of the neighbouring lot and to the satisfaction of the Local Government.
17. No further subdivision is permitted for those lots indicatively shown on the Structure Plan.
18. A covenant shall be placed on the title of all lots within the Structure Plan area preventing future owner / occupiers from keeping domestic cats.

5.0 Other Requirements

- I. The subdivider is to make financial contributions to the Local Government towards the costs of providing community/or common infrastructure in accordance the Shire of Augusta-Margaret River Local Planning Scheme No.1.

6.0 Structure Plan (Map)

The Structure Plan Map is provided on the next page.





DETAIL 'A' - LANDSCAPE BUFFER

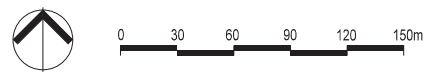
	5m maintenance access
	20m vegetation buffer
	5m maintenance access
	boundary

SCHEDULE A

Total Structure Plan Area	52.63ha
Deductions	
Drainage	0.43ha
Total	0.43ha
Gross Developable Area	52.20ha
POS Contribution	
Unrestricted POS	2.70ha
Restricted POS	0.21ha
Total	2.91ha (5.57%)

LOT YIELD

R2.5 Lots	14 Lots
R5 Lots	140 Lots
R10 Lots	5 Lots
TOTAL	159 Lots



Revision	Date	Item
n	26/1/2019	Various minor changes including landscape buffer
m	14/10/2019	Update aerial photo and various other revisions
l	9/7/2019	Update layout for Stage 2 and NW portion / formal to WAPC requirements
k	18/12/2015	add planning policy statement No. 19 / minor adjustment to T.Block
j	30/10/2015	amend planning policy statement No.9

LEGEND

	SITE BOUNDARY		EXISTING BUILDINGS (RETAINED)
	21m BUILDING SETBACK LINE TO EASTERN BOUNDARY		EXISTING BUILDINGS (REMOVED)
	80m REAR BUILDING SETBACK LINE (FOR SINGLE HOUSE)		
	60m REAR BUILDING SETBACK LINE (FOR SINGLE HOUSE)		

ZONES	RESERVES
R2.5 LOTS	PARKS AND RECREATION
R5 LOTS	DRAINAGE
R10 LOTS	

NOTE:
 Base Data supplied by - Landgate / McMullen Nolan Group / RPS
 Datum - MGA 50
 Areas and dimensions shown are subject to final survey calculations.

Redgate Developments Pty Ltd : CLIENT
 1:2,000@A1 / 1:4,000@A3 : SCALE
 26 November 2019 : DATE
 00001-2-003 : PLAN No
 n : REVISION
 G.A. : PLANNER
 B.L. : DRAWN

Property Description:
LOT 1032 REDGATE ROAD, WITCHCLIFFE

AHOLA PLANNING
 TOWN PLANNING DESIGN

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STRUCTURE PLAN - MODIFICATION No.3

PART TWO – EXPLANATORY REPORT



1.0 Planning Background

1.1 Introduction and Purpose

This Structure Plan has been prepared in accordance with the Department of Planning Structure Plan Framework (August 2015). It provides background and explanatory information used to prepare the proposed modification to the existing Structure Plan. It assesses the Structure Plan modifications against the planning framework to demonstrate suitability in context with the layout and applicable provisions.

1.2 Land Description

1.2.1 Location

The land is situated approximately 350 metres south west of the existing Witchcliffe Townsite and has frontage to Redgate Road. The majority of the proposed 'modifications' to the Structure Plan fall within balance Lot 9005 – being the undeveloped north-west portion of the Structure Plan area. Balance Lot 9005 is referenced on Deposited Plan 416569 provided at **Appendix I** to this report.

1.2.2 Area and Land Use

The area covered by the Structure Plan is 52.634ha. Balance Lot 9005 of the Structure Plan comprises 14.3152 hectares. Balance Lot 9005 remains predominantly cleared with the exception of a small area of planted blue gums and non-indigenous vegetation surrounding the existing dwellings.

Improvements within balance Lot 9005 include:

- Existing dwellings and associated chalet development (4 in total to be retained). A key design objective is to retain as many of these buildings within their own individual lots. This would be consistent with the proponents approach to retain 3 separate chalets within Stage 1 – created under Western Australian Planning (WAPC) Conditional Approval ref: 142362; and
- Existing shed and water tanks (to be demolished);

Improvements within the remaining Structure Plan area include:

- Stage 1 subdivision works comprising 22 lots, public open space (POS), associated roads, services and drainage – created under WAPC Approval ref: 142362 and related Deposited Plan No.73836. The majority of these lots contain Single Houses;
- Stage 2 subdivision works comprising 38 lots, POS, associated roads, services and drainage – created under WAPC ref: 148824 and related Deposited Plan No. 404164. A significant portion of these lots contain Single Houses;
- Stage 3A subdivision works comprising 10 lots, services and drainage – created under WAPC Approval ref: 153075 and related Deposited Plan No. 413442. These lots have, or are currently under housing construction;



- Stage 3 subdivision works comprising 26 lots, reserve for drainage, associated roads and services – created under WAPC ref: 152350 and related Deposited Plan No. 416569. A significant portion of these lots have been on-sold to purchasers and will be subject of housing construction in the short term;
- Stage 4 engineering design and approvals for construction works over the 2019/20 summer period to create 16 lots – consistent with WAPC ref: 157352. The mobile phone tower located in the south-eastern corner of the property (being Lot 9003) has now been removed. Lot 9003 can therefore be created as its own individual lot and coordinated in with the Stage 4 construction works.

Agricultural pursuits about the land on its southern and western boundaries, while a vegetated reserve (Lot 4483) adjoins the property on its eastern boundary. Land immediately north of Redgate Road has been historically used for grazing and blue gum plantation purposes and contain pockets of remnant vegetation and a creek line. The landholdings immediately north of Redgate Road have been the subject of separate Structure Planning processes that consider residential, community, educational and associated uses. However these landholdings have not been developed for these purposes at this stage.

1.2.3 Legal Description and Ownership

The overall Structure Plan area (originally referenced as Lot 1032 Redgate Road) has seen a significant portion subdivided and created for residential and associated purposes. The balance undeveloped areas of the Structure Plan can be legally described as 9003 and 9004 McDermott Parade and Lot 9005 Redgate Road, Witchcliffe. **Table I** below outlines the relevant ownership information associated with the undeveloped portions of the land. The Certificates of Title are contained at **Appendix I**.

Landowner	Lot No.	Plan/Diagram No.	Certificate of Title	Street Address	Easements/ Encumbrances
Redgate Developments Pty Ltd	9003	404164	Volume 2887 Folio 397	McDermott Parade, Witchcliffe	Notifications relate to lease arrangements with mobile phone businesses on the use of the existing mobile phone tower.
Redgate Developments Pty Ltd	9004	413442	Volume 2943 Folio 254		
Redgate Developments Pty Ltd	9005	416569	Volume 2969 Folio 307		Easement created und Section 167) & D Act for electricity purposes

Table I - Ownership Details

1.3 Planning Framework

1.3.1 Zoning (Shire of Augusta-Margaret River Local Planning Scheme No.1)

The land is zoned ‘Future Development’ and is designated as Structure Plan Area (SPA 12) in the Shire of Augusta-Margaret River Local Planning Scheme No.1 (‘the Scheme’) Scheme Map. Schedule 11 of the Scheme includes a range of associated provisions and matters to be addressed at the Structure Plan Stage relating to the land. The Western Australian Planning Commission (WAPC) initially endorsed the Structure Plan on 24th September 2010 that responded to provisions set out under Schedule 11 of the Scheme relating to the land. The most recent Structure Plan – Modification No.2 was endorsed by the WAPC on 25 January 2016.

1.3.2 Planning Strategies

1.3.2.1 Witchcliffe Village Strategy 2012

The Witchcliffe Village Strategy (WVS) was adopted by Council in October 2012 and by the WAPC in March 2013. The WVS is a land use planning instrument that aims to guide planning and development of the Witchcliffe Townsite. The WVS Structure Plan identified the land as Cell 5 – South West (Refer to **Figure 1**).

It further outlines that the Council will consider a Scheme Amendment and associated Structure Plan which facilitate residential development at an appropriate density, scale and form. To this effect the WVS lists Structure Plan/Development Requirements that include:

- *Potential Lot Yield 180 – 200 lots*
- *Lot range 700m²-5,000m² (R15-R2)*
- *Larger lot sizes adjacent to buffer to Redgate Road to maintain rural village feel.*
- *Maintain a 50 metre buffer as a forest corridor, visual separation and buffer to Redgate Road.*
- *Provide an adequate landscaped buffer to adjacent rural land - to be determined at the local structure plan stage.*
- *Maintain at least a 50 metre wide buffer along the southern and eastern boundaries as separation between future residential use and surrounding conservation and agricultural uses.*
- *Address Visual Management Guidelines.*
- *Address fire risk and fire hazard planning.*
- *Incorporate public health planning principles into design and implementation.*
- *Provision of road along western boundary of future development to act as a separation from adjoining land and as a strategic firebreak.*
- *Provide outlook over open space areas through road interface.*
- *Development subject to mobile phone tower removal.*
- *Subject to provision of water supply and sewerage services; grey-water re-use; capture and re-use of rainwater; environmentally sensitive housing and sustainable energy use.*
- *The inclusion Sec. 70a notifications on title shall be considered in relation to adjoining agricultural use in any structure plan review or any subsequent subdivision approvals.*

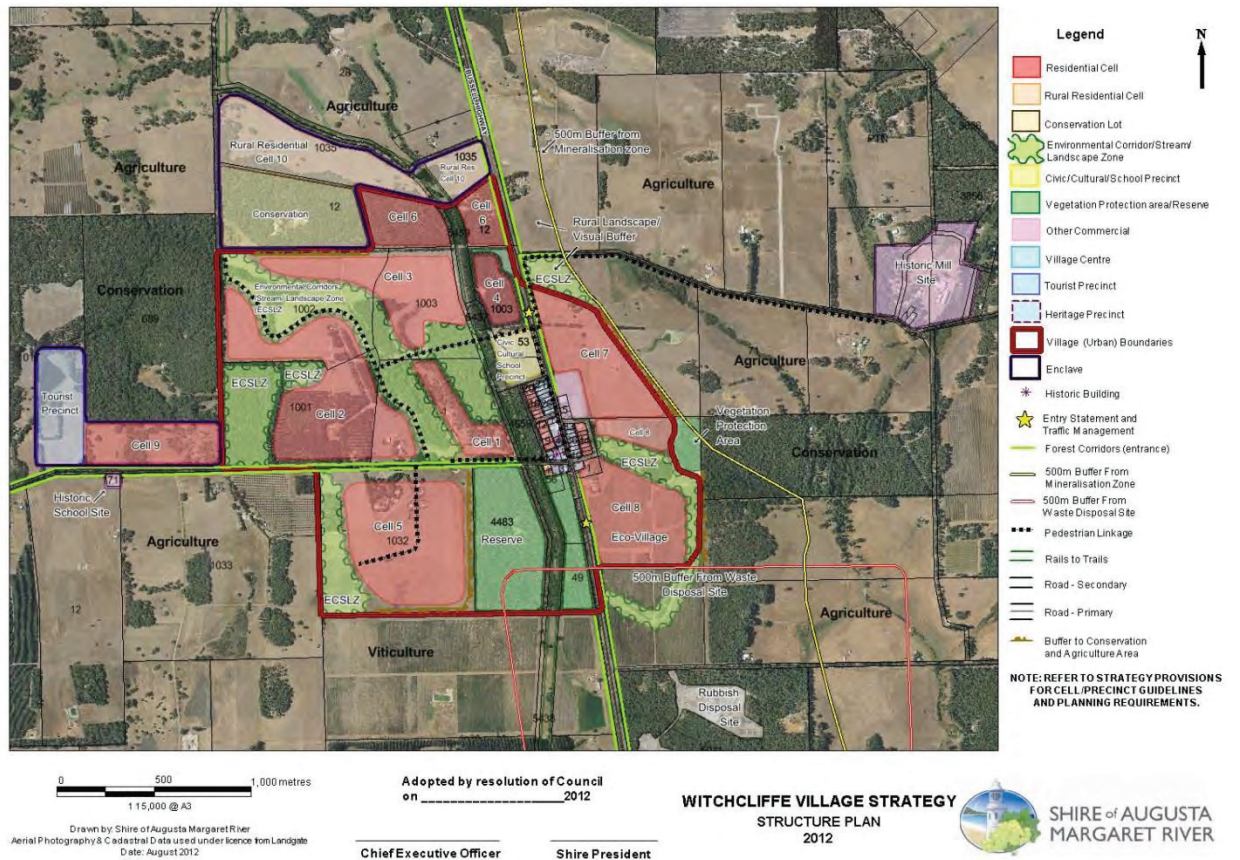


Figure I – Witchcliffe Village Strategy Structure Plan (2012)

At its Ordinary meeting of 24 June 2015, Council resolved to, amongst other things, ‘Undertake to commence a review of the Witchcliffe Village Strategy in 2016 to ensure that it continues to provide a rational planning framework in light of development of the waste water treatment plant to that point.’

1.3.2.2 Draft Witchcliffe Village Strategy 2017

At its Ordinary meeting of 13 December 2017, Council resolved to ‘prepare and advertise amendments to the Witchcliffe Village Strategy which have the effect of facilitating revisions to the adopted structure plans (west of Bussell Highway only), for the purpose of allowing 2,000m² lots serviced by onsite effluent disposal systems.’

The draft Witchcliffe Village Strategy Structure Plan (2017) (draft WVS) was advertised during January and February 2018. It included wording changes relating to the land referenced as Cell 5 – South West as follows:

- Potential lot yield (approximately): 180-200 lots or 150 lots if serviced by on site means of effluent disposal.
- Residential lots of 700-5,000m² (R15-R2) or (if serviced by on site means of effluent disposal) 2000m² lots or as otherwise allowed by the applicable State Government Sewerage Policy.

AholaPlanning lodged a submission on behalf of the proponent supporting the draft WVS as advertised and provided a preliminary concept plan at that time to demonstrate that the land can be developed with a +2,000m² lot minimum while also facilitating a mixture of larger lot opportunities.

The draft WVS has not been finally considered by Council since being advertised.

1.3.2.3 Shire of Augusta-Margaret River Local Planning Strategy

Consistent with the Statement of Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (SPP 6.1), Shire of Augusta-Margaret River Local Planning Strategy (LPS) confirms Witchcliffe as a secondary service centre with a planned population of 1,650 people based on an average of 2 persons per lot. The LPS recognises the endorsed Witchcliffe Village Strategy in providing a vision for the future growth of the Witchcliffe Townsite, and defines a footprint for the expansion of the Townsite based on the SPP 6.1.

Under the LPS, the land is identified as FDA W2 which recognizes the land to be zoned ‘Future Development’. In this regard Structure Planning has taken place as per LPS requirements.

1.3.2.4 Draft Shire of Augusta-Margaret River Local Planning Strategy 2036

At its Ordinary meeting of 14 August 2019, Council resolved to *‘In accordance with clause 12(1) of the Planning and Development (Local Planning Schemes) Regulations 2015 provide the draft LPS2036 (Attachment 1) with confidential amendments included, to the Western Australian Planning Commission (WAPC) and request consent to advertise.’*

The Planning Officer’s report included wording to the effect that *‘In order to continue to provide availability of lots over the planning period, LPS2036 allows progressive development of 2,000m² lots south of Redgate Road, serviced by onsite means.’*

More recent discussions with Council senior staff indicate that the draft LPS will be the vehicle to delivering guidance and direction with regard to the draft Witchcliffe Village Strategy 2017.

1.3.3 Planning Policies

1.3.3.1 Government Sewerage Policy (September 2019)

In September 2019, the State Government of Western Australia released the Government Sewerage Policy (GSP). The GSP provides direction on the provision of sewage disposal for future strategic planning, subdivision and development in Western Australia.

The GSP includes Policy measures to develop sites which are not able to be connected to reticulated sewerage. These Policy measures provide discretion to the responsible authority to approve structure plans, subdivision and development in circumstances where it is satisfied that the proposal is capable of accommodating on-site sewage disposal without endangering public health or the environment, and the minimum site requirements for on-site sewage disposal systems satisfy the following policy measures:

- For Residential subdivision in towns outside the Perth Metropolitan and Peel regions without an established sewerage scheme where lots are not in a public drinking water source area or sewage sensitive area;

- The average lot size is not less than 1,000m², with a minimum of 950m².
- All proposed lots must be capable of the treatment and disposal of all sewage within a discharge point that achieve the following distances:
 - 2 metres in a public drinking water source area;
 - 1.5 metres, depending on soil type, in sewerage sensitive areas; and
 - 0.6 to 1.5 metres in all other areas, depending on soil type and type of treatment system used;
- 30m setback to any private bore used for household/drinking water purposes;
- 100m setback from any waterway or wetland, surface or sub-surface drainage system;
- any area subject to inundation and/or flooding in a 10% Annual Exceedance Probability (AEP) rainfall event;
- The type of on-site sewerage system should be determined in response to the site and soil conditions, vulnerability of the receiving environment and nature of the proposal;
- In the absence of a reticulated sewerage system, the WAPC may require notifications on title pursuant to s.70A of the Transfer of Land Act advising that no reticulated sewerage is provided and as a consequence, on-site sewage disposal will be required.

An assessment of the DWER Public Drinking Water Source Areas (PDESA) online mapping tool confirms that the subject land is not located within a public drinking water source area.

As part of the process to obtain Council and WAPC endorsement of Structure Plan – Modification No. 2, the proponent provided a revised Local Water Management Strategy (LWMS) (March 2015) (provided at **Appendix 2**) that considered preliminary comments by Department of Health at that time. The LWMS considered a subdivision layout that proposes 2,000m² lots for the north-west portion of the Structure Plan area, which accommodates the balance Lot 9005 portion of the Structure Plan area. The lot density and road layout generally reflect that shown on Structure Plan – Modification No.3 submitted under this application.

The LWMS report demonstrated that ground conditions can safely and effectively accommodate on-site effluent disposal on all lots. Furthermore the report confirmed that the north-west portion of the Structure Plan area does not require any fill to meet specified separation to groundwater.

1.3.4 Other Approvals and Decisions

1.3.4.1 Structure Plan Approvals

The WAPC endorsed the Structure Plan on 24th September 2010. The endorsed Structure Plan was thereafter considered by and informed the WVS that was reviewed by Council in 2012. This process has seen the WVS Structure Plan (only) being endorsed by the WAPC in April 2013.

Minor modifications to the Structure Plan (referred to as ‘Structure Plan – Modification No.1’) were subsequently approved/endorsed by both Council on the 8th May 2014 and the WAPC on the 10th June 2014. The endorsed Structure Plan achieved the following changes:

1. Maximise the use of an existing habitable dwelling by including it within its own residential allotment/cell;
2. Retain an existing stand of blue gums (located central to the property) within public open space (POS) that provide passive function to surrounding residents and ensure that surrounding roads are designed to provide a view line or point of interest to the stand of blue gums/POS;
3. Include the southern and portion of the western land scape buffer into the rear of lots, thus not seeing the requirement for these areas of land to be ceded to and subsequently maintained by Council in perpetuity;
4. Modify various residential cells to accommodate lower density coded lots that are robust enough in shape/area to be readily considered for increased density coded development should market demand demonstrate future changes to that currently proposed;
5. Modifications to the internal road layout that respond to design changes detailed above and provide a permeable, efficient and legible road layout which interconnects well with the constructed road pattern in the Structure Plan area.

Further minor modifications to the Structure Plan (referred to as Structure Plan - Modification No.2’) was submitted with Council on 22nd September 2014 and subsequently approved/endorsed by both Council on the 28th October 2015 and the WAPC on the 25th January 2016 (refer to **Appendix 3**). The endorsed Structure Plan achieved the following changes:

1. Modify the density coding to provide for a greater proportion of lots to be increased to be greater than 2,000m² allowing them to be created without connection to reticulated wastewater services which currently do not exist in Witchcliffe;
2. Modify the road, public open space and Residential “R5’ cell arrangement in the north-western portion of the Structure Plan; and
3. Provide a plan that is robust in its residential cell layout to accommodate a variety of lower density lots (ie predominantly ‘R5’ and ‘R2.5’ lots) in response to current, and ongoing market demand that is consistent with the road and residential cell layout already shown on the current endorsed Structure Plan – Modification No.1;

The endorsed Structure Plan also included an additional Planning Policy Statement provided as follows:

- ‘3. *The following items shall be finalised, with details to be provided prior to subdivision approval. The Augusta-Margaret River Shire Council shall not recommend approval to any future subdivision unless satisfied with their completion:*
- b) *Lots identified as being coded R5 or lower are to be serviced by on-site effluent disposal systems and water catchment, subject to the following being satisfied:*
- *The suitability of ground conditions to safely and effectively accommodate on site effluent disposal being confirmed by way of a Geotechnical report;*
 - *Acceptable alternative forms of fire protection and firefighting infrastructure (in the absence of reticulated hydrants) being designed and implemented; and*
 - *Onsite grey and/or blackwater treatment units being of a type which allow water to be recycled for reuse i.e. garden irrigation.’*

The above provision formed part of the resolution by Council of 17 December 2014 in their review of the Witchcliffe Wastewater Treatment Plan Business Case.

It should be noted that the proponent did, at this time, seek to modify the density coding of all ‘R15’ and ‘R10’ residential cells (except where they have been created and on-sold to landowners under Stage I Subdivision Approval (WAPC Ref: 142362)) to ‘R5’. The justification provided at that time included –

- (a) responds to ongoing market demand for larger sized, lower density residential lots within the Witchcliffe locality,
- (b) is consistent with the community consultation outcomes for the land as originally provided at the time of preparing the Witchcliffe Village Strategy (WVS) and led to one of the key objectives of the document to State the following:
- *‘Provide a range of low-density residential lot sizes including ‘special residential’ lots (2-4,000m²), include a balance and distribution of lots on the basis of suitability of landscape and protection of the natural features and attractiveness of the area while preserving good quality remnant vegetation and greater densities near the village centre.’*

The larger lot sizes and lower density development outcome responds to, and enhances the physical, environmental and landscape character of the Witchcliffe locality and provides a suitable transition from the higher density urban form proposed closer to, and within the Witchcliffe town centre to the farmland setting of its hinterland;

- (c) is generally consistent with the lot densities identified for the land in the WVS;
- (d) provides for larger lots on the land that is consistent with wording advertised in the draft Witchcliffe Village Strategy report. Council has undertaken a process to reviewing the Business Case for the Witchcliffe Wastewater Scheme - including the broader servicing options that may be applicable to the Witchcliffe Village in the future; and



(e) provides for the creation of regular shaped lots throughout the Structure Plan.

At that time Council, at its meeting of 24 June 2015 (to consider the proposal for advertising), Council resolved to support a change to the Structure Plan which increases the number of 2000m² lots for advertising purposes but not to the extent sought by the proponent at that time.

The requirements for a noise bund abutting the existing olive grove in the north- west portion of the site is no longer required based on the conclusions provided via a revised acoustic assessment prepared by Herring Storer Acoustics. These conclusions are discussed further under Section 2.3 of this report – with the acoustic assessment being provided at **Appendix 5**.

2.0 Site Conditions and Constraints

2.1 Groundwater

Groundwater recordings were undertaken and form part of the revised Local Water Management Strategy – March 2015, prepared by GHD and provided at **Appendix 2**. The LWMS took into consideration the Geotechnical Report prepared by GHD (2008) and also addressed matters raised by Department of Health in November 2014.

The revised LWMS demonstrated that ground conditions can safely and effectively accommodate on-site effluent disposal on all lots through implementation of Aerobic Treatment Units (ATU's). It also notes that the north-west portion of the Structure Plan area does not require any fill to meet specified separation to groundwater.

It should be noted that the areas of concern raised by Department of Health (and which were addressed in the revised LWMS) at that time have since been constructed as lots in accordance with the endorsed Structure Plan – Modification No. 2 and WAPC Subdivision Approval ref: 152350 and related Deposited Plan No. 416569.

2.2 Bushfire Hazard

A revised Bushfire Management Plan (BMP) has been prepared by Emerge Associates in accordance with *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (WAPC 2015) (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (WAPC & DFES 2017) (the Guidelines). The BMP is provided at **Appendix 4** of this report. The BMP has identified bushfire hazards within proximity to the site that are likely to pose a risk to development in the long-term.

Accordingly, the BMP includes a number of recommendations (responsibilities) to enable bushfire risk to be managed in accordance with SPP 3.7 and the precautionary principle. These include:

- Providing appropriate separation between permanent bushfire hazards and future habitable buildings. This can be through the location of public roads, public open space and appropriately sized lots to enable the necessary required in-lot setbacks to achieve a bushfire attack level (BAL) of BAL-29 or less.
- Ensuring that all habitable buildings (Class 1, 2, 3 and 10a) are constructed in full compliance with *Australian Standard 3959-2018 Construction of buildings in bushfire prone areas* (AS 3959) where located within a designated bushfire prone area. The construction standard would be based on the BAL rating indicated as impacting the building location. This can be managed through the building licence process and certification of BAL ratings.
- As the Structure Plan area is within a non-reticulated water supply area, providing additional static water supply for fire-fighting purposes. The proponent is proposing to provide a standalone water tank at least 385,000 L in size, to be located at the Witchcliffe Bush Fire Brigade (to provide a broader community benefit as well as address the needs of the Structure Plan). The brigade is located within 500 m of the site and is able to meet the acceptable solution as outlined within the Guidelines.
- Providing appropriate vehicle access, including access to two different destinations. The Structure Plan area will access Redgate Road via two different entry/exit points, with Redgate



Road providing access to Caves Road in the west and Bussell Highway in the east. As part of staging of development, temporary secondary access and/or turn around areas may be required until the full public road network is constructed but can be managed through the subdivision process.

2.3 Noise Acoustic Assessment

Coffey Environments prepared a report dated 12 February 2010 titled ‘Assessment of Separation Distances and Buffer Design for Lot 1032 Redgate Road, Witchcliffe’. This report was submitted with the original Structure Plan that was endorsed by the WAPC on 24th September 2010. The report included ‘a recommendation for a 3.5 m earthen noise bund will be established within the vegetated buffer adjacent to the olive grove’. This conclusion was based on a Noise Impact Assessment undertaken by Herring Storer Acoustics at that time (which was appended to the Coffey Environments report).

The proponent commissioned Herring Storer Acoustics undertake a revised acoustic assessment to provide updated acoustic advice for the development with regards to the olive grove operations and the residential development in the north-western area of the Estate. The acoustic assessment (noise modelling) undertaken by Herring Storer Acoustics (October 2019) (Provided at **Appendix 5**) concluded that there is no variation in the noise levels between a bund / no bund scenario. Therefore the 3.5m bund would provide no acoustic benefit in reducing noise levels for the proposed residential Lots in this area of the estate.

The acoustic assessment further concluded that the location of residential development within each proposed lot adjacent the olive grove would be satisfied in line with quiet house design ‘deemed to satisfy’ constructions. This, coupled with the closest lots having notifications place on title, are considered suitable in context with the activities and noise generated through activities associated with the olive grove on adjoining Lot 1033.

The acoustic assessment further advised that the harvesting operations are present for a limited time only. Therefore the noise recommendations in their report would be considered as overly conservative as short term noise emissions are being ameliorated within the design of each building.

3.0 Land Use and Subdivision Requirements

3.1 Land Use

The Proposed Structure Plan – Modification No.3 (Ref: 00001-2-003-Rev I) as provided in Part One of this report aims to achieve the following design objectives:

1. Modify the density coding of all ‘R15’ and ‘R10’ residential cells (except where they have been created and on-sold to landowners under Stage I Subdivision Approval (WAPC Ref: 142362)) to ‘R5’;
2. Modify the road, public open space and Residential “R5’ cell arrangement in the north-western portion of the Structure Plan; and
3. Provide a plan that is robust in its residential cell layout to accommodate a variety of lower density lots (ie predominantly ‘R5’ and ‘R2.5’ lots) in response to current, and ongoing market demand that is consistent with the road and residential cell layout already shown on the current endorsed Structure Plan – Modification No.2;
4. Clarify various subdivision and development requirements to confirm development setbacks, note the removal of the mobile phone tower and incorporate a landscape buffer arrangement that allows lots abutting in the north-west portion of the site to gain additional usable private open space.

The key design modifications to achieve the above objectives are discussed in more detail as follows:

3.2 Residential Density of Development

The Structure Plan – Modification No.3 incorporates the following adjustments to the Residential Densities:

- Modifying three residential cells in the north west portion of the Structure Plan (located within balance Lot 9005) from ‘R15’ to ‘R5’, and
- Indicatively show 159 lots that collectively have the potential to accommodate a total dwelling yield of 159.

The changes propose larger lots sizes and lower density residential development outcome throughout the Structure Plan area:

- a) responds to ongoing market demand for larger sized, lower density residential lots within the Witchcliffe locality,
- b) is consistent with the community consultation outcomes for the land as originally provided at the time of preparing the Witchcliffe Village Strategy (WVS) and led to one of the key objectives of the document to State the following:

‘Provide a range of low-density residential lot sizes including ‘special residential’ lots (2-4,000m²), include a balance and distribution of lots on the basis of suitability of landscape and protection of



the natural features and attractiveness of the area while preserving good quality remnant vegetation and greater densities

- c) responds to, and enhances the physical, environmental and landscape character of the Witchcliffe locality and provides a suitable transition from higher density urban form proposed closer to, and within the Witchcliffe town centre to the farmland setting of its hinterland.
- d) is generally consistent with the lot densities identified for the land in the WVS:
- e) provides for larger lots that can be suitably serviced on-site – which is consistent with the draft Witchcliffe Village Strategy 2017 (advertised for public comment in early 2017), that detailed a lot yield of 150 lots of a size greater than 2,000m² if serviced by on site means of effluent disposal;
- f) will provide an adequate supply of lots to be created to support short term demand. The Structure Plan will continue to provide availability of lots over the planning period through the draft LPS 2036 allowing progressive development of 2,000m² lots south of Redgate Road, serviced by on-site means. This reference is consistent with the officer’s report of 14 August 2019 that has seen the draft LPS2036 being forwarded to the WAPC for consent to advertise; and
- g) provides for the creation of regular shaped lots throughout the Structure Plan that are designed to achieve an integrated and harmonious character – which has already been developed on a significant portion of the Structure Plan area.

3.3 Public Open Space

The proposed Modified Structure Plan incorporates the following adjustments to the provision of Public Open Space (POS):

- re-allocate a large portion of POS ‘A’ (as shown on Structure Plan – Modification No.2) to be Residential R5 lots. This change has been made with the view to retain an existing chalet within a residential R5 lot while also providing for R5 (+2,000m²) lots that all front a proposed road. POS (A) now represents the land between the northern ‘east-west’ road and Redgate Road – which also serves to provide a visual buffer between development and Redgate Road. Such an arrangement would be consistent with the POS width already created in the north-east section of the Structure Plan;
- Re-allocate the landscape buffer on the western boundary to be located in the back of larger R5 lots. This change is consistent with similar sized R5 lots now created abutting the western boundary in the south west portion of the Structure Plan area;
- Re-allocate the POS ‘D’ on the western boundary (as shown on Structure Plan – Modification No.2) to also be located at the back of larger R5 lots. This provides a consistent allocation of land along the western boundary to that already created abutting the western boundary in the south west portion of the Structure Plan area;



- The above changes will remove landscape buffer areas and areas of POS along the western boundary of the Structure Plan that not only form part of larger R5 lots, but also removes the need for the Council to maintain landscape buffer and POS that would otherwise serve mainly as a planted buffer to the rural activities undertaken on adjoining Lot 1033;
- These design changes have altered the POS Allocation as shown on the proposed Modified Structure Plan from 8.73% to 5.61%. This change in the provision of POS acknowledges that the Structure Plan is now providing lots coded R2.5, R5 and R10 (5 lots only) that are of a size to allow for passive recreation/activity to take place within private lots. The proposed changes also retain POS areas that are usable and designed to encourage passive recreation/activity.
- Council has previously recognized that the provision of larger residential lots throughout the Structure Plan means that 10% POS is not required (by relevant WAPC Policies) due to the greater opportunity for private recreation to occur within each property.

3.4 Residential Cell, Road and Drainage Arrangement

The proposed Modified Structure Plan incorporates the following adjustments to the residential cell Arrangement:

- Provides a road arrangement in the north-west portion of the Structure Plan ensures that all lots are provided with alternative access as required by the Bushfire Management Plan;
- Provides for 'R5' density development adjacent to public open space and Redgate Road so as to maintain the 'rural' feel of the locality and be consistent to areas to the east already created in this manner. This is consistent with the Structure Plan requirement set out in the endorsed WVS in relation to the land adjacent to Redgate Road;
- Provides for a consistent pattern of larger residential 'R5' lots that abut the western boundary and for buffer landscaping to be undertaken at the rear of lots the screen residential activities to rural land uses undertaken on adjoining Lot 1033;
- Includes a 4,320m² Reserve for Drainage in the south-west portion of the Structure Plan area that was constructed and created on Deposited Plan 416569; and
- Provides for pedestrian/cycle link connecting the north-west and south-west portions of the Structure Plan.

3.5 Other Minor Adjustments

The proposed Structure Plan also updates other references on the Structure Plan and within the Subdivision and Development Requirements set out under Part I of this report as follows:

Removal of previous Subdivision provision 4 which states '*POS areas are to be irrigated from water captured on site and pumped via solar or wind powered pumps*'



Subdivision provision 4 been removed on the basis that this was a carry-over from when the Structure Plan area was being considered in line with the broader Witchcliffe Village Strategy. Investigations to support the recycling of wastewater and provision of irrigation found the scheme would not be viable and/or implementable and accordingly the requirement was removed. A small area of turf within the already developed portions of the Structure Plan area is irrigated and uses a submersible pump connected to mains power (which was approved by the Shire). Hence the requirement for solar or wind powered pumps has not be applied. No further long-term irrigation is proposed as part of developing the remainder of the Structure Plan area, and accordingly this provision is no longer applicable and/or required.

Subdivision provision 7 has been adjusted (and renumbered) to read –

6. *A 30 m landscape buffer comprising a 20 m planted vegetation strip with a 5 m maintenance strip either side shall be provided along the southern and western boundaries of the structure plan area and have been identified as 'landscape buffer' on the structure plan. The buffer is to be located at the rear portion of the residential lots, between future habitable buildings and adjoining agricultural land uses.*

Development provision 7 is intended to support the implementation of a vegetated landscape buffer recommended to mitigate potential impacts from spray drift associated with nearby agricultural land uses, namely the vineyard to the south and olive grove to the west.

As part of the amendment to the Structure Plan, the wording of development provision 7 is proposed to be updated to reflect the revised tenure arrangements for the landscape buffer, as well as the configuration of the buffer, based on changes that have been requested and/or accepted by the Shire of Augusta Margaret River as part of the already developed stages of the Structure Plan, which have progressed subsequent to the previous approval. This is to ensure consistency across the remaining stages of development.

As part of the previously approved Structure Plan, the majority of the landscape buffer planting was proposed managed in the long term by the Shire as part of a 'landscape buffer reserve' (areas of public open space to be managed by the Shire). However, as part of implementing the Structure Plan, the Shire requested that the landscape buffer reserve be removed from the development and instead that the landscape buffer planting be incorporated within private landholdings, to be managed by future landowners rather than the Shire.

Accordingly, the development layout was revised to remove the 'landscape buffer reserve', with the buffer then accommodated at the rear of proposed residential lots. As part of this, it was determined that the 10 m wide maintenance track either side of the vegetated (planted) portion of the buffer was no longer required. Instead, the maintenance access areas were reduced to 5 m wide in order to support future maintenance and firebreak requirements (based on each lot owner being responsible for these areas, rather than the Shire), meaning the overall landscape buffer was 30 m wide. This was approved by the Shire and has already been implemented for the buffer along the southern boundary of the Structure Plan areas as well as the majority of the western boundary of the Structure Plan area.

Development provision 13 has been adjusted (and renumbered) to read –

12. The minimum primary or secondary street development setback for lots fronting the eastern north-south road (abutting adjoining Lot 4483) shall be in accordance with the Residential Design Codes.

The wording has changed as a result of the updated Bushfire Management Plan demonstrating that development of habitable buildings can be developed to a BAL 29 or less standard in accordance with the Residential Design Codes. This provision could be removed altogether noting the planning controls in place.

Development provision 14 has been adjusted (and renumbered) to read –

13. All dwellings are to make provision for the catchment of potable water, and are to comply with the tank size requirements in accordance with the Shire of Augusta-Margaret River Local Planning Scheme No.1.

This provision has changed by reason that Council is referring to the endorsed design codes to assess development.

Development provisions 15 and 16 have been adjusted (and renumbered) to read –

14. The minimum rear setback for a Single House for those lots abutting the southern boundary of the Structure Plan shall be in accordance with the 80m rear setback line identified on the Structure Plan. All other Structures that do not provide rainwater catchment from roof run off for potable water supply can be setback between the 30 metre Landscape Buffer and the 80 metre setback line provided they also comply with Bushfire Attack Level (BAL) setback requirements. The legend on the Structure Plan will also be marked up to reflect the 80m setback for the proposed Single House.
15. The minimum rear setback for a Single House for those lots abutting the western boundary of the Structure Plan shall be in accordance with the 60m rear setback line identified on the Structure Plan. All other Structures that do not provide rainwater catchment from roof run off for potable water supply can be setback between the 30 metre Landscape Buffer and the 60 metre setback line provided they also comply with Bushfire Attack Level (BAL) setback requirements;

The wording change clarify and provides flexibility for other buildings, that will not be collecting rainwater for potable water supply purposes, to be located inside the rear building setback lines. This allows landowners to make better use of residential land and not constrain all buildings to fall outside the building setback lines referenced on the Structure Plan.

4.0 Conclusion

The proposed Modified Structure Plan incorporates a number of design amendments to the current endorsed Structure Plan. It provides for a mix of lower residential development opportunities that responds to market demand for larger lots within the locality.

The proposed design changes provide a positive outcome to progress the final stages of subdivision and development, improves land use efficiency at the densities proposed and is generally consistent with community consultation and the subsequent objectives set out for the land in the endorsed Structure Plan and Witchcliffe Village Strategy (2012).

The proposed design changes also acknowledges that future residential development will be able to be fully serviced (water supply and effluent disposal) on-site – which is acknowledged as being supported in the LPS2036 to allow for progressive development of 2,000m² lots south of Redgate Road, serviced by onsite means.

We respectfully seek Council's support to the proposed Modified Structure Plan and would welcome early feedback on the timeframe and process for Council to assess the proposal – noting that the proposed changes collectively represent a range of amendments to the endorsed Structure Plan.

5.0 Technical Appendices

The technical appendices have assisted in identifying the actions and recommendations to inform and link the implementation requirements of the Structure Plan and provide further basis for the assessment of subsequent planning applications within the Structure Plan area.

The supporting Technical Documents are listed in the Table of Contents of this report and respectively appended.