

**WESTERN AUSTRALIAN
PLANNING COMMISSION**

**STRUCTURE PLAN
Lots 3, 4, 5, 6, 7, 8, 9, 10 & 11
Doyle Place,
Margaret River**

February 2019



Proposed Structure Plan

Lots 3, 4, 5, 7, 8, 9, 10 & 11 Doyle Place, Margaret River

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:

Signed for and on behalf of the Western Australian Planning Commission:



an officer of the Commission duly authorised by the Commission pursuant to Section 16 of the *Planning and Development Act 2005* for that purpose, in the presence of:



Witness

29 March 2019

Date

29 March 2029

Date of Expiry

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Amendment No.	Summary of Amendment	Amendment type	Date approved by the WAPC

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EXECUTIVE SUMMARY

Purpose

This Structure Plan has been prepared for the Shire of Augusta Margaret River ('the Shire') and the Western Australian Planning Commission ('WAPC') and relates to Lots, 4, 5, 7, 8, 9, 10 and 11 Doyle Place, Margaret River.

Halsall & Associates Town Planning Consultants have been engaged by the owners of Lots 4, 5, 7, 8, 9, 10 & 11 Doyle Place, Margaret River to present a proposal to the Shire seeking support for a Scheme Amendment to Local Planning Scheme No.1 ("the Scheme") and an associated Structure Plan to provide a mechanism for consideration of subdivision of the relevant lots. Seven lots would be subdivisible to create a total of 15 lots resulting with a minimum lot size of 1ha.

The general provisions for the Rural Residential Zone within Local Planning Scheme No.1 state that except as otherwise may have been approved, the minimum lot size for land within the zone is three (3) hectares. The Shire requires amendment to the Scheme to allow smaller lot sizes and Schedule 11 provisions and associated Structure Plan are the recommended mechanism. It is necessary to introduce specific provisions under Schedule 11 primarily to permit smaller lot sizes and include a Structure Plan with notations to address matters apparent as a result of the proposal to re-subdivide the subject lots. Identification of the relevant lots within the provisions of Schedule 11 will address requirements and provide guidelines for consideration of subdivision and development to a minimum lot size of approximately one hectare in a manner consistent with other proposals that have occurred west of Margaret River.

Prior to preparation of the proposal, detailed liaison has occurred with landowners within the neighbourhood and strong support from almost all of the landowners with potential has been received. The owner of Lot 6 has indicated they do not wish to participate in the proposal along with the owner of Lot 3. Notwithstanding this, Lot 3 is vegetated with native Peppermint and likely has limited potential for subdivision as a result. The owners of Lot 3 have no objection to the proposal. The planning department of the Shire of Augusta-Margaret River upon receipt of the original proposal requested formal inclusion of lots 3 and 6 within the zoning change but silence in relation to subdivision of those lots on the structure plan. The Shire required (and were involved) in informing the owners of Lots 3 and 6 of their intention to include the land within the zoning proposal. This would make the zoning change holistic covering all of the larger

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lots in Doyle Place. Halsall and Associates do not represent the owners of lots 3 or 6 and inclusion in the proposal is therefore a Shire initiative.

It should also be noted that three lots at the western end of Doyle Place have already been subdivided to a lot size just over one hectare in area and this was part of the subdivision of land to the west primarily accessed via Connelly Road. These three lots are however accessed from Doyle Place and therefore present that there are smaller lots already established within the street. The proposal therefore represents an almost complete proposal for better use of suitable land within Doyle Place. The area has also been identified as having limited constraints under the Shire's Local Planning Strategy.

EXECUTIVE SUMMARY TABLE

Item	Data	Structure Plan Ref. (section no.)
Total area covered by the Structure Plan	Approximately 27 hectares	2.2
Area of each land use proposed:	Lot yield: 15 lots minimum one hectare from original seven lots	2.1.1
Rural Residential	Minimum lot size one (1) hectare	
Estimated number of dwellings	Total 15	2.1.1
Estimated percentage of natural area	18%	2.6.1

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1.0 PART 1 – IMPLEMENTATION

1.1 Structure Plan Area

Doyle Place is located within the Rural Residential areas to the west of the Margaret River town site and adjacent to the Margaret River along the northern boundary. The area is provided with primary access from Kevill Road which is a loop road connecting to Wallcliffe Road to the south.

The area was historically grazed and formed part of the wider farming area originally before Rural Residential subdivision occurred to create the existing subdivision pattern. The current lot sizes are reflective of the previous Town Planning Scheme No.11 provisions which have generally been carried over into Local Planning Scheme No.1.

Within the general locality there has been some historical subdivision to a minimum lot size of one hectare and some clustered subdivisions have occurred with smaller lot sizes and re-subdivision of various areas particularly within Kevill Road and Illawarra Avenue have also been facilitated. The location of the subject site within the locality is evident in Figure 1 below.

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Figure 1 - Location of site within the locality



Source: Shire of Augusta - Margaret River

The Scheme Amendment relates to nine (9) specific lots within Doyle Place including Lots 3, 4, 5, 6, 7, 8, 9, 10 and 11 Doyle Place, Margaret River. The Structure Plan is detailed with respect to Lots 4, 5, 7, 8, 9, 10 and 11 and silent in relation to lots 3 and 6. The specific area is indicated at Figure 2 below.

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Figure 2 - Subject site



Source: Shire of Augusta-Margaret River

As can be viewed in Figure 2 above, the lots are contiguous and are all accessed via Doyle Place which is a cul-de-sac connecting with Kevill Road to the east. Notwithstanding the fact that Doyle Place is a cul-de-sac, there is also a connection by way of Right of Way (utilized as an emergency access way) from the end of the cul-de-sac to Kevill Road to the south thus providing a loop arrangement in the event of emergencies.

As documented previously, the site abuts lots generally at a minimum lot size of one hectare to the west with three of these (Lots 2, 3 and 5) already accessed from Doyle Place. Also at the western end of Doyle Place is Lot 3 which is now included within the proposal at the direction of the Shire as the landowner did not wish to participate acknowledging the fact that the site is vegetated with native Peppermint and accommodates a substantial dwelling. This site is only 2 hectares in area and would therefore be difficult to subdivide without compromising the native Peppermint and amenity of the existing dwelling.

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Notwithstanding this, the owner of the Lot 3 has indicated no objection to the other landowners proceeding.

Lot 6 is was also not originally included even though this site is predominantly cleared and this is due to the fact that the current landowner wishes not to be involved in a proposal with their long term view being the intention to establish a substantial dwelling with views across the Margaret River valley. The Shire required this lot to be included on holistic planning grounds. The Shire have required that Lots 3 and 6 are not indicated with a subdivision layout on the Structure Plan.

The characteristics of the site are evident within the close up aerial photograph contained at Figure 3 below.

Figure 3 - Aerial photograph



Source: AMR Shire

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As can be viewed at Figure 3 above, the subject area is predominantly cleared and was previously used for farming purposes. A traverse of the area reveals that much of the vegetation within the subject lots is non native or planted landscaping.

Also evident is the fact that lots adjoining the area to the south are principally vegetated along with areas adjacent to the river which is situated within a foreshore reserve.

At the eastern end of Doyle Place is also a public reserve (36747/4847) which contains some cleared areas and a creekline system which enters the Margaret River in the north east.

All lots within Doyle Place contain dwellings and associated outbuildings except for Lots 6 and 10 which are currently vacant.

The subject area is provided with good bitumen road access from Doyle Place and Kevill Road and as stated previously a connection by way of emergency access way from the end of the cul-de-sac back to Kevill Road to the south.

The area is serviced with overhead power within Doyle Place and a reticulated water supply is also available at the western end of Doyle Place with a fire hydrant installed. This water line was established as part of the subdivision of the Connelly Road area with the three lots at the western end of Doyle Place being part of this.

Given the area is 3km west of the town site of Margaret River, no sewerage services are provided however, the soil conditions are favourable for onsite effluent disposal as demonstrated by the extensive subdivision within the area.

Telecommunication services are also provided in the area and these can be easily extended.

The non native nature of vegetation within the area has been generally investigated and this has resulted in the illustration of Native vegetation areas within Figure 4 below.

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Figure 4 - Native remnant vegetation within the subject site



Source: Shire of AMR and Landgate

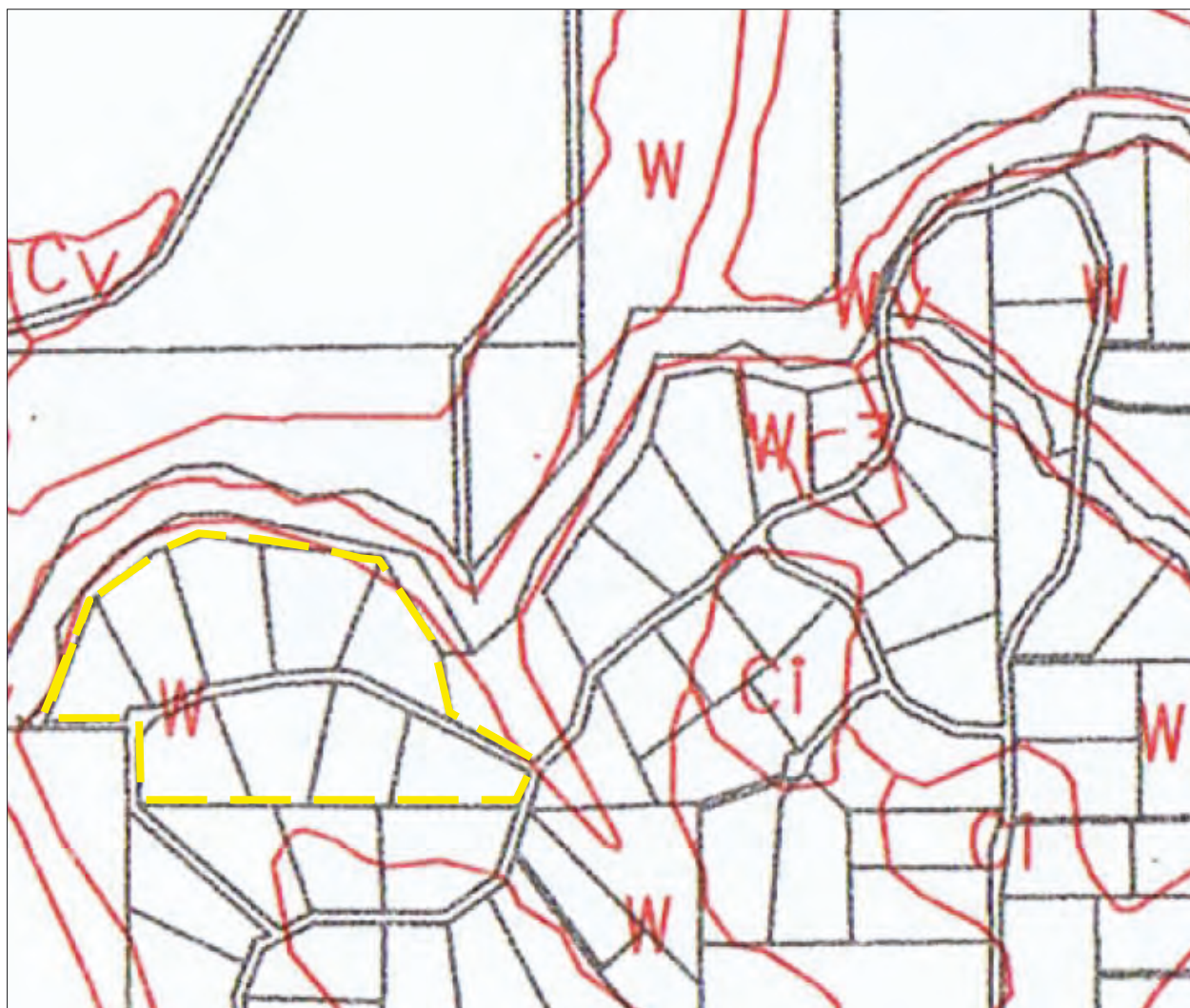
The contours of the area are generally sloping northwards to the Margaret River valley. This provides an attractive outlook from lots to the north and a highly desirable environment for residential living.

The soils of the area are of the Wilyabrup valleys land system as documented by Tille and Lantszke in the Agriculture WA Landcapability Assessment 1990. An excerpt from the mapping within this document is provided at Figure 5 below.

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Figure 5 - Excerpt Tille and Lantszke Land Capability Mapping (AgWA - 1990)



As can be viewed in Figure 5 above the area contains predominantly soils of the Wilyabrup slopes classification. These soils are gravelly (Forest Grove and Keenan) soils. This soil unit can be divided into W3 – Wilyabrup low slopes graded into 5 to 10% and W4 – Wilyabrup steep slopes: gradients 10 to 15%. W3 appears to be the dominant unit presenting within the area.

Appendix 3 of the Land Capability Study produced by Agriculture WA in 1990 provides advice in relation to physical limitations for housing on small rural lots. The Wilyabrup valleys soil classification can have moderate limitations in relation to soil absorption and minor limitations relevant to trafficability.

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The Wilyabrup valley classification W3 can exhibit moderate limitations for soil absorption and ease of excavation and minor limitations for water erosion, hazard, slope and trafficability. These limitations have not been obstructive to creation of one hectare lots given the large number of lots within this soil classification zoned already to allow for one hectare lots.

This analysis of Agriculture WA's Land Capability Study provides that the majority of the area has no major limitations. The operation of existing on site effluent disposal systems within the area also appear to demonstrate that the possible moderate and minor limitations specified above can effectively be managed. Detailed soil and land capability investigations have occurred and are documented in a later section demonstrating this.

1.2 Operation

The date the Structure Plan comes into effect is the date the Structure Plan is approved by the Western Australian Planning Commission ('WAPC').

1.3 Staging

Staging is not applicable and individual land owners will be able to subdivide independently of each other at their choice. As such it is expected that gradual take up of subdivision within the area will occur dependent on owners' desired timing and market forces. This is consistent with previous structure plans for such forms of subdivision.

1.4 Subdivision and Development Requirements

As detailed within the preamble to this report, the proposal seeks to introduce a Structure Plan for those lots identified within Doyle Place within Schedule 11 RR35. Subdivision will be guided by the Structure Plan contained at Appendix 1. This includes consideration of the following:

1. Subdivision shall have due regard to the endorsed Structure Plan.
2. Landscape screening to be implemented at subdivision stage to the satisfaction of the Shire of Augusta Margaret River.

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3. Battle axe legs and crossovers to be constructed to Shire specifications at subdivision stage.
4. All effluent disposal systems to be setback a minimum of 100m for the Margaret River
5. At the time of subdivision the Local Government will request that the Western Australian Planning Commission impose conditions requiring the subdivider to:
 - Prepare a Fauna Management Plan;
 - Prepare a Foreshore Management Plan (including revegetation and weed management); and
 - Prepare a Stormwater Management Plan.
6. Flora/Fauna investigations shall be submitted in support of any subsequent structure plan (amendment) prepared in respect to Lots 3 and/or 6.
7. Prior to the subdivision of the land, a developer contribution scheme shall be prepared for the upgrade of Doyle Place.
8. Black Cockatoo habitat trees as identified on the Structure Plan are not to be removed.

The plan itself will also guide the development of future dwellings in appropriate building envelopes which have been considered to have regard for the characteristics of the area.

In addition to the Structure Plan and its notations the broad provisions of the Scheme relevant to the Rural Residential zone will also be applicable.

1.4.2 Land Use Permissibility – Zoning

The zoning for the area is Rural Residential and the intention is to incorporate the land within the Schedule 11 classification RR35 and introduce reference to this Structure Plan. This will therefore allow for further subdivision to be guided by the Structure Plan in accordance with the provisions of the Rural Residential zone guided by notations and the Structure Plan itself.

1.4.3 Interpretation and Scheme relationship

The words and expressions used within the Structure Plan shall have the respective meanings given to them in the Shire of Augusta Margaret River's Local Planning Scheme No.1 ('LPS No.1').

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Subdivision within the Rural Residential zone will be guided by the Structure Plan as it will be referenced at Schedule 11.

Clauses under 4.22 of the Scheme will also guide operation of subdivision development particularly within the area. The deemed provisions are relevant and will guide the preparation and adoption process for the Structure Plan. Further, the Structure Plan will have effect for a period of ten years commencing on the day on which the Commission approves the plan.

1.4.4 Other Requirements

Servicing Considerations

The development will include extension of power services with underground connections supplied. Reticulated water is available within the street however it is not a requirement to extend this given the objectives of sustainable use of resources and therefore there is a promotion of use of water tanks. Onsite effluent disposal systems can be utilised as is demonstrated in the supporting report to this Structure Plan dealing with effluent disposal capability. Telstra services are readily available and can also be extended.

Upgrading of crossovers and the construction of battleaxes will also be a feature of the subdivision within the area as will potential upgrades as a result of the Bushfire Management Plan recommendations.



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Appendix A - Structure Plan

2.0 PART 2 - EXPLANATORY REPORT

2.1 Planning Background

2.1.1 Introduction and Purpose

Halsall & Associates Town Planning Consultants have been engaged by the owners of Lots 4, 5, 7, 8, 9, 10 & 11 Doyle Place, Margaret River to present a proposal to the Shire seeking support for a Scheme Amendment to Local Planning Scheme No.1 (“the Scheme”) and this associated Structure Plan to provide a mechanism for consideration of subdivision of the relevant lots.

The general provisions for the Rural Residential Zone within Local Planning Scheme No.1 state that except as otherwise may have been approved, the minimum lot size for land within the zone is three (3) hectares. The Shire requires amendment to the Scheme at Schedule 11 provisions and associated Structure Plan are the recommended mechanism. It is necessary to introduce specific provisions under Schedule 11 primarily to include the Structure Plan with notations to address matters apparent as a result of the proposal to re-subdivide the subject lots. Identification of the relevant lots within the provisions of Schedule 11 will address requirements and provide guidelines for consideration of subdivision and development to a minimum lot size of approximately one hectare in a manner consistent with other proposals that have occurred west of Margaret River.

Prior to preparation of the proposal, detailed liaison occurred with landowners within the neighbourhood and strong support from almost all of the landowners with potential has been received. The owner of Lot 6 has indicated they do not wish to participate in the proposal along with the owner of Lot 3. Notwithstanding this, Lot 3 is vegetated with native Peppermint and likely has limited potential for subdivision as a result. The owners of Lot 3 have no objection to the proposal. The planning department of the Shire of Augusta-Margaret River upon receipt of the original proposal requested formal inclusion of lots 3 and 6 within the zoning change but silence in relation to subdivision of those lots on the structure plan. The Shire required (and were involved) in informing the owners of lots 3 and 6 of their intention to include the land within the zoning proposal. This would make the zoning change holistic covering all of the larger lots in Doyle Place. Halsall and Associates do not represent the owners of lots 3 or 6 and inclusion in the proposal is therefore a Shire initiative.

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It should also be noted that three lots at the western end of Doyle Place have already been subdivided to a lot size just over one hectare in area and this was part of the subdivision of land to the west primarily accessed via Connelly Road. These three lots are however accessed from Doyle Place and therefore present that there are smaller lots already established within the street. The proposal therefore represents an almost complete proposal for better use of suitable land within Doyle Place. The area has also been identified as having limited constraints under the Shire's Local Planning Strategy.

2.2 Land Description

2.2.1 Location

Doyle Place is located within the Rural Residential areas to the west of the Margaret River town site and adjacent to the Margaret River along the northern boundary. The area is provided with primary access from Kevill Road East and Kevill Road West which is a loop road arrangement connecting to Wallcliffe Road to the south.

The area was historically grazed and formed part of the wider farming area originally before Rural Residential subdivision occurred to create the existing subdivision pattern. The current lot sizes are reflective of the previous Town Planning Scheme No.11 provisions which have generally been carried over into Local Planning Scheme No.1.

Within the general locality there has been some historical subdivision to a minimum lot size of one hectare and some clustered subdivisions have occurred with smaller lot sizes and re-subdivision of various areas particularly within Kevill Road and Illawarra Avenue have also been facilitated. The location of the subject site within the locality is evident in Figure 1 below.

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Figure 1 - Location of site within the locality



Source: Shire of Augusta - Margaret River

The site is approximately 3 km due west from the townsite of Margaret River.

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2.2.2 Area and Land Use

The Scheme Amendment relates to nine (9) specific lots within Doyle Place including Lots 3, 4, 5, 6, 7, 8, 9, 10 and 11 Doyle Place, Margaret River. The Structure Plan is detailed with respect to Lots 4, 5, 7, 8, 9, 10 and 11 and silent with respect to lots 3 and 6. The lots are indicated at Figure 2 below.

Figure 2 - Subject site



Source: Shire of Augusta-Margaret River

As can be viewed in Figure 2 above, the lots are contiguous and are all accessed via Doyle Place which is a cul-de-sac connecting with Kevill Road to the east. Notwithstanding the fact that Doyle Place is a cul-de-sac, there is also a connection by way of Right of Way (used as an emergency access way) from the end of the cul-de-sac to Kevill Road to the south thus providing a loop arrangement in the event of emergencies.

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As documented previously, the site abuts lots generally at a minimum lot size of one hectare to the west with three of these (Lots 2, 3 and 5) already accessed from Doyle Place. Also at the western end of Doyle Place is Lot 3 which is now included within the zoning at the direction of the Shire as the landowner did not wish to participate acknowledging the fact that the site is vegetated with native Peppermint and accommodates a substantial dwelling. This site is only 2 hectares in area and would therefore be difficult to subdivide without compromising the native Peppermint and amenity of the existing dwelling. Notwithstanding this, the owner of the Lot 3 has indicated no objection to the other landowners proceeding.

Lot 6 is was also not originally included even though this site is predominantly cleared and this is due to the fact that the current landowner wishes not to be involved in a proposal with their long term view being the intention to establish a substantial dwelling with views across the Margaret River valley. The Shire required this lot to be included on holistic planning grounds.

The Shire have required that Lots 3 and 6 are not indicated with a subdivision layout on the Structure Plan.

The characteristics of the site are evident within the close up aerial photograph contained at Figure 3 below.

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Figure 3 - Aerial photograph



Source: AMR Shire

As can be viewed at Figure 3 above, the subject area is predominantly cleared and was previously used for farming purposes. A traverse of the area reveals that much of the vegetation within the subject lots is non native or planted landscaping. Detailed investigations referred to in a later section in relation to floristic characteristics, provides further information.

Also evident is the fact that lots adjoining the area to the south are principally vegetated along with areas adjacent to the river which is situated within a foreshore reserve.

At the eastern end of Doyle Place is also a public reserve (36747/4847) which contains some cleared areas and a creekline system which enters the Margaret River in the north east.

All lots within Doyle Place contain dwellings and associated outbuildings except for Lots 6 and 10 which are currently vacant.

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The subject area is provided with good bitumen road access from Doyle Place and Kevill Road and as stated previously a connection by way of emergency access way from the end of the cul-de-sac back to Kevill Road to the south.

The area is serviced with overhead power within Doyle Place and a reticulated water supply is also available at the western end of Doyle Place with a fire hydrant installed. This water line was established as part of the subdivision of the Connelly Road area with the three lots at the western end of Doyle Place being part of this.

Given the area is 3km west from the town site of Margaret River, no sewerage services are provided however, the soil conditions are favourable for onsite effluent disposal as demonstrated by the extensive subdivision within the area. This is documented in a detailed investigation referenced in a later section.

Telecommunication services are also provided in the area and these can be easily extended.

The non native nature of vegetation within the area has been generally investigated and this has resulted in the illustration of Native vegetation areas within Figure 4 below.

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Figure 4 - Native remnant vegetation within the subject site



Source: Shire of AMR and Landgate

The contours of the area are generally sloping northwards to the Margaret River valley. This provides an attractive outlook from lots to the north and a highly desirable environment for residential living.

2.2.3 Legal Description and Ownership

The legal description of the lots affected by this Structure Plan are Lots 3, 4, 5, 6, 7, 8, 9, 10 & 11 Doyle Place, Margaret River. These are all individually owned by various families so of which reside on the property, others are used as holiday houses and two of the lots are vacant.

The proposed subdivision of each lot is explained as follows:

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Existing Lot 4

This lot is proposed to be subdivided creating a one hectare lot to the south with a building envelope indicated in a cleared area which is currently surrounded by extensive planting that occurred previously. The intention is to indicate that this non native planting can be removed to ensure an adequate low fuel zone is provided for a future dwelling in this envelope. The existing dwelling is to be incorporated within an envelope in the northern lot which would be two hectares in area. Access to the northern lot already occurs on a driveway along the eastern boundary and this will be retained within a battleaxe leg.

Existing Lot 5

Similar to Lot 4, a one hectare lot is proposed to be accommodated in the south where the building envelope again is located where planting has occurred toward the frontage of the lot. This is again primarily non native and recognising the amenity of adjoining Lot 6 to the east, bolstering and further planting along the eastern boundary is proposed from ground level to canopy. This is to improve the amenity of the area and respect the privacy of the Lot 6.

The existing dwelling on Lot 5 is again in the north and accessed via a driveway along the western boundary which again can be incorporated within a battleaxe leg and resulting in a 2.52 hectare lot fronting the Margaret River.

Existing Lot 7

This site already accommodates a dwelling in the western parts and has extensive frontage to Doyle Place. There is a cleared area to the east of the existing dwelling which could accommodate a 1.11 hectare lot with building envelope in the existing cleared area. As is common throughout the area, vegetation about this building envelope has been planted predominantly with non native species which could be selectively removed to improve fire management for the proposed building envelope. The existing dwelling will be retained within a 1.54 hectare lot and building envelope.

Existing Lot 8

This site accommodates a dwelling and a number of outbuildings in the south and again has been planted with non native species particularly around the periphery. The proposal intends to create a one hectare lot in the north accessed from Doyle Place with the existing dwelling and outbuildings within a lot to the south at 1.82 hectares with alternate driveway arrangement to the western part of Doyle Place. The building

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envelope for the northern lot which is currently vacant is within the generally cleared area and where some non native orchard trees can be removed.

Existing Lot 9

This lot contains an existing dwelling in the north east and associated water tank. Extensive cleared areas exist in the southern parts and some blue gums have been planted in the west which could be removed to accommodate a one hectare lot to the west of the existing dwelling. Likewise the areas to the south are to be incorporated in a one hectare lot provided by battleaxe access leg along the eastern boundary. The existing dwelling is also to be contained within a one hectare lot and envelope in the north east.

Existing Lot 10

This lot is 2.84 hectares in area and is predominantly cleared with some paddock trees remaining in a scattered fashion. The intention is to establish building envelopes in the north and the south with battleaxe access provided along the western boundary adjoining the battleaxe proposed within existing Lot 9. Furthermore, landscaping is also proposed along the north western corner of the site to protect the amenity of Lot 6 and other lots within the area providing some level of screening from a future dwelling. The intention is to create a one hectare lot in the north with a larger 1.84 hectare lot in the south given it is to be the battleaxe lot.

Existing Lot 11

This site is currently approximately 2.64 hectares in area and accommodates a dwelling in the central south. There is also extensive replanting that has occurred across the site of non native species but a cleared paddock exists to the north west of the existing dwelling which provides an excellent location for an additional dwelling. A one hectare lot is provided to accommodate this building envelope. The existing dwelling would retain its existing access and a new access point to the proposed envelope for the smaller lot can easily be provided from Doyle Place.

2.3 Planning Framework

2.3.1 Deemed Provisions

Essentially forming part of the Scheme are the provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015 Schedule 2, Part 4*, which reference the preparation of Structure Plans.

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Clause 15 of the Deemed Provisions indicates when a Structure Plan may be prepared and in this case the Scheme indicates the need for structure planning and the Commission also requires a Structure Plan to be prepared which is generally the case with such planning objectives.

Clause 16 of the Deemed Provisions outlines the preparation of Structure Plans and the information to be considered which are embodied within this report. Clause 17 and 18 deal with the processing of a Structure Plan and Clause 19 outlines the consideration of submissions. The following clauses of the Regulations dictate how the Structure Plan would be referred to the Commission and decision making of the Commission and relevant processes and the effect of a Structure Plan once adopted. It is noted the Structure Plan is valid for a period of 10 years and amendments to Structure Plans can be proposed through relevant procedure.

It is therefore duly noted that the Structure Plan relevant to this proposal would be assessed under the relevant provisions of the Regulations 2015. It is also noted the Structure Plan is the relevant plan in this case given that Structure Plans are defined as follows: “*Structure Plans means a plan for the coordination of future subdivision and zoning of an area of land*”. The Structure Plan references subdivision and is therefore relevant to this case.

The Structure Plan for this proposal is included at Appendix A and includes relevant information including:

- A plan indicating the distribution of lots and building envelopes;
- Identification of vegetation to be planted or non native species that may be removed;
- Plan notations which will guide future landscaping constructions of battleaxe legs;
- Weed and re-vegetation management, fauna management and a setback of effluent disposal systems from the Margaret River; and
- Identification that subdivision with respect to Lots 3 and 6 will be subject to further investigation.

2.3.2 Scheme Amendment No.45

To facilitate consideration of the area for re-subdivision, it is necessary to modify the provisions of the Scheme under Schedule 11 and introduce the site to be included within the area RR35. This includes a Scheme map modification but also inclusion of a provision within the Schedule stating that the lots are the subject of “*subdivision development shall have due regard to the Structure Plan for the land or subsequent*

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Structure Plan endorsed by the Western Australian Planning Commission”.

Specifically the following table will be inserted in Schedule 11.

RR35	Lots 3, 4, 5, 6, 7, 8, 9, 10 & 11 Doyle Place, Margaret River	Subdivision and development shall have due regard to the Structure Plan for the land or subsequent plan endorsed by the Western Australian Planning Commission.
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It is noted that as permitted under the Regulations the Structure Plan and Scheme Amendment are to be assessed concurrently.

2.3.3 Local Planning Scheme No.1 (‘the Scheme’)

The subject lots are zoned Rural Residential under LPS1 and therefore are currently subject to standard provisions of the Rural Residential zone. The purpose and objectives of the Rural Residential Zone are:

“To provide and recognise established lifestyle development opportunities in strategic rural locations but to confine any further such development to where such activities are consistent with the provisions of the LNRSP. Further, to conserve significant landscape values and environmental attributes taking account appropriate fire management.”

Under LPS1, Schedule 11 “Special Provisions for the Rural Residential Zone” the mechanisms for land zoned Rural Residential to incorporate special provisions addressing matters relevant to individual sites and providing subdivision and development controls are embodied. It is common for these provisions to make reference to a Structure Plan or similar to be incorporated and provide an assessment framework to guide consideration of future development and subdivision of land. In this instance it has been confirmed that a Structure Plan assessed co-jointly and referenced in the Schedule would be suitable for this purpose. Reference to a minimum lot size of generally one hectare however where clustered principles are employed, 4000m² can be incorporated as a standard mechanism for reducing lot sizes from the typical two the three hectares as demonstrated in other instances for example, the detailed area plan for Kevill Road East.

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Essentially the changes required to LPS1 to incorporate appropriate zoning provisions supporting future subdivision of the site could be as follows:

- Incorporating the following provisions into Schedule 11 of the Local Planning Scheme:

RR35	Lots 3, 4, 5, 6, 7, 8, 9, 10 & 11 Doyle Place, Margaret River	Subdivision and development shall have due regard to the Structure Plan for the land or subsequent Structure Plan endorsed by the Western Australian Planning Commission.
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Given the location of the site, the uncomplicated nature of development and elements of the Structure Plan, the majority of ongoing development and subdivision concerns are adequately dealt with by the provisions of the Scheme relevant to the Rural Residential zone. The above provision is considered necessary to call in relevance of the Structure Plan and permit a lesser minimum lot size than that typically permitted under the Scheme.

The following are identified as the objectives of the Rural Residential zone:

- To limit the extent of land set aside for Rural Residential use to that consistent with the objectives and policies of the LNRSP;*
- To recognise that the conservation of the physical, environmental and landscape characteristics of the land is paramount;*
- To provide opportunities for a range of limited rural and related ancillary pursuits on Rural Residential lots where those activities will be consistent with the amenity of their locality and the conservation and landscape attributes of the land;*
- To facilitate the conservation of native vegetation and to promote re-vegetation with suitable indigenous species consistent with sound bushfire management practices; and*
- To require adequate bushfire management consistent with the objectives of preserving environmental and landscape values.”*

The aim of the Structure Plan is to demonstrate both the purpose and objectives of the Scheme can be met at subdivision stage and in consideration of future development. This requires attention to be given to the

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general provisions for development in the Rural Residential Zone provided by Clause 4.21 (see below) in addition to the specific provisions relating to the preparation of a Structure Plan.

Subclause 4.22.1 provides for consideration of subdivision in the Rural Residential Zone as follows:

- “a) The minimum lots size is 3 hectares unless otherwise specified at Schedule 11 and shown on an applicable Structure Plan.*
- b) Subdivision is to be preceded by the preparation of a Structure Plan. Subdivision which is inconsistent with an endorsed Structure Plan, will not be supported. All subdivision is to be consistent with the objectives and policies applicable to the Rural Residential zone.”*

A Structure Plan is proposed to facilitate re-subdivision and this will be consistent with Clause 4.22.1.

The provisions of the Scheme that follow include clauses relevant to building envelopes which become relevant as shown on the structure plan and clearing outside building envelopes is not permitted other than for fire management purposes or construction of access.

Further, bushfire protection is important including the preparation of a Bushfire Management Plan and appropriate infrastructure installed. This is addressed in a later section.

Landscape character is relevant and controls put in place to protect detriment to rural character of the area with the location of building envelopes and boundaries carefully considered. Dwelling sites are situated where existing buildings are located and logical cleared areas where some vegetated screening can assist.

Specific land controls are also provided and fencing and the keeping of livestock are covered. Agricultural use is also addressed and the Scheme allows for boutique agricultural activities on cleared Rural Residential lots where appropriate.

Another aspect of the Scheme as is relevant to the preparation of the Structure plan is the development standards at Schedule 13. A table documents the applicable setbacks, plot ratio and landscaping. The front and rear setbacks are generally 30 metres whereas the side setbacks are 10 metres. This has generally been adhered to in the design of the proposal and minor variations can be considered for an assessment of a Structure Plan. The plot ratio of 0.1 is unlikely to be exceeded because a dwelling with outbuildings in an area in excess of around 1000m² would be needed.

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The aspects of the general provisions of the Scheme are considered in the preparation of the structure plan and in the consideration of the special provisions under Schedule 11. The structure plan has been prepared specifically so there is no conflict between the plan and the provisions of the Scheme of substance. Relevant issues that are required to be addressed are also covered. Essentially forming part of the Scheme are the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, part 4.

2.3.4 Planning Strategies

2.3.4.1 Local Planning Strategy ('LPS')

The Local Planning Strategy carries over the objectives of the Leeuwin Naturaliste Ridge State Planning Policy. This promotes better use of land already committed for Rural Residential with clustered forms of development encouraging to minimise the environmental footprint and to provide for proper fire management planning taking into account retention of landscape values and allowing rural pursuits where suitable.

The strategy outlines that a typical density of one lot per hectare will be considered subject to environmental, landscaping and amenity considerations. Regard will also be given to the consolidation of existing Rural Residential areas subject to appropriate investigation and amendment to any Scheme provisions and associated structure plan.

The strategy outlines the importance of landscape assessment and indicates that the subject site is within Visual Management Area A where developments or changes in use should be in evident. While changes may occur, development or change of use should be in a similar form, scale and pattern to existing landscapes. The proposed building envelopes are generally secluded or proposed to be screened with vegetation. It should also be acknowledged that a dwelling will usually be evident but not obvious within Rural Residential lots.

On the 13th August 2014 the Council adopted modifications to the Local Planning Strategy that incorporates the following locational and subdivisional criteria as a means of guiding the consideration of future proposals for the re-subdivision of Rural Residential land:

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“Locational criteria

The re-subdivision of areas which display any of the following attributes are unlikely to be supported:

- *Significantly vegetated – subdivision of densely vegetated land would result in an undesirable environmental outcome, would likely put future residents at high risk of bushfire, and have greater potential to be inconsistent with the environment and landscape provisions of the LNRSP;*
- *Located in areas which have an extreme fire risk and/or have poor fire management characteristics;*
- *Located along Caves Road – Caves Road is identified as a travel route corridor by the LNRSP wherein development should be sited so as to be inevent from the road. Subdivision would result in an additional development and thus a greater potential for adverse visual impact.*
- *Located in an identified environmental corridor (LPS) or National Park influence area.*
- *Located in areas which have been developed around the maximization of views, where additional development would impact upon such views and landscape character.*
- *Isolated and all other lots having potential for subdivision ie – would commence rather than complete a pattern of subdivision inconsistent with the character of the locality.*
- *Not easily accessible, for example, no direct road frontage, located at the end of a long cul-de-sac, etc.*

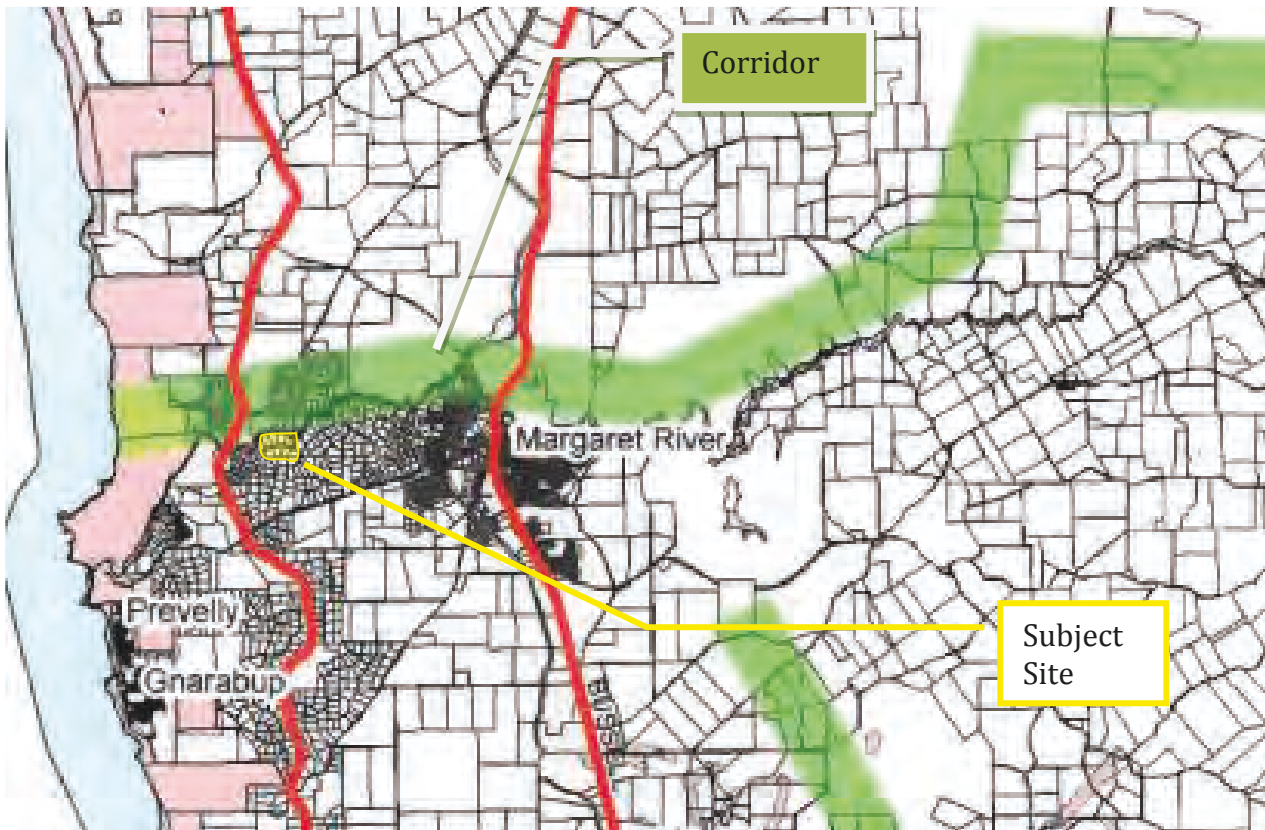
The proposal can be considered consistent with the locational criteria for the following reasons:

- The subject lots are generally not significantly vegetated and the vegetation that primarily exists has been planted by the landowners or previous subdividers and much of this is non native. As such, this vegetation is not significant and could be removed by the landowners as part of their revision of landscaping. Notwithstanding this, the area is predominantly cleared particularly where development is proposed.
- The subject area has some fire risk associated with it however this is considered manageable particularly where new development is proposed. A Bushfire Management Plan demonstrates this. (Refer to a later section).
- The development is not situated adjacent to Caves Road and as indicated in the Figure 5 below the environmental corridor extends to the north of the Margaret River and therefore the subject site does not affect this matter.

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Figure 5 - Corridor location



Source : AMR Shire

The proposal is not developed to maximise views but to locate development sympathetically within the landscape having regard for its characteristics and the location of vegetation.

The subject area is also located adjacent to an area that has already been subdivided to a lot size of one hectare (to the west) and in particular some of these lots are already situated at the end of Doyle Place. As such, the proposal could be seen as an extension of these lot sizes within land that was previously cleared. Whilst land to the south and east is retained in larger landholdings, this is reflective of the densely vegetated nature of that land.

The site is also easily accessible from the public road network including Kevill Road which is a loop road system and Doyle Place is not a cul-de-sac situation in respect to emergency services because it is provided with an existing Right of Way (used as an emergency access way) connecting back to Kevill Road to the south.

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The Local Planning Strategy Modifications 2014 also include subdivision criteria as follows:

"Subdivision Criteria

Once an area has been determined to be suitable for re-subdivision (refer to Locational Criteria for guidance) proposals should be required to meet the following criteria:

- *Subdivision at a ratio of not less than one hectare (average) will not be supported.*
- *Lots of not less than 4000m² may be considered where a clustered subdivision is appropriate notwithstanding that the average one hectare lot size will still need to be met.*
- *Re-zoning and structure planning necessary to support subdivision should be undertaken on a precinct (rather than lot by lot basis) unless completing a pattern of subdivision.*
- *Subdividers will be required to contribute to the proportional upgrade of infrastructure necessary to adequately service the intended additional population.*
- *Opportunities for re-subdivision should seek to provide enhanced environmental outcomes.*
- *A Bushfire Hazard Assessment and Bushfire Management Plan is to be prepared and implemented at the time of subdivision."*

In response to the above criteria, it should be noted that each lot is to be re-subdivided meeting the average lot size of one hectare.

Further, re-zoning and structure planning is proposed on a precinct basis and including Lot 3 and Lot 6 Doyle Place at the direction of the Shire. As stated previously Lot 3 is predominantly vegetated with native Peppermint and therefore is generally not suitable for subdivision. The owners of Lot 6 wish to establish a substantial dwelling and do not therefore wish to participate in further subdivision and this does not compromise the overall integrity of the proposal.

The proposal will facilitate some additional landscaping however, given there has been notable landscaping previously, with non native species, further negative impact on fire risk with major planting is not proposed. If further landscaping is deemed necessary, use of fire wise species could be considered.

The modifications to the Local Planning Strategy 2014 also incorporated an opportunities and constraints plan for the relevant Rural Residential areas of the Shire in relation to re-subdivision. It should be noted that the Doyle Place precinct was not identified as having any major constraints and this provided impetus to move forward with the proposal. In fact, progression of the proposal was delayed to allow the Council

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to follow through with its opportunities and constraints mapping and modifications to the Local Planning Strategy such that due regard to Council Policy could be given.

The above appreciation therefore demonstrates the proposal has strong regard for the Local Planning Strategy objectives.

2.3.5 State Planning Policies

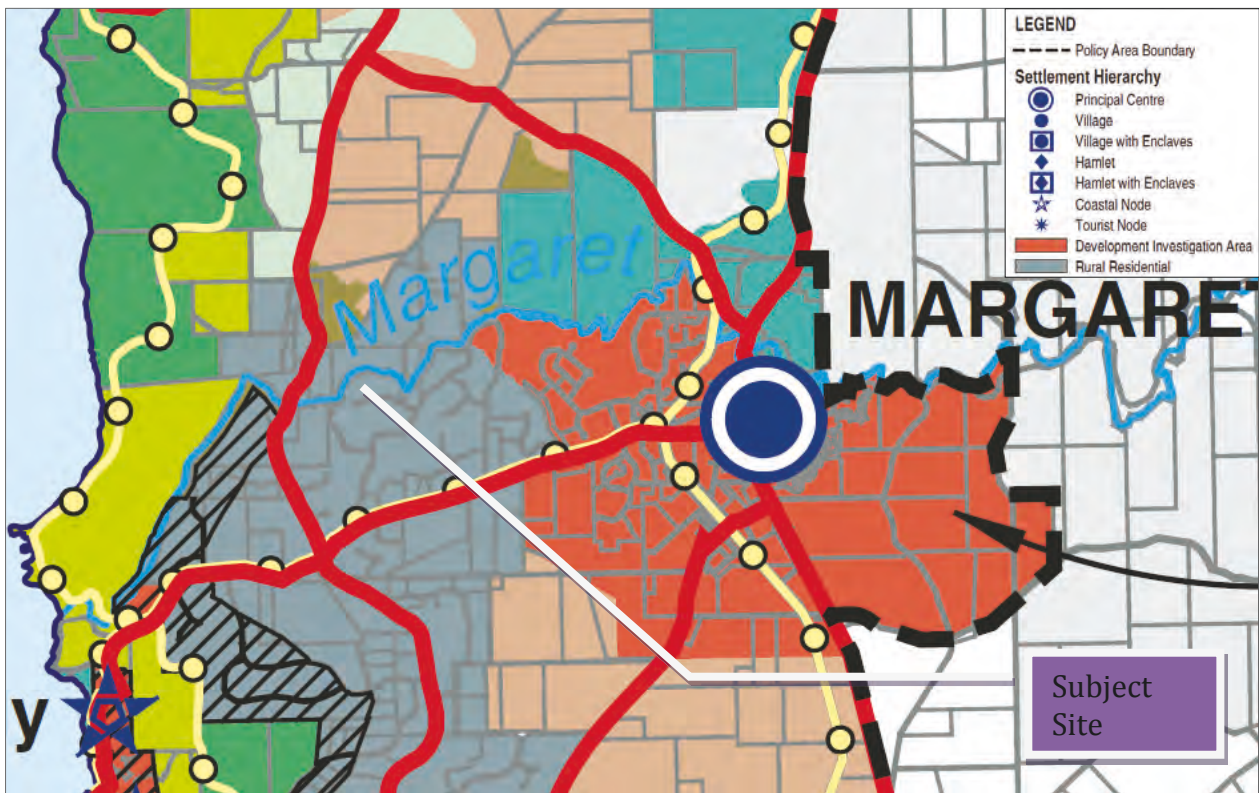
2.3.5.1 Leeuwin Naturaliste Ridge Statement of Planning Policy ('LNRSP')

The site is situated within an area designated for Rural Residential under the LNRSP as provided at Figure 6 below. Policies of the LNRSP indicate that better use of land already allocated for Rural Residential west of the Margaret River town site should be investigated. The LNRSP did not identify many additional areas for Rural Residential zoning and therefore encourages further re-subdivision within existing areas. Specific policy statements within the document are applicable. In the preamble to this section the general policy of the LNRSP states that *“New areas of Rural Residential subdivision will not be supported therefore the strategy designates new areas for such uses. Where possible, infill development within areas designated Rural Residential should adopt cluster principles that are more responsive to retaining landscape values and allowing some agricultural pursuits.”*

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Figure 6 - Excerpt Figure 5 - Land Use Strategy Plan (LNRSP)



It is noted there are already areas that have been subdivided generally to a minimum lot size of one hectare but also there have been clustered principles employed at Location 410 Caves Road and Lot 504 Caves Road, Margaret River. Of particular note, there have been extensive areas of re-subdivision within the Kevill Road area including to the east and south of the site. It should also be noted that one hectare lots exist at the western end of Doyle Place forming part of a subdivision that was created pursuant to the LNRSP at the higher density of one lot per hectare. Subdivisions that occurred prior to the introduction of the LNRSP were generally providing lots with an average lot size of two to three hectares and Doyle Place is an example of this.

Policy Statement LUS1.25 states that *“Subdivision and development design that facilitates better use of land already committed for Rural Residential development will be encouraged. Assessment of proposals will address the following criteria:*

- *Provision of clustered settlement;*
- *Provision of community based activities and services;*

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- *Provision for walking, cycling and possible future public transport;*
- *Opportunities for local enterprise development such as limited small scale tourist development, including accommodation, attractions and cottage industry; and*
- *Suitability for small scale intensive agriculture.”*

The LNRSP provides scope for better use of land in areas providing the qualities of the landscape corridor are maintained and clustering is considered. Clustering principles are incorporated into the proposal with the majority of Doyle Place being considered and envelopes being situated in obvious cleared areas and clustered together where suitable. Some additional landscaping to improve amenity is proposed however given there has been landscaping throughout the area previously, significant additional landscaping is not proposed. This is also in the interests of maintaining reasonable fire management within the area.

There is already a footpath system available across the frontage of the Margaret River and this connects to a pathway at the end of Doyle Place to a path that extends westward past Laurel Court and towards Caves Road. In relation to opportunities for local enterprise and small scale intensive agriculture, subdivision design will allow for such activities to be considered under the relevant provisions of the Scheme.

Policy Statement LUS1.26 of the LNRSP states that *“Consolidation and diversification of existing residential land to the west of Margaret River will be compatible with the regional environmental corridor functions and landscape values.”*

The proposal intends to make better use of land allocated for Rural Residential therefore reducing pressure for additional areas to be developed. The proposal is consistent with other proposals that have been entertained by the Shire and the Commission in the immediate locality which are establishing the Rural Residential form and amenity. Given the lot sizes in the area are generally around 2.5 to 3 hectares, most lots are only proposed to be subdivided into two and therefore a lower density that has been previously been permitted throughout Kevill Road is generally proposed. The proposal is therefore reflective of previous decisions made under the State Planning Policy framework.

The Leeuwin Naturaliste Ridge State Planning Policy essentially serves to confirm that re-subdivision of the subject lots should be encouraged providing relevant issues are addressed. The general characteristics of the site make this less complicated.

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The Local Planning Scheme and Local Planning Strategy make reference to the Leeuwin Naturaliste Ridge State Planning Policy and therefore the policy statements within that document are relevant at a local level.

2.3.5.2 State Planning Policy 3.7 – Planning in Bushfire Prone Areas

This policy applies to all areas identified as ‘Bushfire Prone’ by the Department of Fire and Emergency Services (DFES) Commissioner as highlighted on the Map of Bush fire Prone Areas.

The subject area is identified as Bushfire Prone and a Bushfire Management Plan has been prepared by Strategen to support the proposal. The details of this are included at Appendix B and is examined in a later Section 2.6.3 of this report. Bushfire management mechanisms will be implemented at subdivision stage.

2.4 Other Approvals and Decisions

Other approvals and decisions relevant to the Structure Plan area will essentially be planning/building approvals for dwellings and their associated effluent disposal systems within the nominated building envelopes.

2.5 Pre Lodgement Consultation

Prior to preparation of the proposal an ‘In Principle’ request was made to the Shire of Augusta Margaret River and pre-consultation held with officers. The Shire resolved to support the proposal and this has resulted in the preparation of the Scheme Amendment and supporting Structure Plan the subject of this document. The affected neighbourhood was also consulted.

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2.6 Site Conditions and Constraints

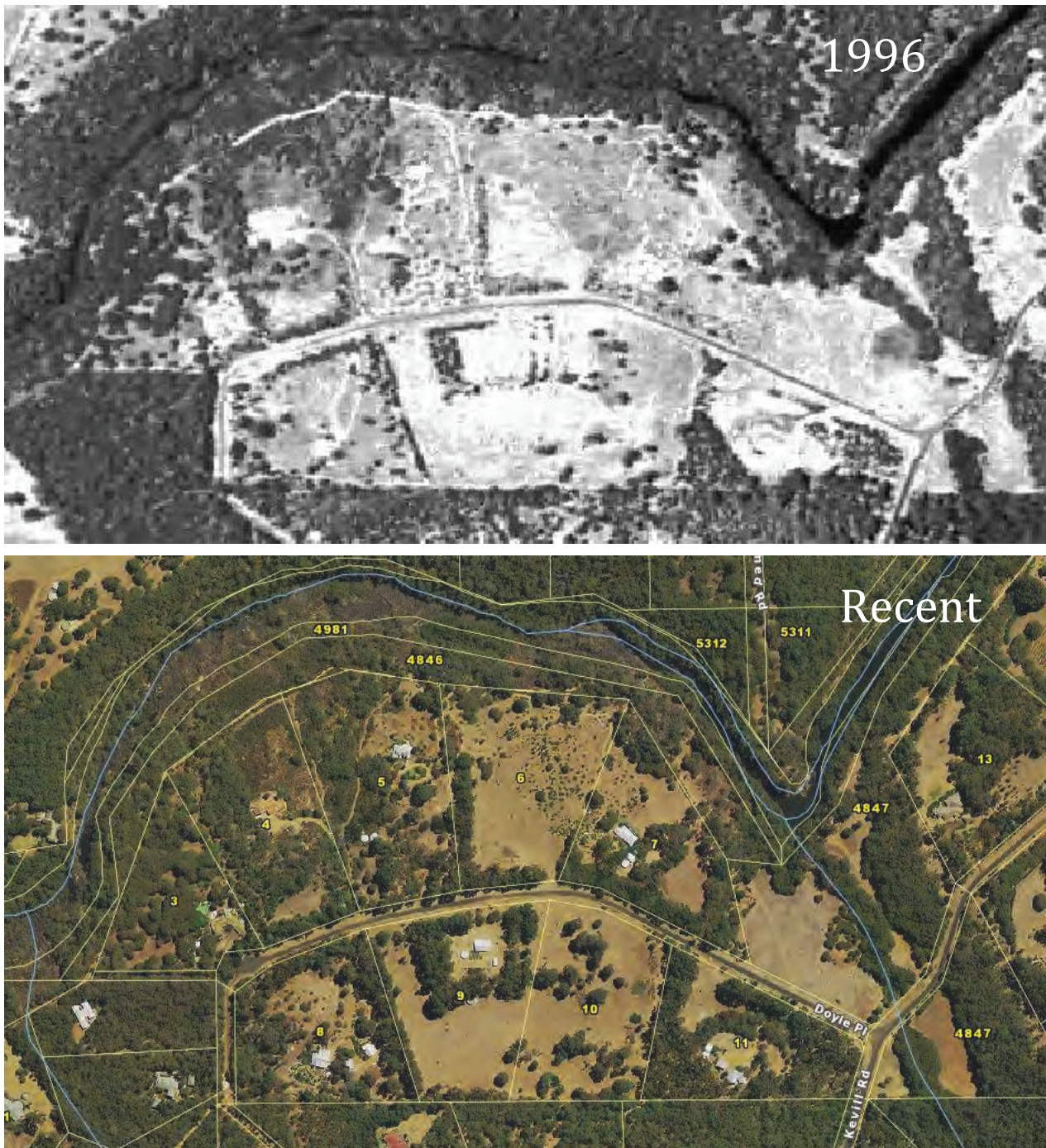
2.6.1 Biodiversity and Natural Area Assets

From a review of the aerial photographs of the area, it would normally be perceived that there is more native remnant vegetation within the area than is actually the case. This is because much of the vegetation within the area has been either planted around the periphery by landowners or the original subdivider or forms landscaping and revegetation by the landowners. This is an important factor for the proposal because if there was an incorrect interpretation that much of the vegetation within the area was in fact native and formed an important remnant, then perhaps the location of some building envelopes and removal of some trees for low fuel zones may not be seen favourably. Due to this, a preliminary analysis of the vegetation within the area and its native/landscaping content was undertaken. The areas of non native vegetation or landscaping that has been implemented and therefore is evident from a review of aerial photography from 1996 compared with recent aerial photography as provided below at Figure 7 below.

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Figure 7 - Comparison of 1996 and recent air photos illustrating remnant native vegetation



As can be viewed, the areas towards the frontage of existing Lots 4, 5 and 7 is essentially planted vegetation. Further, the vegetation around the periphery of Lots 8 and 9 is also non native. It should also be noted that the majority of vegetation within Lot 11 is non native planted vegetation of various species.

2.6.2 Flora Assessment

As required by the Shire and typically relevant to such proposals, a flora and vegetation assessment was undertaken to assess the characteristics of the area with respect to flora/vegetation condition and therefore inform the proposal. An experienced botanist (Kay Leyman) of Eco Logic Environmental Services was commissioned to undertake this during peak springtime flowering season 2016.

The flora survey followed the appropriate methodology identified in the relevant guidelines and incorporated a thorough traverse of the area particularly taking into account close observation where building envelopes were identified.

The condition of vegetation was generally assessed and it was noted that the majority of the area was completely degraded. The general exception to this was the northern area of Lot 4 was identified as being good to very good condition and the northern extent of Lot 5 also contained some vegetation in degraded to good condition.

The report is contained at Appendix C and clearly outlines the methodology and investigations that were undertaken resulting in a total of 72 flora species from 36 families being identified. Twenty seven of the flora species identified were introduced.

With respect to the conservation status of flora it was noted that no endangered or priority species were identified and no threatened ecological communities or priority ecological communities were also noted. The report indicates that the timing of investigations was ideal and any important flora would have been identified if present.

The recommendations of the report are that native vegetation including scattered trees and shrubs should be retained wherever possible within the constraints of the fire management and development plans. This indicates that there are generally no floristic concerns with respect to the Structure Plan as proposed. Building envelopes have been sensitively located to meet the recommendations of the investigation.

2.6.2 Fauna Assessment

A fauna assessment was also undertaken over the subject site during February 2017 by Greg Harewood (zoologist). This report is contained at Appendix D and documents the findings of fauna investigations across the area. The scale of works included a level one fauna survey with a recognised intention to consider Western Ringtail Possums and Black Cockatoos in particular given the location of the site.

Methods of investigation include data base searches, previous fauna surveys in the area, existing publications and site surveys including day time and night time field work.

The results of the investigations recognise the general degraded nature of vegetation with pockets in better condition representing the previous native areas that were not predominantly cleared. It was noted that some Western Ringtail Possum dreys and Possums were observed within the area and with respect to habitat trees a number of specimens were also identified.

The potential impacts of the proposal are loss or modification of habitat, fragmentation of habitat or death or injury of fauna and the report includes a diagram locating where the habitat trees and Western Ringtail Possums were identified.

The proposed structure plan has been modified slightly to ensure building envelopes do not affect habitat trees or trees that were harbouring Western Ringtail Possums or Common Brushtail Possums.

The conclusion of the report is that the only species with potential to be directly impacted upon by any clearing is the Western Ringtail Possum and loss of habitat currently used by such Possums is however considered unlikely to significantly impact on the species status on a local scale given the small and disjointed areas involved. The most significant possible impact would be potential for individuals to be killed during clearing operations. Given building envelopes are in cleared areas it is unlikely that clearing of vegetation will be required. Notwithstanding this a fauna management plan is recommended to manage this aspect and this is guided by a notation on the Structure Plan.

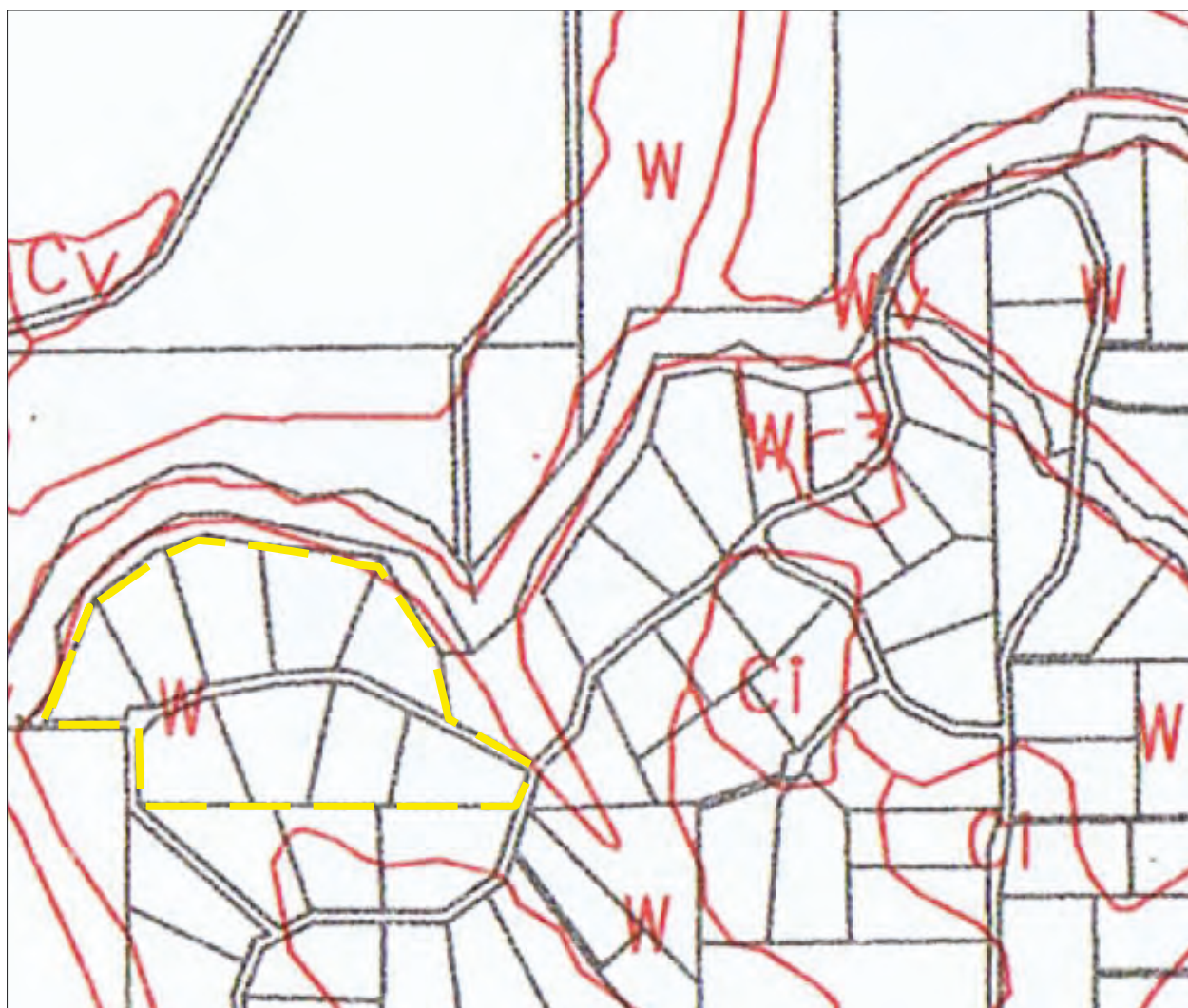
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2.6.3 Landform and Soils

The soils of the area are of the Wilyabrup valleys land system as documented by Tille and Lantszke in the Agriculture WA Landcapability Assessment 1990. An excerpt from the mapping within this document is provided at Figure 8 below.

Figure 8 – Excerpt Tille and Lantszke Land Capability Mapping (AgWA - 1990)



As can be viewed in Figure 8 above the area contains predominantly soils of the Wilyabrup slopes classification. These soils are gravelly (Forest Grove and Keenan) soils. This soil unit can be divided into W3 – Wilyabrup low slopes graded into 5 to 10% and W4 – Wilyabrup steep slopes: gradients 10 to 15%. W3 appears to be the dominant unit presenting within the area.

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Appendix 3 of the Land Capability Study produced by Agriculture WA in 1990 provides advice in relation to physical limitations for housing on small rural lots. The Wilyabrup valleys soil classification can have moderate limitations in relation to soil absorption and minor limitations relevant to trafficability.

The Wilyabrup valley classification W3 can exhibit moderate limitations for soil absorption and ease of excavation and minor limitations for water erosion, hazard, slope and trafficability. These limitations have not been obstructive to creation of one hectare lots given the large number of lots within this soil classification zoned already to allow for one hectare lots.

This analysis of Agriculture WA's Land Capability Study provides that the majority of the area has no major limitations. The operation of existing on site effluent disposal systems within the area also appear to demonstrate that the possible moderate and minor limitations specified above can effectively be managed.

The contours of the site were also evident on the Structure Plan at Appendix A and this indicates that there is a general drop in contour from around 65 metres at the highest point to the south to around 30 metres close to the river in the northwest of the Structure Plan area.

2.6.4 Groundwater and surface water

As necessary, an environmental assessment with respect to capability of soils with onsite effluent disposal systems has also been undertaken and this is included at Appendix E. This was a requirement of the Shire of Augusta Margaret River and is a common exercise when reviewing proposals for further subdivision of rural residential lots. The investigation was undertaken by Environmental and Landscape Management in February 2017. The report documents the investigations of the subject sites and capability for wastewater disposal.

This includes an assessment of:

- Depth to the highest water from ground level
- Depth to bedrock or impervious clay
- Depth of free draining soil
- Setbacks from water bodies
- Soil structure at profile to a depth of 2 metres

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- Phosphate retention index to 1 metre
- Infiltration rate of the soil

Reference is made to the State Government Draft Sewerage Policy (2016) below.

2.6.4.1 Draft Country Sewerage Policy (2016)

The site adjoins the Margaret River foreshore, which is identified under the Policy as a Sewerage Sensitive Area. The Draft Country Sewerage policy at Section 6.4 (1) provides the minimum requirements for on-site sewerage disposal, and this identifies that all lots must be capable of the treatment and disposal of all sewerage within a designated land application area and within the boundaries of each individual green title lot as follows:

'Separation from groundwater – the discharge point of the on-site sewerage disposal system should be at least the following distances above the highest known groundwater level –

- *Two meters above in public drinking water sources areas;*
- *1.2 to 1.5 meters, depending on soil type in sewerage sensitive areas*
- *0.6 to 1.6 in all other areas, depending on soil type and the type of treatment systems used (refer to Schedule 3)'.*

Test pits were excavated across the area in the building envelopes that have been identified for future dwellings. A record of the relevant test pits is documented within Section 7 of the report. The test pits were dug to a depth of 2 metres and it was noted that no ground water or rocks were found in the depth of all test pits. The test pit excavation was undertaken during December 2016 and this was a time when although summer season had commenced there had been a long wet winter extending into spring. Further groundwater monitoring will be undertaken throughout the coming winter period and peak water levels will be supplied as an addendum to the environmental assessment.

Sections d, e and f of the Policy identify that that on-site sewerage should not be located within 100m of a waterway, wetland or surface or subsurface drainage system. Given the site adjoins the Margaret River foreshore, a 100m setback has been identified from this frontage for proposed Lots 101 – 106 for consideration of on-site effluent disposal mechanisms on site such that the requirements specific to these sections is adequately addressed.

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Section 2 of the Policy provides that land with the highest known groundwater level less than 0.5 meters below the natural ground level shall only be rezoned for urban development where reticulated sewerage will be provided. The groundwater level is currently in excess of 2 metres across the site and further investigations will be undertaken at the end of the late winter season which will further inform waste water requirements. It is considered that an acceptable groundwater level can be achieved given environmental investigations to date.

Section 3 of the policy provides that land already zoned for urban development may be subdivided and developed in accordance with the provisions of the local planning scheme, provided the proponent demonstrates that correctly engineered drainage solutions or fill can be used to achieve separation from groundwater required under clause 6.4. (1), subject to such works being environmentally acceptable. Following an assessment of infiltration rates and phosphorous retention index/slope and soil conditions generally the overall assessment in accordance with Wells 2001 has resulted in nil or very slight limitations for onsite effluent disposal capability and recommendations therefore conclude that septic tank effluent disposal systems are suitable for all lots and other guidelines are provided with respect to the effluent disposal fields.

Section 6.2 of the policy provides for consideration of exemptions to requirement to connect to reticulated sewerage. The site provides for the creation of 15 rural residential allotments in excess of 1 hectare, which is the minimum lot size referenced under the Policy for consideration of onsite effluent disposal mechanisms. The Environmental report identifies that there is adequate separation from adjoining water sources. Further, on-site effluent disposal is determined to be the best practicable option for servicing and unsewered subdivision at the density proposed is specifically provided through the specifics of the Local Planning Scheme as endorsed by the Commission and the structure plan area is remote from existing sewerage scheme in the area.

The proposal is considered to have regard to the Draft Country Sewerage policy and environmental investigations identify that on site effluent disposal mechanisms can be supported on site, recommending the lots to be capable to support conventional septic tanks and effluent disposal systems, with inverted leach drains on those lots where local slope is more than 10 per cent.

2.6.3 Bushfire Hazard

A Bushfire Management Plan (BMP) has been prepared for the site by Strategen in January 2017 and this is provided at Appendix B. The investigation undertaken and the recommendations of the Bushfire Management Plan are considered within the Structure Plan and have resulted in minor adjustments to building envelope locations.

As required the Bushfire Management Plan makes an assessment of the spatial consideration of the bushfire threat, the location of the site, access, water and power supplies, relevant assets and vegetation class/site slope and topography. A vegetation classification and effective slope diagram is provided. A method one assessment of BAL is applied and it is noted that all dwellings either meet the BAL29 requirement or this is not relevant given a dwelling already exists.

With respect to asset protection zones and hazard separation zones, increased building construction standards have been assigned for each proposed dwelling to minimise asset protection zone distances and subsequent impacts from native vegetation whilst ensuring adequate building protection is afforded throughout the site. It is also recognised that existing dwellings cannot be the subject of increased building construction standards because AS3959-2009 cannot be applied retrospectively.

Comments are provided with respect to vehicular access and battleaxe elements within the Structure Plan area.

With respect to firebreaks a 2 metre wide mineral earth firebreak is required consistent with the Shire's firebreak notice.

With respect to water supply the Bushfire Management Plan (BMP) acknowledges that a minimum rainwater tank of 135,000 litres is required and these should be equipped with an appropriate hard standing connection area for a 3.4 fire appliance. The location fire hydrant at Doyle Place is also recognised.

Additional measures that are recommended are:

- Notification on title to advise of the Bushfire Management Plan and BAL in particular.

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- Individual BAL assessments may be required to inform building/planning applications in the future.
- Compliance with the Shire's annual firebreak notice is also applicable.

The Bushfire Management Plan itself is contained at Figure 4 of the BMP which illustrates the fire management objectives for the area. Finally, the Bushfire Management Plan documents compliance and justification for the proposal in accordance with DC3.7 and provides guidance with respect to implementation and enforcement of the Bushfire Management Plan. This will inform subdivision processes. This will involve creation of hazard protection and hazard separation zones and maintenance of these, implementation of building construction requirements, construction of driveways, maintenance of firebreaks, construction and maintenance of rainwater tanks and emergency water supplies, notification on title, compliance with the Shire of Augusta Margaret River's annual firebreak notice and informing with respect to future Bushfire Management Plan addendum or BAL assessment.

The Bushfire Management Plan provides an appropriate response to the requirements of the relevant Bushfire Management Policy.

2.6.4 Heritage

The subject site does not contain any heritage sites listed in this Shire's Municipal Inventory of Heritage Places.

There are no registered sites identified under the Department of Indigenous Affairs Database however, the subject proposal is in proximity to the Margaret River which is a registered site under the DIA Database ID:4495 as a mythological site. The Structure Plan proposal is outside the registered site and will not have impact on the Margaret River.

2.6.5 Coast and Foreshores

The subject site is adjacent to the Margaret River and therefore its foreshore. Given the area was the subject of subdivision previously from an original farm holding a wide foreshore reserve has been created

Proposed Structure Plan

Lots 3, 4, 5, 7, 8, 9, 10 & 11 Doyle Place, Margaret River

across the frontage of the site (Reserve 36747). Interestingly, the creekline system in the eastern parts of Doyle Place and associated cleared areas are also incorporated within a reserve linking with the Margaret River foreshore. Existing dwellings on Lots 4 and 5 are located closer to the river and the future development of dwellings within those sites would be setback at a further distance from the river in areas that do not contain native vegetation. Likewise development on Lot 7 will be setback an equal distance from the river as the existing dwelling. The location of future dwellings that are promoted adjacent to the foreshore are also influenced with effluent disposal systems requiring the necessary 100 metre setback from the river bank.

2.7 Conclusion

In the late 1990's and after 2000 most subdivision in the Rural Residential zoned area occurred with a minimum lot size of one hectare generally making better use of land allocated for this purpose. In 1998 the LNRSP was endorsed by the Planning Commission and provided further elaboration on the objective to make better use of the land already allocated for Rural Residential rather than identifying new areas for such development.

The Local Planning Scheme and associated Local Planning Strategy and modifications in 2014 further illustrate the importance of this objective and identifying areas where this could occur.

The proposal is reflective of these ongoing decisions in town planning to make better use of Rural Residential land having regard for the planning issues affecting the area and introducing special provisions and guidelines within a structure plan such that matters are addressed appropriately.

The proposal represents a consolidated approach to re-subdivision within the Doyle Place area and showing a general extension of one hectare lots already exhibited at the western end of the road. Larger lots are retained in some instances reflecting existing characteristics notably along the river.

Two lots within Doyle Place (3 and 6) are included within the proposal at the direction of the Shire, one of these is vegetated with native Peppermint.



Proposed Structure Plan

Lots 3, 4, 5, 7, 8, 9, 10 & 11 Doyle Place, Margaret River

There are several issues in terms of the future development of the site including consideration of effluent disposal, fire management, sensitive location of building envelopes and future landscaping. All of these matters are considered in the Structure Plan document associated with this Scheme Amendment.

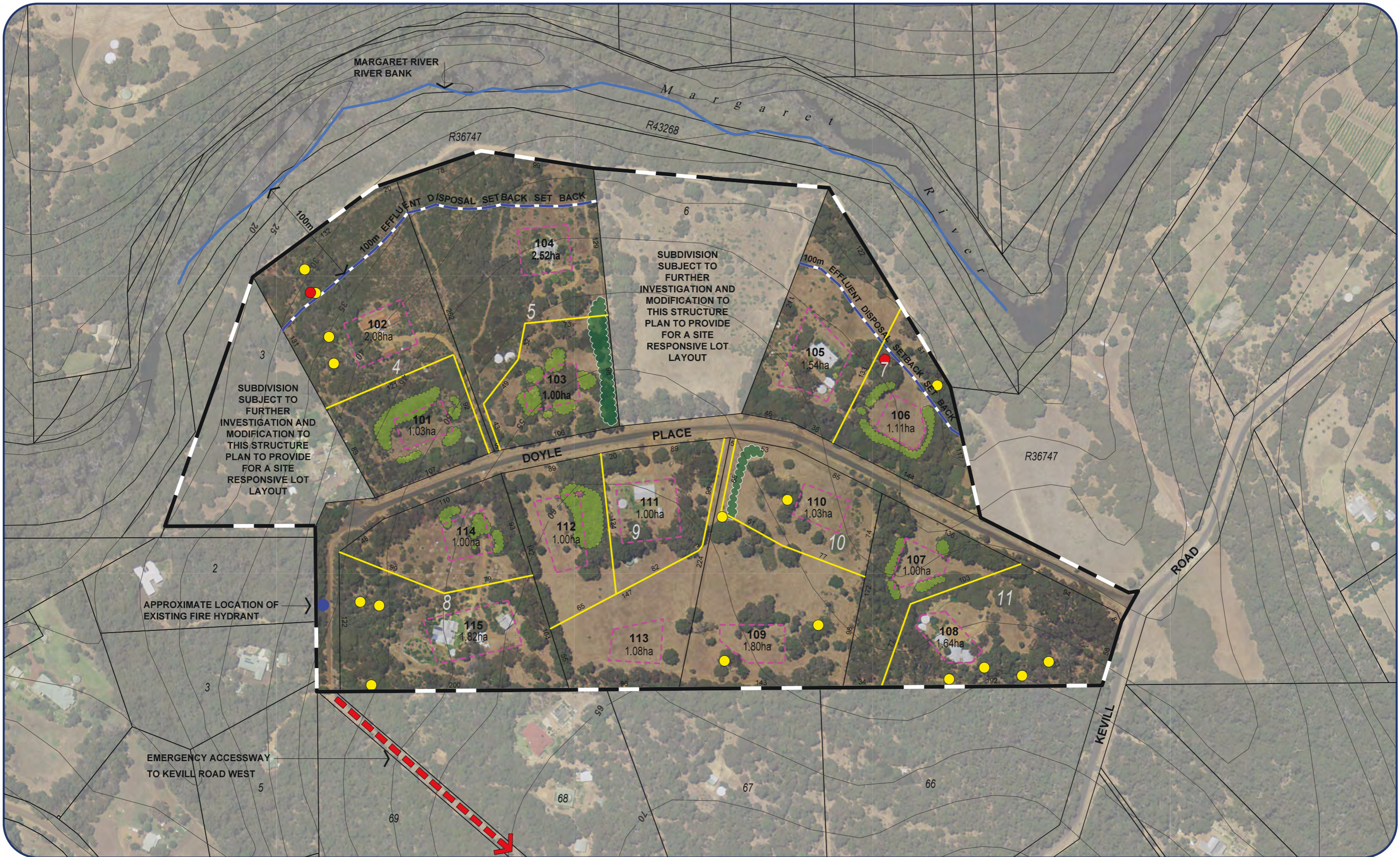
The proposal has considerable merit, is based on relevant policy and typical issues and is in keeping with previous decisions of Council.

Proposed Structure Plan

Lots 3, 4, 5, 7, 8, 9, 10 & 11 Doyle Place, Margaret River

3.0 PART 3 - TECHNICAL APPENDICES INDEX

Appendix No.	Document Title	Date of Document	Referral/approval agency	Summary of documentation modifications
A	Structure Plan	February 2017		
B	Bushfire Management Plan	January 2017		
C	Flora Investigation	6 th November 2016		
D	Fauna Investigation	February 2017		
E	Land Capability Investigation	February 2017		

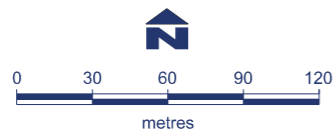


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- LEGEND**
- STRUCTURE PLAN BOUNDARY
 - PROPOSED BOUNDARY
 - PROPOSED BUILDING ENVELOPE
 - EXISTING BOUNDARY
 - 100m SETBACK FROM RIVER BANK
 - EXISTING EMERGENCY ACCESSWAY
 - FIRE HYDRANT

- MIXED NON NATIVE TREES TO BE REMOVED
 - LANDSCAPE SCREENING
 - HABITAT TREE - ONE OR MORE POSSIBLE SMALL / MEDIUM HOLLOWES.
 - HABITAT TREE - ONE OR MORE LARGE HOLLOWES POSSIBLY SUITABLE FOR BLACK COCKATOOS.
- NOTE:** REMOVAL OF HABITAT TREES DEPICTED AS SUITABLE FOR BLACK COCKATOOS AND CONTAINING HOLLOWES IS PROHIBITED

Title: DRAFT STRUCTURE PLAN - LOTS 4, 5, 7, 8, 9, 10 & 11 DOYLE PLACE MARGARET RIVER
 Date: February 2019
 Scale: 1:3,000@A3
 Revision No: K

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