

# Harley Dykstra

PLANNING & SURVEY SOLUTIONS

## STRUCTURE PLAN

Lot 2 (Hse. 43) Prowse Road, Capel

Prepared for A. Peek

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FS 536019

This Structure Plan is prepared under the provisions of the Shire of Capel Local Planning Scheme  
No. 7

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

29 Jan 2019 Date

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:

TAYN COX.....Witness

29-JAN-2019.....Date

29 Jan 2029.....Date of Expiry

## TABLE OF AMENDMENTS

Amendment No.	Summary of Amendment	Amendment Type	Date approved by WAPC

## TABLE OF DENSITY PLANS

Density Plan No.	Area of density plan application	Date endorsed WAPC

Prepared for: Mr Anthony Peek  
 Prepared by: LB  
 Reviewed by: JC  
 Date: 22.02.2018  
 Job No: 20949  
 Version: B

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## EXECUTIVE SUMMARY

This report represents an application to the Shire of Capel and the Western Australian Planning Commission (WAPC) to consider a proposed Structure Plan over Lot 2 (Hse. 43) Prowse Road, Capel (“the subject land”). The subject land has a total area of 1.76ha and is situated approximately 1.5 kilometres south of the Capel town centre.

The proposed Structure Plan will facilitate future subdivision and development to create approximately 24 residential lots at a density of R20.

The Structure Plan Summary Table below details the nature and key outcomes of the Structure Plan:

ITEM	DATA		STRUCTURE PLAN REF (SECTION NO.)
Total area covered by the Structure Plan	1.76ha		Part 1, Section 1
Area of each land use proposed: <ul style="list-style-type: none"> <li>Residential</li> <li>Commercial</li> <li>Industrial</li> <li>Rural Residential</li> </ul>	Hectares 1.76ha - - -	Lot yield 24 - - -	Part 2, Section 1.2.2
Total estimated lot yield	24 lots		Part 2, Section 1.2.2
Estimated number of dwellings	24 dwellings		Part 2, Section 1.2.2
Estimated residential site density	13.6 dwellings per hectare		Part 2, Section 1.2.2
Estimated population	60 persons*		Part 2, Section 1.2.2
Number of high schools/primary schools	0		N/A
Estimated area and percentage of public open space given over to: <ul style="list-style-type: none"> <li>Regional open space</li> <li>District open space</li> <li>Neighbourhood parks</li> <li>Local parks</li> </ul>	Hectares - - - 0.176ha	Percentage - - - 10%	Part 2, Section 3.2
Estimated percentage of natural area	10%		Part 2, Section 3.2

\* Estimate based on 2.5 persons per household

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## PART ONE: IMPLEMENTATION

### 1. Structure Plan Area

This Structure Plan applies to Lot 2 (Hse. 43) Prowse Road, Capel being the land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan map (see overleaf, page 2). The lot has a total area of 1.76ha.

### 2. Operation

The date the Structure Plan comes into effect is the date the Structure Plan is approved by the WAPC.

### 3. Staging

The Structure Plan has been designed to allow the land owner to subdivide in one stage at any time. It is noted that the Structure Plan design also allows for the existing dwelling to be subdivided from the remainder of the property, or the creation of the lots fronting on to Prowse Road, at any time.

### 4. Subdivision and Development Requirements

Future subdivision and development of the subject land is to be generally in accordance with the Structure Plan adopted by the Local Government and endorsed by the WAPC.





The land use designations for the Structure Plan area are as indicated on the Structure Plan Map. These will guide the future subdivision and development of the land for residential purposes. The residential density applicable to the Structure Plan Area shall be the residential density shown on the Structure Plan Map.

Land use permissibility within the Structure Plan area shall be generally in accordance with the corresponding zone under the Shire of Capel Local Planning Scheme No. 7.

Future subdivision and development is also to reflect the outcomes of the Bushfire Management Plan and Local Water Management Strategy that have been prepared as part of this Structure Plan.



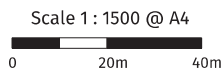
**LEGEND**

-  Structure Plan Boundary
-  Residential R20
-  Public Open Space
-  Existing Cadastre

**LOCAL STRUCTURE PLAN MAP**  
 Lot 2 (No.43) Prowse Road, CAPEL



11-04-2017



**Harley Dykstra**

PLANNING & SURVEY SOLUTIONS

HD Ref: 20949-03A



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## PART TWO: EXPLANATORY SECTION

### 1. Planning Background

#### 1.1 Introduction and Purpose

This report has been prepared in relation to Lot 2 (Hse. 43) Prowse Road, Capel as supporting information to accompany the Structure Plan. This report has been prepared in accordance with the requirements of the Shire of Capel and the WAPC.

This report establishes a framework for the future development of the subject land (for residential purposes) and discusses the issues that need to be addressed to allow for future subdivision and development.

A copy of the Structure Plan map submitted for endorsement is attached at (see page 2). Once approved, the Structure Plan will provide the necessary framework to guide decision making in relation to subdivision and development applications.

#### 1.2 Land Description

##### 1.2.1 Location

The site is located approximately 1.5 kilometres south of the Capel town centre. The subject site abuts the western side of the Goodwood residential estate.

The site is well located for future residential purposes, in that it is located in close proximity to existing supporting facilities including employment, shopping and public facilities and access routes to the Capel town centre.

##### 1.2.2 Area and Land Use

The subject land is 1.76ha in area and contains a single residential dwelling and associated infrastructure near the northern boundary of the property. The existing dwelling has frontage and access available from Prowse Road.

The remainder of the property is undeveloped and has been used for small scale rural purposes. An aerial photo of the property can be seen on the Base Plan at **Appendix 1**.

The proposed Structure Plan seeks to facilitate the creation of approximately 24 residential lots at a density of R20. A Concept Subdivision plan is attached at **Appendix 2** which demonstrates an indicative lot layout for the property.

The subject property adjoins residential zoned land to the north and east, including the Goodwood residential estate on the opposite side of Prowse Road. Stage 1 of this estate has been developed and Stages 2 and 4, which adjoin the subject land, are close to commencement.

### 1.2.3 Legal Description and Ownership

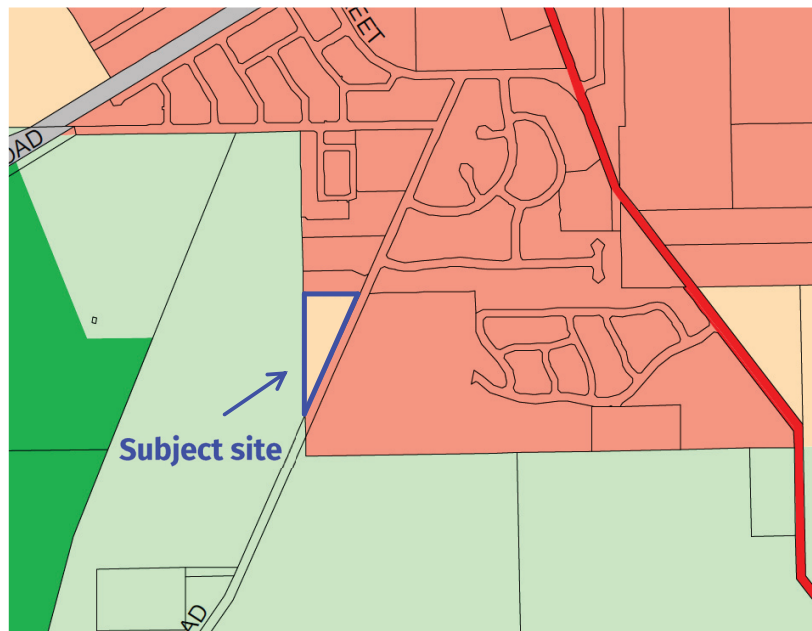
Lot 2 on Diagram 51556 is 1.76ha in area and is contained on Certificate of Title Vol. 1576 Fol. 313. The registered proprietors are Anthony David Peek and Kellee-Lee Peek. A copy of the Certificate of Title is attached at **Appendix 3**.

## 1.3 Planning Framework

### 1.3.1 Zoning and Reservations

#### Greater Bunbury Region Scheme

The subject land is currently zoned 'Urban deferred' under the Greater Bunbury Regional Scheme (GBRS) as depicted in **Figure 1**.



**Figure 1:** Extract of Greater Bunbury Region Scheme

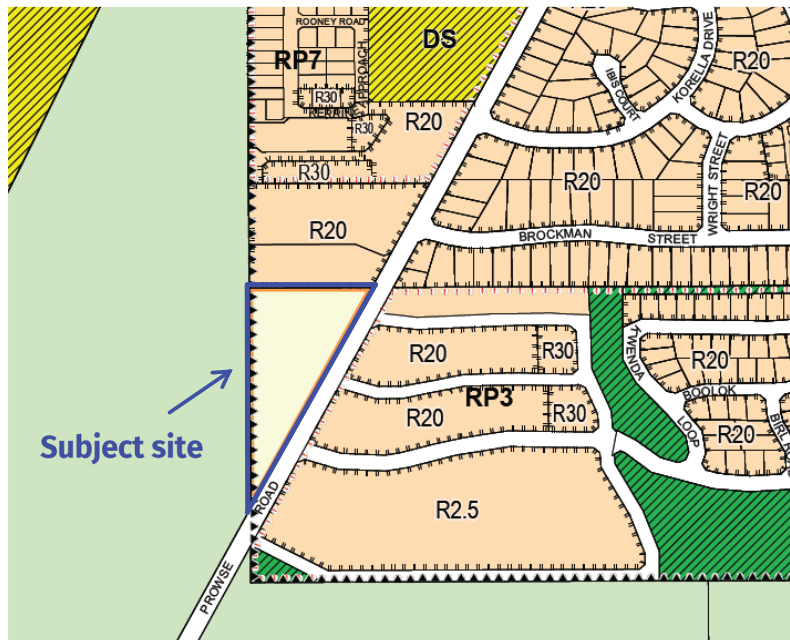
The subject land was previously zoned 'Rural' under the GBRS. A GBRS Amendment was submitted in November 2016 and has subsequently been approved. The GBRS Amendment, rezoning the land to 'Urban deferred', was gazetted in January 2018.

It is noted that the endorsement of this Structure Plan will allow for the 'Urban deferred' zoning to be lifted and for an 'Urban' zoning to be put in place for the subject land, in line with the adjoining land to the north and east, thereby rounding off the urban precinct in this locality (as evident in Figure 1).

Shire of Capel Local Planning Scheme No. 7

Under the Shire of Capel Local Planning Scheme No. 7 (LPS 7), the subject site is currently zoned ‘Urban Development’.

Adjoining land to the west is zoned ‘Rural’ while the adjoining land to the north south and east is zoned ‘Residential’. The current local planning scheme zoning and reserves surrounding the site are shown in **Figure 2** below.



**Figure 2:** Existing zoning under the Shire of Capel Local Planning Scheme No.7

LPS 7 requires that for land within the ‘Urban Development’ zone, no development shall be approved unless it is generally in accordance with an approved Outline Development Plan or Structure Plan approved by the Council and the Western Australian Planning Commission. The submission of this Structure Plan seeks to meet this requirement of the Local Planning Scheme and to allow for future residential development on the subject land.

*1.3.2 Regional and Sub-Regional Structure Plan*

This Structure Plan is not associated to any higher order Structure Plans.

*1.3.3 Planning Strategies*

State Planning Strategy

The purpose of the State Planning Strategy is to provide a strategic guide for land use planning for the State of Western Australia until 2029. This Strategy aims to develop a land use planning system

to assist the State in achieving a range of goals, including *'wealth generation, conserving and enhancing the environment and building vibrant and safe communities for the enjoyment of this and future generations'*.

The Strategy identifies that the population of the south western part of Western Australia is projected to grow. The Strategy states that, *"If growth in the region is to be managed, it will be necessary to develop more sustainable and identifiable new communities"*. The Strategy also states that, *"The South- West Urban System needs to be developed as a means of actively preparing for urban growth"*.

The proposed Structure Plan seeks to satisfy the intent and principles of this Strategy through providing for a residential development which can be adequately serviced by appropriate (existing) infrastructure.

#### Shire of Capel Townsite Strategy

The purpose of the Shire of Capel Townsite Strategy is to set out the key long-term planning directions for the Capel townsite. The subject property is included within 'Precinct 2 (South)' of the Strategy.

The Strategy states that the key land use directions for Precinct 2 include the following:

- *Increase in most residential densities to R20 with retention of lower densities where on the perimeter of the town; and*
- *Identification of three 'Urban Infill - R20' sites which are located within the established townsite framework and can be adequately serviced.*

Table 11 (Capel Townsite - Urban Infill Areas) of the Strategy also notes the subject property to be within 'Urban Infill C' area with an indicative land use / lot yield of residential R20/ 15 lots, respectively. This Structure Plan therefore seeks to facilitate the realisation of the direction of the Shire's Townsite Strategy for this locality.

The Strategy notes the need for the rezoning of this land and also indicates that one issue to be resolved is that of local drainage. As noted earlier, the rezoning process for the subject land has already commenced. In relation to drainage, it should be noted that a Local Water Management Strategy (LWMS) has been prepared for the proposed Structure Plan. The LWMS is attached at **Appendix 5** and is discussed in further detail within Section 2.6.2 of this report.

### 1.3.4 Planning Policies

#### State Planning Policy No. 1 – State Planning Framework Policy (SPP1)

The purpose of SPP1 is to bring together the state and regional policies that apply to land use and development in Western Australia and to establish the general principles for land use planning and development in WA. SPP1 states, *"the primary aim of planning is to provide for the sustainable use and development of land"*. It goes on to quantify this through identifying and expanding upon

the five key principles that further define this statement – environment, community, economy, infrastructure and regional development.

The proposed Structure Plan seeks to satisfy the intention and principles of this Policy by making provision for future residential development which will make more efficient use of the land and the existing infrastructure in the locality while ensuring that no environmentally sensitive areas are detrimentally affected.

#### State Planning Policy No. 3 – Urban Growth and Settlement (SPP3)

The objectives of SPP3 include: *“To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.”*

The proposed Structure Plan seeks to implement the principles and intent of this Policy as the proposal makes provision for future residential development, which benefits from the close proximity to the Capel town centre and associated facilities, in accordance with the strategic direction of the Shire of Capel Townsite Strategy.

#### State Planning Policy No. 3.7 – Planning in Bushfire Prone Areas (SPP 3.7)

The subject land is within a Bushfire Prone Area as indicated on the Department of Fire and Emergency Services mapping. The requirements of SPP 3.7 Planning in Bushfire Prone Areas are therefore relevant to this proposal.

In accordance with SPP 3.7, a Bushfire Management Plan (BMP) has been prepared for the proposed Structure Plan. The BMP is attached at **Appendix 4** and is discussed in further detail in Section 2.4 of this report.

#### GBRS Strategic Minerals and Basic Raw Materials Resource Policy

The GBRS Strategic Minerals and Basic Raw Materials Resource Policy 2005 acknowledges the importance of minerals and basic raw materials and seeks to protect them and ensure their long-term security of access.

The Policy shows the subject land to be within a ‘Titanium-zircon referral area’, with the closest Titanium-zircon mineralization area shown to be to the south east of the subject land. In this regard, the fact that urban / residential zoned land already lies between the subject land and the Titanium-zircon mineralization area (with this land already approved for subdivision/development) indicates that there will be no detrimental effect on the subject land due to any future mining operations. For the same reasons the future development of the subject land would not prejudice current or future mining of mineral resources.

It is emphasised that the primary reason for this proposal is to allow for future residential development in accordance with the Shire of Capel Townsite Strategy. The proposal seeks to achieve a zoning in harmony with the adjoining land to the north, south and east and aims to complete the Capel townsite settlement pattern in this location.

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### State Planning Policy No. 3.1 – Residential Design Codes

The Residential Design Codes (R-Codes) provide a comprehensive approach to the guidance and control of residential development throughout Western Australia. One of the principal controls of the document is the allocation of density codes throughout 'Residential' zoned land in Local Planning Schemes.

Density codes allow the Shire and WAPC to set minimum standards for development, the most important being the minimum lot size applicable. In relation to the proposed Structure Plan (and concurrent GBRS Amendment), the land is proposed to be 'Residential' with a density coding of 'R20', matching that of the surrounding residential land.

Future residential development on the property, while complying with the Structure Plan requirements, will also need to comply with the R-Codes and the applicable density coding.

### Liveable Neighbourhoods

Liveable Neighbourhoods is an operational policy for the design and assessment of Structure Plans and subdivision of new urban areas. It is considered a 'best practice' document that may be considered by local governments and the WAPC to assist in its consideration of planning related matters.

Liveable Neighbourhoods is intended to operate as a policy to facilitate the development of sustainable communities. The following Liveable Neighbourhood aims are relevant to the proposed Structure Plan:

- *"To ensure cost-effective and resource efficient development to promote affordable housing"; and*
- *"To maximise land efficiency wherever possible."*

The proposed Structure Plan meets these aims by proposing residential development that makes efficient use of the land and the existing services and is suitable for the locality.

### *1.3.5 Other Approvals and Decisions*

This Structure Plan was originally prepared in conjunction with an Amendment to the GBRS (seeking to rezone the subject land from 'Rural' to 'Urban Deferred'). The GBRS Amendment has since been approved and gazetted. Endorsement of this Structure Plan will allow for the 'Urban deferred' zoning to be lifted and for an 'Urban' zoning to be put in place for the subject land.

### *1.3.6 Pre-Lodgement Consultation*

Consultation has been undertaken with both the Shire of Capel and the Department of Planning (DoP) in relation to this proposal. This initial consultation was especially focused on the GBRS rezoning process and the subsequent rezoning of the subject land under LPS 7. The pre-lodgement consultation established in principle support from both the Shire and the DoP in

relation to the required rezoning and Structure Plan processes and established the need for some specialist consultant inputs, including:

- Bushfire Management Plan;
- Geotechnical Investigation;
- Local Water Management Strategy.

All these matters have been addressed and are detailed in the relevant sections of this report.

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## 2. Site Conditions and Constraints

### 2.1 Biodiversity and Natural Area Assets

While the subject property contains a number of individual trees, the majority of property is cleared (refer to the Base Plan attached at **Appendix 1**).

### 2.2 Landform and Soils

The subject land is flat with an approximate height of 20m AHD.

A Geotechnical Investigation undertaken for the property by Structerre Consulting Engineers (and included as part of the LWMS report attached at **Appendix 5**) confirmed that across the subject property, under 0.1m of topsoil there is fine to medium grained sand to an average depth of 1.4m, followed by clay with sand up to at least a depth of 2.5m.

A search of Landgate's Shared Land Information Platform revealed that the subject property has a moderate to low risk of acid sulphate soils occurring within 3m of natural ground level.

### 2.3 Groundwater and Surface Water

The central portion of the subject land is low lying and subject to seasonal water logging. However, that is the case for large parts of the Capel townsite and the adjacent existing residential development demonstrates that this issue can be adequately managed and suitable development can occur. At the same time, it should be noted that a LWMS has been prepared for the Structure Plan. The Local Water Management Strategy is attached at **Appendix 5** and is discussed in further detail in section 2.6.2 of this report.

### 2.4 Bushfire Hazard

A Bushfire Management Plan (BMP) has been prepared by Ecosystem Solutions as part of the proposal. A copy of the BMP is attached at **Appendix 4**.

The BMP demonstrates that no area of the subject land results in a classification above a BAL-29 rating and all future lots will allow the construction of dwellings with a BAL-29 rating or lower, with the majority allowing for the construction of BAL-12.5 buildings.

The BMP also provides acceptable solutions and responses to the performance criteria outlined in Guidelines for Planning in Bushfire Prone Areas.

### 2.5 Heritage

A search has been undertaken of the Aboriginal Heritage Inquiry System (Department of Aboriginal Affairs) in October 2016. No known records exist on or in proximity to the subject land.



Future development will not have an impact on aboriginal heritage sites of significance. If relics or archaeological finds occur during future development, there are suitable measures within the *Aboriginal Heritage Act 1972* to ensure that these are reported and investigated prior to further development.

There is no evidence of European heritage significance on the subject property.

## 2.6 Context and Other Land Use Constraints and Opportunities

### 2.6.1 Services

Future residential subdivision and development will be required to be connected to reticulated gas, sewer, water, power and telecommunications.

The location of all services relevant to the site are detailed below and are also shown on the attached Base Plan (**Appendix 1**).

#### Electricity

The subject property is currently serviced by an aerial power connection located in the Prowse Road road reserve. An existing underground power supply is also present along the south eastern side of Prowse Road, adjoining the subject property. Future power requirements can be therefore provided as per Western Power requirements.

#### Reticulated Sewer

A sewer main is located in the Prowse Road road reserve adjacent to the subject property. The subject property is connected to reticulated sewer which can also service any future development of the site.

#### Reticulated Water

Reticulated water is currently located in the Prowse Road road reserves and is connected to the subject property. Future water requirements can therefore be adequately met.

#### Telecommunications

The subject land has an existing telecommunications connection. Telecommunications infrastructure is currently located in the Prowse Road road reserve and any future telecommunications requirements can therefore be adequately met.

#### Reticulated Gas

Reticulated gas is currently located in the Prowse Road road reserve and is connected to the subject property. Future gas requirements can therefore be adequately met.

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### 2.6.2 Water Management

A LWMS was prepared by Wood & Grieve Engineers in relation to the proposal, in consultation with the Department of Water and Shire of Capel. The LWMS is based on findings from the Geotechnical Investigation undertaken by Structerre Consulting Engineers for the subject land. A copy of the LWMS (including the Geotechnical Investigation information) is attached at **Appendix 5**.

The LWMS focused on five design objectives - water quantity, water quality, protection of property, economic viability and water conservation. In summary, the LWMS proposes that flood events will be discharged to a basin within the proposed public open space area. The LWMS concludes that the proposed development will not have a significant effect on the existing or downstream catchment. Also, with the utilisation of the quantity and quality treatment measures outlined in the LWMS, the surrounding environment and properties should not be adversely affected.

## 3. Local Structure Plan

### 3.1 Land Use

The Structure Plan has been prepared in accordance with the requirements of the Shire and the WAPC. The Structure Plan map is included on page 2 of this report.

The Structure Plan depicts the development of the property for residential and open space land uses in accordance with Shire of Capel Townsite Strategy and other State planning instruments. The Structure Plan has been prepared to facilitate low density residential development in accordance with the R20 density coding.

### 3.2 Open Space

In addition to the residential lots proposed, the Structure Plan also identifies an area of public open space which seeks to enhance the amenity of the development. The area of public open space proposed is 10% of the gross subdivisible area of the property, in accordance with WAPC DC Policy 2.3 'Public Open Space in Residential Areas'.

As noted earlier, the public open space is also to facilitate a drainage basin to assist with water management. As specified in the LWMS, this basin is to include gentle slopes and is to be grassed so that it remains useable for public open space purposes.

### 3.3 Design

The Structure Plan proposes a base density of R20. This is consistent with the surrounding existing densities as well as the direction provided in the Shire of Capel Townsite Strategy.

The proposed Structure Plan seeks to facilitate the creation of approximately 24 residential lots at a density of R20. A Concept Subdivision plan is attached at **Appendix 2** which demonstrates an indicative lot layout for the property.

The loop road design off Prowse Road allows for regular shaped lots to be created as well as passive surveillance to be achieved in relation to the proposed public open space.

#### 4. Conclusion

The proposed Structure Plan has been prepared in accordance with the adopted planning strategies and other planning documents relevant to the locality.

The rationale for the proposed Structure Plan can be summarised as follows:

- The proposal allows for future residential development in accordance with the Shire of Capel Townsite Strategy and the completion of the settlement pattern in this area;
- The proposal seeks to achieve future residential development which is in harmony with the adjoining land to the north, south and east;
- The Structure Plan follows the rezoning process which is underway for the subject land, seeking to modify the zoning to 'Urban' under the GRBS which will then also allow for the subsequent rezoning of the subject land under the Shire of Capel Local Planning Scheme No. 7; and
- The proposal represents a logical approach to optimising the use of the land and the existing services in the locality.

#### 5. Technical Appendices

Appendix No.	Nature of Document	Assessment Agency	Approval Status
1	Base Plan	N/A	N/A
2	Concept Subdivision Plan	Local Authority/DoP	For information
3	Certificate of Title	N/A	N/A
4	Bushfire Management Plan	Local Authority/DFES	Submitted for consideration
5	Local Water Management Strategy	Local Authority/DoW	Prepared in consultation with the DoW and the Shire

## Appendix 1 - Base Plan

## Appendix 2 - Concept Subdivision Plan

## Appendix 3 - Certificate of Title

## Appendix 4 - Bushfire Management Plan

## Appendix 5 - Local Water Management Strategy